



**BOARD OF DIRECTORS
EAST BAY MUNICIPAL UTILITY DISTRICT**

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
REGULAR CLOSED SESSION**

Tuesday, April 8, 2025

11:00 a.m.

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. Conference with Labor Negotiators Keith Fleming and Stacey Cue from the Industrial Employers Distributors Association; Clifford C. Chan, General Manager; David A. Briggs, Director of Operations & Maintenance; Sophia D. Skoda, Director of Finance; Cindy R. Charan, Director of Human Resources; Samuel A. Feldman, Manager of Budget; Robert L. Hannay, Treasury Manager; Adam Smyer, Manager of Employee Relations; Lisa A. Sorani, Manager of Employee Services; Vincent L. James, Manager of Recruitment & Classification; Lori L. Worden, Senior Human Resources Analyst; Adrian J. Pringle, Senior Human Resources Analyst; and Valerie R. Weekly, Human Resources Administrator, pursuant to Government Code section 54957.6: American Federation of State, County and Municipal Employees, Locals 444 and 2019; International Union of Operating Engineers, Local 39; and International Federation of Professional and Technical Engineers, Local 21.

(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

ANNOUNCEMENTS FROM CLOSED SESSION:

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 9 recommendations including 1 resolution.)

1. Approve the Special Meeting Minutes and Regular Meeting Minutes of March 25, 2025.
2. File correspondence with the Board.
3. Award a contract beginning on or after April 8, 2025 to the lowest responsive/responsible bidder, Rexel USA, Inc., for supplying medium-voltage electrical equipment for the Pardee Dam Powerline Safety Improvements Project for a total cost, after the addition of taxes, not to exceed \$1,200,000 under Request for Quotation No. 2503 Schedules II, III, and IV.
4. Award a contract to the lowest responsive/responsible bidder, Sierra Mountain Construction, Inc., in an amount not to exceed \$9,209,600 for the construction of the Mokelumne Aqueduct No. 2 Relining Phase 2 Project, under Specification 2199.
5. Authorize a direct award contract beginning on or after April 8, 2025 with Gooch Thermal Systems, Inc. for supplying one sludge spiral heat exchanger for the Main Wastewater Treatment Plant Blend Tanks for a total cost, after the addition of taxes, not to exceed \$119,375.
6. Authorize an agreement beginning on or after April 8, 2025 with Pacific Gas and Electric Company in an amount not to exceed \$139,944 for relocating the existing electrical service for the Lafayette Center Reliability Project.

CONSENT CALENDAR: (Continued)

7. Approve the Sewer System Management Plan for the Special District No. 1 sanitary sewer system, which has been updated to meet requirements established by the State Water Resources Control Board's updated Statewide Waste Discharge Requirements General Order for Sanitary Sewer Systems.
8. Approve the assignment of the agreement originally authorized under Board Motion No. 008-17 from Integral Group, Inc. to Introba for design and construction management support services for upgrading the heating, ventilation, and air conditioning systems at the Administration Building and Adeline Maintenance Center.
9. Amend the expiration date of the 2021-2025 Memorandum of Understanding with American Federation of State, County and Municipal Employees Local 2019 from July 13, 2025 to April 20, 2025. (Resolution)

PUBLIC HEARING:

10. Conduct a Public Hearing to receive a report on job vacancy rates of the International Federation of Professional and Technical Engineers Local 21 (Local 21), International Union of Operating Engineers Local 39 (Local 39), and the American Federation of State, County and Municipal Employees Locals 444 (Local 444) and 2019 (Local 2019), as required by California Assembly Bill 2561 (AB 2561): Local Public Employees: Vacant Positions.

DETERMINATION AND DISCUSSION:

11. Appoint Manager of Distribution Maintenance and Construction.
12. Allegations concerning the conduct of an EBMUD Board Member.
 - 12.1. Review and discuss allegations of racially motivated conduct towards a member of the public and alleged behavior inconsistent with the Board of Directors Governance Manual by Board Vice President April Chan.
 - 12.2. Consider interim actions to temporarily remove Director Chan from the office of Vice President and from the position of Chair of the Board of Directors Planning Committee, or other interim actions deemed appropriate by the Board, pending the results of ongoing investigations and until further action of the Board.

DETERMINATION AND DISCUSSION: (Continued)

13. Legislative Update.

- Receive Legislative Report No. 03-25 and consider positions on the following bills: SB 431 (Arreguín) Assault and Battery: Public Utility Employees and Essential Infrastructure Workers; SB 599 (Caballero) Atmospheric Rivers: Research: Forecasting Methods: Experimental Tools; SB 654 (Stern) California Environmental Protection Agency: Contract: Registry: Greenhouse Gas Emissions That Result From the Water-Energy Nexus; SB 682 (Allen) Environmental Health: Product Safety: Perfluoroalkyl and Polyfluoroalkyl Substances; SB 735, SB 736, and SB 737 (Committee on Local Government) Validations; and S. 322 (Padilla) Improving Atmospheric River Forecasts Act; and receive information on SB 858 (Committee on Local Government) Local Government Omnibus Act of 2025
- Update on Legislative Issues of Interest to EBMUD

14. General Manager's Report.

- Water Supply Update – water production; precipitation to date; reservoir storage; and forecasted supply conditions for the remainder of water year 2025
- Speakers Bureau Topics for 2025
- Wildfire Preparedness and Response
- Monthly Report – March 2025

REPORTS AND DIRECTOR COMMENTS:

15. Other Items for Future Consideration.

16. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, April 22, 2025.

Disability Notice

If you require a disability-related modification or accommodation to participate in an EBMUD public meeting please call the Office of the Secretary (510) 287-0404. We will make reasonable arrangements to ensure accessibility. Some special equipment arrangements may require 48 hours advance notice.

Document Availability

Materials related to an item on this agenda that have been submitted to the EBMUD Board of Directors within 72 hours prior to this meeting are available for public inspection in EBMUD's Office of the Secretary at 375 11th Street, Oakland, California, during normal business hours, and can be viewed on our website at www.ebmud.com.

BOARD CALENDAR

Meeting dates, times, and locations are subject to change

Date	Meeting	Time/Location	Topics
Tuesday, April 8, 2025	Planning Committee	9:00 a.m. Boardroom	• 2024 Mokelumne Fishery Update • Upper Mokelumne River Watershed Authority and Blue Forest Update • Regulatory Compliance Semi-Annual Report – July 1, 2024 through December 31, 2024 • Backflow Prevention Program Update
	Legislative/Human Resources Committee	10:15 a.m. Boardroom	• Legislative Update
	Board of Directors	11:00 a.m. Boardroom	• Closed Session
		1:15 p.m. Boardroom	• Regular Meeting
Tuesday, April 22, 2025	Finance/Administration Committee	TBD	
	Board of Directors	11:00 a.m. Boardroom 1:15 p.m. Boardroom	• Closed Session • Regular Meeting
Tuesday, May 13, 2025	Planning Committee	TBD Boardroom	
	Legislative/Human Resources Committee	TBD Boardroom	
	Board of Directors	11:00 a.m. Boardroom	• Closed Session
		1:15 p.m. Boardroom	• Regular Meeting
<u>2025 Board Committee Members</u>			
Finance/Administration		Lewis {Chair}, Katz, Oddie	
Legislative/Human Resources		Gómez {Chair}, Oddie, Smith	
Planning		Chan {Chair}, Gómez, Lewis	
Sustainability		Smith {Chair}, Gómez, Katz	

APPENDIX

**Closed Session and Regular Business Meetings
11:00 a.m. and 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>

Providing public comment - *The EBMUD Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.*

- Each speaker is allotted 3 minutes to speak; the Board President has the discretion to amend this time based on the number of speakers
- The Secretary will track time and inform each speaker when the allotted time has concluded
- Comments on **non-agenda items** will be heard at the beginning of the meeting
- Comments on **agenda items** will be heard when the item is up for consideration
- The Secretary will call each speaker in the order received

In person

- Fill out and submit a blue speaker card which is available in the meeting room

Via Zoom

- Use the raise hand feature in Zoom to indicate you wish to make a public comment
<https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-in-a-webinar>
- If you participate by phone, press *9 to raise your hand
- When prompted by the Secretary, please state your name, affiliation if applicable, and topic

Submitting written comments or materials

- Email written comments or other materials for the Board of Directors to SecOffice@ebmud.com
- Please indicate the meeting date and agenda item number or non-agenda item topic in the subject line of the email. Contact information is optional.
- **Please email by 4 p.m. the day prior to the scheduled regular meeting;** written comments and other materials submitted to the Board of Directors will be filed in the record.

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

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: April 3, 2025

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager 

FROM: Rischa S. Cole, Secretary of the District 

SUBJECT: Finance/Administration Committee Minutes – March 25, 2025

Acting Chair Valerie D. Lewis called to order the Finance/Administration Committee meeting at 8:30 a.m. in the Administration Building Boardroom. Director Jim Oddie was present at roll call. Chair Andy Katz arrived at 8:50 a.m. (late arrival). Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, Director of Finance Sophia D. Skoda, Internal Auditor Supervisor Barry N. Gardin, and Secretary of the District Rischa S. Cole.

Public Comment. None.

Presentations/Documentation. 1) Presentation entitled “Additional Proposed Revisions to Policy 4.14 –Reimbursement of Director Expenses,” dated March 25, 2025.

Monthly Investment Transactions Report. Director of Finance Sophia D. Skoda reviewed the February report and the drivers that slightly decreased the portfolio from \$587.7 million to \$571.8 million. The District did not purchase any securities, and no securities matured, and no securities were called or sold during this time. The portfolio is currently earning approximately 4.25 percent in interest. This item will be submitted to the Board for consideration at its meeting in the afternoon. Ms. Skoda responded to Committee questions with additional information on the drivers that decreased the portfolio; forecasting drivers that may cause changes to the portfolio; and portfolio investments. Staff will provide a forecast of drivers that may cause changes to the portfolio. It was moved by Director Oddie, seconded by Director Lewis, and carried (2-0) by voice vote to accept the report. Chair Katz was absent.

Provide Direction on Revisions to Policy 4.14 – Reimbursement of Director Expenses. Internal Auditor Supervisor Barry N. Gardin introduced the presentation and explained the District’s policy review process. General Counsel Derek T. McDonald stated the Board adopted its governance manual in November 2024, and at that time, authorized staff to finalize three governance policies, including Policy 4.14, through the District’s policy review process. During the review process, staff received additional proposed revisions to Policy 4.14 from a Board member. Staff is seeking feedback on the proposed revisions before finalizing Policy 4.14 for Board consideration. He reviewed the proposed revisions received after November 2024 which include deleting mileage reimbursement for Directors attending regular, adjourned regular, special and committee meetings of the Board; limiting reimbursement to one conference per year unless a Director’s attendance at a conference is necessary due to service on a joint powers authority, regional committee or other body required to meet at the conference; requiring Directors to submit a draft calendar of conferences and activities for the fiscal year that may require reimbursable lodging, registration or airfare; and clarifying language regarding travel cancellations. He also reported an additional revision not included in the staff report is to increase

the Board President pre-approval expense cap from \$100 to \$150 or \$200 to account for inflation. There was considerable Committee discussion and questions on whether employees receive mileage reimbursement for reporting to their regular place of work, mileage reimbursement for Directors participating in offsite Board meetings, and equity considerations for Directors with longer commutes to Board meetings. They also discussed the one-conference-per-year reimbursement limit; budget-based conference reimbursement; exceptions for Directors with official roles at conferences e.g., guest speaker or serving on a panel; flexibility in forecasting annual activities; ensuring equitable use of the travel budget among Board members; and defining “good cause” for travel cancellations. Mr. McDonald, Ms. Cole, and Mr. Chan responded to questions. Mr. Chan discussed previous and the proposed Fiscal Years 2026 and 2027 budget for Board travel and summarized the proposed changes to be discussed during the afternoon Board meeting. The Committee supported deleting mileage reimbursement for travel to and from regular board meetings; removing the one-conference-per-year reimbursement limit and have conference reimbursements approved based on budget; ensuring equitable conference access among Board members; including language regarding conference reimbursement when a Director is invited to participate in an official role; flexibility in forecasting annual activities; including the “good cause” language from Resolution No. 35000-16 as it relates to travel cancellations; and raising the Board President pre-approval expense cap from \$100 to \$250. The Committee also requested information on mileage reimbursement practices at other agencies.

Adjournment. Acting Chair Lewis adjourned the meeting at 9:04 a.m.

CCC/RSC

MINUTES

Tuesday, March 25, 2025

**East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California**

Special Meeting

President Marguerite Young called to order the Special Meeting of the Board of Directors at 9:07 a.m. in the Administration Building Boardroom. The Board met in workshop session to discuss the Fiscal Year (FY) 2026 and FY 2027 proposed biennial budget, including revenues, operating, debt service, and capital expenses; recommended revisions to the water and wastewater schedule of rates and charges subject to Proposition 218; and information on changes to the proposed budget from the plan presented at Budget Workshop No. 1 on January 28, 2025.

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, General Counsel Derek T. McDonald, Director of Finance Sophia D. Skoda, Manager of Budget Samuel A. Feldman, Special Assistant to the General Manager Derry L. Moten, Senior Community Affairs Representative Kathryn A. Horn, and Secretary of the District Rischa S. Cole.

Public Comment. Addressing the Board were the following: 1) Eric Larsen, President, AFSCME Local 444, said the union largely supports the budget as presented and commented on trades training programs for Local 444 classifications, funding for staffing to support ongoing trades training, and recruiting permanent staff to address backlog work; and 2) Michael Morgan, AFSCME Local 444, expressed concerns with the budget presentation and the proposed staffing plan to hire Limited-Term positions to address backlog work.

Presentation/Documentation. 1) Presentation entitled “Fiscal Years 2026 & 2027 Biennial Budget Workshop No. 2,” dated March 25, 2025.

DISCUSSION

General Manager Clifford C. Chan introduced the workshop and noted staff had incorporated feedback received during Budget Workshop No. 1 on January 28, 2025 into today’s presentation. He reported the proposed average rate increase in Fiscal Years 2026 and 2027 for the Water System is 6.5 percent annually and 8.5 percent annually for the Wastewater System. Staff developed a budget with a goal to balance infrastructure investment, rate stability, and long-term financial health.

Manager of Budget Samuel A. Feldman reviewed the agenda. Staff is seeking Board approval to move forward with finalizing and mailing the Proposition 218 notice which they received previously; copies were also provided at their places. Mr. Feldman discussed updates to the proposed budget to address feedback from Budget Workshop No. 1. During the first workshop, the Board expressed support for the 10-year financial plan including investing in critical infrastructure; strengthening the District's financial stability by balancing rates and debt; and proceeding with the average rate increases announced by the General Manager. In response to feedback received regarding education and field-trip programs, the proposed budget was updated to include funding for two part-time Education and Outreach Specialists and \$175,000 per year for two years to hire an expert to advise on creating the Skilled Trades Employee Progression & Support (STEPS) Program to address workforce development for the trades. He reviewed the District's current workforce development efforts, pathways for Peralta Colleges Foundation interns to obtain District civil service positions, and goals for the STEPS Program. The proposed FY 2026 budget was also updated to include two Limited-Term (LT) positions to address the backlog of concrete paving orders while the proposed FY 2027 budget was updated to include two LT positions to replace contracted support for saw cutting. He clarified a Storekeeper to support materials handling at Oakport was already included in the budget presented during the first workshop. Special Assistant to the General Manager Derry L. Moten responded to questions regarding the correlation between the District's current workforce development efforts and pathways for Peralta Colleges Foundation interns to obtain District civil service positions. Senior Community Affairs Representative Kathryn A. Horn responded to questions about the District's education program. Board members discussed the feasibility of extending or converting LT positions to permanent positions; including test preparation in the STEPS Program; and testing requirements and promotions for LT Utility Laborers for permanent positions. Mr. Feldman reviewed the Capital Improvement Program (CIP) prioritization framework which will guide funding across the Water and Wastewater systems. To address capital budget controls, staff is improving accountability through consistent prioritization, enhanced monitoring of project budget changes, and proactive budget management. Emergency funds will be set aside to cover unexpected cost increases or emergency project needs. Savings from under-budget projects would be reallocated or returned to the Finance Department. There was considerable Board discussion regarding administration and management of the emergency fund. Next, he provided an overview of the proposed budget for the Water and Wastewater systems. Over two years, the total sources of funds for the Water System are projected to be \$2.7 billion, total operating costs \$934.9 million, and total debt service \$559.1 million. Capital spending is projected to be \$1.2 billion from the \$5.6 billion 10-year CIP and the District expects to issue \$700 million in new Water System bonds. Total sources of funds for the Wastewater System are projected to be \$483.7 million, total operating costs \$242.6 million, and total debt service \$73.7 million. Capital spending is projected to be \$170.8 million from the \$1.2 billion Wastewater System 10-year CIP and the District expects to issue \$75 million in new Wastewater System bonds. Mr. Feldman highlighted the sources of funds, categories of operating costs, position changes, details regarding the 10-year CIP budget and projected debt issuance, and the forecast for annual average wastewater rate increases through FY 2035 for both systems. He concluded with a review of the Customer Assistance Program (CAP), which is funded through non-rate revenue, currently serves over 10,800 low-income customers, and provided \$3.7 million in credits for customers in FY 2024.

- Director Oddie left the meeting at 10:25 a.m. and returned at 10:28 a.m.

Director of Finance Sophia D. Skoda discussed the Water System Cost of Service (COS) Study which is for Proposition 218 rates and was completed with support from an independent rate consultant. The study proposes updating the following rates in the District's Schedule A – Rate Schedule for Water Service: fixed monthly service charges, volumetric rates, elevation surcharge, recycled water rate, and

private fire service charge. She reviewed substantive and procedural requirements for Proposition 218 and reported the water rates presented in the draft Proposition 218 notice represent study results and average 6.5 percent rate increases in FY 2026 and FY 2027. In Schedule L – Drought Surcharge, the study proposes implementing a 5 percent maximum surcharge for a Stage one drought. Surcharges for Stage 2, 3, and 4 droughts would increase to 10 percent, 20 percent, and 30 percent respectively. These adjustments are designed to recover revenue and offset costs during drought periods. She highlighted the Proposition 218 protest and objection process and requirements in Assembly Bill 2257; the proposed water and wastewater rate increase impacts to single-family residential, multi-family residential, and non-residential monthly water bills; proposed increases to the elevation surcharge and recycled water rate; rate increase impacts from the District's annual Wet Weather Facilities Charge which is collected on the property tax bill; the District's average water charges and wastewater bills compared to other agencies; and community outreach and scheduled events between March and June 2025 to discuss the budget and rates. The Proposition 218 notice is scheduled to begin mailing in the next few weeks and media engagement will kick off in April. Information will be disseminated in the *Customer Pipeline* newsletter, during Water Wednesday webinars, and on social media; The General Manager's report and recommendation on revisions to rates and charges will be presented to the Board on May 13; and the public hearing on rates and charges is scheduled for the Board's Regular meeting on June 10.

There was considerable Board discussion about the layout, content, and distribution of the Proposition 218 notice; including the proposed rate increases in the Proposition 218 notice; whether the companies mailing the Proposition 218 notice are union shops; expanding outreach for the education program; including a test preparation component for the STEPS Program; the STEPS Program role in supporting long-term workforce development; testing requirements for LT Utility Laborers for permanent Utility Laborer positions; CIP emergency fund administration and management; increasing transparency and providing regular updates to the Board on the Capital Steering Committee process; the correlation between capital transfers and the CIP emergency fund; remaining mindful about the long-term stability of the District when considering adding more staff; continued use of LT positions and interest in converting some positions to permanent to address operational backlogs; understanding ward-specific customer impacts from the proposed rate increases and their connection to infrastructure investments; the projected debt issuance for capital in the 10-year plans for both systems; additional revenue sources and expanding the Customer Assistance Program; whether customers are benefiting from reservoirs that are located at higher elevations; when the Water System COS Study would be available; whether the median for wastewater use has changed; and planning for long-term capital needs for the Wastewater System. Board members thanked staff for their work and expressed overall support for the proposed budget and rate increases.

The Board requested the following:

- Additional reporting on capital transfers, transfers to and from the CIP emergency fund, and Capital Steering Committee activities
- Debt service projections for the Water and Wastewater systems over the next 10 years
- Graphics showing a timeline of major water and wastewater projects over the next 10+ years
- Explore additional funding resources and ideas to increase Customer Assistance Program participation, including support for customers with limited English proficiency
- The number of Ward 6 customers that pay an elevation surcharge
- Additional information on the factors that increased the recycled water charge
- Additional information on unfunded liability costs for the Retirement System

- Proposed edits to the Proposition 218 notice: QR code linking to the public hearing information; hyperlink to ebmud.com webpage on how to read your bill; information on typical single-family residence meter size; bold the red text on the front of the notice; translate the notice into multiple languages; and ensure language accessibility
- Ward-specific rate impact factsheets
- A handout for Board members that illustrates how the proposed budget benefits customers
- Prepare a simple handout that can be shared during the budget and rates presentations
- Consider how to message that not all water customers receive EBMUD wastewater services
- Information on the analysis for the LT Concrete Paving staff and Utility Laborers. Include retirement data for these classifications, an analysis of the concrete order backlog, and actions to address the backlog
- Information on the process for LT Utility Laborers to apply for permanent positions
- Include a test preparation component in the STEPS Program
- Information on the benefits and estimated savings from purchasing water during Stage 1 of the last drought
- During the next Wastewater System COS Study, analyze if the nine-unit median for wastewater customers is still accurate
- A copy of the final Water System COS Study

ADJOURNMENT

President Young adjourned the Special Meeting at 11:18 a.m.

SUBMITTED BY:

Rischa S. Cole, Secretary of the District

APPROVED: April 8, 2025

Marguerite Young, President of the Board

MINUTES

**Tuesday, March 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 11:23 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

- Addressing the Board were the following: 1) Eric Larsen, President, AFSCME Local 444 expressed concerns on requirements for staff in Limited-Term positions to compete for a permanent position in the same class, and commented on Local 444's proposals to provide a tiered set of hiring lists to address this concern and for the District to place savings realized from PEPRA member employees into an employer paid retiree healthcare plan; and 2) Michael Morgan, AFSCME Local 444 commented on Local 444's proposal to address standby pay and scheduling.

President Young requested clarification on the process for hiring Limited-Term staff into permanent positions.

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 1:20 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.

Proposed updates to 2025 Assignments for Committees, Joint Powers Authorities, and Associations

President Young announced the updates were included in the agenda materials and propose assigning Director Lewis as Chair of the Finance/Administration Committee.

- Motion by Director Katz, seconded by Director Chan, to approve the updated 2025 assignments for Board committees, joint powers authorities, and associations, carried (7-0) by the following voice vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 048-25 – Approved the updated 2025 Assignments for Committees, Joint Powers Authorities, and Associations as of March 25, 2025.

Planning

Director Chan, Chair
Director Gómez
Director Lewis

2nd Tuesday of the month at 9:00 a.m.
Administration Center Building

Legislative/Human Resources

Director Gómez, Chair
Director Oddie
Director Smith

2nd Tuesday of the month at 10:00 a.m.
Administration Center Building

Finance/Administration

Director Lewis, Chair
Director Katz
Director Oddie

4th Tuesday of the month at 10:00 a.m.
Administration Center Building

Sustainability

Director Smith, Chair
Director Gómez
Director Katz

4th Tuesday, quarterly, time to be determined
Administration Center Building

DSRSD/EBMUD Recycled Water Authority (DERWA)

Director Chan
Director Gómez
Director Smith, Alternate

1st Monday in Feb.;
3rd Monday in May;
4th Monday in March, July, Sept., and Nov.
meets at 6:00 p.m.
Contact: Florence T. Wedington
Tel: 510-287-1625

Freeport Regional Water Authority

Director Gómez
Director Oddie
Director Katz, Alternate

2nd Thursday, quarterly at 10:00 a.m.,
location to be announced

Retirement Board

Director Chan
President Young

3rd Thursday odd numbered months at 9:00 a.m.

Administration Center Building
Contact: Valerie Weekly
Tel: 510-287-0760

**Upper Mokelumne River Watershed
Authority**

Director Smith
Director Oddie, Alternate
Director Katz, Alternate
Director Gómez, Alternate

*4th Friday of January, April, and October; and
third Friday of August, at 10:00 a.m.*
McLean Hall, Pardee Center

EBMUD/EBRPD Liaison

Director Oddie
Director Smith
Director Katz, Alternate

*Meeting dates, times, and location to be
determined*

Business Forum (Ad Hoc)

*Meeting dates, times, and location
to be determined
Board Representatives to be
determined as needed*

Oakland Chamber of Commerce

Director Oddie
Director Lewis, Alternate
President Young, Alternate

Special Districts Association of Alameda County/Special Districts Selection Committee

Director Chan, Member
Director Katz, Alternate
Director Lewis, Alternate

Special Districts Association of Contra Costa County

Director Smith, Member
Director Gómez, Alternate
Director Chan, Alternate

ANNOUNCEMENTS FROM CLOSED SESSION

General Counsel Derek T. McDonald announced the Board met in closed session. All Directors were present, and all Directors voted to authorize the General Counsel to initiate litigation in one matter. The action, parties, and other particulars will be disclosed upon inquiry once the action has formally commenced. There were no other announcements required from closed session.

PUBLIC COMMENT

None.

COMMITTEE REPORTS

- Filed with the Board were the Minutes for the March 11, 2025 Planning and Legislative/Human Resources Committee Meetings.
- President Young announced the Board met for the second budget workshop this morning where staff reviewed the District’s budget the Fiscal Year (FY) 2026 and FY 2027 proposed biennial budget, including revenues, operating, debt service, and capital expenses; recommended revisions to the water and wastewater schedule of rates and charges subject to Proposition 218; and information on changes to the proposed budget from the plan presented at Budget Workshop No. 1 on January 28, 2025. President Young announced the public should contact the Secretary’s Office for information on community meetings regarding the budget and rates.
- Chair Valerie D. Lewis reported the Finance/Administration Committee met earlier and received updates on the Monthly Investment Transactions Report for February 2025 and Revisions to Policy 4.14 – Reimbursement of Director Expenses. Chair Lewis and General Manager Clifford C. Chan provided an overview of the Committee discussion and recommendations regarding Policy 4.14 which is scheduled for discussion under Agenda Item 10. President Young announced she would like to table the item until the next Board meeting to allow time to review the recommendations from the Committee. General Counsel Derek T. McDonald commented the Board can vote to table the item when it is up for consideration.

CONSENT CALENDAR

- Agenda Items 7a-7b were pulled from the Consent Calendar for separate discussion.
 - Motion by Director Chan, seconded by Director Gómez, to approve the recommended actions for Items 1-6 and 8-9 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. 041-25** – Approved the Regular Meeting Minutes of March 11, 2025.
 2. The following correspondence was filed with the Board: **1)** Presentation entitled, “Additional Proposed Revisions to Policy 4.14 –Reimbursement of Director Expenses,” dated March 25, 2025; **2)** Presentation entitled, “Single-Family Residential Accounts Arrearage Management Update,” dated March 25, 2025; **3)** Presentation entitled, “Water Supply Update,” dated March 25, 2025; **4)** Presentation entitled, “Community Water Academy,” dated March 25, 2025; **5)** Speakers’ Bureau and Outreach Record CY25, dated March 25, 2025; **6)** Community Water Academy participant list; **7)** Copy of H2Flow lyrics; **6)** Email dated March 13, 2025 from Ivette Rivera to Office of the Secretary regarding Please include this email, as a PUBLIC RECORD, in the next EBMUD BOD meeting scheduled on 3/25/25: RE:...Just to confirm, given that the new EBMUD Claim that I submitted on 3/7/25 contains facts have allegations; a) against a NEW defendant, Sharon Hu...; and **7)** Draft Proposition 218 notice.

3. **Motion No. 042-25** – Awarded a contract beginning on or after March 25, 2025 to the lowest responsive/responsible bidder, Jesse Mack Company, Inc., for supplying a remote-controlled mower with tracks and forestry flail for a total cost, after the addition of taxes, not to exceed \$120,950, under Request for Quotation No. 2510.
4. **Motion No. 043-25** – Awarded a sole source contract beginning on or after March 25, 2025, to SPX Flow US, LLC, for supplying one surface aerator assembly and associated services for the Main Wastewater Treatment Plant for a total cost, after the addition of taxes, not to exceed \$335,000.
5. **Motion No. 044-25** – Authorized an amendment to the contract originally awarded under Board Motion No. 012-23 with Crayon Software Experts LLC, to increase the contract amount by \$650,000 to a total amount not to exceed \$2,884,544 through January 31, 2026 for supplying Microsoft Enterprise Agreement for Microsoft Office 365, Enterprise Mobility and Security, Endpoint Operating Systems, and management software required to manage the District's workstation fleet and additional Microsoft productivity software.
6. **Motion No. 045-25** – Authorized an amendment to the agreement originally authorized under the General Manager's authority with Stop Global Yawning, Inc. dba WHM Creative to increase the agreement amount by \$12,250 to a total amount not to exceed \$91,250 for digital advertising services to support workforce planning goals, promote difficult-to-recruit classifications, and increase awareness of mission-critical water and wastewater careers.
- 7a.- **Authorize amendments to the agreements originally authorized under Board Motion No.**
- 7b. **121-22 with ALB, Inc.; American Asphalt Repair & Resurfacing Co., Inc.; Carone & Company, Inc.; J.V. Lucas Paving, Inc.; MCK Services, Inc.; and Public Agencies to increase the aggregate amount of the agreements by \$5,200,000 to a total aggregate amount not to exceed \$20,200,000 and extend the agreements term to March 25, 2026 for paving and other related services; and authorize additional agreements for paving and other related services, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on March 25, 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.**
 - Addressing the Board was Eric Larsen, President, AFSCME Local 444 who commented the union objects to contracting out its core work and recommends reducing the contract amount equivalent to the cost of adding two paving crews to perform the work in-house.

General Manager Clifford C. Chan commented the District has had previous discussions with Local 444 about keeping the contract amount constant and noted the contract amount has remained stable for the past three years and includes joint paving agreements with service area cities. There was Board discussion and Mr. Chan responded to questions about the cost of contracting versus adding two paving crews, how joint contracts are administered, and whether cities use union contractors. Director Oddie requested that future items include information on whether cities are using union contractors and said he would abstain from voting on this item. Director Katz stated he also considered abstaining and requested that this issue be studied at a

future Legislative/Human Resources Committee meeting. Staff was asked to provide a breakdown of contracted paving costs and information on whether cities are using union contractors for joint paving projects.

- Motion by Director Young, seconded by Director Lewis, to approve the recommended actions for Items 7a-7b carried (5-0-2) by the following voice vote: AYES (Chan, Gómez, Katz, Lewis, and Young); NOES (None); ABSTAIN (Oddie, Smith); ABSENT (None).

Motion No. 047-25 – Authorized amendments to the agreements previously authorized under Board Motion 121-22 with ALB, Inc.; American Asphalt Repair & Resurfacing Co., Inc.; Carone & Company, Inc.; J.V. Lucas Paving, Inc.; MCK Services, Inc.; and Public Agencies to increase the aggregate amount of the agreements by \$5,200,000 to a total aggregate amount not to exceed \$20,200,000 and extend the agreements term to March 25, 2026 for paving and other related services; and authorized additional agreements for paving and other related services, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on March 25, 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.

8. **Motion No. 046-25** – Approved the February 2025 Monthly Investment Transactions Report.
9. **Resolution No. 35441-25** – Appointing Representative And Alternate Representative To The Association Of California Water Agencies Joint Powers Insurance Authority Board Of Directors.

DETERMINATION AND DISCUSSION

10. **Provide direction to staff on revisions to Policy 4.14 – Reimbursement of Director Expenses.**

The Board adopted its governance manual in November 2024, and at that time, authorized staff to finalize three governance policies, including Policy 4.14, through the District’s policy review process. During the review process, staff received additional proposed revisions to Policy 4.14 from a Board member. General Manager Clifford C. Chan noted that although President Young asked to table the item to a future Board meeting, the Board will not be voting to adopt policy revisions at this time. Staff is seeking feedback on the proposed revisions before finalizing Policy 4.14 for Board consideration. The proposed revisions received after November 2024 include deleting mileage reimbursement for Directors attending regular, adjourned regular, special and committee meetings of the Board; limiting reimbursement to one conference per year unless a Director’s attendance at a conference is necessary due to service on a joint powers authority, regional committee or other body required to meet at the conference; requiring Directors to submit a draft calendar of conferences and activities for the fiscal year that may require reimbursable lodging, registration or airfare; and clarifying language regarding travel cancellations. An additional revision not included in the staff report proposes to increase the Board President pre-approval expense cap from \$100 to \$150 or \$200 to account for inflation. Finance/Administration Committee Chair Lewis provided an overview of the Committee discussion and recommendations and Committee members provided input. The Committee supported deleting mileage reimbursement for travel to and from regular board meetings; removing the one-conference-per-year reimbursement limit and have conference reimbursements

approved based on budget; ensuring equitable conference access among Board members; including language regarding conference reimbursement when a Director is invited to participate in an official role e.g., as a speaker or panel participant; flexibility in forecasting annual activities; including the “good cause” language from Resolution No. 35000-16 as it relates to travel cancellations; and raising the Board President pre-approval expense cap from \$100 to \$250 to account for inflation. The Committee also requested information on mileage reimbursement practices at other agencies. There was considerable Board discussion regarding adjusting the Board President pre-approval expense cap; data to support increasing the expense cap; maintaining checks and balances as well as accountability; the Board’s annual travel and expense budget; reasonable and proportionate use of the budget; the one-conference-per-year reimbursement limit; mileage reimbursement for travel within the service area, specifically to special meetings or locations outside a Director’s ward; aligning the Board mileage reimbursement policy with the policy for staff; public understanding of Board members attending events when there is a legitimate reason for EBMUD to be represented; and clarifying that the “good cause” language proposed for travel cancellations apply to local events as well. Staff will prepare a memo with information on conference policies and individual budgets from other water agencies; event ticket pricing data to support increasing the Board President pre-approval expense cap from \$100 to \$250; an updated redlined copy of Policy 4.14 based on Finance/Administration Committee recommendations and Board input for Board discussion at a future meeting.

11. **Provide direction to staff on Single-Family Residential (SFR) Accounts Arrearage Management Program to address delinquent debt.**

Director of Customer and Community Services Andrew L. Lee provided the presentation. The Board adopted Resolution No. 35211-20 in December 2020 to establish an alternative to water shutoffs for delinquent SFR accounts. Implementation of the program began in September 2024, at the conclusion of the California Water and Wastewater Arrearage Payment Program (CWWAPP). Some customers received support through the temporary federal Low Income Household Water Assistance Program (LIHWAP), which ended in March 2024. CWWAPP and LIHWAP significantly reduced customer arrearages; however, arrearage levels remain higher than pre-COVID-19 levels. Despite the overall reduction in delinquent accounts, the number of accounts past due by more than 100 days has increased significantly, rising from approximately 5,500 pre-COVID to 15,062 (including both tenant- and owner-occupied SFR accounts). This increase has resulted in a substantial increase in total arrearages, growing from \$3.0 million pre-COVID to a high of \$22.9 million in August 2024. As of February 2025, the District recovered (including active payment plans) approximately \$7.1 million from tenant-occupied SFR accounts and \$2.8 million from owner-occupied SFR accounts which reduced arrearages to \$13 million. Mr. Lee reviewed arrearage trends between July 2018 and August 2022; arrearages by customer segment; the collection path for tenant-occupied and owner-occupied SFR accounts; delinquency and arrearage trends for accounts delinquent for more than 100 days; and service area maps showing where flow restrictors are installed and where SFR liens were filed as of February 2025. Approximately 42 percent of tenant-occupied SFR accounts who had a flow restrictor installed (346 out of 819) are living with the flow restrictor without addressing their arrears. A total of 4,270 owner-occupied SFR delinquent accounts are subject to collection through the property tax roll. The District initiated outreach owner-occupied SFR delinquent accounts in September 2024. In total, 2,899 customers responded to outreach (68%) and provided some form of payment making up approximately \$2.8 million of the arrearages (42.5%). After a lien is recorded against

a property and if the customer continues to be unresponsive, the District will initiate the process to transfer the lien to the property tax roll. By May 2025, these customers will receive a notice that provides a final opportunity to contest the delinquent charges at a District public hearing. Following the public hearing, any unpaid delinquent charges will be transferred to the customer's respective county property tax roll in August 2025. He shared staff's observations about the use of flow restrictors, resources needed compared to water shutoffs, evidence of device tampering, and an increase in customers seeking payment plans. To continue addressing the remaining overdue accounts and continue implementing the program with modifications, staff is seeking direction on the following: for continued non-payment of accounts after a flow restrictor is installed for more than three months either add a live account third-party collection process (e.g., wage garnishment) and keep accounts active, or shutoff water service, write off delinquent debt, and send account to third-party collections. Add water service shutoffs for accounts that have had a flow restrictor installed and removed after a payment plan is setup, subsequently defaulted, and unwilling to work with the District; add water service shutoffs for any accounts where the customer had made a threat against the safety of District staff; or explore a new engagement process with a third-party for customers that do not respond to the flow restrictor (90+days) in lieu of water service shutoff. There was significant Board discussion regarding the recommendations; evaluating Customer Assistance Program (CAP) eligibility when making contact with customers; on the spot and automatic CAP enrollments; program costs and benefits; retroactive CAP credits; experience at other agencies using flow restrictors; if language access is a factor for non-responsive customers; the number of customers that may fall below the federal poverty level; other financial incentives or benefit if customers sign up for a payment plan; programs that can assist customers if they immediately qualify for CAP; CAP outreach efforts; language accessibility; partnering with non-profits or similar agencies to assist customers with delinquent accounts; discounting or forgiving customer debt; voluntary customer contributions to help other customer pay their bills; and messaging on notices regarding consequences for threatening District staff. There was additional Board discussion and Mr. Lee and General Manager Clifford C. Chan responded to Board questions. The Board directed staff to proceed with the live account third-party collection process (e.g., wage garnishment) and to keep accounts active with no shutoffs. Staff was asked to explore debt forgiveness; automatic CAP enrollment and a 30 day grace period to provide documentation; improved messaging strategies; develop criteria for case-by-case decisions for customer who default on payment plans after a flow restrictor has been installed; information on the wage garnishment process; the number of SFR customers with arrearages eligible for CAP; of the 2,693 customers that are in arrears, how many have not paid since COVID; a graph of the arrearages and delinquency numbers by ward; the number of SFR customers that are living below the federal poverty level; improve outreach for CAP customers that are delinquent on their bills; retroactive application of CAP benefits; evaluate if language is an issue for non-payment or lack of responsiveness; number of SFR tenant-occupied accounts; include information on notices for customers to be courteous to staff and to seek District support to address arrearages; and explain how other charges (e.g., City of Oakland sewer service charge) collected on EBMUD's bill are distributed.

- Director Chan left the meeting at 2:27 p.m. and returned at 2:29 p.m.
- Director Oddie left the meeting at 3:07 p.m. and returned at 3:09 p.m.

12. 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 through March 19: gross water production; total system storage (637,610 acre-feet); precipitation in the East Bay (16.3 inches) and in the Mokelumne (31.6 inches); and the snow depth (90 inches) and snow water content (23.8 inches) at Caples Lake. He reviewed snowpack levels and snow water equivalent in the Sierras as of March 19; precipitation forecasts across the states for March 27 – April 2, 2025; projected Mokelumne precipitation for Rainfall Year 2025; and 2025 total system storage projections.

Community Water Academy (CWA)

Special Assistant to the General Manager Kelly A. Zito provided the presentation. The District will host its third CWA in April 2025. A cohort of about 40 individuals will participate in a series of five sessions that include behind-the-scenes tours of District facilities and talks from EBMUD subject matter experts to learn about the District's operations, policies and projects. She reviewed the itinerary and noted the participant list had been provided at Board places.

Screening of EBMUD/Alphabet Rockers Song

Special Assistant to the General Manager Kelly A. Zito announced the District collaborated with the Oakland-based Grammy Award-winning musical group, Alphabet Rockers to create "H2FLOW," a song and music video that was globally released as a part of World Water Day. This musical collaboration is part of EBMUD's enhanced education program. The Alphabet Rockers are scheduled to perform the song live at the Oakland Roots Soccer Club's Earth Day-themed game on April 19, 2025 at the Oakland-Alameda County Coliseum. The video was displayed for the Board and meeting participants and a copy of the song lyrics was provided at Board places.

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

DIRECTOR COMMENTS

13. Other Items for Future Consideration.

None.

14. Director Comments.

- Director Gómez reported attending the Well UnTapped Fellowship in Tehachapi March 21- March 22 and the Lafayette City Council meeting (remote) on March 24.

- Director Lewis reported attending the Alameda County Mayors Conference in Piedmont on March 12; Alameda County Special Districts Association Annual dinner in Castro Valley on March 13; and the Niagara Movement Foundation's Gala Awards dinner in Oakland on March 15.
- Director Oddie reported attending the Alameda County Mayors Conference in Piedmont on March 12; Ward 5 meet and greet in Alameda on March 13; Alameda County Special Districts Association Annual dinner in Castro Valley on March 13; State of the City Address in San Leandro on March 18; and State of the City Address in Alameda on March 20. He thanked the General Manager and staff for the tour of the Main Wastewater Treatment Plant on March 21.
- Director Smith reported attending the Ward 1 meet and greet in Richmond on March 12; State of the Cities in Hercules on March 13; West County Forum in San Pablo on March 13; EBMUD Water Wednesday webinar (remote) on March 19; and Powerful Women of the Bay Awards luncheon in Oakland on March 25.
- President Young reported on plans to provide a water cycle presentation and the H2FLOW video for her granddaughter's TK class on April 26.
- Directors Chan and Katz had no report.

ADJOURNMENT

President Young adjourned the Regular Meeting at 4:07 p.m.

SUBMITTED BY:

Rischa S. Cole, Secretary of the District

APPROVED: April 8, 2025

Marguerite Young, President of the Board



BOARD ACTION

Agenda Number:	3.	Meeting Date:	April 8, 2025
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TITLE	MEDIUM-VOLTAGE ELECTRICAL EQUIPMENT FOR PARDEE DAM POWERLINE SAFETY IMPROVEMENTS PROJECT
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ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:
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RECOMMENDED ACTION	Award a contract beginning on or after April 8, 2025 to the lowest responsive/responsible bidder, Rexel USA, Inc., for supplying medium-voltage electrical equipment for the Pardee Dam Powerline Safety Improvements Project for a total cost, after the addition of taxes, not to exceed \$1,200,000 under Request for Quotation (RFQ) No. 2503 Schedules II, III, and IV.
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SUMMARY	This contract is for the procurement of transformers, load interrupter switchgears, and cabinets to be installed at Pardee Dam Powerhouse, Pardee Dam spillway, and Camp Pardee as part of the Pardee Dam Powerline Safety Improvements Project under Specification 2197. This equipment needs to be purchased in advance of the project's construction due to long lead times.
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DISCUSSION	The Pardee Dam Powerline Safety Improvements Project will upgrade the existing 7.2 kilovolt powerline infrastructure in the Pardee area to accommodate anticipated future power demands and to mitigate wildfire risks and potential operational impacts due to power outages. The project will replace the existing overhead powerlines between Pardee Dam Powerhouse, Camp Pardee, and the Pardee Chemical Plant with new underground powerlines and new overhead powerlines that feature improved pole safety and reliability. New transformers, load interrupter switchgears, and cabinets are needed to provide a complete upgraded and reliable power supply system. The equipment is on the critical path for construction of the Pardee Dam Powerline Safety Improvements Project and has lead times that are longer than the anticipated duration of construction. Pre-purchase of the equipment will avoid delays to the construction schedule. This purchase supports the District's Long-Term Infrastructure Investment Strategic Plan goal.
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VENDOR SELECTION	An RFQ was posted on the District's website, sent to eight firms, and advertised in the Oakland Tribune. The RFQ included four schedules of electrical equipment. Schedule I (Power Building and Electrical Equipment) was removed in an addendum to the RFQ and will be supplied and installed as part of the Pardee Chemical Plant Improvements Project. Bidders were not required to bid on all schedules. Three bids were received: two bids for Schedules II, III, and IV
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Originating Department: Finance	Department Director or Manager: Sophia D. Skoda	CEP Forms? Yes	Board Action Type: Materials and Supplies
Funds Available: FY2025; Award #7000061; Page 60	Budget Coding: 11.557.3100064.2020561:41.55210	Approved: 	
Attachment(s): P-035; P-061			

Title:	Medium-Voltage Electrical Equipment for Pardee Dam Powerline Safety Improvements Project	Meeting Date:	April 8, 2025
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(Transformers, Switchgears, and Cabinets) and one bid for Schedule II (Transformers). Rexel USA, Inc. was the lowest responsive/responsible bidder for Schedules II, III, and IV.

SUSTAINABILITY**Economic**

Funding for this purchase is available in the FY 2025 adopted capital budget for Raw Water Infrastructure.

ALTERNATIVES

Do not purchase the equipment. This alternative is not recommended because this equipment is critical to the Pardee Dam Powerline Safety Improvements Project.

Purchase the equipment under the project's construction contract. This alternative is not recommended because it would cause delays in the project's construction due to the equipment's long lead times.

Reject received bids and re-bid. This alternative is not recommended because the District engaged in a fair and competitive bid process and the bid received meet 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 Agreement - RFQ No. 2503 Medium-Voltage Electrical Equipment for Pardee Dam Powerline Safety Improvements Project						March 24, 2025						
CONTRACTOR:				PERCENTAGE OF CONTRACT DOLLARS								
Rexel USA, 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%		
\$1,200,000 *						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: Rexel USA, Inc.		\$1,200,000	Publicly Held							100.0%		
SUBS: None												
TOTAL		\$1,200,000				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:		42		15		131		188				
Percent of Total Employees:		22.3%		8.0%		69.7%						
MSA Labor Market %:		28.0%		23.6%		48.4%						
MSA Labor Market Location:		California										
COMMENTS												
Contract Equity Participation: 0% Contract Equity participation. Firm is a publicly held corporation. Contract Duration: NA												
*Total not to exceed: \$1,200,000												
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: Medium-Voltage Electrical Equipment for Pardee Dam Powerline Safety Improvements 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		
Materials and Supplies Agreement - RFQ No. 2503		DATE: 3/24/2025	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	18	49	50	0	117	62.2%	48.4%
Rexel USA, Inc. George Stauffer 540 Martin Avenue Santa Clara, CA 95050 408-890-8796		Manager/Prof	0	0	0	0	-	NA	
		Technical/Sales	0	0	0	0	-	NA	
		Clerical/Skilled	0	0	0	0	-	NA	
		Semi/Unskilled	0	0	0	0	-	NA	
		Bay Area	0	0	0	0	0	0.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		3/12/2024		
		Co. Wide MSA:	California		# Employees-Co. Wide:		188 Bay Area: 0		
P	WM: LBE	Company Wide	3	22	5	0	30	34.9%	39.9%
Blocka Construction, Inc. Brian Causey 445 Boulder Court Pleasanton, CA 94566 510-657-3686		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	0	3	2	0	5	41.7%	
		Clerical/Skilled	3	18	3	0	24	38.7%	
		Semi/Unskilled	0	1	0	0	1	33.3%	
		Bay Area	2	19	5	0	26	37.7%	39.9%
		Co. Wide MSA:	9 Bay Area Counties		# Employees-Co. Wide:		86 Bay Area: 69		
p	PHC: LBE	Company Wide	1,421	1,779	637	71	3,908	29.4%	27.3%
Wesco Distribution, Inc. Bill Shin 2500 Dean Leshar Dr. Suite C Concord, CA 94520 224-521-8320		Manager/Prof	382	503	341	30	1,256	21.9%	
		Technical/Sales	84	244	70	11	409	12.4%	
		Clerical/Skilled	13	13	7	10	43	30.3%	
		Semi/Unskilled	942	1,019	219	20	2,200	53.1%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
		Co. Wide MSA:	USA		# Employees-Co. Wide:		13,309 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)



BOARD ACTION

Agenda Number:	4.	Meeting Date:	April 8, 2025
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TITLE	MOKELUMNE AQUEDUCT NO. 2 RELINING PHASE 2
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ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:
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RECOMMENDED ACTION	Award a contract to the lowest responsive/responsible bidder, Sierra Mountain Construction, Inc. (SMCI), in an amount not to exceed \$9,209,600 for the construction of the Mokelumne Aqueduct No. 2 Relining Phase 2 Project (Project), under Specification 2199.
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SUMMARY	The project work is located on an above-ground portion of Mokelumne Aqueduct No. 2 (MOK2) on Woodward Island in the Sacramento-San Joaquin Delta (see attached map). The project will remove 7,500 linear feet (LF) of existing MOK2 cement mortar lining (CML), apply 7,500 LF of new CML, construct access road improvements, repair the access roads, install new manholes and sections of pipeline for pipeline entry and egress, and remove and replace expansion joint packing material.
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DISCUSSION	MOK2 was installed in 1949. The aqueduct is 67-inch-diameter steel pipeline and has a CML. MOK2 conveys water approximately 90 miles from Pardee Reservoir to the District's service area. Inspections conducted between 1999 and 2018 identified significant damage to the CML, leading to corrosion of the underlying steel. Based on the District's condition assessment, full replacement of the CML in MOK2 is recommended to maintain the pipeline's integrity and service life. In 2023, the District successfully completed the first phase of the relining effort, replacing two miles of CML in the below-ground portion of MOK2, located east of Stockton. This project represents the second phase of the relining program, focusing on an above-ground section of MOK2. The project will provide actual design and construction costs, along with productivity data specific to above-ground relining work. This data will inform the planning and execution of future MOK2 relining projects. This project supports the District's Long-Term Infrastructure Investment Strategic Plan goal.
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BID RESULTS	Bid documents were posted on the District's website and issued to 22 resource organizations and 8 prospective bidders. Three bids were received, ranging from \$8,282,250 to \$9,761,812. The bid summary is attached. The engineer's estimate for this work is \$8,615,000. The low bid of \$8,282,250 was submitted by Saboo Inc. (Saboo). Upon review of Saboo's bid documents, staff concluded that Saboo's bid did not meet the minimum requirements detailed in the contract documents and was deemed non-responsive. With the rejection of
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Originating Department: Engineering and Construction	Department Director or Manager: Serge V. Terentieff	CEP Forms? Yes	Board Action Type: Construction
Funds Available: FY2025; Award #7000185; Page #58	Budget Coding: 11-570-3100069-55610	Approved: 	
Attachment(s): Bid Summary; Location Map; P-035; P-061			

Title:	Mokelumne Aqueduct No. 2 Relining Phase 2	Meeting Date:	April 8, 2025
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Saboo's bid, SMCI, at \$9,209,600 is the apparent lowest bidder. Subsequent review and verification of SCMI's bid indicated that SMCI's bid complies with the requirements of the contract documents. As a result, award to the effective lowest responsive and responsible bidder, SMCI, is recommended.

The lowest responsive and responsible bidder, SMCI, is licensed to perform work in California, and is not on the State Department of Industrial Relations (DIR) debarment list. SMCI and its listed subcontractors are properly registered with the State DIR.

In the past five years, SMCI has not filed a Government Code Claim nor initiated any litigation against the District.

SUSTAINABILITY**Economic**

Funding for this work is available in the Fiscal Year 2025 adopted capital budget for Mokelumne Aqueducts Number 2 & 3 Relining.

Social

Work under this contract is subject to the payment of current prevailing wages according to determinations for each craft as established by the Director of the State of California DIR.

Local 444 was notified of this contract on May 23, 2024 and did not raise any specific issues related to this contract.

Environmental

A California Environmental Quality Act Notice of Exemption was filed with the San Joaquin County Clerk and the Contra Costa County Clerk on August 7, 2017.

ALTERNATIVES

Do not complete the project. This alternative is not recommended because it is necessary to remove and replace the existing CML to prevent further deterioration of MOK2.

Perform the work with District forces. This alternative is not recommended because the District does not have the expertise or specialized equipment to perform this work.

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EAST BAY MUNICIPAL UTILITY DISTRICT

SPECIFICATION 2199

Mokelumne Aqueduct No. 2 Relining Phase 2

Bids Opened February 26, 2025

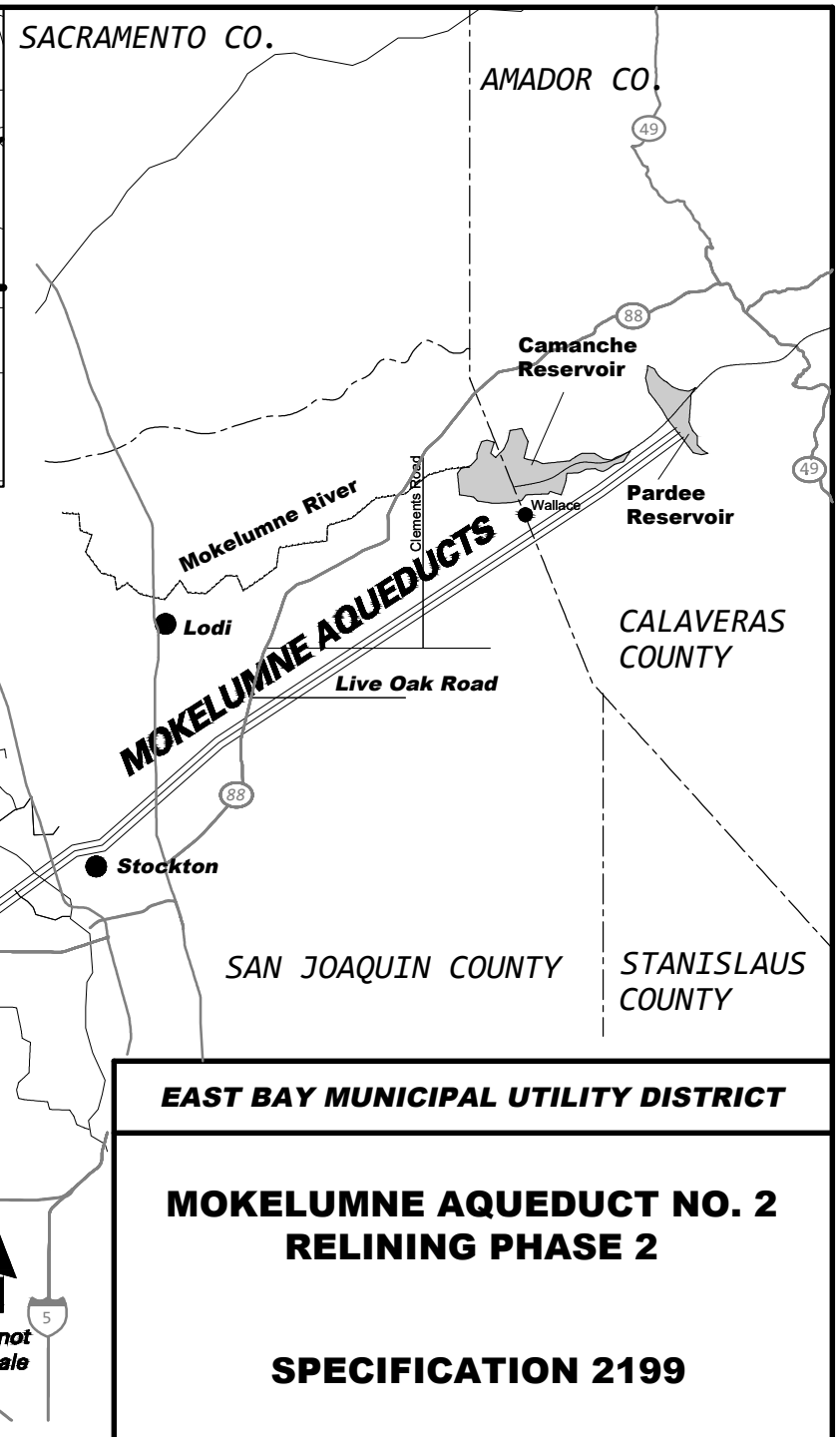
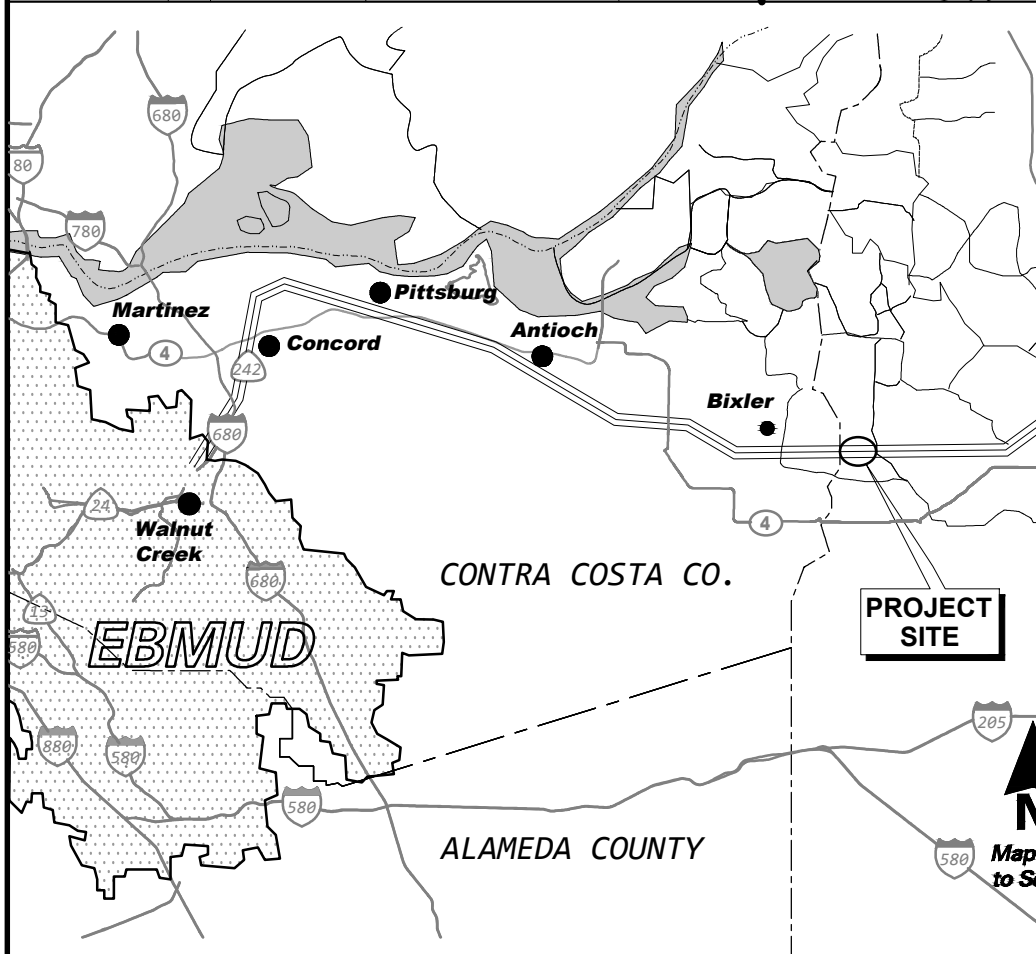
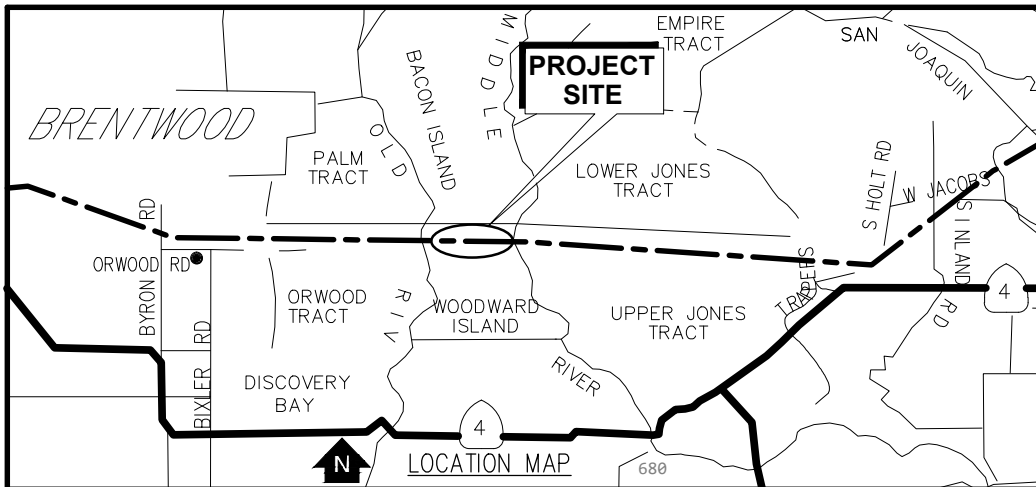
	BIDDER	TOTAL AMOUNT BID
1.	Saboo, Inc. (SBE/DVBE) 415 Beatrice Ct., Ste. H Brentwood, CA 94513 (626) 260-2849	\$8,282,250 / \$8,132,250*
2.	Sierra Mountain Construction, Inc. 19500 Nugget Blvd. Sonora, CA 95370 (209) 928-1900	\$9,209,600
3.	Mountain Cascade, Inc. 555 Exchange Ct. Livermore, CA 94550	\$9,761,812 ¹

SBE/DVBE – Small Business Enterprise or Disabled Veteran Business Enterprise

*Effective Bid Amount due to SBE/DVBE discount (7% of the low bid amount, not to exceed \$150,000)

Engineer's Estimate: \$8,615,000

¹ The submitted bid amount was \$9,746,812. There is an error in the calculation of the cost for Item 6 (per unit amount \$30/foot for 15,500 linear feet). The listed price is \$450,000; however, the calculated price for Line Item 6 should be \$465,000.





CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE SPECIFICATION NO.: 2199 Mokelumne Aqueduct No. 2 Relining Phase 2			DATE: March 19, 2025								
CONTRACTOR: Sierra Mountain Construction, Inc. Sonora, CA			PERCENTAGE OF CONTRACT DOLLARS								
			Availability Group	Contracting Objectives	Participation						
BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP		White Men	25%	35.0%						
	Ethnicity	Gender	White Women	9%	0.0%						
\$9,209,600 *	Hispanic	Men	Ethnic Minorities	25%	65.0%						
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: Sierra Mountain Construction, Inc.	\$5,985,027	Hispanic	X				65.0%				
SUBS: Certified Coatings Company	\$669,573	White	X		7.3%						
Spiniello Infrastructure West, Inc.	\$2,555,000	White	X		27.7%						
TOTAL	\$9,209,600				35.0%	0.0%	65.0%	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:	47		12		33		92				
Percent of Total Employees:	51.1%		13.0%		35.9%						
MSA Labor Market %:	28.0%		23.6%		48.4%						
MSA Labor Market Location:	California										
COMMENTS											
Contract Equity Participation: 65% Ethnic Minority, and 35% White Men participation. Contract Duration: NA *Total not to exceed: \$9,209,600											
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: Mokelumne Aqueduct No. 2 Relining Phase 2		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		
Spec. No.: 2199		DATE: 3/19/2025	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	Company Wide	0	30	3	0	33	35.9%	48.4%
Sierra Mountain Construction, Inc. Tanya Benton 19500 Nugget Blvd. Sonora, CA 95370 209-928-1900 ext 3		Manager/Prof	0	7	2	0	9	32.1%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	23	1	0	24	37.5%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District: 2/8/2022				
		Co. Wide MSA:	California		# Employees-Co. Wide: 92		Bay Area: 0		
S	WM	Company Wide	2	55	11	2	70	59.3%	48.4%
Certified Coatings Company David Morris-Gooding 2320 Cordelia Road Fairfield, CA 94534 707-639-4419		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	0	1	1	0	2	100.0%	
		Clerical/Skilled	2	51	7	0	60	59.4%	
		Semi/Unskilled	0	3	3	2	8	57.1%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
		Co. Wide MSA:	California		# Employees-Co. Wide: 118		Bay Area: 0		
S	WM	Company Wide	1	42	4	0	47	74.6%	63.5%
Spiniello Infrastructure West, Inc. Veronica Doyle 2650 Pomona Blvd Pomona, CA 91768 973-845-8866		Manager/Prof	0	12	4	0	16	64.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	7	0	0	7	58.3%	
		Semi/Unskilled	1	23	0	0	24	92.3%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
		Co. Wide MSA:	Los Angeles		# Employees-Co. Wide: 63		Bay Area: 0		
P	WM: LBE	Company Wide	2	138	1	0	141	47.0%	53.9%
Mountain Cascade, Inc. Desiree Arslanian 555 Exchange Court Livermore, CA 94550 925-373-8370		Manager/Prof	0	8	0	0	8	19.5%	
		Technical/Sales	0	2	0	0	2	28.6%	
		Clerical/Skilled	0	7	1	0	8	42.1%	
		Semi/Unskilled	2	121	0	0	123	52.8%	
		Bay Area	2	138	1	0	141	47.0%	39.9%
		Co. Wide MSA:	Alameda		# Employees-Co. Wide: 300		Bay Area: 300		
P	L/SBE	Company Wide	INFORMATION NOT PROVIDED						
Saboo, Inc. 415 Beatrice Ct., Ste. H Brentwood, CA 94513 626-260-2849		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)



BOARD ACTION

Agenda Number:	5.	Meeting Date:	April 8, 2025
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TITLE	PURCHASE SLUDGE SPIRAL HEAT EXCHANGER
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ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:
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RECOMMENDED ACTION	Authorize a direct award contract beginning on or after April 8, 2025 with Gooch Thermal Systems, Inc. for supplying one sludge spiral heat exchanger for the Main Wastewater Treatment Plant (MWWTP) Blend Tanks for a total cost, after the addition of taxes, not to exceed \$119,375.
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SUMMARY	This purchase is for one sludge spiral heat exchanger for the MWWTP Blend Tanks.
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DISCUSSION	The MWWTP Blend Tanks combine, mix, and pre-heat all sludge and high-strength trucked waste at the MWWTP to provide consistency in the sludge feed rate and characteristics sent to the digesters. The Blend Tanks have two sludge spiral heat exchangers, one for each tank. The heat exchangers have been in service since 2014. One has internally corroded past a repairable state. This new heat exchanger is a direct, drop-in replacement matching the existing heat exchanger, to ensure that performance, materials, dimensions, and parts compatibility are maintained.
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This contract supports the District's Long-Term Infrastructure Investment Strategic Plan goal.

VENDOR SELECTION	A direct award was authorized for this contract because Gooch Thermal Systems, Inc. is the original equipment manufacturer and supplier. The specific heat exchanger manufactured and supplied by Gooch Thermal Systems Inc. is required for compatibility of parts and fit with the existing and remaining heat exchangers.
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SUSTAINABILITY	Economic Funding for this purpose is available in the FY 2025 adopted capital budget for General Wastewater. Social This purchase will replace failing equipment parts and increase operational reliability. Environmental The MWWTP is a critical facility that protects public health and water quality in San Francisco Bay. This purchase will provide increased operational reliability by restoring redundancy of the Blend Tank system.
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Originating Department: Wastewater	Department Director or Manager: Amit K. Mutsuddy	CEP Forms? Yes	Board Action Type: Materials and Supplies
Funds Available: FY2025, Award #7000341, Page 126	Budget Coding: 21-911-3100061-53010		Approved: 
Attachments: P-035; P-061			

Title:	Purchase Sludge Spiral Heat Exchanger	Meeting Date:	April 8, 2025
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ALTERNATIVES

Do not proceed with the purchase. This alternative is not recommended because the existing equipment is corroded past repairable state.

Select a different vendor. This alternative is not recommended because only Gooch Thermal Systems, Inc. has the equipment that exactly matches the current equipment and fits the existing piping and cement base.

I:\Sec\2025 Board Related Items\040825 Board Agenda Items\WW - Purchase Sludge Spiral Heat Exchanger.docx



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 Agreement Purchase Sludge Spiral Heat Exchanger						March 11, 2025					
CONTRACTOR:				PERCENTAGE OF CONTRACT DOLLARS							
Gooch Thermal Systems, Inc. Whitehall, PA				Sole Source		Availability Group		Contracting Objectives		Participation	
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP		White Men		25%		100.0%			
		Ethnicity	Gender	White Women		2%		0.0%			
		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: Gooch Thermal Systems, Inc.		\$119,375	White	X		100.0%					
SUBS: None											
TOTAL		\$119,375				100.0%	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:		19		2		1		22			
Percent of Total Employees:		86.4%		9.1%		4.5%					
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: \$119,375											
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: Purchase Sludge Spiral Heat Exchanger			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	
Materials and Supplies Agreement R=Recmmd P=Prime S=Sub		DATE: 3/11/2025	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	
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	0	1	0	0	1	4.5%	27.3%
Gooch Thermal Systems, Inc. Hank Shamsi 4631 S. Church Street Whitehall, PA 18052 484-240-1288 ext.101		Manager/Prof	0	0	0	0	0	0.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	1	0	0	1	7.1%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		NA		
		Co. Wide MSA:	USA		# Employees-Co. Wide:		22	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)



BOARD ACTION

Agenda Number:	6.	Meeting Date:	April 8, 2025
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TITLE	RELOCATE ELECTRICAL SERVICE FOR LAFAYETTE CENTER RELIABILITY PROJECT
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ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:
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RECOMMENDED ACTION	Authorize an agreement beginning on or after April 8, 2025 with Pacific Gas and Electric Company (PG&E) in an amount not to exceed \$139,944 for relocating the existing electrical service for the Lafayette Center Reliability Project.
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SUMMARY	This agreement authorizes PG&E to remove the existing PG&E pole and relocate the electrical service at the Lafayette Center, located at 3848 Mount Diablo Boulevard, Lafayette. This work is required for the Bryant Pumping Plant No. 1 and No. 2, Colorados Pumping Plant, and Lafayette Water Treatment Plant electrical distribution system improvements planned as part of the Lafayette Center Reliability Project, under Specification 2201.
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DISCUSSION	Relocating the electrical service is necessary because the existing PG&E electrical service pole conflicts with the preferred location for the new power building. This location is preferred because it minimizes excavation into the hillside, avoids conflicts with the future Acalanes aqueduct, and provides good access for maintenance and operations staff. The new power building, constructed under Specification 2201, will improve the operational reliability of the Bryant Pumping Plants, Colorados Pumping Plant, and Lafayette Water Treatment Plant. To avoid construction delays, it is recommended to relocate the PG&E electrical service before awarding the general contract for the Lafayette Center Reliability Project (Specification 2201). The agreement contains a requirement that the District indemnify the service provider in select circumstances. The General Manager has reviewed this indemnification clause with input from Risk Management and the Office of General Counsel and recommends the Board authorize the agreement.
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SERVICE PROVIDER SELECTION	PG&E is the only electrical utility company in the project area.
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SUSTAINABILITY	Economic Funding for this purpose is available in the FY 2025 adopted capital budget for Pumping Plant Rehabilitation.
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Originating Department: Engineering and Construction	Department Director or Manager: Serge V. Terentieff	CEP Forms? Yes	Board Action Type: General Services
Funds Available: FY 2025; Award #7000033; page 57	Budget Coding: 11-551-3100076-52310	Approved: 	
Attachment(s): P-035; P-061			

Title:	Relocate Electrical Service for Lafayette Center Reliability Project	Meeting Date:	April 8, 2025
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Social

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

Relocating the pole allows the new power building to be placed where maintenance and operations staff will have improved access.

Environmental

The relocation reduces the amount of excavation into the hillside that will be required.

ALTERNATIVES

Do not proceed with the work. This alternative is not recommended because this work is required to construct the Specification 2201 power building in the preferred location. Alternative locations for the Specification 2201 power building require a greater amount of costly excavation into the hillside, conflict with future plans for the Acalanes aqueduct, and do not provide sufficient access for operations and maintenance.

Complete work under Specification 2201's general contractor. This alternative is not recommended because putting this work under the Specification 2201 general contractor could delay the construction schedule.

I:\Sec\2025 Board Related Items\040825 Board Agenda Items\ECD – Relocate Electrical Service for Lafayette Center Reliability Project.docx



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE General Services Agreement Relocate Electrical Service for Lafayette Center Reliability Project		DATE: March 17, 2025									
CONTRACTOR: Pacific Gas and Electric Company (PG&E) San Francisco, CA Direct Award		PERCENTAGE OF CONTRACT DOLLARS									
		Availability Group	Contracting Objectives	Participation							
BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP		White Men	25%	0.0%						
	Ethnicity	Gender	White Women	6%	0.0%						
\$139,944 *	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: Pacific Gas and Electric Company (PG&E) SUBS: None	\$139,944	PHC							100.0%		
TOTAL	\$139,944				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:	NO INFORMATION PROVIDED										
Percent of Total Employees:											
MSA Labor Market %:											
MSA Labor Market Location:											
COMMENTS											
Contract Equity Participation - Zero Contract Equity participation since firm is a publicly held corporation. Contract Duration : NA *Total not to exceed: \$139,944											
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: Relocate Electrical Service for Lafayette Center Reliability 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	
General Services Agreement		DATE: 3/17/2025	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	NO INFORMATION PROVIDED						
Pacific Gas & Electric Company (PG&E)		Manager/Prof	NO INFORMATION PROVIDED						
245 Market Street		Clerical/Skilled	NO INFORMATION PROVIDED						
San Francisco, CA 94501		Semi/Unskilled	NO INFORMATION PROVIDED						
415-973-4517		Bay Area	NO INFORMATION PROVIDED						
		AA Plan on File:	NO INFORMATION PROVIDED						
		Co. Wide MSA:	NO INFORMATION PROVIDED						
			NO INFORMATION PROVIDED						
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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)



BOARD ACTION

Agenda Number:	7.	Meeting Date:	April 8, 2025
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TITLE	SEWER SYSTEM MANAGEMENT PLAN APPROVAL
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ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:
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RECOMMENDED ACTION	Approve the Sewer System Management Plan (SSMP) for the Special District No. 1 (SD-1) sanitary sewer system, which has been updated to meet requirements established by the State Water Resources Control Board's (SWRCB) updated Statewide Waste Discharge Requirements General Order for Sanitary Sewer Systems (General Order).
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SUMMARY	The SWRCB General Order requires approval for SSMPs from each sanitary sewer system's governing entity. The original SSMP was approved under Board Motion No. 048-09 on April 14, 2009. This SSMP update, completed by the District, addresses new requirements in the updated SWRCB General Order. The updated SSMP will go into effect following Board approval.
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DISCUSSION	The updated SWRCB General Order went into effect in 2023, replacing the 2006 General Order. Several changes were made in the 2023 General Order, including the requirement to update SSMPs. The updated SSMP incorporates the 11 initial required elements to ensure that sanitary sewer systems are effectively managed through planning, capital projects, operations and maintenance, staff training, and spill prevention and response.
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Changes required by the 2023 General Order are summarized below.

- SSMP requirements are restructured and expanded to include specific map maintenance and submittal requirements; more detailed asset management procedures; an expanded blockage control program beyond fats, oils, and grease; an increased minimum review cycle from five to six years; and added climate change impact assessment.
- Strengthened qualifications for Legally Responsible Officials.
- Reduced timeframe from 24 to 18 hours for receiving water sampling of greater than 50,000-gallon spills to surface water.
- Internal audits reports are now submitted to regulatory agencies through the California Integrated Water Quality System Project.

The SSMP supports the District's Water Quality and Environmental Protection Strategic Plan goal.

Originating Department: Wastewater	Department Director or Manager: Amit K. Mutsuddy	CEP Forms? N/A	Board Action Type: Administrative
Funds Available: N/A	Budget Coding: N/A		Approved: 
Attachments: Proposed Updates to Sewer System Management Plan			

Title:	Sewer System Management Plan Approval	Meeting Date:	April 8, 2025
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SUSTAINABILITY**Economic**

The SSMP was updated by District staff and improves the reliability of the District's sanitary sewer system and reduces the risk of regulatory penalties related to sewer overflows.

Social

The implementation of the SSMP increases operational reliability of the SD-1 sanitary sewer system.

Environmental

The SSMP benefits the environment by preventing spills from the sanitary sewer system through capital projects, proper operations and management, and preventive activities.

ALTERNATIVE

Do not approve the updated SSMP. This alternative is not recommended because the SSMP is a regulatory requirement, and noncompliance would constitute a violation of the California Water Code and subject the District to regulatory enforcement action.

I:\Sec\2025 Board Related Items\0408025 Board Agenda Items\WW – Sewer System Management Plan Approval.docx

**EAST BAY MUNICIPAL UTILITY DISTRICT
WASTEWATER DEPARTMENT**

Sewer System Management Plan

Effective Date:

April x, 2025

*Dates will be updated
after Board approval*

Approved by:

**EBMUD Board of Directors
at April x, 2025 Board Meeting**



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ACRONYMS

CIP	Capital Improvement Program
CIWQS	California Integrated Water Quality System
CMMS	computerized maintenance management system program
CSTAC	Collection Systems Technical Advisory Committee
DCS	Distributed Control System
EBMUD	East Bay Municipal Utility District
ESD	Environmental Services Division
FOG	fats, oil, or grease
FSE	food service establishment
GCD	grease control device
GIS	Geographic Information System
GPS	Global Positioning System
I&I	inflow and infiltration
IDAP	Interceptor Damage Assessment Project
LRO	Legally Responsible Official
LSD	Laboratory Services Division
MGD	million gallons per day
MWWTP	Main Wastewater Treatment Plant
MUD Act	Municipal Utility District Act of the State of California
NPDES	National Pollutant Discharge Elimination System
PM	Preventive Maintenance
RCO	Regulatory Compliance Office
RWQCB	Regional Water Quality Control Board
SD-1	Special District No. 1
SMART	specific, measurable, achievable, relevant, and time-bounded

ACRONYMS (con't)

SO	Stipulated Order
SOP	standard operating procedure
SSMP	Sewer System Management Plan
SSO	sanitary sewer overflow
SWRCB	State Water Resources Control Board
WDR	Waste Discharge Requirements
WHS	Workplace Health and Safety
WED	Wastewater Engineering Division
WTD	Wastewater Treatment Division
WWF	wet weather facility

	SEWER SYSTEM MANAGEMENT PLAN
Effective Date: 4/9/2025	Document Name: SSMP Goal and Introduction
Supersedes: 3/24/2023 Plan	Document ID: E1 – SSMP Goal and Introduction
Version 1	Approved by: Director of Wastewater

Introduction

East Bay Municipal Utility District (EBMUD) manages, operates and maintains a sanitary sewer system along the east shore of San Francisco Bay and is required to develop a Sewer System Management Plan (SSMP) pursuant to the Statewide Waste Discharge Requirements (WDR) General Order for Sanitary Sewer Systems, set forth by the State Water Resources Control Board (SWRCB) Order 2022-0103-DWQ.

Table 1.1 below identifies the elements of the SSMP that are included in this version of the SSMP. Implementation of the SSMP is managed by the SSMP Coordinator, designated as the Wastewater Treatment Superintendent for Remote Operations, under the direction of the Wastewater Treatment Division (WTD) Manager.

Table 1.1 – Elements of the SSMP

Element No.	Element Name
1	SSMP Goal and Introduction
2	Organization
3	Legal Authority
4	Operation and Maintenance Program
4.1	Updated Map of Sanitary Sewer System
4.2	Preventive Operation and Maintenance Activities
4.3	Training
4.4	Equipment Inventory
5	Design and Performance Provisions
6	Spill Emergency Response Plan
7	Sewer Pipe Blockage Control Program
8	System Evaluation, Capacity Assurance, and Capital Improvements
9	Monitoring, Measurement, and Program Modifications
10	Internal Audits
11	Communication Program

Goals

EBMUD's goals for the SSMP are to:

1. Properly manage, operate, and maintain all parts of the sanitary sewer system.

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2. Provide adequate capacity to convey flows to the Main Wastewater Treatment Plant (MWWTP).
3. Minimize frequency of spills from EBMUD’s sanitary sewer system.
4. Mitigate impact of spills from EBMUD’s sanitary sewer system.

EBMUD develops specific SSMP goals that follow the SMART criteria (i.e., specific, measurable, achievable, relevant, and time-bounded) and considers the following:

- EBMUD Strategic Plan;
- Previous year’s SSMP program performance and areas identified for improvements;
- Legal and other applicable requirements;
- Best management practices; and
- Financial and operational requirements.

The goals are reviewed and updated as needed.

Sewer System Asset Overview

EBMUD Wastewater Treatment System

Special District No. 1 (SD-1), a separate district within EBMUD governed by the same Board of Directors, was established in 1944 and is administered by the EBMUD Wastewater Department. The MWWTP treats the domestic, commercial, and industrial wastewater for an 83-square mile area which includes the cities of Alameda, Albany, Berkeley, Emeryville, Oakland, Piedmont, and Stege Sanitary District, which includes El Cerrito, Kensington, and part of Richmond. The service area encompasses portions of Alameda and Contra Costa counties. The community collection systems, also referred to as satellites, are individually owned and operated, and only through community sewer connections are discharges allowed to EBMUD’s collection system. As such, all sewer laterals (upper and lower) are generally the responsibility of the respective property owner and connections to community collections systems are managed by the appropriate satellite agency. Approximately 1,600 miles of community-owned sewers discharge to EBMUD’s collection system. The population presently served by the Wastewater Department is approximately 740,000.

EBMUD’s sanitary sewer system is a “separate system” and does not divert storm water to the system. EBMUD does accept approximately 0.5 million gallons per day (MGD) of dry weather flows of urban runoff at the Ettie Street Pump station in West Oakland, managed by Alameda County Public Works Agency for the purpose of

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treating this water at the MWWTP. Diversion of dry weather flows is stopped during storm events since storm water is not accepted. Diversion of the urban flows from the Ettie Street Pump Station during dry weather is outlined in Section XVII of the 2014 Consent Decree “Urban Runoff Diversion Project.”

Collection System

EBMUD’s collection system includes approximately 29 miles of interceptor sewer pipeline, 8 miles of force mains, 5 siphons, 14 low headroom structures (pipes with reduced height to avoid obstructions that can act as a siphon in high flows), and 15 pump stations. The interceptors, ranging in size from 12 inches to 9 feet in diameter, parallel the Bay shoreline and extend into portions of Albany, Berkeley, Emeryville, Oakland and Alameda. The 15 pump stations, ranging in capacity from 1.3 MGD to 60 MGD, lift wastewater throughout the collection system as it travels to the MWWTP. Figure 1.1 below illustrates EBMUD’s service area and the facilities that it owns and operates. Up-to-date maps of the sanitary sewer system showing gravity line segments and manholes, pumping facilities, force mains and valves are described in SSMP Element 4.1.

Wastewater Treatment Facilities

The MWWTP, located near the foot of West Grand Avenue in Oakland (adjacent to the San Francisco-Oakland Bay Bridge approach), is designed to provide primary treatment for a flow of up to 320 MGD and secondary treatment for a maximum flow of 168 MGD. Average daily wastewater influent flow is 55 MGD on an annual basis; however, this value fluctuates based on the amount of rain and inflow and infiltration (I&I) occurring each year. Treatment processes include prechlorination, screening, grit removal, scum separation, primary sedimentation, secondary treatment using high purity oxygen activated sludge, final clarification, sludge digestion, and power cogeneration utilizing digester gas. The treated effluent is disinfected and dechlorinated before being discharged into San Francisco Bay, approximately one mile off the East Bay shore.

The Wastewater Department also operates three wet weather facilities (WWFs) that are currently used to store and manage elevated flows during wet weather events. Due to the unique nature of SD-1’s collection system which receives flows from community collections systems managed by other agencies, an ongoing challenge is conveying and treating large amounts of I&I during storm events. The WWFs are used when I&I exceeds the ability of the MWWTP to handle the incoming flows. I&I reduction is largely under the purview of the satellite agencies and is currently being managed under the 2014 Consent Decree.

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Data on the collection system levels and flows and MWWTP and WWF unit processes are displayed and monitored in the Distributed Control System (DCS). This data is stored in data historians for later retrieval.

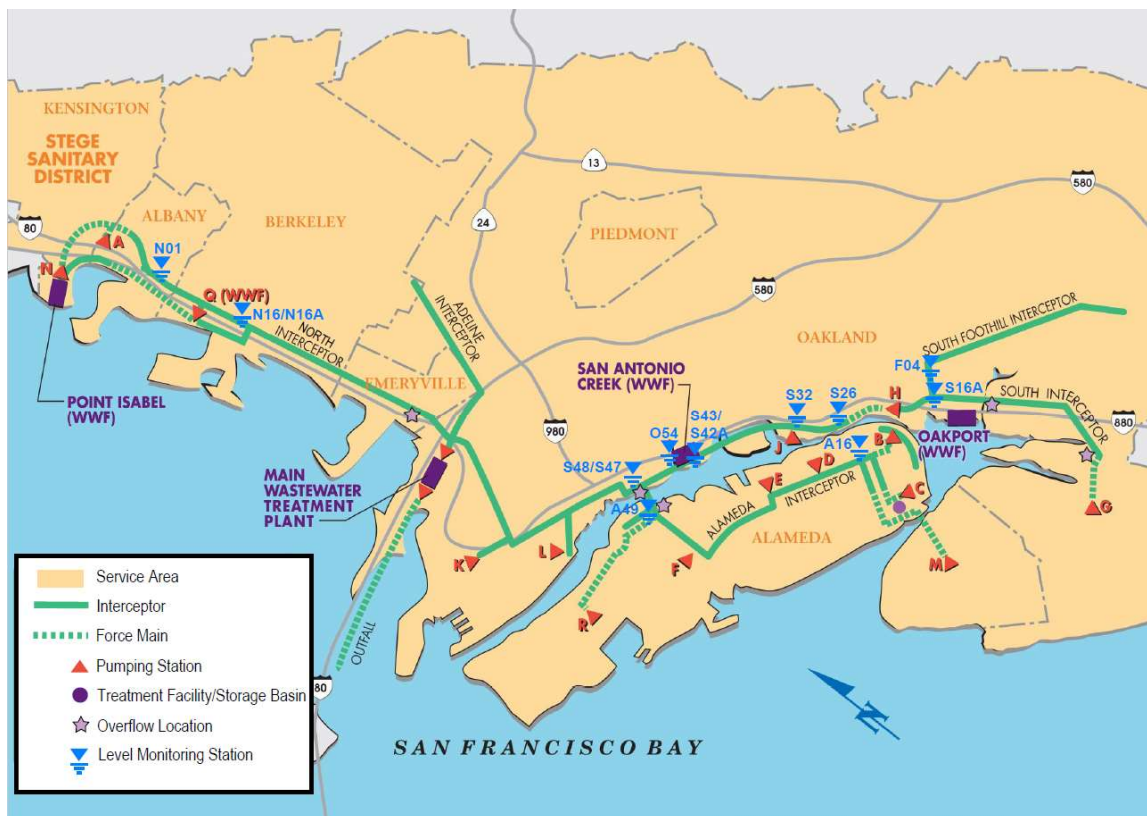


Figure 1.1 - EBMUD Wastewater Service Area and Interceptor System

SSMP Update Schedule

The SSMP is updated every six years after the date of the last Plan Update, or more frequently as needed. Individual elements within the SSMP, or documents referenced by the SSMP, are also updated based on audit findings or in the event of a spill or sanitary sewer overflow (SSO) or other event that triggers a review of the SSMP or referenced documents (e.g., Spill Emergency Response Plan).

Internal audits are performed by the SSMP Coordinator and team on an annual basis to determine relevance and effectiveness of each element of the SSMP. Audits include a review of progress on deficiencies identified in the previous year audit report. Annual audits are compiled for submittal to the Regional Water Quality Control Board through the California Integrated Water Quality System (CIWQS) every three years.

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Whenever a significant milestone or action item is identified to address prevention of sewer spills and it requires a revision of the SSMP, the update will be made to the SSMP no later than one year of the determination. The implementation of the milestone or action item will begin sooner and will be tracked through audit corrective actions and/or corrective actions resulting from incidents like an SSO. SSMP coordination meetings are conducted a minimum of four times per year to review progress on SSMP goals and track progress on identified corrective actions.

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Authorized Representative

The Director of Wastewater is the Legally Responsible Official (LRO) responsible for managing the sanitary sewer system and is authorized to make managerial decisions regarding the operation of the system. Additionally, the LRO has the duty of making major capital improvement recommendations to ensure long-term environmental compliance related to the sanitary sewer system. The LRO is also responsible for designating the SSMP Coordinator and assigning staff from the Environmental Services Division (ESD), the Laboratory Services Division (LSD), the Wastewater Engineering Division (WED), and the WTD to implement the SSMP. The name, phone number and email address for the LRO is reported in Table 2.2 below.

Responsibilities within the SSMP

The SSMP Coordinator is responsible for the overall implementation, management, and updating of the SSMP. Staff who are responsible for implementing specific requirements within each SSMP Element are summarized in Table 2.1. See also the organizational chart in Figure 2.1. A listing of the names and phone numbers of each person on the organizational chart is included in Table 2.2.

Chain of Communication

The chain of communication for responding to and reporting SSOs is contained in EBMUD's Spill Emergency Response Plan which is Appendix H of the Wastewater Emergency Preparedness Program Plan and Element 6 of the SSMP. The person responsible for reporting spills to the State and Regional Water Boards is the Regulatory Compliance Office (RCO) Environmental Compliance Specialist.

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Table 2.1 – SSMP Organization Responsibilities

Element		Division and Position
1	SSMP Goal and Introduction	WTD – SSMP Coordinator
2	Organization	WTD – SSMP Coordinator
3	Legal Authority	Wastewater Department Director
4	Operation and Maintenance Program	
	4.1 Updated Map of Sanitary Sewer System	WED – Wastewater Planning Senior Civil Engineer
	4.2 Preventive Operation and Maintenance Activities	WTD – Maintenance Superintendent
	4.3 Training	WED – SSMP Coordinator
	4.4 Equipment Inventory	WTD – Maintenance Superintendent
5	Design and Performance Provisions	WED – Wastewater Design Senior Civil Engineer
6	Spill Emergency Response Plan	WTD – Division Manager
7	Sewer Pipe Blockage Control Program	ESD – Supervising Wastewater Control Representative
8	System Evaluation, Capacity Assurance, and Capital Improvements	Wastewater I/I Control Program Senior Civil Engineer
9	Monitoring, Measurement, and Program Modifications	WTD – SSMP Coordinator
10	Internal Audits	WTD – SSMP Coordinator
11	Communication Program	WTD – SSMP Coordinator

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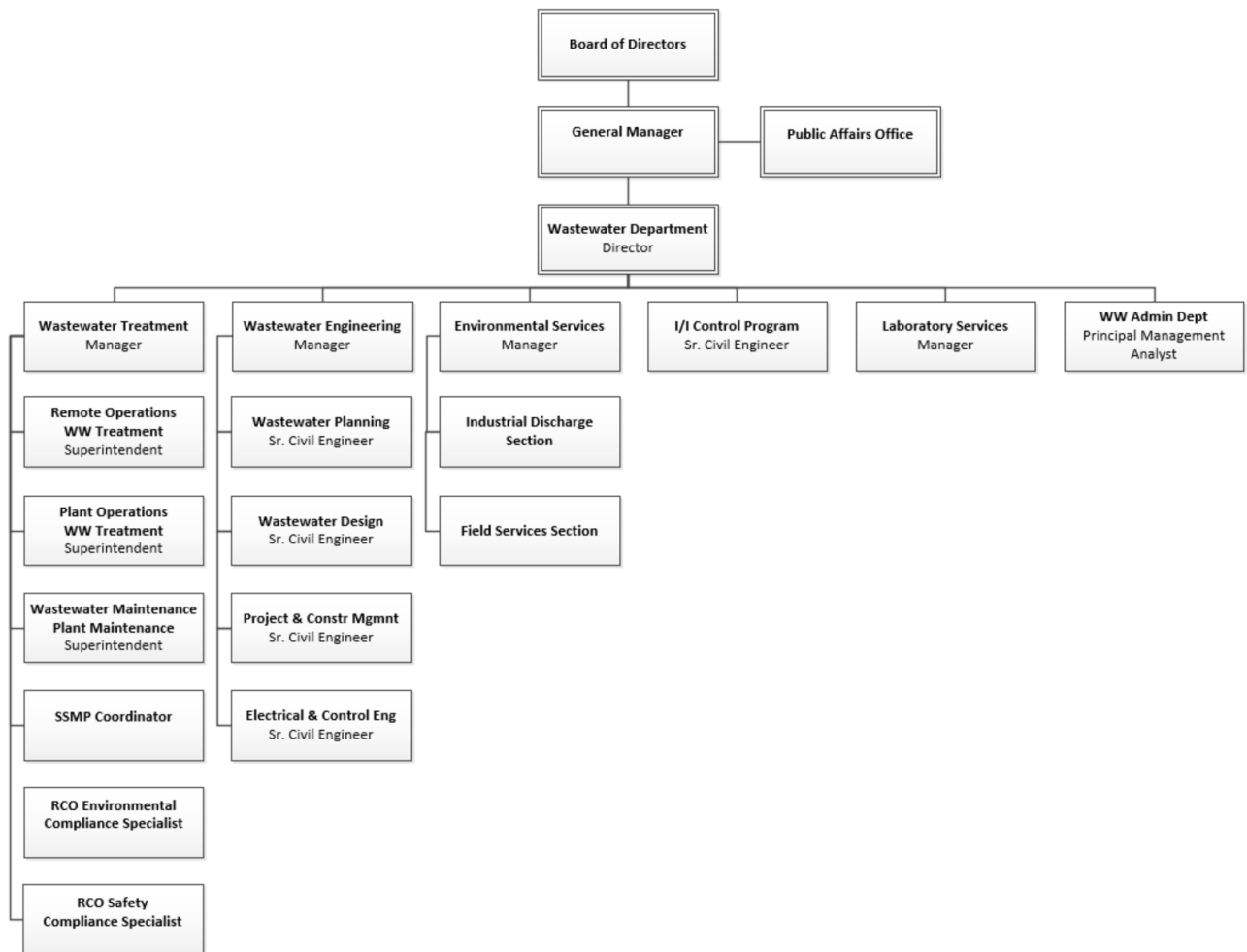


Figure 2.1 – SSMP Organizational Chart

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Table 2.2 – SSMP Organization Contact Information

Name	Title	Desk Phone	Cell Phone	Email
Amit Mutsuddy	Wastewater Department Director / Legally Responsible Official	510-287-1149	510-449-7139	amit.mutsuddy@ebmud.com
Vacant – Superintendent Acting	Wastewater Treatment Division Manager	510-287-1407		
John Kyser	Wastewater Maintenance Superintendent	510-287-1450	510-377-1959	john.kyser@ebmud.com
Eric Fukuda	Remote Operations Superintendent/SSMP Coordinator	510-287-7213	510-774-6121	eric.fukuda@ebmud.com
Robert Starke	Shift Supervisor (Remote)	510-287-1498	510-821-1687	robert.starke@ebmud.com
Kevin Dickison	Plant Operations Superintendent	510-287-1502	510-453-7377	kevin.dickison@ebmud.com
Chris Aman	Shift Supervisor (Day)	510-287-1457	510-774-6246	christopher.aman@ebmud.com
Mark Schmitz	Shift Supervisor (Swing)	510-287-2043	510-385-6146	mark.schmitz@ebmud.com
Robert Spencer	Shift Supervisor (Grave)	510-287-1522	510-774-5972	robert.spencer@ebmud.com
Rebecca Overacre	Asset Management Program Manager	510-287-1251		rebecca.overacre@ebmud.com
Chris Dembiczak	RCO Environmental Compliance Specialist	510-287-0509	925-640-4738	chris.dembiczak@ebmud.com
Alexander Neuhaus	RCO Workplace Health & Safety Specialist	510-287-0189	510-867-7679	alexander.neuhaus@ebmud.com
Gary Warren	Wastewater Engineering Division Manager	510-287-1980		garin.warren@ebmud.com
Matt Hoeft	Wastewater Planning Senior Civil Engineer	510-287-0214		matthew.hoeft@ebmud.com
Deborah Russell	Wastewater Design Senior Civil Engineer	510-287-1529		deborah.russell@ebmud.com
Brian Dunstan	Project & Construction Management Senior Civil Engineer	510-287-7037	510-609-5353	brian.dunstan@ebmud.com
Angela El-Telbany	Project & Construction Management Senior Civil Engineer	510-287-1685	510-714-9500	angela.el-telbany@ebmud.com
Chris Dinsmore	I/I Control Program Senior Civil Engineer	510-287-0522	510-918-8353	christopher.dinsmore@ebmud.com
Alicia Chakrabarti	Environmental Services Division Manager	510-287-2059	510-912-8240	alicia.chakrabarti@ebmud.com
Adam Kern	Industrial Dischargers Supervising Wastewater Control Representative	510-287-1622	510-847-9773	adam.kern@ebmud.com
Angelee Strawder	Field Services Supervisor	510-287-1621	510-715-6019	angelee.strawder@ebmud.com
Yuyun Shang	Manager of Laboratory and Technical Services	510-287-1435	510-821-5758	yun.shang@ebmud.com

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Effective Date: 4/9/2025	Document Name: Legal Authority
Supersedes: 3/24/2023 Plan	Document ID: E3 – Legal Authority
Version 1	Approved by: Director of Wastewater

Legal Authority

EBMUD's Wastewater System, known as SD-1, was authorized by East Bay voters in 1944. As a Special District formed under Chapter 2 of the Municipal Utility District Act of the State of California (MUD Act), the EBMUD Board may make and enforce such regulations to operate and maintain the sanitary sewer system and to the control of quantity, quality, and flow of wastewater within the boundaries of the SD-1 service area. The MUD Act may be accessed at the link below for reference:

MUD Act

https://www.ebmud.com/download_file/force/6815/839?MUD-Act-2020-web.pdf

The three documents below comprise the basis for legal authority to EBMUD for managing the sanitary sewer system.

EBMUD Wastewater Control Ordinance

https://www.ebmud.com/download_file/force/2279/655?Wastewater_Control_Ordinance_2024.pdf

Consent Decree (United States District Court, Northern District of California, Consolidated Case Nos. C 09-00186-RS and C 09-0684-RS)

<https://www.epa.gov/sites/default/files/2017-10/documents/ebmud-cd14.pdf>

Regional Private Sewer Lateral Ordinance

<https://www.eastbaypsl.com/doc/RegionalPSLOrdinance.pdf>

The Wastewater Control Ordinance is the foundational document providing legal authority to EBMUD to prevent illicit discharges into its sanitary sewer system, set standards for permissible discharges, prevent cross-connections, ensure EBMUD access to the system is maintained, and provide enforcement authority for violations.

The Consent Decree is a unique legal directive issued to EBMUD and its seven upstream satellite agencies that maintain laterals and city systems discharging into EBMUD's sanitary sewer system. Article VII of the Consent Decree describes EBMUD's authority to establish a regional sewer lateral program to eliminate improper inflow connections at private connections within the service area. Other parts of Article VII establish technical programs related to inflow reduction and the associated monitoring.

The Regional Private Sewer Lateral Ordinance contains the specific regulations and authority for the inspection, testing, repair, replacement, and ongoing maintenance of sewer laterals within EBMUD's service area to reduce I&I.

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All EBMUD's collection system facilities are located within EBMUD-owned property, public right-of-ways, or easements that allow EBMUD access for maintenance, inspections, and repairs.

	SEWER SYSTEM MANAGEMENT PLAN
Effective Date: 4/9/2025	Document Name: Updated Map of Sanitary Sewer System
Supersedes: 3/24/2023 Plan	Document ID: E4.1 – Updated Map of Sanitary Sewer System
Version 1	Approved by: Director of Wastewater

Sanitary Sewer System Maps

EBMUD relies on two types of sanitary sewer system maps for its interceptor collection system and related facilities:

- A Geographic Information System (GIS) database map
- Facility drawings of the interceptors and related facilities

GIS Database Map

EBMUD has developed a sanitary sewer system map using a GIS database. The GIS database map contains information on the gravity line segments and manholes, pressure pipelines, valves, pump stations, and WWFs. Also included for reference in the database is an aerial photo of the wastewater service area and a map of streets and property boundaries.

The GIS database was built from the following information sources:

- Global Positioning System (GPS) data – The GPS locations of the manholes were collected by the EBMUD Survey Section.
- Interceptor Damage Assessment Project (IDAP) – The IDAP was completed in 1997. The IDAP created a database of all the pressure and gravity lines in the collection system. This database contains information on the size, length, and material type of the pipe.
- As-built drawings – The rim and invert elevations of the manholes were added from as-built drawings to the IDAP database.
- Aerial photo – Locations of the pump stations and WWFs were established based on an aerial photo of the wastewater service area.

Figure 4.1 below contains a screenshot of the EBMUD collection system in the GIS database. The small red circles in the image represent maintenance holes in the collection system and indicate the location of the interceptors EBMUD owns.

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Effective Date: 4/9/2025	Document Name: Updated Map of Sanitary Sewer System
Supersedes: 3/24/2023 Plan	Document ID: E4.1 – Updated Map of Sanitary Sewer System
Version 1	Approved by: Director of Wastewater

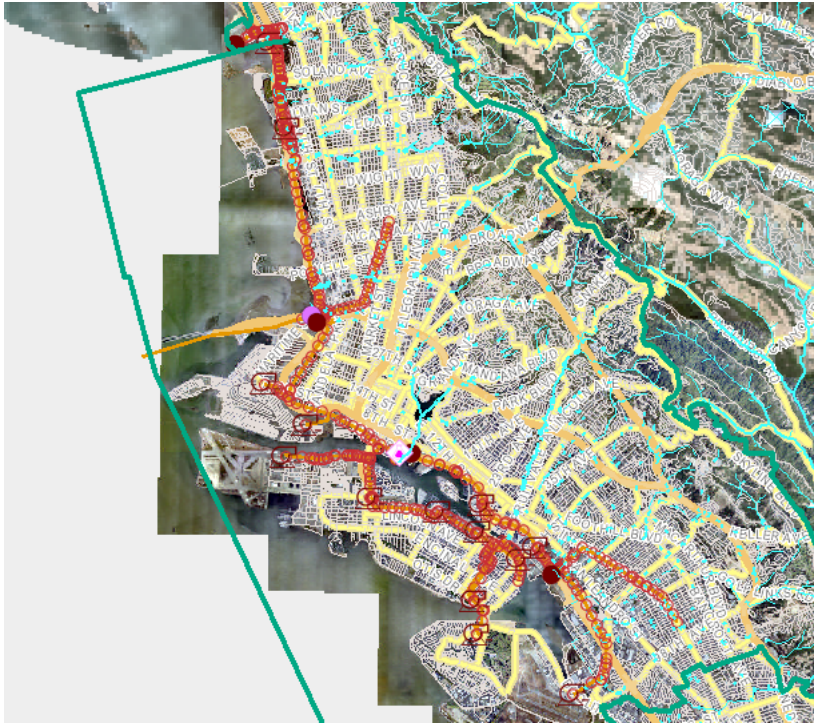


Figure 4.1 - GIS Database Image

This GIS database information is maintained by Wastewater Planning staff. Staff update GIS data on an ad hoc basis – typically following completion of record drawings for rehabilitation or modification of interceptor infrastructure. Broadly available mapping interface is updated annually or biannually (every 2 years), as needed through coordination with GIS staff. Specific-need maps are generated by Wastewater Planning staff where needed.

The GIS database containing the detailed sanitary sewer system map can be accessed at this hyperlink:

<https://gis.ebmud.com/portal/home/webmap/viewer.html?webmap=52e2c6381c18404889d7f67e9643a350>

If a copy of the GIS map is requested by the SWRCB, the database allows staff provide two files in shapefile (.shp) format that encompasses the entire system. One file contains all the pipelines. The other file contains the manholes, pump stations and WWFs.

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Version 1	Approved by: Director of Wastewater

Separate from the Sanitary Sewer System Map noted above, Section 5.14 of Order 2022-0103-DWQ requires the submittal of an up-to-date electronic spatial map of the sanitary sewer system boundary, including the location of the wastewater treatment facility(ies) that treat the sewer waste. The boundary map must be submitted to the SWRCB per current State guidance. The boundary map is provided in a shapefile (.shp) format.

Facility Drawings

The Wastewater Design Drafting Section maintains current facility drawings of the Interceptor System facilities on the EBMUD network at the following location:

<W:\nab\In-house design\5. Library and Ref Materials\1B As-Built Drawings\Interceptor Maps and As-Builts>

<W:\nab\In-house design\5. Library and Ref Materials\1B As-Built Drawings\Interceptor Maps and As-Builts>

	SEWER SYSTEM MANAGEMENT PLAN
Effective Date: 4/9/2025	Document Name: Preventive Operation and Maintenance Activities
Supersedes: 3/24/2023 Plan	Document ID: E4.2 – Preventive Operation and Maintenance Activities
Version 1	Approved by: Director of Wastewater

Introduction

EBMUD conducts routine maintenance and preventive maintenance (PM) activities by dedicated multi-skilled Operations and Maintenance staff for its sanitary sewer system.

Computerized Maintenance Management System (CMMS)

A computerized maintenance management system program (CMMS) (Maximo; <http://wastewater/maximo/>) is used by Operations and Maintenance to:

- Assign and document preventative maintenance activities for Operations and Maintenance staff. Assignments are specific to trades/work groups and are scheduled based on equipment manufacturer recommendations or industry best practices.
- Request maintenance services and manage both planned and unplanned maintenance activities.
- Track equipment.
- Plan and prioritize maintenance work.
- Maintain timely and accurate activity records which can be easily accessible and used for appropriate analysis and reporting.

The CMMS covers EBMUD's entire wastewater collection and treatment system. Components specific to the sewer collection system included in the CMMS are:

- Pump Stations
- Level Monitor Stations
- Maintenance Holes
- Interceptor (pipe) Segments
- Overflow Structure Monitors
- Cathodic Protection Systems
- WWFs

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PM Inspections and Activities

Remote Operations performs routine inspections, cleaning, and other PM activities for all pump stations using Station Daily Report Forms. The procedures are documented in the Operations Readings and Rounds Procedures. Remote Operations also performs inspections of portions of the EBMUD interceptor system to measure for accumulated grit and debris. Any findings that are considered abnormal are noted and tracked until appropriate cleaning can be scheduled.

Closed circuit television inspection for interceptor condition and debris accumulation is performed as needed when planning capital improvements and to troubleshoot issues if flow appears to be impacted. EBMUD is currently updating its Interceptor Master Plan which will provide further refinement to EBMUD's inspection program. The updated Interceptor Master Plan is expected to be completed in summer 2025.

EBMUD performs interceptor cleaning based on inspection results and known hot-spot issues. Some cleaning is done in-house on smaller (<18 inch diameter) pipe and contractors are used to clean larger pipes due to the specialized equipment needed. Cleaning has been undertaken on the flattest portions of the system where debris levels have either inhibited inspection efforts or there was a concern that the levels may impact capacity. Cleaning of interceptor segments is also performed during capital improvement work to support interceptor upgrade or rehabilitation work. One hot spot in the interceptor system that is cleaned annually is along Marina Drive in Alameda. Approximately 2,600 feet of 12- to 15-inch pipe is cleared of grease and debris annually to prevent SSOs. This job is an example of one that may be done with in-house staff.

EBMUD's collection system does not experience root intrusion that causes system back-up due to the large diameter pipes. Most the pipes are several feet in diameter and the smallest pipe in the 29-mile collection system is 12 inches.

Records of interceptor cleaning are kept by the Remote Operations Superintendent. Operational cleaning is coordinated through the Operations group as needed based on interceptor conditions. Some cleaning is performed in support of capital projects and those records are shared with the Remote Operations Superintendent, but are ultimately kept in the capital project files.

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Effective Date: 4/9/2025	Document Name: Training
Supersedes: 3/24/2023 Plan	Document ID: E4.3 – Training
Version 1	Approved by: Director of Wastewater

General

Staff is trained on the requirements of the WDR in various ways, specific to the duties they perform. All WTD staff is provided a high-level review of SSO reporting and collection system issues annually in environmental compliance refresher training. However, additional training relevant to performing work on the sanitary sewer system is provided in several formats described below.

The WTD conducts a minimum of four SSMP coordination meetings each year with all the Department sections present. These meetings offer an opportunity for each section to provide updates on progress on Interceptor System improvements, to review progress on SSMP goals and corrective action items, and to provide training on SSMP and WDR requirements.

WTD also conducts four to six tabletop exercises each year simulating an overflow or SSO event. These meetings provide an opportunity to practice coordination between MWWTP Operations, Remote Operations, ESD and RCO staff in responding to a SSO. The exercises typically include a review of Spill Emergency Response Plan procedures as well. ESD conducts an annual training prior to the wet weather season to review overflow structure access, inspections and field monitoring needs, and the pre-planned routes for potential SSOs along interceptor alignments in Berkeley and Alameda. On an annual basis, WTD conducts a workshop to review methods and tools available to estimate and document spill volumes and CIWQS reporting procedures.

Maintenance Training

EBMUD retains a dedicated multi-skilled Maintenance staff and provides ongoing training programs which cover skill-based and site-specific training. Prior to journey-level employment, an individual must meet basic defined requirements by job classification. A probationary employment period is used to assess skill and competency levels.

There are several platforms on which training is conducted. The platforms include on-the-job training, independent study, meetings, classroom lectures, vendor presentations, and orientations on new equipment/facilities.

Operations Training

The collection system is operated by a core team of Remote Operators and supported by additional Wastewater Plant Operators during the wet weather season. In 2011,

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EBMUD started a program to supplement the core team throughout the year by rotating staff of Wastewater Operators and Operator Trainees on the remote routes. This rotating staff is assigned to 3-month rotations. In addition to the general training mentioned above, those who rotate into the Remote Operations staff receive enhanced training using a training manual developed for them as well as hands on experience under the supervision of the core team. Training materials are posted on the WTD WIKI page

https://wiki.ebmud.com/applications/index.php5/Interceptor_Pump_Stations.

Remote Operator Training

In addition to the training for the rotating staff as noted above, training is provided each month for all staff assigned to Remote Operations in conjunction with the Tailgate Program. At each meeting, time is dedicated to refresher training on standard operating procedures (SOPs) and unusual operating conditions that may be encountered. Also included are debriefs on abnormal conditions handled by Operators over the previous month. Remote Operators also are trained in emergency pump station bypass procedures. Four to six times per year, emergency response equipment is brought to various pump stations and a full bypass pumping drill is performed. With each bypass drill, the pump station bypass SOP is reviewed and updated, and equipment deficiencies are corrected via work requests inputted into EBMUD's CMMS, Maximo.

Wet Weather Support Operator Training

Since the WWFs are infrequently operated, Operators are given a core refresher course in the operation of the WWFs, pump stations, and general collection system operations. This training includes hands-on operation of the WWFs exclusive of discharge and an assessment at the end of the training to ensure key concepts were retained. Then Operators are provided monthly refresher sessions throughout the year on the operation of the WWFs. The Remote Operations Supervisor maintains the training material and records in the WTD WIKI pages under http://wiki/applications/index.php5/Remote_Operations_Training.

Safety Training

EBMUD's Workplace Health and Safety (WHS) Section conducts safety training covering confined space entry, lock-out/tag-out, electrical safety, competent person training and other safety related training, and ensures that the Operations and Maintenance staff are kept current with annual refresher training. Training records are maintained by WHS.

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Contractor Training

Contractors are not used frequently for work on the sanitary sewer system except for large capital improvements and cleaning. When Contractors are used for capital projects, contract specifications require appropriate skills and qualifications to perform work. EBMUD has a contractor orientation program, requires written submittals of work practices and other construction items, and provides extensive oversight of the contract work. Contractor training is verified during the orientation and contractor onboarding process.

	SEWER SYSTEM MANAGEMENT PLAN
Effective Date: 4/9/2025	Document Name: Equipment Inventory
Supersedes: 3/24/2023 Plan	Document ID: E4.4 – Equipment Inventory
Version 1	Approved by: Director of Wastewater

Equipment Inventory

An inventory of sewer system equipment is maintained in the CMMS, Maximo. The list of equipment contains about 2,000 collection system assets. The list is too long to insert here for the 15 pump stations, collection system piping, and all of the appurtenances in the system. To generate a current list of this equipment in Maximo, a licensed user would need to search all assets by area and select each area that pertains to the greater collection system. An example would be to query for assets at Pump Station A, which would then list all results for the tracked assets at the pump station (please see below). The CMMS system is updated regularly and new assets from capital improvement projects are included.

Asset	Description	Area	Location
W-1A-INS-INT-01	INTRUSION DETECTION SYSTEM	W-1A	W1A-BLDG
W-1A-INS-LEL-01	GAS DETECTION SYSTEM	W-1A	W1A-SFTY
W-1A-INS-MIP-01	MAIN INST. PANEL STA. A	W-1A	W1A-PUMP
W-1A-INS-PLC-01	PROGRAMABLE LEVEL CONTROLS	W-1A	W1A-PUMP
W-1A-INS-TEL-01	TELEPHONE SYSTEM	W-1A	W1A-COM
W-1A-MCC-001-01	MOTOR CONTROL CENTER	W-1A	W1A-ELEC
W-1A-MSL-BFP-00	NO.1 WATER BACKFLOW PREVENTER	W-1A	W1A-W1
W-1A-MSL-HTR-01	HOT WATER HEATER	W-1A	W1A-W1
W-1A-MTR-001-01	#1 MAIN PUMP MOTOR	W-1A	W1A-PUMP
W-1A-MTR-002-01	#2 MAIN PUMP MOTOR	W-1A	W1A-PUMP
W-1A-MTR-003-01	#3 MAIN PUMP MOTOR	W-1A	W1A-PUMP
W-1A-MTR-004-01	#4 MAIN PUMP MOTOR	W-1A	W1A-PUMP
W-1A-PMP-001-01	#1 MAIN PUMP	W-1A	W1A-PUMP
W-1A-PMP-001-02	PROTECTED WATER PUMP	W-1A	W1A-W1
W-1A-PMP-001-06	FLOOR DRAIN PUMP	W-1A	W1A-SUMPS
W-1A-ACP-001-01	#1 AIR COMPRESSOR	W-1A	W1A-PLNTAIR
W-1A-ACP-002-01	#2 AIR COMPRESSOR	W-1A	W1A-PLNTAIR
W-1A-FAN-001-01	WETWELL EXHAUST FAN	W-1A	W1A-BLDG
W-1A-FAN-002-01	PUMP ROOM EXHAUST FAN	W-1A	W1A-BLDG
W-1A-FAN-003-01	WET WELL SUPPLY FAN	W-1A	W1A-BLDG
W-1A-FAN-004-01	GENERATOR ROOM SUPPLY FAN	W-1A	W1A-BLDG
W-1A-INS-000-00	MISC. INSTRUMENTS STA. A	W-1A	W1A-BLDG
W-1A-INS-BLB-01	STATION A BUBBLER	W-1A	W1A-PUMP
W-1A-INS-DLR-01	AUTOMATIC DIALER, PUMP STATION A	W-1A	W1A-COM
W-1A-INS-FEL-00	RAW SEWAGE FLOW METER	W-1A	W1A-PUMP



SEWER SYSTEM MANAGEMENT PLAN

Effective Date: 4/9/2025

Document Name: Equipment Inventory

Supersedes: 3/24/2023 Plan

Document ID: E4.4 – Equipment Inventory

Version 1

Approved by: Director of Wastewater

Asset	Description	Area	Location
W-1A-ISD-DCS-000	DCS PUMP STATION A	W-1A	W1A-COM
W-1A-RS-HV-003-AF01	MANUAL AIR VALVE @ MANHOLE AF01	W-1A	W1A-DISCH
W-1A-RS-ETS-010	CATHODIC PROTECTION TEST STATION	W-1A	W1A-DISCH
W-1A-RS-HV-001	PLUG VALVE	W-1A	W1A-DISCH
AF02	MANHOLE AF02	W-1A	W1A-DISCH
W-1A-RS-HV-002-BY	EMERGENCY BYPASS CONNECTION	W-1A	W1A-DISCH
AF01	MANHOLE AF01	W-1A	W1A-DISCH
W-1A-RS-HV-004-AF02	MANUAL AIR VALVE @ MANHOLE AF02	W-1A	W1A-DISCH
W-1A-CAT-001-01	UNIT 233 - LEDGER 87.09.15.01	W-1A	W-01
W-1A-CAT-001-02	UNIT 233 - LEDGER 87.09.15.02	W-1A	W-01
W-1A-CAT-001-03	UNIT 233 - LEDGER 87.09.15.03	W-1A	W-01
W-1A-CAT-001-04	UNIT 233 - LEDGER 87.09.15.04	W-1A	W-01
W-1A-CAT-001-05	UNIT 233 - LEDGER 87.09.15.05	W-1A	W-01
W-1A-CAT-001-06	UNIT 233 - LEDGER 87.09.15.06	W-1A	W-01
W-1A-CAT-001-07	UNIT 233 - LEDGER 87.09.15.07	W-1A	W-01
W-1A-CAT-001-08	UNIT 233 - LEDGER 87.09.15.08	W-1A	W-01
W-1A-CAT-001-09	UNIT 233 - LEDGER 87.09.15.09	W-1A	W-01
W-1A-CAT-001-10	UNIT 233 - LEDGER 87.09.15.10	W-1A	W-01
W-1A-CAT-001-11	UNIT 233 - LEDGER 87.09.15.11	W-1A	W-01
W-1A-CAT-001-12	UNIT 233 - LEDGER 87.09.15.12	W-1A	W-01
W-1A-CAT-001-13	UNIT 233 - LEDGER 87.09.15.13	W-1A	W-01
W-1A-CAT-001-14	UNIT 233 - LEDGER 87.09.15.14	W-1A	W-01
W-1A-CAT-001-15	UNIT 233 - LEDGER 87.09.15.15	W-1A	W-01
W-1A-CAT-001-16	UNIT 233 - LEDGER 87.09.15.16	W-1A	W-01
W-1A-CAT-001-17	UNIT 233 - LEDGER 87.09.15.17	W-1A	W-01
W-1A-CAT-001-18	UNIT 233 - LEDGER 87.09.15.18	W-1A	W-01
W-1A-CAT-001-19	UNIT 233 - LEDGER 87.09.15.19	W-1A	W-01
W-1A-CAT-001-20	UNIT 233 - LEDGER 87.09.15.20	W-1A	W-01
W-1A-CAT-001-21	UNIT 233 - LEDGER 87.09.15.21	W-1A	W-01
W-1A-CAT-001-22	UNIT 233 - LEDGER 87.09.15.22	W-1A	W-01
W-1A-CAT-001-23	UNIT 233 - LEDGER 87.09.15.23	W-1A	W-01
W-1A-CAT-001-24	UNIT 233 - LEDGER 87.09.15.24	W-1A	W-01
W-1A-PMP-002-01	#2 MAIN PUMP	W-1A	W1A-PUMP
W-1A-PMP-002-06	METER VAULT DRAIN PUMP	W-1A	W1A-SUMPS
W-1A-PMP-003-01	#3 MAIN PUMP	W-1A	W1A-PUMP

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Asset	Description	Area	Location
W-1A-PMP-004-01	#4 MAIN PUMP	W-1A	W1A-PUMP
W-1A-SAF-AID-01	FIRST AID KIT	W-1A	W1A-SFTY
W-1A-SAF-EML-01	EMERGENCY LIGHTING	W-1A	W1A-SFTY
W-1A-SAF-FEX-01	FIRE EXTINGUISHER, CONTROL RM	W-1A	W1A-SFTY
W-1A-SAF-HPE-01	HEARING PROTECTION EQUIPMENT	W-1A	W1A-SFTY
W-1A-SEE-ATS-01	AUTOMATIC TRANSFER SWITCH	W-1A	W1A-ELEC
W-1A-SGT-A01-01	WET WELL INLET GATE	W-1A	W1A-PUMP
W-1A-TKS-001-01	AIR GAP TANK	W-1A	W1A-W1
W-1A-MISC-000-00	Misc Infrastructure (INS, ELEC, MECH, ST)	W-1A	
W-1A-CAT-001-25	UNIT 233 - LEDGER 87.09.15.25	W-1A	W-01
W-1A-CAT-001-26	UNIT 233 - LEDGER 87.09.15.26	W-1A	W-01
W-1A-CAT-001-27	UNIT 233 - LEDGER 87.09.15.27	W-1A	W-01
W-1A-CAT-001-28	UNIT 234 - LEDGER 87.09.15.28	W-1A	W-01
W-1A-LDR-6-01	Ladder Pump Station A 6 foot	W-1A	
W-1A-LDR-8-02	Ladder Pump Station A 8 foot	W-1A	
W-1A-LDR-10-03	Ladder Pump Station A 10 foot	W-1A	

All critical replacement equipment, parts, tools, materials etc., are tracked in a separate warehouse cataloging system, Elsie. All critical parts, including motors, pumps, valves, etc., are stored at the MWWTP at 2020 Wake Avenue in Oakland, California. Elsie tracks and reorders parts automatically or alerts warehouse staff when inventory is low. EBMUD maintains spare pumps for all critical EBMUD pump stations, and ensures spare pumps are purchased during capital improvement projects. Warehouse staff routinely audit the inventories listed in Elsie to ensure proper accounting of spare parts.

Emergency Response Equipment

EBMUD owns and maintains a limited supply of emergency response equipment, such as pumps, generators, pipe/hose, fittings, etc. Operations staff are trained on the use of this equipment (See SSMP Element 4.3). EBMUD budgets for new equipment through the capital budget process. EBMUD's emergency response equipment is stored at the MWWTP and can be dispatched as needed to anywhere within EBMUD's service area.

Current emergency response equipment includes:



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EQUIPMENT	QUANTITY		DESCRIPTION
	QTY	UNIT	
6" diameter at 25' lengths	6		PVC Kanaline SR hoses
6" rigid	1,000	LF	aluminum
6" collapsible hose	2,000	LF	desert storm hose
6" pumps	2		6" suction and 6" discharge pumps
6" fittings			elbows, tees and victaulic couplings
road crossings	2		polyurethane modular design
8" pumps	2		8" suction and 8" discharge
8" diameter at 25' lengths	4		PVC Kanaline SR hoses
8" x 6" reducers fittings, etc.	4		concentric and eccentric reducers
hose reel system 8"	1		3,900 feet of hose
road crossing ramps	2		changed to fiberglass type
trailer mounted generator (100 kw silent)	4		silent type
pipe trailers	2		pipe carrying trailers for towing behind trucks
traffic control equipment (misc)	n/a		traffic cones, flashers, PVC curbs, etc.
emergency generators (small)	1		Honda type, can be in pick-up truck

In addition, EBMUD maintains contracts with local vendors to provide emergency equipment to supplement EBMUD's inventory on an as-needed basis.

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Replacement Inventories

EBMUD maintains a spare parts inventory for the sanitary sewer system as described above. Spare parts are selected based on manufacturers' recommendations and EBMUD's own experience with the parts that are likely to fail. The spare parts inventory items are kept in EBMUD's online financial and/or inventory management systems and can be retrieved by Operations and Maintenance staff.

EBMUD has purchased several spare main unit pumps for additional redundancy at key pump stations and WWFs. Several of these spare pumps have already been installed, which allows for the removed pumps to be completely rebuilt with no loss of redundancy. EBMUD plans to continue this practice with the goal to have a fully rebuilt spare pump for every critical station.

	SEWER SYSTEM MANAGEMENT PLAN
Effective Date: 4/9/2025	Document Name: Design and Performance Provisions
Supersedes: 3/24/2023 Plan	Document ID: E5 – Design and Performance Provisions
Version 1	Approved by: Director of Wastewater

Design Criteria and Construction Standards and Specifications

EBMUD's Wastewater Design Section maintains a library of standards and guidelines for the design and construction of its wastewater facilities, which contains information on resources that EBMUD uses in the wastewater design, construction, testing, and inspection process. These standards and guidelines are applicable to both new installations and rehabilitation of existing facilities and are regularly used in the implementation of EBMUD wastewater projects.

EBMUD's Wastewater Ordinance can be found in SSMP Element 3. The library for standards and guidelines for design and construction includes the following:

- Industrywide Standard Codes, Specifications and Practices
 - [file:///win.ebmud/district/sites/waste water/nab/In-house design/5. Library and Ref Materials/2A Codes and StandardsW:/nab/In-house design/5. Library and Ref Materials/2A Codes and Standards](file:///win.ebmud/district/sites/waste%20water/nab/In-house%20design/5.%20Library%20and%20Ref%20Materials/2A%20Codes%20and%20StandardsW:/nab/In-house%20design/5.%20Library%20and%20Ref%20Materials/2A%20Codes%20and%20Standards)
 - [file:///win.ebmud/district/sites/waste water/nab/In-house design/5. Library and Ref Materials/3A Master SpecificationsW:/nab/In-house design/5. Library and Ref Materials/3A Master Specifications](file:///win.ebmud/district/sites/waste%20water/nab/In-house%20design/5.%20Library%20and%20Ref%20Materials/3A%20Master%20SpecificationsW:/nab/In-house%20design/5.%20Library%20and%20Ref%20Materials/3A%20Master%20Specifications)
- Design Criteria
 - [file:///win.ebmud/district/sites/waste water/nab/In-house design/5. Library and Ref Materials/3B WW Engr Std Practices and Design CriteriaW:/nab/In-house design/5. Library and Ref Materials/3B WW Engr Std Practices and Design Criteria](file:///win.ebmud/district/sites/waste%20water/nab/In-house%20design/5.%20Library%20and%20Ref%20Materials/3B%20WW%20Engr%20Std%20Practices%20and%20Design%20CriteriaW:/nab/In-house%20design/5.%20Library%20and%20Ref%20Materials/3B%20WW%20Engr%20Std%20Practices%20and%20Design%20Criteria)
- Standard Drawings and Typical Details
 - [W:/nab/In-house design/5. Library and Ref Materials/3C Standard Drawings and Details](W:/nab/In-house%20design/5.%20Library%20and%20Ref%20Materials/3C%20Standard%20Drawings%20and%20Details)
- Data on Collection System Rehabilitation Methods
 - Master Technical Specifications Division 33 – Utilities
[file:///win.ebmud/district/sites/waste water/nab/In-house design/5. Library and Ref Materials/3A Master Specifications/Division 33 - UtilitiesW:/nab/In-house design/5. Library and Ref Materials/3C Standard Drawings and Details](file:///win.ebmud/district/sites/waste%20water/nab/In-house%20design/5.%20Library%20and%20Ref%20Materials/3A%20Master%20Specifications/Division%2033%20-%20UtilitiesW:/nab/In-house%20design/5.%20Library%20and%20Ref%20Materials/3C%20Standard%20Drawings%20and%20Details)
- Construction Control and Procedure Requirements

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- Master Specifications Division 01 – General Requirements
<https://eastbaymud.sharepoint.com/:f:/r/sites/SpecsEngSupportSite/MasterSpecs/Masterspecs/Division%2001%20-%20General%20Requirements?csf=1&web=1&e=2arJbg>
- Inspection and Testing Standards
 - See Procedures and Standards section below.
- Contract Documents for EBMUD's existing wastewater facilities
 - Master drawings
 - Adobe Acrobat PDFs
[file:///win.ebmud/district/sites/waste water/nab/In-house design/5. Library and Ref Materials/1B As-Built DrawingsW:\nab\In-house design\5. Library and Ref Materials\1B As-Built Drawings\Interceptor Maps and As-Built](file:///win.ebmud/district/sites/waste%20water/nab/In-house%20design/5.%20Library%20and%20Ref%20Materials/1B%20As-Built%20DrawingsW:\nab\In-house%20design\5.%20Library%20and%20Ref%20Materials\1B%20As-Built%20Drawings\Interceptor%20Maps%20and%20As-Built%20s)
 - Source files (MicroStation and AutoCAD)
[\\win.ebmud\district\sites\AB\drafters\W Area](file:///win.ebmud/district/sites/AB/drafters/W%20Area)
 - Contract documents (including drawings and specifications) for active construction projects
 - [W:\nab\In-house design\2. Active SD Projects](file:///W:\nab\In-house%20design\2.%20Active%20SD%20Projects)
 - Contract documents (including drawings and specifications) for archived construction projects
 - [file:///win.ebmud/district/sites/waste water/nab/In-house design/4. Archived ProjectsW:\nab\In-house design\4. Archived Projects](file:///win.ebmud/district/sites/waste%20water/nab/In-house%20design/4.%20Archived%20ProjectsW:\nab\In-house%20design\4.%20Archived%20Projects)

Procedures and Standards

Procedures and standards for the inspection and testing of newly constructed, newly installed, repaired, and rehabilitated system pipelines, pumps, and other equipment are found under EBMUD's Specification Section 01 45 00 – Quality Control, located here:
<https://eastbaymud.sharepoint.com/:f:/r/sites/SpecsEngSupportSite/MasterSpecs/Masterspecs/Division%2001%20-%20General%20Requirements?csf=1&web=1&e=2arJbg>

EBMUD inspection staff are responsible for providing lead and/or quality assurance inspection of construction projects executed by contractors, to ensure compliance with the contract plans and specifications and all applicable codes, standards and safety requirements. Duties of inspection staff include, but are not limited to:

- Reviews of plans and specifications for constructability

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- Performs daily inspections of project construction
- Ensures compliance of the plans and specifications by the construction contractor regarding construction methods, quality of materials, workmanship, related codes, noted standards and safety requirements
- Ensures overall project quality and contract compliance
- Performs some special inspections such as mechanical systems, medium voltage and general electrical systems, process controls, structural steel, welding, special coatings, and complex structural concrete
- Coordinates construction-related outages with Operations and Maintenance staff
- Confers with Contractor noting deficient work and ensures corrective measures are completed
- Prepares inspection reports and daily logs
- Keeps detailed records of construction progress, changed conditions, and as-built drawings

Special inspections for items such as compaction testing, batching of concrete cylinders, rebar dowel/thread anchor pull testing, concrete resurfacing pull testing, coatings pull testing, welding dye penetrant testing, etc., are performed by independent special inspectors, as required by the California Building Code.

	SEWER SYSTEM MANAGEMENT PLAN
Effective Date: 4/9/2025	Document Name: Spill Emergency Response Plan
Supersedes: 3/24/2023 Plan	Document ID: E6 – Spill Emergency Response Plan
Version 1	Approved by: Director of Wastewater

SSO Notification

A spill emergency response chain of communication has been developed for proper and timely notification of an SSO to primary responders and regulatory agencies, and the responsible individuals have participated in its development and training. Remote monitoring, inspections, and the EBMUD call center are the backbone for receiving initial reports of a potential SSO.

SSO Response Mobilization, Public Agency Notification, Abatement and Mitigation

EBMUD’s Spill Emergency Response Plan documents the procedures for responding to reported SSOs, including the mobilization of EBMUD forces, regulatory and public notifications, and implementation of best practices for abatement and mitigation. The Spill Emergency Response Plan is Appendix H of the Wastewater Emergency Preparedness Program Plan. The procedures can be found on the Wastewater Department’s Splashpad <https://splashpad.ebmud.com/work-center/departments/wastewater/wastewater-emergency-preparedness-program> and WIKI under the category “Emergency Preparedness” [https://wiki/applications/index.php5/Wastewater Department Emergency Preparedness Program](https://wiki/applications/index.php5/Wastewater_Department_Emergency_Preparedness_Program).

	SEWER SYSTEM MANAGEMENT PLAN
Effective Date: 4/9/2025	Document Name: Sewer Pipe Blockage Control Program
Supersedes: 3/24/2023 Plan	Document ID: E7 – Sewer Pipe Blockage Control Program
Version 1	Approved by: Director of Wastewater

Background

The EBMUD system consists of large diameter pipe, has no private lateral connections, and has not had any fats, oil, or grease (FOG) related SSOs. Work within the seven satellite agencies to control the discharge of FOG, wipes, and other debris reduces the potential for obstructions within EBMUD's large diameter pipes and pump stations.

EBMUD does outreach and education to reduce the disposal of trash, including wipes, diapers, cooking grease, and other refuse that may lead to blockages. During onsite tours of the MWWTP, tour guides include messaging on proper waste disposal. These tours typically reach over 1,000 people every year. EBMUD also participates in community events where staff share tips to reduce pollution. Additionally, EBMUD places messaging in online and hard copy communications with its customers. EBMUD also supports research, regulations, and legislation to reduce pollution at the source.

Since 2008, EBMUD has provided a service for the wastewater collection system agencies in its wastewater service area and established a regional FOG control program to respond to and reduce grease discharges from restaurants/food service establishments (FSEs), food manufacturing establishments, and residences. At present, the regional program consists of FOG hotspot investigations, FSE and gravity grease interceptor inspections, enforcement support, hotspot reporting, database management, and residential and commercial outreach. These components are summarized below. The program is funded by the individual agencies that comprise the Collection System Technical Advisory Committee (CSTAC): cities of Alameda, Albany, Berkeley, Emeryville, Piedmont, and Stege Sanitary District.

Regional FOG Control Program

Source Identification: Targeted Hotspot Investigation

Discharges from FSEs, residential sites, and food manufacturing facilities are potential sources for causing grease-related SSOs and blockages in the satellite agencies' sewer collection systems. The collection system agencies report locations of grease-related SSOs or blockages and areas of increased maintenance due to grease build up, known as hotspots, to EBMUD. In response, EBMUD performs hotspot investigations to identify the sewer drainage basin contributing to the location of the reported blockage/SSO or increased sewer maintenance and inspect grease generating FSEs that discharge to the sewer drainage basin. Those FSEs that generate grease and are found to cause or contribute to grease-related blockages or

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SSOs are required to install grease control devices (GCDs) approved by the regulating collection system agency.

Gravity Grease Interceptor Inspections

EBMUD performs gravity grease interceptor inspections for FSEs in hotspots as well as for FSEs that are not in hotspots. FSEs with gravity grease interceptors are inspected to determine their operating condition and the adequacy of their pumping schedule or maintenance. More frequent servicing/maintenance and repairs may be required if necessary.

FOG Control Database

EBMUD maintains a FOG control database to manage the information about FSEs and their grease generating capability, inspections, FOG hotspots, GCDs, requirements and agency enforcement status information for FSEs, as well as residential outreach distributed.

Outreach

Public education and outreach that promote proper handling and disposal of FOG is an ongoing effort through various methods and media. EBMUD provides education and outreach materials for FSEs in multiple languages as a component of the overall program.

EBMUD also provides information to residents on how to properly dispose of household cooking oil. This outreach effort includes partnerships with other organizations such as regional non-governmental organizations, and local retail outlets. Residential hotspot response includes targeted outreach materials in multiple languages. Additional outreach information for businesses and residents, including residential grease drop off locations, is available on EBMUD's website:
<http://www.ebmud.com/fog>.

Residential Cooking Oil Collection Sites

EBMUD maintains a residential cooking oil collection site outside the front gate of its Main Wastewater Treatment Plant. EBMUD also continues to promote the El Cerrito Recycling Center, Richmond's West County Resource Recovery facility, and Central Contra Costa Sanitary District's household hazardous waste facility as additional collection sites for residential cooking oil. Collected residential cooking oil is used by third parties to make biofuel.

	SEWER SYSTEM MANAGEMENT PLAN
Effective Date: 4/9/2025	Document Name: System Evaluation, Capacity Assurance, and Capital Improvements
Supersedes: 3/24/2023 Plan	Document ID: E8 – System Evaluation, Capacity Assurance and Capital Improvements
Version 1	Approved by: Director of Wastewater

EBMUD Interceptor System

The EBMUD interceptor system is described in SSMP Element 1. Parts of the system date back to the 1940s and periodic system evaluations and condition assessments have been done over the last several decades. Capacity assurance for the EBMUD collection system is a unique issue since wet weather flows are diverted to WWFs when interceptor levels rise and could spill out of designated overflow points. More detail on these programs is provided below.

System Evaluation and Condition Assessment

Interceptor condition is routinely addressed through Master Planning efforts and annual inspections utilizing best industry practices and technologies available such as visual observations, video surveillance, and robotic inspection techniques. A goal of inspecting 3,000 linear feet of the system each year has been established.

Beginning in January 2021, a series of failed interceptor segments were identified and subsequently rehabilitated, highlighting the need to update and refine the condition assessment process.

In 2024, an update to the Interceptor Master Plan began and, in combination with the annual condition assessments, will be used to prioritize capital improvement projects and/or operational tasks. The current Master Planning effort combines numerous spot inspections of maintenance holes across the interceptor system with CCTV of priority segments to identify asset condition. A triple-bottom line methodology incorporating financial, social, and environmental criteria is used to identify a monetized value for each interceptor segment, rather than a points-based system, to enable comparison across the infrastructure system assets.

Condition assessments will prioritize areas noted below, although most of the EBMUD interceptor system can impact surface waters during significant releases and is considered high priority.

- Areas with a high level of environmental consequences if vulnerable to collapse, failure, capacity issues, or other system deficiencies
- Areas located in or within the vicinity of surface waters, steep terrain, high groundwater elevations, and environmentally sensitive areas (e.g. siphons crossing Oakland estuary)

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- Areas within the vicinity of a receiving water with bacterial-related impairment on the most current Clean Water Act section 303(d) list:
 - In 2024, a review of receiving waters in the vicinity of the EBMUD collection system determined that a portion of the Oakland Inner Harbor (near Jack London Square) is listed for pathogens due to elevated enterococcus measurements. No other areas are listed.
 - The list of impaired receiving waters can be accessed at this website and will be updated if changes occur.
https://www.waterboards.ca.gov/water_issues/programs/water_quality_assessment/

The outcome of the Interceptor Master Plan and annual condition assessments will help determine a prioritized series of capital improvement projects and/or operational tasks to address this critical infrastructure.

Condition assessment reports are kept in broadly accessible record folders. Associated condition evaluation results are updated in GIS for visualization. Relevant condition inspections between Interceptor Master Plans are rolled into the next Interceptor Master Plan as part of providing a holistic view of system conditions. Condition assessment information also feeds into the capital planning cycle - where in worst-case scenarios a project will be created or modified to accommodate the poor condition asset's rehabilitation or replacement.

In 2020, EBMUD prepared a Wastewater Climate Change Plan that looked at the vulnerability of the EBMUD's wastewater facilities to climate change impacts. The Plan determined which facilities were at risk for flooding from sea level rise and extreme storm events for the years 2050 and 2100. A number of the pump stations located near the shoreline or in low-lying areas are vulnerable to future flooding but only when taking more extreme conditions into account such as 100-year storm surge coupled with more extreme sea level rise predictions. No flooding impacts are expected through 2050 in the current assessment. As part of the Wastewater Climate Change Plan, Planning and Design Guidelines for Sea Level Rise were developed. The Guidelines described a process and checklist which project managers should undertake to determine if and how their project should be designed to address sea level rise and flooding. These Guidelines will help address how future changes to vulnerable facilities can be handled to minimize the impacts of climate change.

Capacity Assessment and Design Criteria

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Supersedes: 3/24/2023 Plan	Document ID: E8 – System Evaluation, Capacity Assurance and Capital Improvements
Version 1	Approved by: Director of Wastewater

EBMUD does not own and operate a typical sewer system, traditionally consisting of smaller diameter sewer mains, maintenance holes for access, and a significant number of private sewer lateral connections.

Capacity for the EBMUD system is provided by (1) the interceptor system, (2) pump stations and (3) WWFs. Capacity assessments were completed as part of the East Bay Wet Weather Program, which was developed out of a comprehensive EBMUD planning process between 1975 and 1987. This program combined the results from previous I/I studies and facilities planning efforts to develop an integrated approach to reducing SSOs in the East Bay through infrastructure construction by EBMUD and the satellite communities to manage wet weather flows. As a result of this program, EBMUD implemented its component of the East Bay Wet Weather Program in 1987 and completed it in 1998. EBMUD spent over \$310 million in capital funds and \$3 million per year in operating funds on the program. Facilities constructed include the three wet weather storage and treatment facilities, two relief interceptors, and additional system storage and pumping facilities.

Since the completion of the 1980s studies, EBMUD has conducted additional flow monitoring and capacity assessments. Between 2005 and 2007, extensive flow monitoring was conducted as part of the Wet Weather Infrastructure Improvement Studies. Based on the flow monitoring data collected, a refined hydraulic model of the EBMUD interceptor system was developed and capacity assessment was undertaken. Capacity constraints under design storm conditions were analyzed.

On January 14, 2009, the Regional Water Quality Control Board (RWQCB) issued an order prohibiting discharges from EBMUD's WWFs with an accompanying Cease and Desist Order that includes requirements for actions to be taken if discharges occur. On July 22, 2009, a Stipulated Order (SO) issued by EPA, SWRCB, and RWQCB became effective. The SO required EBMUD to perform a variety of work, including additional flow monitoring and modeling by 2012, to lay the groundwork for future efforts to eliminate discharges from the wet weather facilities. On September 22, 2014, a Consent Decree became effective, mandating work activities for EBMUD and the satellite agencies to reduce I&I to a level that, by 2036, the WWFs would not be utilized for storm events less than specified conditions. Although the model to determine these specified conditions is complex, it includes input from a December 5, 1952 storm returning 1.57 inches of rain at Oakland Airport in a 7-hour period.

	SEWER SYSTEM MANAGEMENT PLAN
Effective Date: 4/9/2025	Document Name: System Evaluation, Capacity Assurance, and Capital Improvements
Supersedes: 3/24/2023 Plan	Document ID: E8 – System Evaluation, Capacity Assurance and Capital Improvements
Version 1	Approved by: Director of Wastewater

Current capacity requirements for the sanitary sewer system are based on the East Bay design storm event combined with additional assumptions, such as seasonally-elevated groundwater levels and having the peak diurnal flow coincide with the maximum impact from the storm event, thereby creating a significant flow event.

Prioritization of Corrective Action

Findings of the condition assessments and capacity assessments are used to prioritize corrective actions based on the severity of the potential consequences. Past actions have included emergency repairs to an interceptor that experienced a crown collapse (but no spill of wastewater) to scheduling routine upgrades to aging infrastructure. Depending on the scope of the corrective action, it may be handled through the capital improvement process or by in-house operation and maintenance procedures.

Capital Improvement Program

EBMUD has a comprehensive capital improvement process including planning, design, and construction of new, upgraded, or rehabilitated infrastructure within the sewer system. The Wastewater Department's current Capital Improvement Program (CIP) can be found here:

- [https://www.ebmud.com/download_file/force/18908/377?Biennial Budget Book - Volume 1 - FY 2024 FY 2025 - Adopted PDF WEB.pdf](https://www.ebmud.com/download_file/force/18908/377?Biennial%20Budget%20Book%20-%20Volume%201%20-%20FY%2024%20FY%2025%20-%20Adopted%20PDF%20WEB.pdf)
- [https://www.ebmud.com/download_file/force/18909/377?Biennial Budget Book - Volume 2 - FY 2024 FY 2025 - Adopted PDF.pdf](https://www.ebmud.com/download_file/force/18909/377?Biennial%20Budget%20Book%20-%20Volume%202%20-%20FY%2024%20FY%2025%20-%20Adopted%20PDF.pdf)

The CIP includes, at a minimum, the following:

- Recommended capital improvement projects developed based on the results of the Interceptor Master Plan, infrastructure condition assessments and inspections, and input provided by operations and maintenance staff.
- Project schedules including completing dates.
- Internal and external project funding sources.

	SEWER SYSTEM MANAGEMENT PLAN
Effective Date: 4/9/2025	Document Name: System Evaluation, Capacity Assurance, and Capital Improvements
Supersedes: 3/24/2023 Plan	Document ID: E8 – System Evaluation, Capacity Assurance and Capital Improvements
Version 1	Approved by: Director of Wastewater

The CIP is executed via coordination between operation and maintenance staff, and engineering staff/consultants during planning, design, and construction as well as interagency coordination when work impacts other agencies.

	SEWER SYSTEM MANAGEMENT PLAN
Effective Date: 4/9/2025	Document Name: Monitoring, Measurement, and Program Modifications
Supersedes: 3/24/2023 Plan	Document ID: E9 – Monitoring, Measurement, and Program Modifications
Version 1	Approved by: Director of Wastewater

Performance Measures and Reporting

The effectiveness of each element of the SSMP is tracked through internal audits and reported in the audit summary report (See SSMP Element 10).

General monitoring of SSMP compliance and issues is accomplished through periodic SSMP coordination meetings. The SSMP team meets a minimum of four times per year to share information among groups, review outstanding action items from audits or other programs, and to prioritize appropriate SSMP activities. Action items from audits and past Workgroup meetings are maintained in meeting minutes and/or agendas. Quarterly monitoring of SSMP issues, audits, and action items may be done by the SSMP Coordinator if it is not covered in an SSMP team meeting or a meeting is cancelled for unforeseen circumstances.

Preventative Maintenance Program

The effectiveness of the PM program is tracked by reviewing scheduled and completed PM work and breakdown and corrective maintenance work orders. The root cause of any SSO that occurred in the past year is determined and if PM could have prevented the occurrence, the PM program is modified accordingly.

SSMP Program Updates

Individual elements within the SSMP or documents referenced by the SSMP are updated as needed based on the findings of the annual audit or in the event of an SSO or other event that triggers a review of the SSMP or referenced documents (e.g., Spill Emergency Response Plan).

Reporting SSO Trends for EBMUD

SSO events are reported through CIWQS. The frequency, volume, location, and trends are tracked by EBMUD and assessed on an annual basis.

	SEWER SYSTEM MANAGEMENT PLAN
Effective Date: 4/9/2025	Document Name: Internal Audits
Supersedes: 3/24/2023 Plan	Document ID: E10 – Internal Audits
Version 1	Approved by: Director of Wastewater

Internal Audit Process

Internal audits are performed by the SSMP Coordinator and team on an annual basis to determine relevance and effectiveness of each element of the SSMP. Audits include a review of progress on deficiencies identified in the previous year audit report. Every three years, the annual audits will be compiled into a single report to submit into the online CIWQS Sanitary Sewer System Database. The audit reports are due to be uploaded into CIWQS within six months after the end of the required 3-year audit period. For the EBMUD sanitary sewer system, the table below summarizes the end of each audit period and the due date to upload the audit report to CIWQS.

End of Required 3-Year Audit Period	Audit Report Due Date in CIWQS
5/2/2024	11/2/2024
5/2/2027	11/2/2027
5/2/2030	11/2/2030
5/2/2033	11/2/2033

Internal audits are appropriately scaled to the size of the system and spill history. If SSOs have occurred as a result of equipment malfunction or operator error in the past year, extra focus on those areas occurs. Sewer system operators (Remote Operations staff) must be involved in completing the audit. The audit will:

- Evaluate the implementation and effectiveness of the enrollee's SSMP in preventing spills;
- Evaluate the enrollee's compliance with the SSS WDR;
- Identify SSMP deficiencies in addressing ongoing spills and discharges to waters of the State; and
- Identify necessary modifications to the SSMP to correct deficiencies.

Completed audit reports shall include:

- Audit findings and recommended corrective actions.
- A statement that sewer system operators' input on the audit findings has been considered.
- A proposed schedule to address the identified deficiencies.

Correcting Deficiencies

If deficiencies or modifications are identified as part of the annual audit, the SSMP shall be updated accordingly, or items shall be cataloged and assigned a lead

	SEWER SYSTEM MANAGEMENT PLAN
Effective Date: 4/9/2025	Document Name: Internal Audits
Supersedes: 3/24/2023 Plan	Document ID: E10 – Internal Audits
Version 1	Approved by: Director of Wastewater

individual and a proposed schedule for implementation. Items identified for correction will be reviewed in SSMP workgroup meetings for progress and to track closure status of the items.

Recordkeeping

The annual audit reports will be kept internally within the EBMUD electronic file system (network drive and/or SharePoint). Every three years, an audit report for submittal to the State will be prepared and also kept internally within the EBMUD electronic file system as well as uploaded to CIWQS according to the schedule above.

	SEWER SYSTEM MANAGEMENT PLAN
Effective Date: 4/9/2025	Document Name: Communication Program
Supersedes: 3/24/2023 Plan	Document ID: E11 – Communication Program
Version 1	Approved by: Director of Wastewater

Public Communications and Outreach

EBMUD maintains active public outreach and communications efforts with its customers and the public-at-large to provide timely information on EBMUD projects, improvements, and emergency situations.

Communications outlets range from participating in community groups to time-critical posting of signage in emergency situations, and updates to EBMUD’s public website and 24-hour telephone reporting systems. For large capital projects having a community impact, EBMUD holds community meetings and conducts targeted outreach in the impacted community. Flyers are often included with customer bills to update the rate payers on EBMUD projects and programs. Further, EBMUD public affairs representatives maintain routine contacts with news outlets and publications to transmit news briefs in a timely manner. If an SSO occurs that impacts surface waters, EBMUD has a prescribed response procedure within the Spill Emergency Response Plan (SSMP Element 6) that outlines public notification, signage posting standards, regulatory notification, and other communications.

SSMP related Communication Program

Communication efforts which support SSMP requirements include:

- Posting of the SSMP on EBMUD’s website with contact information to facilitate questions and comments.
- Emergency response posting in the field backed up by web posting of advisories. EBMUD also has a 24-hour Emergency Dispatch phone number posted on its website that the public can call for urgent issues like spills or to be directed to a subject matter expert if specific questions about an emergency condition arise.
- Participation in the CSTAC, which includes all the collection system agencies that are tributary to EBMUD’s collection system excluding the City of Oakland. The CSTAC meets regularly to discuss and coordinate system issues such as flow monitoring, wet weather flow management, SSMP issues, and system improvements. EBMUD meets separately to coordinate with the City of Oakland.

Communication with Connected Sanitary Sewer Systems

EBMUD maintains contacts with each of the owners of the upstream collection systems that discharge into the EBMUD interceptor system. The Remote Operations Superintendent has primary responsibility for communicating about system operation,

	SEWER SYSTEM MANAGEMENT PLAN
Effective Date: 4/9/2025	Document Name: Communication Program
Supersedes: 3/24/2023 Plan	Document ID: E11 – Communication Program
Version 1	Approved by: Director of Wastewater

maintenance, or capital improvement-related activities that may impact the upstream satellite systems. In addition to routine communications, the Spill Emergency Response Plan, contains provisions to notify upstream satellites (and for them to notify EBMUD) of emergency conditions observed within each other's systems. For example, if a pump station in a satellite system is pumping into a downstream spill or problem, the satellite system owner will be contacted to manage the situation to minimize spill impacts. The Spill Emergency Response Plan also lists current contacts and phone numbers for each satellite system owner as well as other city/county and community resources to facilitate communications.

	SEWER SYSTEM MANAGEMENT PLAN
Effective Date: 4/9/2025	Document Name: Record of Changes
Supersedes: NA	Document ID: Record of Changes
Version 1	Approved by: Director of Wastewater

Revision Date	Description of Changes
4/9/2025	Comprehensive update and reorganization of all elements to align with Order WQ 2022-0103-DWQ, Board approved this version.

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BOARD ACTION

Agenda Number:	8.	Meeting Date:	April 8, 2025
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TITLE	ADMINISTRATION BUILDING AND ADELINE MAINTENANCE CENTER HEATING, VENTILATION, AND AIR CONDITIONING SYSTEMS UPGRADES
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ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:
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RECOMMENDED ACTION	Approve the assignment of the agreement originally authorized under Board Motion No. 008-17 from Integral Group, Inc. to Introba for design and construction management support services for upgrading the heating, ventilation, and air conditioning (HVAC) systems at the Administration Building and Adeline Maintenance Center.
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SUMMARY	In 2017, the District entered into an agreement with Integral Group, Inc. for design of upgrades to the HVAC systems at the Administration Building and Adeline Maintenance Center. The agreement also includes design and construction management support for the Administration Building Fiber Optic System Upgrade Project. In 2023, Integral Group, Inc. merged with another company and are now doing business jointly as Introba. Both Introba and Integral Group Inc. maintained separate tax identification numbers. Introba has requested the District move this agreement under the Introba tax identification number. All provisions of the original agreement will remain unchanged.
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DISCUSSION	Board Motion No. 008-17 authorized professional services for planning, design, and design support during construction for HVAC improvements at the Administration Building and Adeline Maintenance Center for an amount not to exceed \$1,658,198. The majority of the work under the existing agreement with Integral Group, Inc. is complete. The remaining work includes design services during construction for the Administration Building Fiber Optic System Upgrade Project, and additional mechanical and electrical design support as needed under optional services. This agreement supports the District's Long-Term Infrastructure Investment Strategic Plan goal.
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CONSULTANT SELECTION	In September 2016, a request for proposals was posted on the District's website. Seven firms submitted proposals and a short-list of three firms was established. Integral Group, Inc. was selected based on their superior expertise in energy modeling of high-rise office buildings, strong capability in evaluating and selecting cost-effective improvements to HVAC systems, and extensive experience in permitting and design of HVAC systems and data centers.
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Originating Department: Engineering and Construction	Department Director or Manager: Serge V. Terentieff	CEP Forms? Yes	Board Action Type: Professional Services
Funds Available: FY 2025; Award #7000126; Page 12	Budget Coding: 11.566.3100054.52010	Approved: 	
Attachment(s): P-035; P-061			

Title:	Administration Building and Adeline Maintenance Center Heating, Ventilation, and Air Conditioning Systems Upgrades	Meeting Date:	April 8, 2025
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SUSTAINABILITY**Economic**

There is no fiscal impact as a result of the assignment. Funding for this project is available in the FY 2025 adopted capital budget for Building Facilities Improvements.

Social

Locals 2019 and 21 were notified of agreement on August 18, 2016 and did not raise any specific issues related to this agreement.

Environmental

A California Environmental Quality Act Notice of Exemption was filed with the Alameda County Clerk on December 15, 2016.

ALTERNATIVE

Do not assign the agreement. This alternative is not recommended because it will interrupt support and services currently provided through the existing agreement.

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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 Professional Services Agreement - Assignment Administration Building and Adeline Maintenance Center HVAC System Upgrades							DATE: March 7, 2025				
CONTRACTOR: Introba* St. Louis, MO					PERCENTAGE OF CONTRACT DOLLARS						
					Availability Group	Contracting Objectives	Participation				
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP			White Men		25%	100.0%			
		Ethnicity	Gender	White Women		6%	0.0%				
\$1,658,198 **		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: Introba	\$1,658,198	White	X		100.0%						
SUBS: None											
TOTAL		\$1,658,198			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:		20		2		9		31			
Percent of Total Employees:		64.5%		6.5%		29.0%					
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 *Formerly known as Integral Group, Inc. **Total not to exceed: \$1,658,198											
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: Administration Building and Adeline Maintenance Center HVAC System Upgrades		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 - Assignment		DATE: 3/7/2025	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	4	1	4	0	9	29.0%	27.3%
Introba Mark McComb 6 South Old Orchard Avenue St. Louis, MO 63119 303-676-8080		Manager/Prof	4	1	4	0	9	32.1%	
		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	39.9%
		AA Plan on File:	NA		Date of last contract with District:		NA		
		Co. Wide MSA:	USA		# Employees-Co. Wide:		31 Bay Area: 0		
P	WM: L/SBE	Company Wide	8	30	31	0	69	31.2%	27.2%
Salas O'Brien Melissa Johnson 180 Grand Avenue, Suite 1325 Oakland, CA 95112 408-899-3056		Manager/Prof	2	14	19	0	35	27.3%	
		Technical/Sales	4	4	6	0	14	41.2%	
		Clerical/Skilled	2	12	6	0	20	33.9%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	2	11	9	0	22	28.9%	39.9%
		Co. Wide MSA:	Total USA		# Employees-Co. Wide:		221 Bay Area: 76		
P	WM	Company Wide	148	463	366	21	998	15.7%	48.4%
Stantec Consulting Services, Inc. Tony Zavanelli 100 California Street, Suite 1000 San Francisco, CA 94111 925-296-2102		Manager/Prof	72	276	286	13	647	15.1%	
		Technical/Sales	43	123	59	6	231	15.4%	
		Clerical/Skilled	33	64	21	2	120	20.9%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	4	10	34	0	48	27.3%	39.9%
		Co. Wide MSA:	California		# Employees-Co. Wide:		6,368 Bay Area: 176		

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)



BOARD ACTION

Agenda Number:	9.	Meeting Date:	April 8, 2025
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TITLE	AMEND EXPIRATION DATE OF 2021-2025 MEMORANDUM OF UNDERSTANDING WITH AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES LOCAL 2019
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ACTION	☐ Motion:	☒ Resolution:	☐ Ordinance:
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RECOMMENDED ACTION	Amend the expiration date of the 2021-2025 Memorandum of Understanding (MOU) with American Federation of State, County and Municipal Employees (AFSCME) Local 2019 (Local 2019) from July 13, 2025 to April 20, 2025.
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SUMMARY	On April 12, 2022, the Board of Directors approved a four year MOU between the District and Local 2019 with an expiration date of July 13, 2025.
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DISCUSSION	On March 4, 2025, the District and Local 2019 signed a side letter agreement in which both parties agreed to amend the expiration date of Local 2019's 2021-2025 MOU from July 13, 2025 to April 20, 2025, under MOU Article 31-Other Terms and Condition, to align Local 2019's MOU expiration date with those of the other unions at the District. This agreement shall be effective upon Local 2019 membership ratification and EBMUD Board approval and will expire upon incorporation into the successor MOU currently being negotiated between the District and Local 2019.
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SUSTAINABILITY	Economic This change represents no fiscal impact to the District. Social Local 2019 signed a side letter agreement on March 4, 2025 to change the expiration date of their 2021-2025 MOU from July 13, 2025 to April 20, 2025.
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ALTERNATIVE	<u>Do not amend the expiration date of the Local 2019 MOU.</u> This alternative is not recommended because modifying the expiration date will align the Local 2019 MOU expiration date with those of the other unions at the District.
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Originating Department: Human Resources	Department Director or Manager: Cindy R. Charan	CEP Forms? N/A	Board Action Type: Administrative
Funds Available: N/A	Budget Coding: N/A		Approved: 
Attachment(s): Resolution			

RESOLUTION NO. _____

AMENDING THE EXPIRATION DATE OF THE 2021-2025 MEMORANDUM OF
UNDERSTANDING WITH AMERICAN FEDERATION OF STATE, COUNTY AND
MUNICIPAL EMPLOYEES, LOCAL 2019

Introduced by Director

; Seconded by Director

WHEREAS, on April 12, 2022, the Board of Directors of the East Bay Municipal Utility District (District) adopted Resolution No. 35283-22 approving the 2021-2025 Memorandum of Understanding (MOU) between the District and the American Federation of State, County, and Municipal Employees, Local 2019 (Local 2019); and

WHEREAS, the MOU is currently set to expire on July 13, 2025; and

WHEREAS, on March 4, 2025, the District and Local 2019 signed a side letter agreement to amend the expiration date of the MOU from July 13, 2025 to April 20, 2025, under MOU Article 31 – Other Terms and Conditions; and

WHEREAS, on March 21, 2025, Local 2019 members voted to ratify the amendment to set the expiration date of the MOU to April 20, 2025;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the East Bay Municipal Utility District that the expiration date of the MOU between the District and Local 2019 is hereby amended to April 20, 2025.

ADOPTED this 8th day of April, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

President

Secretary

APPROVED AS TO FORM AND PROCEDURE:

General Counsel



BOARD ACTION

Agenda Number:	10.	Meeting Date:	April 8, 2025
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TITLE	ASSEMBLY BILL 2561 VACANCY REPORTING COMPLIANCE
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ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:
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RECOMMENDED ACTION	Conduct a Public Hearing to receive a report on job vacancy rates of the International Federation of Professional and Technical Engineers Local 21 (Local 21), International Union of Operating Engineers Local 39 (Local 39), and the American Federation of State, County and Municipal Employees Locals 444 (Local 444) and 2019 (Local 2019), as required by California Assembly Bill 2561 (AB 2561): Local Public Employees: Vacant Positions.
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SUMMARY	AB 2561, signed into law on September 22, 2024 and added to California Government Code section 3502.3, introduces new requirements for public agencies to address and report on employee vacancy rates. Effective January 1, 2025, AB 2561 aims to enhance transparency and accountability in public sector staffing.
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DISCUSSION	In compliance with AB 2561, the reporting vacancy rates of each of the District's bargaining units as of March 15, 2025, are as follows:
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- Local 2019 – 9.3 percent
- Local 444 – 6.7 percent
- Local 39 – 2.0 percent
- Local 21 – 3.9 percent

There are three key provisions of AB 2561:

1. Public agencies are mandated to present the status of job vacancies, along with recruitment and retention efforts, at a public hearing before their governing body at least once per fiscal year. This presentation must occur prior to adoption of the budget.
2. Recognized employee organizations have the right to make presentations at these public hearings concerning positions within their respective bargaining units.
3. If job vacancies in a bargaining unit reach or exceed 20 percent of authorized full-time positions, and a recognized employee organization requests it, the District must provide the following at a public hearing: Total number of job vacancies within the bargaining unit, total number of applicants for these vacancies and the average hiring duration from job posting to completion.

The vacancy rate for each of the District's bargaining unit does not exceed 20 percent of authorized full-time positions. There are no specific recruitment or retention issues. The District continues to strive towards attracting and retaining a diverse and skilled workforce by engaging in strategic workforce planning and development initiatives.

Originating Department: Human Resources	Department Director or Manager: Cindy R. Charan	CEP Forms? N/A	Board Action Type: Public Hearing
Funds Available: N/A	Budget Coding: N/A	Approved: 	
Attachment(s): N/A			

Title:	Assembly Bill 2561 Vacancy Reporting Compliance	Meeting Date:	April 8, 2025
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SUSTAINABILITY**Economic**

There is no fiscal impact to the District.

Social

The Unions were notified of this public vacancy reporting requirement on February 24, 2025. A report was shared with the Unions on April 3, 2025.

ALTERNATIVE

Do not conduct a public hearing to report on job vacancy rates. This alternative is not recommended because the District would be out of compliance with AB 2561.

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BOARD ACTION

Agenda Number:	11.	Meeting Date:	April 8, 2025
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TITLE	APPOINTMENT OF MANAGER OF DISTRIBUTION MAINTENANCE AND CONSTRUCTION
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ACTION	☐ Motion:	☒ Resolution:	☐ Ordinance:
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RECOMMENDED ACTION	Appoint Michael A. Rangel as the Manager of Distribution Maintenance and Construction effective April 21, 2025.
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SUMMARY	Following a comprehensive recruitment process, Michael Rangel is recommended for appointment as the Manager of Distribution Maintenance and Construction. The position is exempt from the civil service provisions of the Municipal Utility District Act in accordance with Section 12055(e).
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DISCUSSION	Michael Rangel has over twenty-three years of experience at the District. He started his career in 2001 as a Limited-Term Water Distribution Plumber I assigned to the South Area Service Center. Since then, he promoted through the Water Distribution Plumber series to Water Distribution Crew Foreman, Assistant Construction and Maintenance Superintendent, and Construction and Maintenance Superintendent. He has extensive pipeline maintenance experience and knowledge of the District's distribution system throughout the service area. Since 2023, Mr. Rangel has been a Construction and Maintenance Superintendent and is currently assigned to the Paving Section in the Pipeline Construction Division. He has consistently demonstrated his leadership skills in organizing, directing and controlling a large construction maintenance group while modeling the District's values of respect, stewardship, teamwork, and integrity. Mr. Rangel is a licensed Water Distribution Operator with the California State Water Resources Control Board. He resides in the East Bay with his wife of 14 years and two sons.
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Originating Department: Human Resources	Department Director or Manager: Cindy R. Charan	CEP Forms? N/A	Board Action Type: Personnel
Funds Available: N/A	Budget Coding: N/A		Approved: 
Attachment(s): Class Description; Resolution			

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East Bay Municipal Utility District (EBMUD)

Exempt Class Description

Class Code:	1545	Established:	03/25/97
Salary Range:	86	Revised:	12/02/24
Unit:	EXMPT	Reviewed:	12/02/24

MANAGER OF DISTRIBUTION MAINTENANCE AND CONSTRUCTION

DEFINITION

Under administrative direction as a division manager plans, organizes, staffs, directs, supervises, and coordinates several work units engaged in major pipeline construction, maintenance, and emergency repair for underground pipelines and appurtenances within the East Bay Municipal Utility District's (EBMUD's) entire service area including:

- Pipeline construction, maintenance, and repair
- Hydrant installation, maintenance, and repair
- Large valve and appurtenance installation, maintenance, and repair
- USA mark and locate ticket response
- Leak detection
- Meter and water service installation, maintenance, and repair

RESPONSIBILITIES AND DUTIES

- Establishes the division's maintenance and construction programs and priorities to meet departmental goals and objectives.
- Plans, directs, selects, and evaluates construction and maintenance staff and maintains high employee morale and employee productivity; provides for the technical training and professional development of staff.
- Analyzes data and conducts studies and research to identify and implement more effective and productive work methods; initiates preventative maintenance programs.
- Prepares a variety of reports and correspondence; presents findings and reports at internal and public meetings.
- Implements and enforces effective safety procedures and practices to identify, mitigate, and/or eliminate job hazards.
- Recommends policies and procedures to enhance efficiency and customer service; approves and implements changes to improve maintenance services; establishes work standards to improve safety, quality, and quantity of work.
- Reviews engineering plans, specifications, and job drawings for constructability and conflicts with existing field conditions; works with engineering to resolve issues.
- Plans and schedules major construction, maintenance, and repair projects.
- Develops, reviews, and evaluates the division's work and the effective use of personnel within the division for conformity with objectives; prepares and administers the division's annual budget.
- Visits work sites and field offices to maintain effective communication, monitors progress on major projects, observes working conditions and manage emergencies.
- Recommends, establishes, and enforces effective procedures to ensure the security of assigned buildings, grounds, and stored materials.
- Analyzes stock activity records for service yards and ensures that stock is maintained within prescribed service levels; determines and recommends changes in service levels, order points and economic order quantities.
- Administers service contracts and professional agreements as required, prepares and reviews specifications for formal requests for proposal; analyzes proposals, analyzes bids, recommends bid awards; and negotiates long-term contracts.
- Confers with vendors regarding warranty work; assists in establishing purchase orders with vendors for critical parts, supplies, and contract services; manages and monitors purchase orders and contractual agreements related to the activities of the work units.
- Builds partnerships with other EBMUD divisions, stakeholders, and external agencies to work cooperatively and collaboratively to meet EBMUD objectives.

- Represents EBMUD and coordinates work with Federal, State, and local agencies.
- Ensures environmental compliance in all work unit activities.
- May represent the department as directed.
- Stays abreast of changing laws, regulations, and memorandums of understanding governing water systems, labor management, and employee safety.
- Utilizes automated or computer-based work management systems, or other electronic or computer systems and applications, in the course of work.
- Performs other related duties and responsibilities as required.

TYPICAL QUALIFICATIONS

Competency

- Technical competency in the design, installation, construction, or maintenance of underground pipelines and appurtenances.
- Managerial competency in planning, organizing, directing, and controlling a large construction and maintenance group.
- Effectively communicate both verbally and in writing in a clear and concise manner.
- Knowledge of large water distribution and transmission systems and related preventive maintenance procedures; methods, techniques, materials and equipment used in water system construction, operation and maintenance.
- Ability to manage a diverse work group represented by multiple unions including but not limited to Construction Maintenance Superintendents, Assistant Construction Maintenance Superintendents, Water Distribution Crew Foremen, Heavy Equipment Operators, Water Distribution Plumbers, Administrative Clerks, Material Specialists, Truck Drivers, and Utility Laborers

Education and Experience

1. No degree requirement.
2. Ten (10) years of progressively responsible experience* supervising the design, construction, maintenance, and/or operation of water distribution pipelines and facilities.

*A related bachelor's degree may be substituted for two years of experience; or a related graduate degree may be substituted for three years of experience.

License, Certificate, or Credential

1. Must possess a valid California driver's license and have a satisfactory driving record.
2. Must obtain and maintain the Grade III Distribution Operator's Certification issued by the California State Water Resources Control Board (SWRCB) within eighteen (18) months of appointment date.

Previous Revisions: 07/01/2009
03/25/1997

RESOLUTION NO. _____

APPOINTING MICHAEL A. RANGEL AS MANAGER OF
DISTRIBUTION MAINTENANCE AND CONSTRUCTION

Introduced by Director _____ ; Seconded by Director _____

WHEREAS, the Board of Directors of the East Bay Municipal Utility District (District) has heretofore established the position of Manager of Distribution Maintenance and Construction, and such position has been assigned a salary range under the Management Salary Plan heretofore established for District officers, assistant officers, civil service exempt and certain civil service classes; and

WHEREAS, the Manager of Distribution Maintenance and Construction is exempt from the District civil service pursuant to State of California Public Utilities Code section 12055; and

WHEREAS, the General Manager has recommended that Michael A. Rangel be appointed to serve as Manager of Distribution Maintenance and Construction;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the East Bay Municipal Utility District that it hereby appoints Michael A. Rangel to serve as Manager of Distribution Maintenance and Construction, effective April 21, 2025.

ADOPTED this 8th day of April, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

President

Secretary

APPROVED AS TO FORM AND PROCEDURE:

General Counsel

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: April 8, 2025

MEMO TO: Board of Directors

FROM: Marguerite Young, Board President 

SUBJECT: Allegations Concerning the Conduct of an EBMUD Board Member

DISCUSSION

I have become aware of allegations made publicly by Tiffany Conway-Cornelius regarding the conduct of Board Vice President April Chan. Ms. Conway-Cornelius is an artist whose work was recently displayed in the lobby of the District's Administration Building. She is not a District employee.

Ms. Conway-Cornelius has alleged that Director Chan engaged in conduct which left her feeling disrespected and demeaned. She alleges that Director Chan's conduct towards her was racially motivated. The incident occurred on March 27, 2025 in the parking garage and lobby of the District's Administration Building while Ms. Conway-Cornelius was retrieving her artworks, which were on display in the lobby during Black History Month. Ms. Conway-Cornelius and Director Chan each reported feeling threatened by the other during the incident.

If the alleged conduct occurred as described by Ms. Conway-Cornelius, it could violate several District policies, including but not necessarily limited to those mentioned below.

First, three District policies prohibit harassment and discrimination on the basis of race. (Policy 6.04 - Ethics of the EBMUD Board of Directors; Policy 6.06 - Equal Employment Opportunity; and Policy 6.07 - Prevention of Workplace Harassment). In addition, the Board affirmed it stands against prejudice, abuse of power, racial bias, and racism in overt and systemic forms (Resolution No. 35190-20, Attachment 2). Based on the nature of the allegations, the District has retained an independent investigator to conduct an investigation pursuant to District Procedure 614 (Equal Employment Opportunity Discrimination, Harassment and Retaliation Complaints, Investigations and Appeals) to gather evidence and review whether the allegations that Director Chan's conduct was motivated by race are substantiated and whether these policies were violated.

Second, because each party reported feeling threatened during the March 27 incident, the District's Security Division is conducting a separate investigation to determine whether workplace violence or a threat of workplace violence occurred in accordance with the District's Required Safety Practice 6000 - Workplace Violence Prevention Plan and Security Protocol 1.5 - Workplace Violence Response and Investigation.

Third, Board members are expected to uphold the District's values and conduct themselves with courtesy, civility, respect, and professionalism. These are long-standing expectations of Board members that were recently codified in the Principles of Conduct described in the District's Board of Directors Governance Manual. I have determined it is necessary to investigate whether Director Chan has engaged in conduct which did not meet those standards.

The Equal Employment Opportunity and Security investigations are underway. I intend to proceed with investigating whether Director Chan's conduct did not adhere to the Principles of Conduct set forth in the Board of Directors Governance Manual. The results of each of these investigations will be shared with the Board when available. In the meantime, given the seriousness of the allegations, I have determined it is in the best interests of the District that Director Chan not represent the District at public events or meetings while the investigations are pending and until further notice from me or the Board of Directors. I directed her accordingly on April 2, 2025, and she has agreed to abide by that directive.

I have placed an item on the April 8, 2025 agenda to give the Board, including Director Chan, the opportunity to discuss the allegations, to receive public comment, and to consider possible Board action. Judgment should be reserved until the investigations conclude, and all available evidence should be considered together with the statements of the parties involved including Ms. Conway-Cornelius and Director Chan. At the same time, I believe it is important for the Board to take this opportunity to demonstrate that it takes these allegations seriously.

Accordingly, I propose that the Board consider adopting a motion on April 8 to do the following:

Temporarily remove Director Chan from the office of Vice President of the Board of Directors and from the position of Chair of the Planning Committee, or other interim actions deemed appropriate by the Board, pending the results of the investigations and until such further action as the Board may take at a future meeting.

In my view, these would be interim actions which are necessary while the factual inquiries are pending and are not intended as punitive measures or as an expression of judgment by the Board.

I am committed to prioritizing thorough investigations while expediting them to the greatest extent possible. We as Board members must uphold the highest standards of conduct that we expect from everyone at the District. I ask you to consider the interim measures I have proposed for responding to the allegations raised by Ms. Conway-Cornelius.

MY:my

Attachments: 1. April 4, 2025 Formal Complaint from T. Conway
2. Board Resolution No. 35190-20
3. EBMUD Values as Core Competencies

From: [Tiffany Conway](#)
To: [Office of the Secretary](#)
Subject: Formal Complaint Regarding Misconduct by Vice President April Chan
Date: Friday, April 4, 2025 12:47:07 PM

You don't often get email from [REDACTED]. [Learn why this is important](#)

April 4, 2025

Marguerite Young^[SEP] President, Board of Directors^[SEP] East Bay Municipal Utility District
(EBMUD)^[SEP] 375 11th Street, MS 806^[SEP] Oakland, CA 94607

Subject: Formal Complaint Regarding Misconduct by Vice President April Chan

Dear President Young,

I am writing to formally express my deep disappointment and frustration regarding an incident involving Director April Chan on Thursday, March 27, 2025, at EBMUD headquarters.

I was an invited artist who displayed my work at the Administration Building (AB) during the period of February 19-March 26, 2025. My point of contact was Charmin Baaque, Chair of the EBMUD Art Committee. On every occasion when I came to the AB to install my artwork, Ms. Baaque arranged through the Security Office for me to park in the AB Garage. Each time I was directed to park in one of the vacant Board of Directors spaces

I arrived at the AB on March 27, 2025, at approximately 11:30 a.m., to de-install my artwork. As was previously arranged, I parked in one of the vacant Board of Directors' spots. On this particular day, Ms. Baaque was out of the office so my point of contact was Thai Hill. After meeting with Thai to begin the de-installation, I returned to my car to retrieve additional moving blankets. Director Chan was parked two spaces away from my vehicle and as she walked toward the elevator, she asked who I was and why was I parked in a Board parking space. I informed her that I was an artist de-installing my work and that I had clearance from Security to park in that space. She then asked with whom I was working and I told her I was working with Charmin Baaque. Rather than acknowledge my response, she rolled her eyes, moved her neck in a dismissive manner, and walked away mid-conversation.

I was confused by her behavior and questioned her attitude. She reiterated that the parking spaces were reserved for Board members, to which I repeated that I had been given permission to park there. She proceeded toward the elevators and informed me that she was going to notify security, which I felt was a clear and unnecessary escalation of the situation. Given the gravity of such a threat, I took a picture of her badge and recorded a video as she entered the elevator. I went to the second floor in a separate elevator, carrying multiple moving blankets. When I exited the elevator on the second floor, I saw Director Chan reporting me to security.

As I continued to pack up my work, I voiced my frustration at being profiled and disrespected. I told Director Chan that I expected an apology. Instead of responding with professionalism, she pointed to her picture on the Board's display and condescendingly emphasized her

position. She then left and returned with security. When I asked for her name, email, and the contact information of her supervisor, she dismissively responded that she answers to no one but the 270,000 people who elected her.

Director Chan then falsely claimed that I threatened her and instructed security to walk with her. I repeatedly stated that this was untrue. When the head of security arrived, in an attempt to deescalate the situation, he directed me to a room in the security office to document the events that occurred. Once again, I made it clear that I expected an apology.

Director Chan later emerged from another room. When I reiterated that I deserved an apology, she responded by laughing and cackling at me, further demeaning my experience.

This entire situation could have been avoided if Director Chan had proceeded directly to the Security Office instead of confronting me in the garage. If she had done so, she would have been informed that I did in fact have permission to park in one of the spaces designated for the Board of Directors.

As an invited artist, I worked tirelessly for over a year to create artwork for this exhibition. I was very excited and appreciative to have the opportunity to display my art at EBMUD. It is a shame that a positive experience ends up being overshadowed by the unnecessary and deeply troubling confrontation by Director Chan. As a rate payer, I did not deserve to be treated this way by a public servant. I deserve dignity and respect, especially given my contributions to beautifying EBMUD's Administration Building. Instead, I was racially profiled, threatened with security, and falsely accused of making threats. This is unacceptable.

At this time, I will formally limit my request to the following:

- A public apology from Director April Chan for her misconduct.^{[[L]]}_{SEP}
- A commitment from EBMUD to uphold a higher standard of respect and professionalism when working with artists and community members.^{[[L]]}_{SEP}

I trust that you will take this matter seriously and take the necessary steps to ensure that incidents like this do not happen again. I look forward to your response.

Sincerely,

^{[[L]]}_{SEP}

Tiffany Conway

[REDACTED]

cc: EBMUD Board of Directors
General Manager Clifford Chan

RESOLUTION NO. 35190-20

AUTHORIZING PRINCIPLES AND AN ACTION PLAN FOR THE EAST BAY MUNICIPAL
UTILITY DISTRICT'S RESPONSE TO RACIAL DISCRIMINATION AND VIOLENCE
AGAINST BLACK AND AFRICAN AMERICANS AS MOST RECENTLY
EXEMPLIFIED BY THE KILLING OF GEORGE FLOYD

Introduced by Director Patterson ; Seconded by Director Mellon

WHEREAS, the Board of Directors of the East Bay Municipal Utility District (District) determines all questions of policy and has adopted policies upholding its commitment to diversity, equity, inclusion, and justice; and

WHEREAS, on May 25, 2020, the American public witnessed George Floyd being unlawfully killed by excessive force applied by police officers, and the video of his killing marked a boiling point of outrage over the recent series of events that underscore a history in which Black and African Americans have been unjustly accused, detained, or killed by citizens or police officers as a result of prejudice, abuse of power, racial bias, and racism; and

WHEREAS, these events have exposed continued patterns of abhorrent and racist behaviors that violate basic human rights, the United States Constitution, and the core values and guiding principles of the District; and

WHEREAS, in this sobering and heartbreaking moment, our eyes have been opened to the ongoing burden and the resulting inequalities that prejudice, abuse of power, racial bias, and racism in both overt and systemic forms have inflicted on the Black and African American community; and

WHEREAS, the Board of Directors realizes that this continued injustice and inequity is destructive to both the internal and external communities of the District; and

WHEREAS, the District understands that many members of the communities served by the District, as well as members of our own employee community, are hurting deeply because of these events; and

WHEREAS, the District is an organization in one of the most diverse areas of our country, and has a long-standing commitment to being a responsible partner of the community for diversity, equity and inclusion in the practices of hiring, contracting, and employee support; and

WHEREAS, starting at the local level, true leadership requires taking a critical look at our organization and identifying ways that we can do better; and

WHEREAS, in its public meeting on June 9, 2020, the Board of Directors discussed guiding principles for the District's response to address individual and systemic racism and committed to taking meaningful action, internally and externally; and

WHEREAS, the Board of Directors directed that an Ad Hoc Committee comprised of Board members, District staff, and labor union representatives be established to work collaboratively to develop the District's guiding principles and implementation strategies with input from its Black and African American employees, affinity groups, and other key constituents; and

WHEREAS, the Board of Directors determined that a resolution setting forth the District's principles and commitment to action be adopted at its next meeting, and closed its June 9 public meeting with eight minutes and forty-six seconds of silence in observance of the amount of time in which a police officer was filmed kneeling on George Floyd's neck before he died;

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of the East Bay Municipal Utility District stands against prejudice, abuse of power, racial bias, and racism in both overt and systemic forms, and does hereby adopt the following guiding principles:

- Recognize and acknowledge that black lives matter.
- Stand up against acts of racism, exclusion, and abuse of power in our organization and in our community.
- Provide leadership in calling out broken systems and working to fix them.
- Go beyond diversity and inclusion, and build cultural competence and address issues of racial inequity to become an anti-racist, anti-hate organization.
- Intentionally and proactively change our ways of thinking through dialogue, education, training, and engaging all District employees and contractors.
- Combat hate, discrimination and unfair treatment against all people.
- Be a resource for education and awareness for District employees and the communities we serve by regularly sharing educational resources about on-going social justice issues in America.
- Offer consistent, equitable amenities across District projects regardless of community demographics or affluence.
- Support First Amendment rights that allow freedom of speech and peaceful non-violent public protests to educate and advocate for justice and stand against injustice.
- Condemn systemic racism that sanctions police violence against people of color and especially Black and African American people.

BE IT FURTHER RESOLVED that the Board of Directors and District staff will implement the following strategies while adhering to the stated principles:

1. Listen to the voices of Black and African American employees at the District, in the external community, and other impacted individuals and provide space to engage in safe and productive conversations about dealing with and overcoming individual and systemic racism.
2. Engage a diverse cross-section of District employees and our external community, particularly Black and African Americans, to identify issues and devise solutions to the impacts of acts of prejudice, abuse of power, racial bias, or racism and barriers to diversity, equity and inclusion.
3. Review and evaluate the District's history of dealing with issues of prejudice, racial bias, and/or racism in its individual and systemic forms, and address any impacts of systemic racism on District processes (employment, management, and contracting) to identify and implement solutions to fix compromised or broken systems.
4. Review and enhance District policies and procedures to ensure the environment and workplace make no allowances for acts of prejudice, abuse of power, racial bias, or racism, and set the expectation that all District employees and contractors be reflective and willing to address any conscious or unconscious bias.
5. Through training and dialogue, build organizational cultural competence and emotional intelligence to create a sustainable environment where all District employees and communities served have a sense of inclusion and equity; training will include guidance for District employees on ways to become an ally in eliminating bias and racism in the workplace and avoid being bystanders who inadvertently help perpetuate injustice.
6. Establish protocols for following up and responding to racism by customers toward District employees, particularly those interfacing with customers in their neighborhoods, and at all District facilities.
7. Review and update the practices and procedures of our internal security force and contractor(s) to ensure that their interactions with the public are appropriate, including during public meetings or protests.
8. Engage our partnering law enforcement agencies in dialogue to express our concerns and inquire about the steps they are taking regarding issues of excessive force and/or violence by their officers.

BE IT FURTHER RESOLVED that the Board of Directors commits to supporting legislation that aligns with these principles and strategies, and promotes its commitment to combatting

racism and promoting diversity, equity, inclusion, and justice, such as California Assembly Constitutional Amendment No. 5 (ACA 5).

BE IT FURTHER RESOLVED that the Board of Directors will continue to collaboratively work with District staff to develop a formal action plan to implement these principles and strategies by way of the Legislative/Human Resources Committee.

BE IT FURTHER RESOLVED that the District will support and continue to explore additional efforts in the communities which it serves, the State of California, and nationwide to address racial inequities.

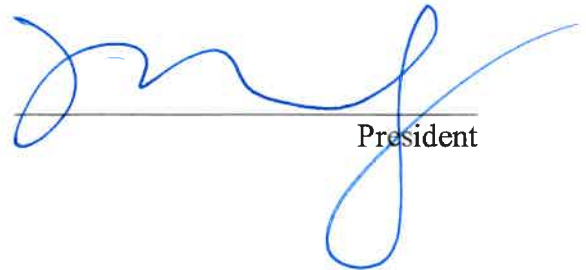
ADOPTED this 23rd day of June, 2020 by the following vote:

AYES: Directors Coleman, Katz, Linney, McIntosh, Mellon, Batterson and President Young.

NOES: None.

ABSENT: None.

ABSTAIN: None.



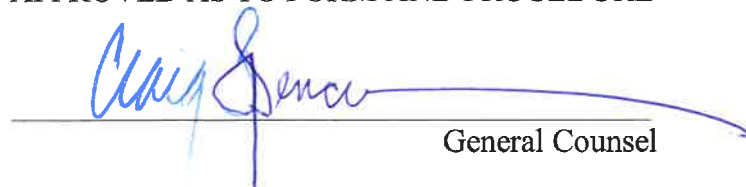
President

ATTEST:



Rosita S. Cole
Secretary

APPROVED AS TO FORM AND PROCEDURE



Craig Sencer
General Counsel

EBMUD Values as Core Competencies

Value Statement - Stewardship - I am a steward of our resources and committed to public service

Competency: Demonstrates accountability and responsibility in protecting District resources in a manner consistent with EBMUD policies and procedures; with an emphasis on protecting our natural resources, sustainability, and maintaining the trust of our customers, stakeholders and the public.

Related Behaviors

- I plan for short and long term needs
- I provide value to our ratepayers while performing my work
- I manage district resources responsibly
- I engage with our communities, stakeholders, and partners when making decisions
- I incorporate sustainability concepts and activities into my work
- I provide outstanding service to everyone
- I explore opportunities for continual improvement and innovation
- I protect our water, our environment, our community, and my fellow employees.

Value Statement - Integrity – I act with integrity

Competency - Strives for efficient, effective, high quality performance in self and the unit; delivers timely and accurate results; resilient when responding to situations that are not going well; takes initiative to make improvement; enhances skills by proactively participating in professional development and learning opportunities; able to learn from constructive feedback and mistakes.

Related Behaviors

- I lead by example
- I accept responsibility for my actions
- I foster trust by acting ethically
- I take immediate action when unsafe conditions are identified
- I learn from mistakes
- I operate in a financially-responsible manner
- I am honest and straightforward in conducting District business
- I promote the balanced development of technical and people skills
- I resolve issues in a timely manner

Value Statement - Respect – I treat others with respect

Competency: Shows respect for people and their differences; promotes fairness and equity; engages the talents, experiences, and capabilities of others; fosters a sense of belonging; works to understand the perspectives of others; creates opportunities for access and success.

Related Behaviors:

- I value the work and perspective of others
- I look out for the safety and wellbeing of my fellow team members
- I learn from the feedback of others
- I value each individual's experience and expertise
- I support others to perform at the highest level
- I listen to our customers' needs, respecting their point of view
- I communicate openly and honestly with transparency and timeliness
- I am kind and professional when dealing with others.

Value Statement - Teamwork – We are EBMUD and we are one team

Competency - Cooperates and collaborates with colleagues; works in partnership with others; cultivates builds and maintains good relationships with peers, subordinates and customers; delivers on commitments to team/organization.

Related Behaviors

- I give others the benefit of the doubt
- I create safe and secure working conditions
- I apply my individual expertise to achieve the best results and encourage others to contribute their expertise
- I collaborate openly to meet the goals of the District
- I encourage creativity and seek new and better ways of doing things
- I am part of the solution and not the problem
- I inspire the personal and professional development of all staff
- I share my knowledge with others and support the team to function at a high level
- I need others to succeed and support others to be successful
- I give credit to the team for its accomplishments

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: April 3, 2025

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager *CCC*

FROM: Kathy Viatella, Manager of Legislative Affairs *KV*

SUBJECT: Legislative Report No. 03-25

The following issues are being referred to the Legislative/Human Resources Committee for review and recommendation to the Board of Directors for action, as appropriate, on April 8, 2025.

RECOMMENDED ACTION

Approve positions on the following bills: 1) Support and amend SB 431 (Arreguín) Assault and battery: public utility employees and essential infrastructure workers; 2) Support SB 599 (Caballero) Atmospheric rivers: research: forecasting methods: experimental tools; 3) Support SB 654 (Stern) California Environmental Protection Agency: contract: registry: greenhouse gas emissions that result from the water-energy nexus; 4) Support SB 682 (Allen) Environmental health: product safety: perfluoroalkyl and polyfluoroalkyl substances; 5) Support SB 735, SB 736, SB 737 (Committee on Local Government) Validations; 6) Support S. 322 (Padilla) Improving Atmospheric River Forecasts Act; and receive information on SB 858 (Committee on Local Government) Local Government Omnibus Act of 2025.

STATE LEGISLATION

RECOMMENDED POSITION

SB 431 (Arreguín)	ASSAULT AND BATTERY: PUBLIC UTILITY EMPLOYEES AND ESSENTIAL INFRASTRUCTURE WORKERS	SUPPORT AND AMEND
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Existing law defines an assault as an unlawful attempt, coupled with the present ability, to commit a violent injury upon another person. Existing law defines battery as any willful and unlawful use of force or violence against another person. Under existing law, an assault or battery committed against specified professionals engaged in the performance of their duties, including peace officers, firefighters, and emergency medical personnel, is punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding \$2,000, or both.

SB 431 (Arreguín), as amended on March 24, 2025, would add public utility employees or workers engaged in essential infrastructure work to the list of protected professionals under this

law in the section providing for enhanced protections and penalties. The bill defines "essential infrastructure work" to mean "construction, maintenance, repair, or operation of critical facilities and services related to electricity, water, natural gas, telecommunications, public transportation, roads, bridges, or waste management." However, the bill does not explicitly mention wastewater as part of the definition of essential infrastructure work.

According to the author, "Utility employees and contractors at all levels...have experienced threats or violence from members of the communities they serve while performing their job duties." Additionally, the author notes that "These incidents create a stressful and unsafe work environment, further complicating the ability of utility workers to perform their duties, which are essential to public safety."

By classifying assault or battery against a public utility employee or worker engaged in essential infrastructure work as a punishable offense, this bill places these workers in the same class as other protected public service professionals, ensuring they receive the same level of legal protection under the law. Enhanced penalties for violations may deter some criminal assaults against District workers in the field. There are no anticipated costs to EBMUD from the bill's provisions.

Staff is recommending a "support and amend" position to include "wastewater" in the definition of "essential infrastructure work," which would then cover public-facing employees at the District for both water and wastewater.

An official support/opposition list for SB 431 is included below.

Support

California District Attorneys Association
California Police Chiefs Association
California State Association of Electrical Workers
California Water Association
Coalition of California Utility Employees
League of California Cities
Pacific Gas and Electric Company
San Diego Gas & Electric Company
San Francisco District Attorney
Southern California Edison
Southern California Gas Company

Opposition

ACLU California Action
Initiate Justice Action

Opposition continued

Legal Services for Prisoners with Children
LA County Public Defenders Union, Local 148

**SB 599
(Caballero)**

**ATMOSPHERIC RIVERS: RESEARCH:
FORECASTING METHODS:
EXPERIMENTAL TOOLS**

SUPPORT

Existing law establishes the Atmospheric Rivers Research and Forecast Improvement Program: Enabling Climate Adaptation Through Forecast-Informed Reservoir Operations and Hazard Resiliency (AR/FIRO) Program within the Department of Water Resources (DWR). Existing law requires DWR to operate reservoirs in a manner that improves flood protection, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers. Existing law requires DWR to research, develop, and implement new observations, prediction models, novel forecasting methods, and tailored decision support systems to improve predictions of atmospheric rivers and their impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions.

SB 599 (Caballero), as amended on March 24, 2025, would extend the scope of DWR's AR/FIRO program to include the development of extended-range atmospheric river forecasting. Specifically, SB 599 directs DWR to include in conducting research and developing and implementing prediction models and novel forecasting methods the use of experimental tools that produce seasonal and subseasonal atmospheric river forecasts. SB 599 defines seasonal forecast as covering a period of approximately one to six months into the future, and subseasonal forecast as covering a period of approximately two to six weeks into the future.

Atmospheric rivers are long, narrow bands of water vapor, essentially giant rivers in the atmosphere pushed along by strong winds. They can carry roughly 25 times the amount of water that flows through the mouth of the Mississippi River. On average, atmospheric rivers supply 40 to 50 percent of California's annual precipitation and snowpack. Climate change is increasing the frequency and intensity of atmospheric rivers, leading to greater risks of flooding and mudslides.

According to SB 599, "atmospheric rivers have been identified as major drivers of floods and precipitation, responsible for up to half of the annual precipitation in California and 94 percent of all flood damages, totaling around \$620 million annually." SB 599 highlights that atmospheric river forecasting has improved, noting that five-day atmospheric river forecasts in water year 2020 were more accurate than four-day atmospheric river forecasts in 2017. SB 599 also notes that "better atmospheric river forecast accuracy and lead-time enhances the state's resiliency to flood and drought."

SB 599 is intended to build upon and improve DWR's current AR/FIRO research and operations by requiring DWR to develop longer-range atmospheric river forecasts. SB 599 would benefit

water agencies, such as EBMUD, by providing more accurate data and long-term forecasting certainty, helping water supply managers and flood control operators make better-informed reservoir storage decisions.

The bill is not expected to result in additional costs to EBMUD and could provide benefits in terms of more accurate forecasting of atmospheric rivers to better inform reservoir operations.

EBMUD has supported prior legislation to improve atmospheric river forecasting.

- In 2023, EBMUD supported AB 30 (Ward) which expanded DWR's atmospheric rivers program to improve prediction capabilities and forecast models for better reservoir operations and flood management. AB 30 was signed into law (Chapter 134 of 2023).
- In 2019, EBMUD supported AB 557 (Wood), which sought to provide funding for DWR's atmospheric rivers program to continue its research and clarify that the research could improve atmospheric river forecasting. AB 557 failed to advance out of the legislature, but the legislature subsequently provided funding for the atmospheric rivers program in multiple state budgets, including the fiscal year 2022-23 state budget.

An official support/opposition list for SB 599 is not currently available.

SB 654
(Stern)

**CALIFORNIA ENVIRONMENTAL
PROTECTION AGENCY: CONTRACT:
REGISTRY: GREENHOUSE GAS
EMISSIONS THAT RESULT FROM
THE WATER-ENERGY NEXUS**

SUPPORT

Existing law establishes the California Environmental Protection Agency (CalEPA) in state government and requires the agency to oversee the development of a registry for greenhouse gas (GHG) emissions related to the water-energy nexus. Existing law [SB 1425 (Pavley), Chapter 596, Statutes of 2016] provided that participation in the registry, known as the Water-Energy Nexus Registry (WEN Registry), is voluntary and open to any entity conducting business in the state. In administering the program, SB 1425 authorized CalEPA to contract with a qualified nonprofit organization to recruit broad participation in the WEN Registry from all economic sectors and regions of the state.

The Climate Registry has administered the WEN Registry program since 2017. The program provides stakeholders with the tools to track the relationship between water use and GHG emissions in their operations, and provides comprehensive consulting, training, and data collection support. Tracking this data helps participants manage emissions reductions, increase water efficiencies, achieve sustainability goals, and contribute to the state's climate goals.

As introduced February 20, 2025, SB 654 (Stern) would allow CalEPA to enter into a new three-year contract for the continued administration of the WEN Registry program and provide an additional \$2 million to support these efforts.

The District's commitment to carbon neutrality by 2030 for direct and indirect GHG emissions from the water and wastewater systems is expressed in Energy Policy 7.07 (as revised in September 2023). Tracking GHG emissions associated with water and wastewater systems through the WEN Registry is one of the referenced actions in Policy 7.07 to help achieve this goal.

EBMUD has tracked GHG emissions through the WEN Registry since the 2019 reporting year. Unlike most general GHG reporting protocols, the WEN Registry is specifically designed to measure, track, and mitigate GHG emissions associated with California's water systems. Prior to 2019, EBMUD used the General Reporting Protocol, also developed by The Climate Registry, for GHG emission inventories.

The science of measuring GHG emissions from reservoirs, wastewater sources, and recycled water operations continues to evolve, and incorporating these changes into the program is valuable. There are no anticipated additional costs to EBMUD related to SB 654, as the District is already voluntarily reporting GHG emissions through the WEN Registry.

EBMUD has historically supported measures intended to address the impacts of climate change. In 2016, EBMUD supported SB 1425 (Pavley), mentioned previously, as well as an earlier legislative attempt with SB 471 (Pavley, 2015), that would have required the California Air Resources Board to develop an inventory of GHG emissions from water systems in California.

An official support/opposition list for SB 654 is included below.

Support

Helix Water District
Las Virgenes Municipal Water District
Sonoma Water
The Climate Registry
The Energy Coalition
USC Schwarzenegger Institute
Waternow Alliance

Opposition

None received

SB 682
(Allen)

**ENVIRONMENTAL HEALTH:
PRODUCT SAFETY: PERFLUOROALKYL
AND POLYFLUOROALKYL SUBSTANCES**

SUPPORT

Existing law requires the Department of Toxic Substances Control (DTSC), on or before January 1, 2029, to adopt regulations to enforce specified perfluoroalkyl and polyfluoroalkyl substances (PFAS) restrictions. Existing law, beginning January 1, 2025, prohibits the manufacture, distribution, sale, or offer for sale in the state of any new textile articles that contain regulated PFAS and any cosmetic product that contains intentionally added PFAS. Existing law also prohibits the distribution, sale, or offering for sale in the state of any food packaging that contains regulated PFAS.

SB 682 (Allen), as introduced on February 21, 2025, is intended to provide a comprehensive pollution prevention approach for PFAS. SB 682 builds on SB 903 (Skinner, 2024), which aimed to implement a comprehensive pollution prevention approach for PFAS and that EBMUD supported. SB 903 sought to address previous legislation to ban product-specific PFAS that Governor Newsom vetoed in 2023. However, SB 903 was ultimately held in the Senate Appropriations Committee due to cost concerns.

SB 682 takes a phased approach to banning PFAS:

- Beginning January 1, 2027, prohibit the distribution, sale, or offer for sale of cleaning products, cookware, dental floss, juvenile products, food packaging, and ski wax that contain intentionally added PFAS.
- Beginning January 1, 2033, prohibit the distribution, sale, or offer for sale of additional products containing intentionally added PFAS not covered by the 2027 prohibition unless DTSC makes an evaluation and determination that the use of PFAS in a product category is currently unavoidable or subject to the 2040 prohibition.
- Beginning January 1, 2040, prohibit the distribution, sale, or offer for sale of previously excluded products containing intentionally added PFAS, including refrigerants, solvents, propellants, personal protective equipment, and fire suppressants unless DTSC makes an evaluation and determination that the use of PFAS is currently unavoidable.

In addition to phasing in the ban of PFAS in products, SB 682 would also: 1) allow DTSC to ban PFAS in certain products prior to January 1, 2033, if feasible; 2) establish a petition process for manufacturers to seek a currently unavoidable use determination from DTSC; and 3) require DTSC to adopt regulations on or before January 1, 2027, to implement the bill's provisions.

According to the Senate Committee on Environmental Quality, PFAS are a large group of synthetic substances that have been widely used for their heat, water, and oil resistance properties in consumer products such as carpets, furniture fabrics, apparel, paper packaging for food, nonstick cookware, personal care products, and other products. PFAS are also used in industrial processes across a variety of sectors, including aerospace, apparel, automotive, building and construction, medical devices, paints, electronics, semiconductors, first responder

safety, and healthcare. PFAS can migrate into soil, water, and air during production, use, and disposal. Research has shown that some PFAS chemicals pose health and environmental risks.

The author's office notes that while California has enacted laws to ban several products containing intentionally added PFAS, including firefighting foams, textiles, cosmetics, juvenile products, and paper-based food packaging, PFAS are still used widely in consumer products and industrial processes. SB 682 is "a comprehensive, science-based approach to phasing out unnecessary uses of PFAS intentionally added to products."

EBMUD has a rigorous water quality program, which includes sampling, testing, and treatment of drinking water supplies, to ensure customers receive high-quality drinking water that meets or exceeds all state and federal regulatory requirements. Data collected over the past five years show that water from EBMUD treatment plants already meets the new PFAS standards set to take effect in 2029. However, some PFAS compounds are occasionally detected in local creeks that flow through developed areas in the East Bay. Fortunately, these creeks are mixed with water from Pardee Reservoir and other uncontaminated water sources, keeping PFAS levels in the East Bay reservoirs below the new standards. This underscores the importance of protecting source water.

As for wastewater, the State Water Resources Control Board has issued an investigative order that requires publicly owned treatment works to monitor for a variety of PFAS compounds in influent, effluent, and biosolids. EBMUD's Main Wastewater Treatment Plant participates in a regional monitoring study run by the San Francisco Estuary Institute in collaboration with the San Francisco Bay Regional Water Quality Control Board.

The first phase of the study showed PFAS in the influent and effluent of all Bay Area municipal wastewater plants, including EBMUD's, but at levels comparable to, or much lower than, the level of PFAS found in household products. The second phase of the study initiated in 2022 looked at upstream sources to better understand how residential, commercial, and specific industrial sources contribute to PFAS found in wastewater. The second phase of the study showed that businesses such as industrial laundries and car washes contribute the highest concentrations, but private residences appear to be the most significant overall source of PFAS. EBMUD continues to collaborate to better characterize the sources of PFAS in residential wastewater and to implement source reduction strategies.

PFAS are ubiquitous in consumer and industrial products, and water and wastewater agencies have limited means to control the trace amounts of PFAS contamination. Source control or pollution prevention offers the most effective strategy to reduce PFAS in the environment and protect public health. SB 682 aligns with this approach by eliminating non-essential PFAS use in consumer products sold and used in California.

SB 682 is not expected to impose additional costs on EBMUD and may benefit both EBMUD and its ratepayers by protecting public and environmental health through PFAS source reduction.

EBMUD has consistently supported legislation aimed at reducing PFAS pollution at its source.

- In 2024, EBMUD supported SB 903 (Skinner), which sought to phase out unnecessary PFAS in products. The bill was held in Senate Appropriations.
- In 2023, EBMUD supported AB 727 (Weber) that would have banned PFAS in cleaning products and AB 1423 (Schiavo), which would have prohibited the sale of artificial turf containing PFAS. Both bills were vetoed by Governor Newsom.
- In 2022, EBMUD supported AB 1817 (Ting) which was signed into law (Chapter 762 of 2022) banning PFAS in textile products. Also in 2022, EBMUD supported AB 2247 (Bloom), which would have required manufacturers of PFAS or products containing PFAS sold or distributed in California to report those PFAS or products containing PFAS on a publicly accessible database. AB 2247 was vetoed.
- In 2021, EBMUD supported AB 1200 (Ting) which banned food packaging containing PFAS beginning January 1, 2023, and required chemical disclosures for cookware sold in California beginning January 1, 2024. AB 1200 was signed into law (Chapter 503 of 2021).

SB 682 is co-sponsored by the Breast Cancer Prevention Partners, California Association of Sanitation Agencies, Clean Water Action, Environmental Working Group, and the National Resources Defense Council.

An official support/opposition list for SB 682 is included below.

Support

A Voice for Choice Advocacy
Alliance of Nurses for Healthy
Environments
American College of Ob-gyn's District IX
American Sustainable Business Network
Association of California Water Agencies
(ACWA)
Azul
Bay Area Clean Water Agencies
Breast Cancer Prevention Partners
California Association of Sanitation
Agencies
California Casa
California Product Stewardship Council
California Professional Firefighters
California Safe Schools
California Safe Schools Coalition
California Stormwater Quality Association
(CASQA)
Californians Against Waste

Support continued

Calpirg
Center for Community Action and
Environmental Justice
Center for Community Action and
Environmental Justice (CCA EJ)
Center for Environmental Health
Center for Public Environmental Oversight
Central Contra Costa Sanitary District
City of Roseville
City of Thousand Oaks
Clean Water Action
Climate Reality Project San Diego
Climate Reality Project San Fernando Valley
Chapter
Climate Reality Project, Los Angeles
Chapter
Climate Reality Project, Orange County
Coalition for Clean Air
Community Water Center
Dublin San Ramon Services District

Support continued

East Bay Dischargers Authority
East Valley Water District
Eastern Municipal Water District
El Granada Advocates
Elsinore Valley Municipal Water District
Environmental Defense Fund
Environmental Working Group
Erin Brockovich Foundation
Facts Families Advocating for Chemical and
Toxics Safety
Fairfield-Suisun Sewer District
Go Green Initiative
Green Science Policy Institute
Inland Empire Utilities Agency
Integrated Resource Management
Las Virgenes Municipal Water District
Leadership Counsel Action
League of California Cities
Los Angeles County Sanitation Districts
Los Angeles Waterkeeper
Monterey One Water
National Stewardship Action Council
Natural Resources Defense Council
Non-toxic Neighborhoods

Opposition

Advanced Medical Technology Association
(ADVAMED)
Agc America INC. And Subsidiaries
Air Conditioning, Heating and Refrigeration
Institute
Alliance for Automotive Innovation
American Apparel & Footwear Association
American Chemistry Council
American Coatings Association
American Forest & Paper Association
American Fuel & Petrochemical
Manufacturers
American Petroleum Institute
Animal Health Institute

Support continued

NRDC
Orange County Sanitation District
Physicians for Social Responsibility-Los
Angeles
Rancho California Water District
Recolte Energy
Resource Renewal Institute
Responsible Purchasing Network
Rethink Disposable
San Francisco Bay Area Physicians for
Social Responsibility
San Francisco Baykeeper
Save the Bay
Sierra Club
Sierra Club California
Silicon Valley Clean Water
Socal 350 Climate Action
Story of Stuff
Vallejo Flood and Wastewater District
Valley Sanitary District (UNREG)
Water Replenishment District of Southern
California
Watereuse California
Western Municipal Water District

Opposition continued

Association of Equipment Manufacturers
Association of Home Appliance
Manufacturers
Bio-process Systems Alliance
Biocom California
Building Owners and Managers Association
of California
California Building Industry Association
California Business Properties Association
California Chamber of Commerce
California Grocers Association
California Hispanic Chamber of Commerce
California Hydrogen Business Council
California Life Sciences

Opposition continued

California Manufacturers & Technology Association
California Metals Coalition
California New Car Dealers Association
California Restaurant Association
California Retailers Association
Can Manufacturers Institute
Center for Baby and Adult Hygiene Products
Chemical Industry Council of California
Communication Cable and Connectivity Association
Consumer Brands Association
Consumer Healthcare Products Association
Cookware Sustainability Alliance
Croplife America
Dairy Institute of California
European Federation of The Cookware, Cutlery and Houseware Industry
Flexible Packaging Association
Fluid Sealing Association
Fuel Cell and Hydrogen Energy Association
Household and Commercial Products Association
International Sleep Products Association
Juvenile Products Manufacturers Association
Lkq Corporation

Opposition continued

Mema the Vehicle Supply Association
Motorcycle Industry Council
Naiop California
National Council of Textile Organizations (NCTO)
National Marine Manufacturers Association
North American Association of Food Equipment Manufacturers
Personal Care Products Council
Plumbing Manufacturers International
Printing United Alliance
Recreational Vehicle Institute of America
Responsible Industry for A Sound Environment – Rise
Specialty Equipment Market Association (SEMA)
Specialty Vehicle Institute of America (SVIA)
Spray Polyurethane Foam Alliance
The Cookware and Bakeware Alliance
The Toy Association
Truck and Engine Manufacturers Association
Valve Manufacturers Association
Western Plant Health Association
Western Plastics Association

**SB 735, SB 736, VALIDATIONS
SB 737
(Committee on
Local Government)**

SUPPORT

SB 735, SB 736, and SB 737 (Committee on Local Government), as introduced on February 21, 2025, would enact the Validating Acts of 2025. The legislature usually enacts three bills known as the Validating Acts each year to retroactively correct procedural errors or omissions that public officials of state agencies, cities, counties, and special districts may make inadvertently.

Banks, pension funds, and other investors will not buy municipal securities unless they are sound investments. Without the enactment of Validating Acts to cure minor errors that could undermine a bond's legal integrity, bond counsel would be reluctant to certify public agencies' bonds as good risks because of potential mistakes that could invalidate future payments. Safer bonds mean higher ratings and lower costs.

While the three Validating Acts save California taxpayers millions of dollars by protecting investors from minor procedural mistakes that might otherwise imperil bonds, boundary changes, proceedings, and other official acts, they will not cure fraudulent, illegal, or unconstitutional actions. A Validating Act cannot protect public officials who have acted illegally from prosecution.

The Validating Acts could benefit EBMUD by protecting investors from any minor procedural mistakes in bond issuances or other official acts. These measures are not expected to impose additional cost burdens on EBMUD ratepayers.

EBMUD has historically supported the Validating Acts. Most recently, in 2024, EBMUD's Board adopted a "support" position on the Validating Acts of 2024, SB 1515, SB 1516, and SB 1517, which were signed into law (Chapter 31, Chapter 32, and Chapter 33 of 2024, respectively).

The official support and opposition list to SB 735, SB 736, and SB 737 is shown below.

Support

None submitted

Opposition

None submitted

<u>FEDERAL LEGISLATION</u>		<u>RECOMMENDED POSITION</u>
S. 322 (Padilla)	IMPROVING ATMOSPHERIC RIVER FORECASTS ACT	SUPPORT

S. 322, the Improving Atmosphere Rivers Forecast Act, is intended to reduce flood risks and enhance emergency preparedness by improving atmospheric river forecasting. S. 322 requires the National Oceanic and Atmospheric Administration (NOAA), in collaboration with institutions of higher education, to establish the Atmospheric Rivers Forecast Improvement Program (AR Program) within the National Weather Service. In carrying out the AR Program, NOAA "shall seek to reduce the loss of life and property and economic losses from atmospheric rivers through the development and extension of, and research on, accurate, effective, and actionable forecasts and warnings."

According to Senator Padilla's office, the AR Program would be tasked with:

- Developing accurate, effective, and actionable storm forecasts and warnings in collaboration with public and private partners across the weather forecasting sectors;
- Evaluating innovative observation tools and emerging technologies to improve atmospheric river modeling, forecasting, and warning;
- Authorizing NOAA to procure equipment, aircraft, and personnel contracts to monitor atmospheric rivers each winter; and
- Improving communication of atmospheric river hazards.

Atmospheric rivers are long, narrow bands of water vapor, essentially giant rivers in the atmosphere pushed along by strong winds. They can carry roughly 25 times the amount of water that flows through the mouth of the Mississippi River. Atmospheric rivers supply on average 40 to 50 percent of California's annual precipitation and snowpack. Climate change is increasing the frequency and intensity of atmospheric rivers, leading to greater risks of flooding and mudslides.

S. 322 would establish a federal atmospheric rivers forecast program, complementing California's efforts under the Department of Water Resources (DWR). The state program is tasked with researching, developing, and implementing new observations, prediction models, novel forecasting methods, and tailored decision support systems to improve predictions of atmospheric rivers and their impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions.

A dedicated federal program would bolster state efforts and support water agencies like EBMUD by providing more accurate landfall and precipitation forecasts. These forecasts would help water supply managers and flood control operators make more informed reservoir storage decisions based on precise storm data.

S. 322 is not expected to impose additional costs on EBMUD and could provide benefits by improving atmospheric river forecasting to enhance reservoir operations.

Support for S.322 is consistent with EBMUD's support of state measures intended to help provide more accurate forecasting of atmospheric rivers, including:

- SB 599 (Caballero) discussed above, and
- AB 30 (Ward) that updated and broadened DWR's atmospheric rivers program to ensure DWR continues improving the atmospheric prediction capabilities and forecast models to better inform reservoir operations and flood management. AB 30 was signed into law (Chapter 134 of 2023).

Consistent with other federal measures, there is no official support and opposition list for S. 322.

INFORMATION ITEM

**SB 858
(Committee
on Local
Government)**

**LOCAL GOVERNMENT OMNIBUS
ACT OF 2025**

INFORMATION

Consistent with the State Legislative Priorities for the 2025 Legislative Year, approved by the Board on January 14, 2025, EBMUD is sponsoring a legislative provision to amend EBMUD's enabling act, the Municipal Utility District Act (MUD Act). The MUD Act amendment will extend the term of office for appointed Board members to ensure there is no gap in Board representation when the Board of Directors fills a vacancy on the Board by appointment.

Staff secured inclusion in SB 858 (Senate Committee on Local Government), the Senate Local Government Omnibus Act of 2025. Each year, the Committee on Local Government sponsors an omnibus bill that includes minor, noncontroversial changes to state laws affecting local governance, public finance, land use planning, and development. The measure was introduced on March 12, 2025, and includes EBMUD's requested change to the MUD Act. Staff has expressed support for SB 858 and will provide updates to the Board, as appropriate.

CCC:KCV:DM/JW

Attachments

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AMENDED IN SENATE MARCH 24, 2025

SENATE BILL

No. 431

Introduced by Senator Arreguín

February 18, 2025

An act to amend Sections 241 and 243 of the Penal Code, relating to crimes.

LEGISLATIVE COUNSEL'S DIGEST

SB 431, as amended, Arreguín. Assault and battery: public utility ~~employees~~; *employees and essential infrastructure workers*.

Existing law defines an assault as an unlawful attempt, coupled with present ability, to commit a violent injury upon the person of another. Existing law defines a battery as any willful and unlawful use of force or violence upon the person of another. Under existing law, an assault or battery committed against specified professionals engaged in the performance of their duties, including peace officers, firefighters, and emergency medical personnel, is punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding \$2,000, or by both that fine and imprisonment.

This bill would make an assault or battery committed against an employee of a public ~~utility~~; *utility or a worker engaged in essential infrastructure work*, as defined, punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding \$2,000, or by both that fine and imprisonment. By expanding the scope of these crimes, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 241 of the Penal Code is amended to
2 read:

3 241. (a) An assault is punishable by a fine not exceeding one
4 thousand dollars (\$1,000), or by imprisonment in the county jail
5 not exceeding six months, or by both the fine and imprisonment.

6 (b) When an assault is committed against the person of a parking
7 control officer engaged in the performance of their duties, and the
8 person committing the offense knows or reasonably should know
9 that the victim is a parking control officer, the assault is punishable
10 by a fine not exceeding two thousand dollars (\$2,000), or by
11 imprisonment in the county jail not exceeding six months, or by
12 both the fine and imprisonment.

13 (c) When an assault is committed against the person of a peace
14 officer, firefighter, emergency medical technician, lifeguard,
15 process server, traffic officer, code enforcement officer, animal
16 control officer, or search and rescue member engaged in the
17 performance of their duties, or a physician or nurse engaged in
18 rendering emergency medical care outside a hospital, clinic, or
19 other health care facility, or a physician, nurse, or other health care
20 worker of a hospital engaged in providing services within the
21 emergency department, ~~or a public utility employee, or a worker~~
22 *engaged in essential infrastructure work*, and the person
23 committing the offense knows or reasonably should know that the
24 victim is a peace officer, firefighter, emergency medical technician,
25 lifeguard, process server, traffic officer, code enforcement officer,
26 animal control officer, or search and rescue member engaged in
27 the performance of their duties, or a physician or nurse engaged
28 in rendering emergency medical care, or a physician, nurse, or
29 other health care worker of a hospital engaged in providing services
30 within the emergency department, ~~or a public utility employee, or~~
31 *a worker engaged in essential infrastructure work*, the assault is
32 punishable by a fine not exceeding two thousand dollars (\$2,000),

1 or by imprisonment in a county jail not exceeding one year, or by
2 both the fine and imprisonment.

3 (d) As used in this section, the following definitions apply:

4 (1) Peace officer means any person defined in Chapter 4.5
5 (commencing with Section 830) of Title 3 of Part 2.

6 (2) “Emergency medical technician” means a person who is
7 either an EMT-I, EMT-II, or EMT-P (paramedic), and possesses
8 a valid certificate or license under the standards of Division 2.5
9 (commencing with Section 1797) of the Health and Safety Code.

10 (3) “Nurse” means a person who possesses a valid certificate
11 or license under the standards of Chapter 6 (commencing with
12 Section 2700) or 6.5 (commencing with Section 2840) of Division
13 2 of the Business and Professions Code or a nurse of a hospital
14 engaged in providing services within the emergency department.

15 (4) “Lifeguard” means a person who is:

16 (A) Employed as a lifeguard by the state, a county, or a city,
17 and is designated by local ordinance as a public officer who has a
18 duty and responsibility to enforce local ordinances and
19 misdemeanors through the issuance of citations.

20 (B) Wearing distinctive clothing that includes written
21 identification of the person’s status as a lifeguard and that clearly
22 identifies the employing organization.

23 (5) “Process server” means any person who meets the standards
24 or is expressly exempt from the standards set forth in Section 22350
25 of the Business and Professions Code.

26 (6) “Traffic officer” means any person employed by a county
27 or city to monitor and enforce state laws and local ordinances
28 relating to parking and the operation of vehicles.

29 (7) “Animal control officer” means any person employed by a
30 county or city for purposes of enforcing animal control laws or
31 regulations.

32 (8) (A) “Code enforcement officer” means any person who is
33 not described in Chapter 4.5 (commencing with Section 830) of
34 Title 3 of Part 2 and who is employed by any governmental
35 subdivision, public or quasi-public corporation, public agency,
36 public service corporation, any town, city, county, or municipal
37 corporation, whether incorporated or chartered, that has
38 enforcement authority for health, safety, and welfare requirements,
39 and whose duties include enforcement of any statute, rules,

1 regulations, or standards, and who is authorized to issue citations,
2 or file formal complaints.

3 (B) “Code enforcement officer” also includes any person who
4 is employed by the Department of Housing and Community
5 Development who has enforcement authority for health, safety,
6 and welfare requirements pursuant to the Employee Housing Act
7 (Part 1 (commencing with Section 17000) of Division 13 of the
8 Health and Safety Code); the State Housing Law (Part 1.5
9 (commencing with Section 17910) of Division 13 of the Health
10 and Safety Code); the Manufactured Housing Act of 1980 (Part 2
11 (commencing with Section 18000) of Division 13 of the Health
12 and Safety Code); the Mobilehome Parks Act (Part 2.1
13 (commencing with Section 18200) of Division 13 of the Health
14 and Safety Code); and the Special Occupancy Parks Act (Part 2.3
15 (commencing with Section 18860) of Division 13 of the Health
16 and Safety Code).

17 (9) “Parking control officer” means any person employed by a
18 city, county, or city and county, to monitor and enforce state laws
19 and local ordinances relating to parking.

20 (10) “Search and rescue member” means any person who is part
21 of an organized search and rescue team managed by a governmental
22 agency.

23 (11) “Health care worker” means a person who, in the course
24 and scope of employment, performs duties directly associated with
25 the care and treatment rendered by the hospital’s emergency
26 department or the department’s security.

27 (12) “Public utility employee” means any person employed by
28 a public utility, as defined in Section 216 of the Public Utilities
29 Code, including ~~contract workers~~ *workers, employees of a utility*
30 *contractor*, or employees of a corporate parent entity.

31 (13) *“Essential infrastructure work” means construction,*
32 *maintenance, repair, or operation of critical facilities and services*
33 *related to electricity, water, natural gas, telecommunications,*
34 *public transportation, roads, bridges, or waste management.*

35 SEC. 2. Section 243 of the Penal Code is amended to read:

36 243. (a) A battery is punishable by a fine not exceeding two
37 thousand dollars (\$2,000), or by imprisonment in a county jail not
38 exceeding six months, or by both that fine and imprisonment.

39 (b) When a battery is committed against the person of a peace
40 officer, custodial officer, firefighter, emergency medical technician,

lifeguard, security officer, custody assistant, process server, traffic officer, code enforcement officer, animal control officer, or search and rescue member engaged in the performance of their duties, whether on or off duty, including when the peace officer is in a police uniform and is concurrently performing the duties required of them as a peace officer while also employed in a private capacity as a part-time or casual private security guard or patrolman, or a nonsworn employee of a probation department engaged in the performance of their duties, whether on or off duty, or a physician or nurse engaged in rendering emergency medical care outside a hospital, clinic, or other health care facility, or a physician, nurse, or other health care worker of a hospital engaged in providing services within the emergency department, ~~or a public utility employee, or a worker engaged in essential infrastructure work,~~ and the person committing the offense knows or reasonably should know that the victim is a peace officer, custodial officer, firefighter, emergency medical technician, lifeguard, security officer, custody assistant, process server, traffic officer, code enforcement officer, animal control officer, or search and rescue member engaged in the performance of their duties, nonsworn employee of a probation department, or a physician or nurse engaged in rendering emergency medical care, or a physician, nurse, or other health care worker of a hospital engaged in providing services within the emergency department, ~~or a public utility employee, or a worker engaged in essential infrastructure work,~~ the battery is punishable by a fine not exceeding two thousand dollars (\$2,000), or by imprisonment in a county jail not exceeding one year, or by both that fine and imprisonment.

(c) (1) When a battery is committed against a custodial officer, firefighter, emergency medical technician, lifeguard, process server, traffic officer, or animal control officer engaged in the performance of their duties, whether on or off duty, or a nonsworn employee of a probation department engaged in the performance of their duties, whether on or off duty, or a physician or nurse engaged in rendering emergency medical care outside a hospital, clinic, or other health care facility, and the person committing the offense knows or reasonably should know that the victim is a nonsworn employee of a probation department, custodial officer, firefighter, emergency medical technician, lifeguard, process server, traffic officer, or animal control officer engaged in the performance of

1 their duties, or a physician or nurse engaged in rendering
2 emergency medical care, and an injury is inflicted on that victim,
3 the battery is punishable by a fine of not more than two thousand
4 dollars (\$2,000), by imprisonment in a county jail not exceeding
5 one year, or by both that fine and imprisonment, or by
6 imprisonment pursuant to subdivision (h) of Section 1170 for 16
7 months, or two or three years.

8 (2) When the battery specified in paragraph (1) is committed
9 against a peace officer engaged in the performance of their duties,
10 whether on or off duty, including when the peace officer is in a
11 police uniform and is concurrently performing the duties required
12 of them as a peace officer while also employed in a private capacity
13 as a part-time or casual private security guard or patrolman and
14 the person committing the offense knows or reasonably should
15 know that the victim is a peace officer engaged in the performance
16 of their duties, the battery is punishable by a fine of not more than
17 ten thousand dollars (\$10,000), or by imprisonment in a county
18 jail not exceeding one year or pursuant to subdivision (h) of Section
19 1170 for 16 months, or two or three years, or by both that fine and
20 imprisonment.

21 (d) When a battery is committed against any person and serious
22 bodily injury is inflicted on the person, the battery is punishable
23 by imprisonment in a county jail not exceeding one year or
24 imprisonment pursuant to subdivision (h) of Section 1170 for two,
25 three, or four years.

26 (e) (1) When a battery is committed against a spouse, a person
27 with whom the defendant is cohabiting, a person who is the parent
28 of the defendant's child, former spouse, fiancé, or fiancée, or a
29 person with whom the defendant currently has, or has previously
30 had, a dating or engagement relationship, the battery is punishable
31 by a fine not exceeding two thousand dollars (\$2,000), or by
32 imprisonment in a county jail for a period of not more than one
33 year, or by both that fine and imprisonment. If probation is granted,
34 or the execution or imposition of the sentence is suspended, it shall
35 be a condition thereof that the defendant participate in, for no less
36 than one year, and successfully complete, a batterer's treatment
37 program, as described in Section 1203.097, or if none is available,
38 another appropriate counseling program designated by the court.
39 However, this provision shall not be construed as requiring a city,
40 a county, or a city and county to provide a new program or higher

1 level of service as contemplated by Section 6 of Article XIII B of
2 the California Constitution.

3 (2) Upon conviction of a violation of this subdivision, if
4 probation is granted, the conditions of probation may include, in
5 lieu of a fine, one or both of the following requirements:

6 (A) That the defendant make payments to a domestic violence
7 shelter-based program, up to a maximum of five thousand dollars
8 (\$5,000).

9 (B) That the defendant reimburse the victim for reasonable costs
10 of counseling and other reasonable expenses that the court finds
11 are the direct result of the defendant's offense.

12 For any order to pay a fine, make payments to a domestic
13 violence shelter-based program, or pay restitution as a condition
14 of probation under this subdivision, the court shall make a
15 determination of the defendant's ability to pay. In no event shall
16 any order to make payments to a domestic violence shelter-based
17 program be made if it would impair the ability of the defendant to
18 pay direct restitution to the victim or court-ordered child support.
19 If the injury to a married person is caused in whole or in part by
20 the criminal acts of their spouse in violation of this section, the
21 community property shall not be used to discharge the liability of
22 the offending spouse for restitution to the injured spouse, required
23 by Section 1203.04, as operative on or before August 2, 1995, or
24 Section 1202.4, or to a shelter for costs with regard to the injured
25 spouse and dependents, required by this section, until all separate
26 property of the offending spouse is exhausted.

27 (3) Upon conviction of a violation of this subdivision, if
28 probation is granted or the execution or imposition of the sentence
29 is suspended and the person has been previously convicted of a
30 violation of this subdivision or Section 273.5, the person shall be
31 imprisoned for not less than 48 hours in addition to the conditions
32 in paragraph (1). However, the court, upon a showing of good
33 cause, may elect not to impose the mandatory minimum
34 imprisonment as required by this subdivision and may, under these
35 circumstances, grant probation or order the suspension of the
36 execution or imposition of the sentence.

37 (4) The Legislature finds and declares that these specified crimes
38 merit special consideration when imposing a sentence so as to
39 display society's condemnation for these crimes of violence upon
40 victims with whom a close relationship has been formed.

(5) If a peace officer makes an arrest for a violation of paragraph (1) of subdivision (e) of this section, the peace officer is not required to inform the victim of their right to make a citizen's arrest pursuant to subdivision (b) of Section 836.

(f) As used in this section:

(1) "Peace officer" means any person defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2.

(2) "Emergency medical technician" means a person who is either an EMT-I, EMT-II, or EMT-P (paramedic), and possesses a valid certificate or license under the standards of Division 2.5 (commencing with Section 1797) of the Health and Safety Code.

(3) "Nurse" means a person who possesses a valid certificate or license under the standards of Chapter 6 (commencing with Section 2700) or 6.5 (commencing with Section 2840) of Division 2 of the Business and Professions Code or a nurse of a hospital engaged in providing services within the emergency department.

(4) "Serious bodily injury" means a serious impairment of physical condition, including, but not limited to, the following: loss of consciousness; concussion; bone fracture; protracted loss or impairment of function of any bodily member or organ; a wound requiring extensive suturing; and serious disfigurement.

(5) "Injury" means any physical injury that requires professional medical treatment.

(6) "Custodial officer" means any person who has the responsibilities and duties described in Section 831 and who is employed by a law enforcement agency of any city or county or who performs those duties as a volunteer.

(7) "Lifeguard" means a person defined in paragraph (4) of subdivision (d) of Section 241.

(8) "Traffic officer" means any person employed by a city, county, or city and county to monitor and enforce state laws and local ordinances relating to parking and the operation of vehicles.

(9) "Animal control officer" means any person employed by a city, county, or city and county for purposes of enforcing animal control laws or regulations.

(10) "Dating relationship" means frequent, intimate associations primarily characterized by the expectation of affectional or sexual involvement independent of financial considerations.

(11) (A) "Code enforcement officer" means any person who is not described in Chapter 4.5 (commencing with Section 830) of

1 Title 3 of Part 2 and who is employed by any governmental
2 subdivision, public or quasi-public corporation, public agency,
3 public service corporation, any town, city, county, or municipal
4 corporation, whether incorporated or chartered, who has
5 enforcement authority for health, safety, and welfare requirements,
6 and whose duties include enforcement of any statute, rules,
7 regulations, or standards, and who is authorized to issue citations,
8 or file formal complaints.

9 (B) “Code enforcement officer” also includes any person who
10 is employed by the Department of Housing and Community
11 Development who has enforcement authority for health, safety,
12 and welfare requirements pursuant to the Employee Housing Act
13 (Part 1 (commencing with Section 17000) of Division 13 of the
14 Health and Safety Code); the State Housing Law (Part 1.5
15 (commencing with Section 17910) of Division 13 of the Health
16 and Safety Code); the Manufactured Housing Act of 1980 (Part 2
17 (commencing with Section 18000) of Division 13 of the Health
18 and Safety Code); the Mobilehome Parks Act (Part 2.1
19 (commencing with Section 18200) of Division 13 of the Health
20 and Safety Code); and the Special Occupancy Parks Act (Part 2.3
21 (commencing with Section 18860) of Division 13 of the Health
22 and Safety Code).

23 (12) “Custody assistant” means any person who has the
24 responsibilities and duties described in Section 831.7 and who is
25 employed by a law enforcement agency of any city, county, or city
26 and county.

27 (13) “Search and rescue member” means any person who is part
28 of an organized search and rescue team managed by a government
29 agency.

30 (14) “Security officer” means any person who has the
31 responsibilities and duties described in Section 831.4 and who is
32 employed by a law enforcement agency of any city, county, or city
33 and county.

34 (15) “Health care worker” means a person who, in the course
35 and scope of employment, performs duties directly associated with
36 the care and treatment rendered by the hospital’s emergency
37 department or the department’s security.

38 (16) “Public utility employee” means any person employed by
39 a public utility, as defined in Section 216 of the Public Utilities

1 Code, including contract ~~workers~~ *workers, employees of a utility*
2 *contractor*, or employees of a corporate parent entity.

3 (17) “*Essential infrastructure work*” means construction,
4 *maintenance, repair, or operation of critical facilities and services*
5 *related to electricity, water, natural gas, telecommunications,*
6 *public transportation, roads, bridges, or waste management.*

7 (g) It is the intent of the Legislature by amendments to this
8 section at the 1981–82 and 1983–84 Regular Sessions to abrogate
9 the holdings in cases such as *People v. Corey*, 21 Cal. 3d 738, and
10 *Cervantez v. J.C. Penney Co.*, 24 Cal. 3d 579, and to reinstate prior
11 judicial interpretations of this section as they relate to criminal
12 sanctions for battery on peace officers who are employed, on a
13 part-time or casual basis, while wearing a police uniform as private
14 security guards or patrolmen and to allow the exercise of peace
15 officer powers concurrently with that employment.

16 SEC. 3. No reimbursement is required by this act pursuant to
17 Section 6 of Article XIII B of the California Constitution because
18 the only costs that may be incurred by a local agency or school
19 district will be incurred because this act creates a new crime or
20 infraction, eliminates a crime or infraction, or changes the penalty
21 for a crime or infraction, within the meaning of Section 17556 of
22 the Government Code, or changes the definition of a crime within
23 the meaning of Section 6 of Article XIII B of the California
24 Constitution.

AMENDED IN SENATE MARCH 24, 2025

SENATE BILL

No. 599

Introduced by Senator Caballero

February 20, 2025

An act to amend Section ~~1242.1~~ 347 of the Water Code, relating to ~~groundwater~~ atmospheric rivers.

LEGISLATIVE COUNSEL'S DIGEST

SB 599, as amended, Caballero. ~~Groundwater recharge: floodflows: diversion:~~ Atmospheric rivers: research: forecasting methods: experimental tools.

Existing law establishes the Atmospheric Rivers Research and Forecast Improvement Program: Enabling Climate Adaptation Through Forecast-Informed Reservoir Operations and Hazard Resiliency (AR/FIRO) Program in the Department of Water Resources. Existing law requires the department to operate reservoirs in a manner that improves flood protection, and to reoperate flood control and water storage facilities to capture water generated by atmospheric rivers. Existing law requires the department to research, develop, and implement new observations, prediction models, novel forecasting methods, and tailored decision support systems to improve predictions of atmospheric rivers and their impacts on water supply, flooding, post-wildfire debris flows, and environmental conditions.

This bill would, for novel forecasting methods researched, developed, and implemented by the department, require the department to include the use of experimental tools that produce seasonal and subseasonal atmospheric river forecasts, as defined.

~~Existing law declares that all water within the state is the property of the people of the state, but the right to the use of the water may be~~

acquired by appropriation in the manner provided by law. Existing law requires the appropriation to be for some useful or beneficial purpose. Existing law provides that the diversion of floodflows for groundwater recharge, commenced before January 1, 2029, does not require an appropriative water right if certain conditions are met, including that the diversion does not use new permanent infrastructure or permanent construction.

~~This bill would make a nonsubstantive change to this provision.~~

Vote: majority. Appropriation: no. Fiscal committee: ~~no~~ yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. *The Legislature finds and declares all of the*
- 2 *following:*
- 3 (a) *Atmospheric rivers are long narrow bands of concentrated*
- 4 *moisture that form over the Pacific Ocean.*
- 5 (b) *Atmospheric rivers have been identified as major drivers of*
- 6 *floods and precipitation, responsible for up to one-half of the*
- 7 *annual precipitation in California and 94 percent of all flood*
- 8 *damages, totaling around \$620 million annually.*
- 9 (c) *Climate change is resulting in more intense and more*
- 10 *frequent atmospheric rivers.*
- 11 (d) *In southern California, around Prado Dam, atmospheric*
- 12 *rivers have caused the 10 largest events on record. Additionally,*
- 13 *precipitation in the Yuba-Feather watershed is strongly tied to*
- 14 *atmospheric river activity.*
- 15 (e) *Winter storms from late-December 2022 to mid-January*
- 16 *2023 caused massive flood damage in 40 of California's 58*
- 17 *counties, resulting in 20 deaths and significant devastation to*
- 18 *homes, roads, infrastructure, agriculture, businesses, the economy,*
- 19 *and caused over \$30 billion in damages.*
- 20 (f) *One in five Californians live in flood-prone areas, and all*
- 21 *58 counties have a history of severe flood damage. Homes and*
- 22 *buildings worth approximately \$900 billion are at risk of flooding.*
- 23 (g) *Flooding is the most widespread natural hazard in*
- 24 *California, and is more pervasive than wildfires or earthquakes.*
- 25 (h) *Low-income communities of color are disproportionately*
- 26 *at risk due to limited financial capacity for flood control upgrades*
- 27 *and recovery.*

1 (i) Over 250 aging dams and outdated flood infrastructure
2 increase the likelihood of catastrophic flooding.

3 (j) California spends \$1.8 billion annually on flood control
4 operations and maintenance, and \$1 billion annually on new
5 investments, but investment needs range from \$2 to \$4.5 billion,
6 inclusive, annually for the next 25 years.

7 (k) Since 2006, only \$4.5 billion has been allocated to new flood
8 infrastructure.

9 (l) Atmospheric River Reconnaissance (AR Recon), a Research
10 and Operations Partnership (RAOP) with NOAA National Center
11 for Environmental Prediction (NCEP), led by the Center for
12 Western Weather and Water Extremes, leverages National Oceanic
13 and Atmospheric Administration and United States Air Force
14 investments in aircraft-based observations. It is now the leading
15 effort within the National Winter Season Operations Plan for
16 airborne weather reconnaissance.

17 (m) The AR Recon Partnership has improved forecasting skill.
18 Statewide, five-day atmospheric river forecasts in water year 2020
19 were better than four-day forecasts in 2017.

20 (n) The Department of Water Resources is invested in extended
21 forecasts, such as subseasonal (two to six weeks) and seasonal
22 (one to six months) forecasts.

23 (o) Better atmospheric river forecast accuracy and lead time
24 enhances the state's resiliency to flood and drought.

25 (p) According to the Public Policy Institute of California, a
26 major flood event, like the flood in 1861–62, could displace
27 1,500,000 people and cause over \$1 trillion in damages and
28 business losses.

29 (q) With effective atmospheric river forecasting, California can
30 maximize its efforts to recharge more groundwater and boost our
31 water supply for communities across the state, and protect
32 communities from catastrophic flooding.

33 SEC. 2. Section 347 of the Water Code is amended to read:

34 347. (a) The Atmospheric Rivers Research and Forecast
35 Improvement Program: Enabling Climate Adaptation Through
36 Forecast-Informed Reservoir Operations and Hazard Resiliency
37 (AR/FIRO) Program is hereby established in the Department of
38 Water Resources.

39 (b) (1) The department shall research, develop, and implement
40 new observations, prediction models, novel forecasting methods,

1 *including the use of experimental tools that produce seasonal and*
2 *subseasonal atmospheric river forecasts, and tailored decision*
3 *support systems to improve predictions of atmospheric rivers and*
4 *their impacts on water supply, flooding, post-wildfire debris flows,*
5 *and environmental conditions.*

6 (2) The department shall utilize all relevant information
7 produced pursuant to paragraph (1) to operate reservoirs in a
8 manner that improves flood protection in the state and to reoperate
9 flood control and water storage facilities to capture water generated
10 by atmospheric rivers and other storms. The goals of integrating
11 forecast-informed reservoir operations into department operations
12 shall be to increase water supply, hydropower availability, and
13 water supply reliability. The department may use research
14 generated by this program to refine climate projections of extreme
15 weather and water events and changes in Sierra snow.

16 (3) Information produced pursuant to paragraph (1) shall be
17 available to relevant federal, state, and local agencies.

18 (c) *For purposes of this section, both of the following definitions*
19 *apply:*

20 (1) *“Seasonal forecast” means a forecast that covers a period*
21 *of approximately one to six months into the future.*

22 (2) *“Subseasonal forecast” means a forecast that covers a*
23 *period of approximately two to six weeks into the future.*

24 SECTION 1. ~~Section 1242.1 of the Water Code is amended to~~
25 ~~read:~~

26 ~~1242.1. The diversion of floodflows for groundwater recharge~~
27 ~~shall not require an appropriative water right if all of the following~~
28 ~~conditions are met:~~

29 (a) ~~(1) A local or regional agency that has adopted a local plan~~
30 ~~of flood control pursuant to Section 8201 or has considered flood~~
31 ~~risk as part of its most recently adopted general plan has given~~
32 ~~notice via its internet website, electronic distribution list,~~
33 ~~emergency notification service, or another means of public notice,~~
34 ~~that flows downstream of the point of diversion are at imminent~~
35 ~~risk of flooding and inundation of land, roads, or structures.~~

36 ~~(2) As used in this section, “floodflow” means any of the~~
37 ~~following:~~

38 ~~(A) Where a waterbody is subject to a defined flood stage, flows~~
39 ~~in excess of flood stage where actions are necessary to avoid threats~~
40 ~~to human health and safety.~~

~~(B) (i) Except as provided in clause (ii), where a waterbody is not subject to a defined flood stage, surface water escaped from or is likely to imminently escape from a channel or waterbody causing or threatening to cause inundation of residential or commercial structures, or roads needed for emergency response. Likely imminent escape from a channel or waterbody shall be demonstrated by measured flows in excess of the maximum design capacity of a flood control project, where such a project is present and the maximum design capacity is readily available information.~~

~~(ii) This subparagraph does not apply to flows that inundate wetlands, working lands, or floodplains, events that constitute a “design flood,” groundwater seepage, or waters confined to a “designated floodway.”~~

~~(C) Where flows would inundate ordinarily dry areas in the bed of a terminal lake to a depth that floods dairies and other ongoing agricultural activities, or areas with substantial residential, commercial, or industrial development.~~

~~(3) As used in this subdivision, “imminent” means a high degree of confidence that a condition will begin in the immediate future.~~

~~(b) The diversions cease when the flood conditions described in the public notice provided pursuant to subdivision (a) have abated to the point there is no longer a risk of flooding and inundation of land, roads, or structures downstream of the point of diversion.~~

~~(c) Any water diverted is not diverted to, and will not be applied to, any of the following:~~

~~(1) Any barns, ponds, or lands where manure or waste from an animal facility that generates waste from the feeding and housing of animals for more than 45 days per year in a confined area that is not vegetated are applied.~~

~~(2) Any agricultural field that has been identified as an outlier with respect to nitrogen application by any of the following:~~

~~(A) The board.~~

~~(B) The appropriate regional board.~~

~~(C) An agricultural coalition charged with implementation of the Irrigated Lands Regulatory Program.~~

~~(3) Any area that could cause damage to critical levees, infrastructure, wastewater and drinking water systems, drinking water wells or drinking water supplies, or exacerbate the threat of flood and other health and safety concerns.~~

~~(4) Any area that has not been in active irrigated agricultural cultivation within the past three years, including grazing lands, annual grasslands, and natural habitats. This limitation does not apply to facilities already constructed for the purpose of groundwater recharge or managed wetlands.~~

~~(d) With respect to diversions from water tributaries to the Sacramento-San Joaquin Delta (Delta), water rights holders are not making releases of stored water or reoperating facilities to provide flow for the purposes of meeting water quality control plan or endangered species requirements in the Delta at the time of the diversion.~~

~~(e) The diversion of floodflows for groundwater recharge uses the following as part of the diversion:~~

~~(1) Either existing diversion infrastructure or temporary pumps.~~

~~(2) Existing groundwater recharge locations, where available.~~

~~(3) No new permanent construction or permanent infrastructure.~~

~~(4) For diversions directly from rivers or streams, protective screens on temporary pump intakes to minimize the impacts of diversion to fish and other aquatic life. Such screens shall be constructed of any rigid material, perforated, woven, or slotted, that provides water passage while physically excluding fish. The screen face shall be parallel to the flow and adjacent to the water's edge. The upstream and downstream transitions to the screen structure shall be designed and constructed to minimize eddies upstream of, in front of, and downstream of the screen, while minimizing entrainment to the degree feasible. Prior to implementing this paragraph, the Department of Fish and Wildlife shall conduct at least one public workshop to review recommended design parameters and ranges of scenarios for deployment and use of protective screens. These recommendations and any other guidelines provided by the Department of Fish and Wildlife on the implementation of this paragraph shall not be subject to the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code).~~

~~(f) The person or entity making the diversion for groundwater recharge does not claim any water right based on that diversion and recharge.~~

~~(g) (1) The person or entity making the diversion for groundwater recharge files all of the following with the board and~~

1 with any applicable groundwater sustainability agency, as defined
2 in Section 10721, for the basin:

3 ~~(A) A notice that provides the information specified in~~
4 ~~Subparagraphs (A) through (C), inclusive, of paragraph (2), 48~~
5 ~~hours before whenever feasible, and in no event later than 48 hours~~
6 ~~after initially commencing diversion of floodflows for groundwater~~
7 ~~recharge.~~

8 ~~(B) A preliminary report no later than 14 days after initially~~
9 ~~commencing diversion of floodflows for groundwater recharge.~~

10 ~~(C) A final report no later than 15 days after diversions cease.~~

11 ~~(2) The preliminary and final reports shall do all of the~~
12 ~~following:~~

13 ~~(A) Identify the person or entity making the diversion for~~
14 ~~groundwater recharge.~~

15 ~~(B) Provide the Global Positioning System (GPS) coordinates~~
16 ~~for the point of diversion, a map identifying the approximate area~~
17 ~~inundated by the floodflows, and the corresponding assessor parcel~~
18 ~~numbers.~~

19 ~~(C) Identify the time when diversions of floodflows to~~
20 ~~groundwater recharge commenced, and, for final reports, when~~
21 ~~diversions ceased.~~

22 ~~(D) Provide an estimate, as of the report's date, of the amount~~
23 ~~of floodflows diverted for groundwater recharge.~~

24 ~~(h) This section shall only apply to diversions commenced~~
25 ~~before January 1, 2029.~~

Introduced by Senator Stern

February 20, 2025

An act to amend Section 71422 of the Public Resources Code, relating to environmental protection.

LEGISLATIVE COUNSEL'S DIGEST

SB 654, as introduced, Stern. California Environmental Protection Agency: contract: registry: greenhouse gas emissions that result from the water-energy nexus.

Existing law establishes the California Environmental Protection Agency in state government and requires the agency to oversee the development of a registry for greenhouse gas emissions that result from the water-energy nexus using the best available data. Existing law provides that participation in the registry is voluntary and open to any entity conducting business in the state. Existing law authorizes the agency to enter into a contract with a qualified nonprofit organization to do specified things, including to recruit broad participation in the registry from all economic sectors and regions of the state. Existing law limits the term of the contract to 3 years, except as provided.

This bill would instead require the agency to oversee the administration of the above-described registry and would authorize the agency to enter into a new contract, limited to a term of 3 years and with a total budget of \$2,000,000, to do specified things, including to recruit broad participation in the registry from all economic sectors and regions of the state to meet the different needs of water users throughout the state by various means, as provided. The bill would remove obsolete language related to the development of the registry, as provided.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

SECTION 1. Section 71422 of the Public Resources Code is amended to read:

71422. (a) (1) The agency shall oversee the ~~development~~ *administration* of a registry for greenhouse gas emissions that result from the water-energy nexus using the best-available data.

(2) Participation in the registry shall be voluntary and open to any entity conducting business in the state. A participating entity may register its emissions, including emissions generated outside of the state, on an entitywide basis and may utilize the services of the registry.

(b) The agency may enter into a contract with a qualified nonprofit organization to do all of the following:

~~(1) Develop, in consultation with the agency and other relevant state agencies, the registry through a public stakeholder process, as determined by the agency. In developing the registry, the chosen qualified nonprofit organization shall consider greenhouse gas emissions accounting methodologies developed as part of programs authorized pursuant to the California Global Warming Solutions Act of 2006 (Division 25.5 (commencing with Section 38500) of the Health and Safety Code).~~

~~(2)~~
(1) Help participating entities in the state to establish emissions baselines.

~~(3)~~
(2) Encourage voluntary actions to increase water and energy efficiency measures to reduce the greenhouse gas intensity of the state's water system.

~~(4)~~
(3) Enable participating entities to record voluntary entitywide greenhouse gas emissions reductions in a consistent format that is supported by third-party verification.

~~(5)~~
(4) Recognize, publicize, and promote participating entities making voluntary reductions of greenhouse gas emissions.

~~(6)~~
(5) Recruit broad participation in the registry from all economic sectors and regions of the ~~state~~; *state to meet the different needs of water users throughout the state by various means, including,*

1 *but not limited to, workshops, trainings, and other similar*
2 *activities, technical support for reporting of emissions, and climate*
3 *action planning to assist with reduction strategies and improve*
4 *water and energy efficiency.*

5 ~~(7) Facilitate streamlined data reporting for relevant entities~~
6 ~~already reporting to the Climate Registry as part of its voluntary~~
7 ~~corporate greenhouse gas emissions reporting program.~~

8 (c) ~~(1)~~ The contract authorized pursuant to subdivision ~~(b)~~ (b),
9 *as it read on January 1, 2025, shall be limited to a term of three*
10 *years. The contract authorized pursuant to subdivision (b), as*
11 *amended pursuant to the bill adding this sentence, shall be limited*
12 *to a term of three years and a total budget of two million dollars*
13 *(\$2,000,000).*

14 ~~(2) Notwithstanding paragraph (1), the term of the contract may~~
15 ~~be extended for one year upon the agreement of both parties to the~~
16 ~~contract.~~

Introduced by Senator Allen

February 21, 2025

An act to amend Sections 25252 and 108076 of, and to add Chapter 17.5 (commencing with Section 109030) to Part 3 of Division 104 of, the Health and Safety Code, relating to product safety.

LEGISLATIVE COUNSEL'S DIGEST

SB 682, as introduced, Allen. Environmental health: product safety: perfluoroalkyl and polyfluoroalkyl substances.

(1) Existing law requires the Department of Toxic Substances Control, on or before January 1, 2029, to adopt regulations to enforce specified covered perfluoroalkyl and polyfluoroalkyl substances (PFAS) restrictions, which include prohibitions on the distribution, sale, or offering for sale of certain products that contain specified levels of PFAS. Existing law requires the department, on and after July 1, 2030, to enforce and ensure compliance with those provisions and regulations, as provided. Existing law requires manufacturers of these products, on or before July 1, 2029, to register with the department, to pay a registration fee to the department, and to provide a statement of compliance certifying compliance with the applicable prohibitions on the use of PFAS to the department, as specified. Existing law authorizes the department to test products and to rely on third-party testing to determine compliance with prohibitions on the use of PFAS, as specified. Existing law requires the department to issue a notice of violation for a product in violation of the prohibitions on the use of PFAS, as provided. Existing law authorizes the department to assess an administrative penalty for a violation of these prohibitions and authorizes the department to seek an injunction to restrain a person or entity from violating these prohibitions, as specified.

This bill would, beginning January 1, 2027, prohibit a person from distributing, selling, or offering for sale a covered product that contain intentionally added PFAS, as defined, except for previously used products and as otherwise preempted by federal law. The bill would define “covered product” to include cleaning products, cookware, dental floss, juvenile products, food packaging, and ski wax, as specified.

This bill would, beginning January 1, 2040, prohibit a person from distributing, selling, or offering for sale certain products that contains intentionally added PFAS, including, but not limited to, refrigerants, solvents, propellants, and clean fire suppressants, as specified, unless the department has made a determination that the use of PFAS in the product is a currently unavoidable use, the prohibition is preempted by federal law, or the product is previously used.

This bill would also, beginning January 1, 2033, prohibit a person from distributing, selling, or offering for sale any other product, as defined, that contains intentionally added PFAS unless the department has made a determination that the use of PFAS in the product is a currently unavoidable use, the prohibition is preempted by federal law, or the product is previously used. The bill would specify the criteria and procedures for determining whether the use of PFAS in a product is a currently unavoidable use, for renewing that determination, and for revoking that determination. The bill would require the department to maintain on its internet website a list of each determination of currently unavoidable use, when each determination expires, and the products and uses that are exempt from the prohibition.

This bill would require the department, on or before January 1, 2027, to adopt regulations to carry out these provisions. The bill would require the regulations to establish and provide for the assessment of an application fee. The bill would create the PFAS Oversight Fund and require all application fees to be deposited into the fund. The bill would require moneys in the account, upon appropriation by the Legislature, to be used to cover the department’s reasonable costs of administering this act.

This bill would require these prohibitions on covered products and products to be enforced by the department pursuant to the existing authority described above, including, but not limited to, the authority relating to registration, product testing, and administrative penalties.

(2) Existing law requires the department, in consultation with the Office of Environmental Health Hazard Assessment and all appropriate state agencies, to adopt regulations to establish a process to identify

and prioritize chemicals or chemical ingredients in consumer products that may be considered as being a chemical of concern, as specified. Pursuant to that authority, the department adopted regulations known as the Safer Consumer Products Regulations.

This bill would authorize, but not require, that those regulations evaluate uses of PFAS in products that would be prohibited by the provisions in paragraph (1).

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. The Legislature finds and declares all of the
2 following:
- 3 (a) Perfluoroalkyl and polyfluoroalkyl substances (PFAS) are
4 a class of persistent and highly toxic chemicals with widespread
5 contamination across the United States, including California. The
6 United States Geological Survey estimates that 45 percent of the
7 United States' tap water is contaminated with PFAS. It is also
8 estimated that 98 percent of people living in the United States have
9 PFAS in their blood.
- 10 (b) PFAS have been and continue to be used in a broad range
11 of industrial processes and in manufacturing products because of
12 their water and stain resistant, nonstick, surfactant, and other
13 properties, including for making packaging, plastic food ware,
14 cleaning products, ski waxes, menstrual products, metal products,
15 propellants, coatings and paints, and much more, despite the
16 growing body of evidence that these chemicals may leach into
17 food, water supplies, and even the human body through exposures.
- 18 (c) Exposure to PFAS poses a significant threat to the
19 environment and public health. Adverse health effects associated
20 with PFAS include, but are not limited to, kidney and liver damage,
21 decreased immune system function, including interference with
22 vaccine response and increased risk of asthma, developmental and
23 reproductive harm, increased cholesterol levels, increased thyroid
24 disorders and other hormone disruption, and increased incidences
25 of testicular and kidney cancer.
- 26 (d) PFAS in products is a major source of PFAS contamination
27 and phasing out nonessential uses of PFAS must be an immediate
28 legislative objective.

(e) The intent of this act is to phase out the sale of products with avoidable PFAS use to address the imminent threat of further contamination of the environment in the state.

(f) As the European Union notes in its “Guiding criteria and principles for the essential use concept in EU legislation dealing with chemicals,” the essential use concept, as implemented by this act, is not intended to determine whether a certain substance, product, product group, or service is itself essential for society, nor whether an individual consumer or company considers the use essential for them.

SEC. 2. Section 25252 of the Health and Safety Code is amended to read:

25252. (a) On or before January 1, 2011, the department shall adopt regulations to establish a process to identify and prioritize those chemicals or chemical ingredients in consumer products that may be considered as being a chemical of concern, in accordance with the review process specified in Section 25252.5. The department shall adopt these regulations in consultation with the office and all appropriate state agencies and after conducting one or more public workshops for which the department provides public notice and provides an opportunity for all interested parties to comment. The regulations adopted pursuant to this section shall establish an identification and prioritization process that includes, but is not limited to, all of the following considerations:

(1) The volume of the chemical in commerce in this state.
(2) The potential for exposure to the chemical in a consumer product.

(3) Potential effects on sensitive subpopulations, including infants and children.

(b) (1) In adopting regulations pursuant to this section, the department shall develop criteria by which chemicals and their alternatives may be evaluated. These criteria shall include, but not be limited to, the traits, characteristics, and endpoints that are referenced in Section 25256.

(2) In adopting regulations pursuant to this section, the department shall reference and use, to the maximum extent feasible, available information from other nations, governments, and authoritative bodies that have undertaken similar chemical prioritization processes, so as to leverage the work and costs

1 already incurred by those entities and to minimize costs and
2 maximize benefits for the state's economy.

3 (3) Paragraph (2) does not require the department, when
4 adopting regulations pursuant to this section, to reference and use
5 only the available information specified in paragraph (2).

6 *(c) The Safer Consumer Products Regulations (Chapter 55*
7 *(commencing with Section 69501) of Division 4.5 of Title 22 of*
8 *the California Code of Regulations), adopted pursuant to this*
9 *section, may, but is not required to, evaluate uses of perfluoroalkyl*
10 *and polyfluoroalkyl substances, as defined in Section 109030, in*
11 *products that are covered by Chapter 17.5 (commencing with*
12 *Section 109030) of Part 3 of Division 104.*

13 SEC. 3. Section 108076 of the Health and Safety Code is
14 amended to read:

15 108076. For purposes of this chapter, all of the following
16 definitions apply:

17 (a) "Covered PFAS restriction" means a restriction imposed by
18 any of the following:

19 (1) Chapter 12.5 (commencing with Section 108945).

20 (2) Chapter 13.5 (commencing with Section 108970).

21 (3) Article 1 (commencing with Section 109000) of Chapter
22 15.

23 (4) *Chapter 17.5 (commencing with Section 109030).*

24 (b) "Covered product" means any of the following:

25 (1) A juvenile product, as defined in Section 108945.

26 (2) Textile articles, as defined in Section 108970.

27 (3) Food packaging, as defined in Section 109000.

28 (4) (A) *A covered product, as defined in Section 109030.*

29 (B) *A product, as defined in Section 109030, that is subject to*
30 *a covered PFAS restriction under subdivision (b) of Section*
31 *109030.1.*

32 (c) "Department" means the Department of Toxic Substances
33 Control.

34 SEC. 4. Chapter 17.5 (commencing with Section 109030) is
35 added to Part 3 of Division 104 of the Health and Safety Code, to
36 read:

1 CHAPTER 17.5. PERFLUOROALKYL AND POLYFLUOROALKYL
2 SUBSTANCES

3
4 109030. For purposes of this chapter, the following definitions
5 apply unless the context otherwise indicates:

6 (a) “Cleaning product” has the same meaning as “designated
7 product” in Section 108952.

8 (b) “Component” means an identifiable ingredient, part, or piece
9 of a product, regardless of whether the manufacturer of the product
10 is the manufacturer of the component.

11 (c) “Cookware” has the same meaning as in Section 109010.

12 (d) “Covered product” means all of the following product
13 categories:

14 (1) Cleaning products.

15 (2) Cookware.

16 (3) Dental floss.

17 (4) Juvenile products.

18 (5) Food packaging.

19 (6) Ski wax.

20 (e) “Currently unavoidable use” means a use of PFAS that the
21 department has determined is permissible for a limited time
22 pursuant to subdivision (a) of Section 109030.2.

23 (f) “Department” means the Department of Toxic Substances
24 Control.

25 (g) (1) “Food packaging” means a container applied to or
26 providing a means to market, protect, handle, deliver, serve,
27 contain, or store a food or beverage, and includes, but is not limited
28 to, all of the following:

29 (A) A unit package, an intermediate package, or a shipping
30 container.

31 (B) Unsealed receptacles, including, but not limited to, carrying
32 cases, crates, cups, plates, bowls, pails, rigid foil and other trays,
33 wrappers and wrapping films, bags, or tubs.

34 (C) An individual assembled part of a food package, including,
35 but not limited to, an interior or exterior blocking, bracing,
36 cushioning, weatherproofing, exterior strapping, coating, closures,
37 inks, or labels.

38 (2) “Food packaging” does not include a product that meets the
39 definition of “food packaging” in Section 109000.

40 (h) “Intentionally added PFAS” means either of the following:

1 (1) PFAS added to a product that has a functional or technical
2 effect in the product, including the PFAS components of
3 intentionally added chemical mixtures and PFAS that are
4 intentional products of an added chemical or process.

5 (2) PFAS intentionally used or produced during a product's
6 manufacture or processing that is introduced into or onto the
7 product, whether or not it confers a functional or technical effect
8 in the product. This includes any source of PFAS that is reasonably
9 known to be present, including the use of processing agents, mold
10 release agents, or fluorination, but does not include contaminated
11 natural resources, such as water.

12 (i) (1) "Juvenile product" means a product designed for use by
13 infants and children under 12 years of age.

14 (2) "Juvenile product" does not include a product described in
15 either paragraph (1) or (2) of subdivision (c) of Section 108945.

16 (j) (1) Subject to paragraphs (2) and (3), "manufacturer" means
17 either of the following:

18 (A) A person that manufactures the product and whose name
19 appears on the product label.

20 (B) A person for whom the product is manufactured or by whom
21 it is distributed, and who owns or is the licensee of the brand or
22 trademark under which the product is used in a commercial
23 enterprise, sold, offered for sale, or distributed in the state.

24 (2) In the case of a product imported into the United States,
25 "manufacturer" includes the importer or first domestic distributor
26 of the product if no person that meets the requirements of
27 subparagraph (A) or (B) of paragraph (1) has a presence in the
28 United States.

29 (3) "Manufacturer" does not include trade associations or similar
30 entities.

31 (4) For purposes of this chapter, a product may have more than
32 one manufacturer.

33 (k) "Necessary for the product to work" means required for the
34 product to perform its primary function, as determined by the
35 department.

36 (l) "Perfluoroalkyl and polyfluoroalkyl substances" or "PFAS"
37 means a class of fluorinated organic chemicals containing at least
38 one fully fluorinated carbon atom.

39 (m) "Person" means an individual, firm, corporation, association,
40 or other entity doing business in California.

(n) (1) “Product” means a “consumer product” as defined in Section 25251.

(2) “Product” does not include the provision of services or commodities by water, sewer, electric, or gas utilities or agencies.

(o) “Product category” means a group of similar products that are used for a similar purpose and that could functionally replace each other for that purpose, as determined by the department, and does not mean variations within a product that do not affect the product’s primary function. For example, pants, insulation, and cookware are each a product category whereas stain-resistant pants, spray insulation, and nonstick cookware are variations of products within those product categories.

(p) “Reliable information” means a study or evaluation that meets both the following:

(1) The study or evaluation design was appropriate to the hypothesis being tested, and sufficient to support the proposition for which the study or evaluation is presented to the department.

(2) The study or evaluation was published in one of the following:

(A) A scientifically peer-reviewed report or other literature.

(B) A report of the United States National Academies.

(C) A report by an international, federal, state, or local agency that implements laws governing chemicals.

(q) “Safer alternative” means an alternative that, in comparison with another product or product manufacturing process, has reduced adverse impacts or potential exposures to humans and the environment associated with PFAS. Alternatives include materials, processes, designs, products, or chemicals that are sufficient for achieving the desired result. For example, a safer alternative to stain-resistant sprays for avoiding stains could be the use of detergents or the use of fibers that are inherently stain resistant.

(r) “Ski wax” means a lubricant applied to the bottom of snow runners, including, but not limited to, skis and snowboards, to improve their grip or glide properties and includes related tuning products.

109030.1. (a) On and after January 1, 2027, a person shall not distribute, sell, or offer for sale in the state a covered product that contains intentionally added PFAS.

(b) (1) Except as provided in subdivisions (a), (c), (d), and (e), beginning January 1, 2033, a person shall not distribute, sell, or

1 offer for sale in this state a product that contains intentionally
2 added PFAS.

3 (2) The department may establish by regulation an effective
4 date for the prohibition of PFAS in a product or product category
5 that is before January 1, 2033, if it is feasible to do so. The
6 department shall consider public petitions that request an earlier
7 effective date for a product category. Feasibility shall be deemed
8 to exist if any of the following conditions is met:

9 (A) The department finds any of the following:

10 (i) There are safer alternatives to the use of PFAS in the product
11 or product category that are reasonably available.

12 (ii) The function provided by PFAS in the product is not
13 necessary for the product or product category to work.

14 (iii) The use of PFAS in the product or product category is not
15 critical for the health, the safety, or the functioning of society.

16 (B) If the findings of all or part of an applicable publicly
17 available study or evaluation of alternatives shows the viability of
18 safer alternatives to PFAS in the product or product category. The
19 department shall only rely on a study or evaluation that is reliable
20 information.

21 (C) If the product or product category is prohibited from being
22 sold, used, or distributed, as of the date of the feasibility analysis,
23 in another state or states within the United States, or in another
24 country, because it contains PFAS.

25 (c) On and after January 1, 2040, a person shall not distribute,
26 sell, or offer for sale in this state any of the following products
27 that contain intentionally added PFAS:

28 (1) Textiles used for personal protective equipment, as defined
29 in Section 108970.

30 (2) Textiles used for noise and vibration insulation in engine
31 bays in the automotive industry.

32 (3) Refrigerants used in any of the following applications:

33 (A) Temperature refrigeration below minus 50 degrees Celsius.

34 (B) Laboratory test and measurement equipment.

35 (C) A refrigerated centrifuge.

36 (4) Solvents used for any of the following applications:

37 (A) An industrial precision cleaning fluid.

38 (B) A cleaning fluid for use in an oxygen-enriched environment.

39 (C) An industrial or professional use of a solvent-based
40 debinding system in 3D printing.

1 (D) An industrial or professional use of a smoothing agent for
2 polymer 3D printing application.

3 (5) A propellant for a technical aerosol for an application where
4 nonflammability and high technical performance of spray quality
5 is required.

6 (6) A clean fire suppressant used where current alternatives
7 damage the assets to be protected or pose an acute risk to human
8 health.

9 (7) A fluorinated gas used for the preservation of a cultural
10 paper-based material.

11 (8) A product affecting the proper functioning related to the
12 safety of a vehicle and affecting the safety of an operator,
13 passenger, or goods.

14 (9) An additive to a hydraulic fluid for antierosion or
15 anticorrosion in a hydraulic system, including, but not limited to,
16 control valves in the aircraft and aerospace industry.

17 (10) A product used in the semiconductor manufacturing
18 process.

19 (11) A lubricant where the use takes place under harsh
20 conditions or the use is for the safe functioning and safety of
21 equipment.

22 (12) A fluoropolymer product used in petroleum production
23 and mining.

24 (13) Fluorinated gases used for the maintenance and refilling
25 of installed equipment for heating, venting, and air conditioning
26 products.

27 (d) A prohibition described in subdivision (a), (b), or (c) shall
28 not apply to either of the following:

29 (1) A covered product, product, or product category for which
30 federal law governs the presence of PFAS in the product in a
31 manner that preempts state authority.

32 (2) A previously used covered product or product.

33 (e) A prohibition described in subdivisions (b) and (c) shall not
34 apply to a product or product category for which there is an
35 applicable determination of currently unavoidable use identified
36 on the department's internet website pursuant to subdivision (g)
37 of Section 109030.2.

38 109030.2. (a) Upon a petition from the manufacturer of a
39 product or an association or group of manufacturers of a product
40 or product category, the department shall review and determine

whether the use of PFAS in the product category to which the product belongs is a currently unavoidable use. In making that determination, the department shall use the broadest reasonable product category when selecting the product category to which the product belongs, and shall rely on analysis and findings from a prior determination for a product category, if a prior determination exists. The department may identify exclusions from a product category. Exclusions shall be construed as narrowly as possible. The department shall find that the use of PFAS in the product category or for an exclusion is a currently unavoidable use only if it finds all the following:

(1) There are no safer alternatives to PFAS that are reasonably available.

(2) The function provided by PFAS in the product is necessary for the product to work.

(3) The use of PFAS in the product is critical for health, safety, or the functioning of society.

(b) The manufacturer, association, or group, in its petition, shall provide all of the following:

(1) Evidence that demonstrates the criteria in paragraphs (1) to (3), inclusive, of subdivision (a) are met.

(2) Any additional information requested by the department to assist in making the determination.

(3) Any other information that the manufacturer believes is relevant, with an explanation of the relevance.

(4) The applicable application fee established pursuant to Section 109030.3.

(c) When determining whether the use of PFAS in a product category is a currently unavoidable use, the department shall do all of the following:

(1) Consider the information provided pursuant to subdivision (b), including relevance and significance for the product category.

(2) Consider available reliable information.

(3) Consider bans on the sale or use of PFAS in the product or product category in another state, the United States, or other countries. If the product or product category is prohibited from being sold, used, or distributed in a relevant jurisdiction, as of the date of its unavoidable-use analysis, because it contains PFAS, then that prohibition demonstrates that the use of PFAS is not a currently unavoidable use.

1 (4) Provide an opportunity for public comment.

2 (d) When determining whether the use of PFAS in a product
3 category is a currently unavoidable use, the department shall make
4 a determination without evaluating all the criteria pursuant to
5 subdivision (b) if the determination can be made based on fewer
6 criteria.

7 (e) (1) Upon finding that the use of PFAS in a product category
8 is a currently unavoidable use, the department shall issue a
9 determination of currently unavoidable use.

10 (2) (A) A determination of currently unavoidable use shall
11 expire five years after its issuance, unless otherwise provided by
12 the department pursuant to subparagraph (B).

13 (B) The department may approve an extension of up to three
14 years to aid administrative needs. A subsequent renewal request
15 shall be made within five years of a determination on the prior
16 request for renewal.

17 (3) The department may review a determination of currently
18 unavoidable use before its expiration and may revoke the
19 determination if there is a significant change in the information
20 supporting the determination.

21 (4) The department shall consider public petitions requesting a
22 review of a determination of currently unavoidable use based on
23 a significant change of information.

24 (f) A manufacturer, association, or group may submit a petition
25 to renew a determination of currently unavoidable use no later
26 than six months before its expiration. The petition for renewal
27 shall comply with subdivision (b) and also provide evidence of
28 significant efforts to develop a safer alternative to the continued
29 use of PFAS in the product or product category, including, but not
30 limited to, published peer-reviewed papers and funding of
31 third-party research with no financial conflict of interest. In
32 reviewing a petition to renew, the department shall comply with
33 subdivisions (a), (c), (d), and (g).

34 (g) The department shall maintain on its internet website a list
35 of each determination of currently unavoidable use, when each
36 determination expires, and the products and uses that are exempt
37 from the prohibition specified in subdivision (b) of Section
38 109030.1.

39 (h) A manufacturer, association, or group subject to the
40 prohibition in paragraph (1) of subdivision (b) of Section 109030.1

1 shall submit a petition for unavoidable use determination before
2 January 1, 2028, and the department shall make a final
3 determination on petitions on or before January 1, 2032. Before
4 January 1, 2028, a petitioner may supplement its petition once with
5 relevant new information.

6 (i) A manufacturer, association, or group for products subject
7 to the prohibition in subdivision (c) of Section 109030.1 shall
8 submit a petition for unavoidable use determination before January
9 1, 2035, and the department shall make a final determination on
10 petitions for unavoidable use determination before January 1, 2038.
11 Before January 1, 2035, a petitioner may supplement its petition
12 once with relevant new information.

13 109030.3. On or before January 1, 2027, the department shall
14 adopt regulations to administer this chapter. The regulations shall
15 establish and provide for the assessment of an application fee.
16 Moneys received from the application fee shall be deposited into
17 the PFAS Oversight Fund, which is hereby created in the State
18 Treasury. Moneys in the account shall be used, upon appropriation
19 by the Legislature, to cover the department's reasonable costs of
20 administering this chapter.

Introduced by Committee on Local Government (Senators Durazo (Chair), Arreguín, Cabaldon, Choi, Laird, Seyarto, and Wiener)

February 21, 2025

An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 735, as introduced, Committee on Local Government. Validations.

This bill would enact the First Validating Act of 2025, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. This act shall be known, and may be cited, as the
- 2 First Validating Act of 2025.
- 3 SEC. 2. As used in this act:
- 4 (a) "Public body" means all of the following:
- 5 (1) The state and all departments, agencies, boards,
- 6 commissions, and authorities of the state. Except as provided in
- 7 paragraph (2), "public body" also means all cities, counties, cities

1 and counties, districts, authorities, agencies, boards, commissions,
2 and other entities, whether created by a general statute or a special
3 act, including, but not limited to, the following:
4 Agencies, boards, commissions, or entities constituted or
5 provided for under or pursuant to the Joint Exercise of Powers Act
6 (Chapter 5 (commencing with Section 6500) of Division 7 of Title
7 1 of the Government Code).
8 Affordable housing authorities.
9 Air pollution control districts of any kind.
10 Air quality management districts.
11 Airport districts.
12 Assessment districts, benefit assessment districts, and special
13 assessment districts of any public body.
14 Bridge and highway districts.
15 California water districts.
16 Citrus pest control districts.
17 City maintenance districts.
18 Climate resilience districts.
19 Community college districts.
20 Community development commissions in their capacity to act
21 as a housing authority for other community development purposes
22 of the jurisdiction in which the commission operates, except for
23 any action taken with respect to the commission's authority to act
24 as a community redevelopment agency.
25 Community facilities districts.
26 Community rehabilitation districts.
27 Community revitalization and investment authorities.
28 Community services districts.
29 Conservancy districts.
30 Cotton pest abatement districts.
31 County boards of education.
32 County drainage districts.
33 County flood control and water districts.
34 County free library systems.
35 County maintenance districts.
36 County sanitation districts.
37 County service areas.
38 County transportation commissions.
39 County water agencies.
40 County water authorities.

- 1 County water districts.
- 2 County waterworks districts.
- 3 Department of Water Resources and other agencies acting
- 4 pursuant to Part 3 (commencing with Section 11100) of Division
- 5 6 of the Water Code.
- 6 Distribution districts of any public body.
- 7 Districts acting pursuant to Section 53395.82 of the Government
- 8 Code.
- 9 Drainage districts.
- 10 Enhanced infrastructure financing districts.
- 11 Fire protection districts.
- 12 Flood control and water conservation districts.
- 13 Flood control districts.
- 14 Garbage and refuse disposal districts.
- 15 Garbage disposal districts.
- 16 Geologic hazard abatement districts.
- 17 Harbor districts.
- 18 Harbor improvement districts.
- 19 Harbor, recreation, and conservation districts.
- 20 Health care authorities.
- 21 Highway districts.
- 22 Highway interchange districts.
- 23 Highway lighting districts.
- 24 Housing authorities.
- 25 Improvement districts or improvement areas of any public body.
- 26 Industrial development authorities.
- 27 Infrastructure financing districts.
- 28 Integrated financing districts.
- 29 Irrigation districts.
- 30 Joint highway districts.
- 31 Levee districts.
- 32 Library districts.
- 33 Library districts in unincorporated towns and villages.
- 34 Local agency formation commissions.
- 35 Local health care districts.
- 36 Local health districts.
- 37 Local hospital districts.
- 38 Local transportation authorities or commissions.
- 39 Maintenance districts.
- 40 Memorial districts.

- 1 Metropolitan transportation commissions.
- 2 Metropolitan water districts.
- 3 Mosquito abatement and vector control districts.
- 4 Multifamily improvement districts.
- 5 Municipal improvement districts.
- 6 Municipal utility districts.
- 7 Municipal water districts.
- 8 Nonprofit corporations.
- 9 Nonprofit public benefit corporations.
- 10 Open-space maintenance districts.
- 11 Parking and business improvement areas.
- 12 Parking authorities.
- 13 Parking districts.
- 14 Permanent road divisions.
- 15 Pest abatement districts.
- 16 Police protection districts.
- 17 Port districts.
- 18 Property and business improvement areas.
- 19 Protection districts.
- 20 Public cemetery districts.
- 21 Public utility districts.
- 22 Rapid transit districts.
- 23 Reclamation districts.
- 24 Recreation and park districts.
- 25 Regional housing finance authorities.
- 26 Regional justice facility financing agencies.
- 27 Regional park and open-space districts.
- 28 Regional planning districts.
- 29 Regional transportation commissions.
- 30 Resort improvement districts.
- 31 Resource conservation districts.
- 32 River port districts.
- 33 Road maintenance districts.
- 34 Sanitary districts.
- 35 School districts of any kind or class.
- 36 School facilities improvement districts.
- 37 Separation of grade districts.
- 38 Service authorities for freeway emergencies.
- 39 Sewer districts.
- 40 Sewer maintenance districts.

- 1 Small craft harbor districts.
- 2 Special municipal tax districts.
- 3 Stone and pome fruit pest control districts.
- 4 Storm drain maintenance districts.
- 5 Storm drainage districts.
- 6 Storm drainage maintenance districts.
- 7 Stormwater districts.
- 8 Toll tunnel authorities.
- 9 Traffic authorities.
- 10 Transit development boards.
- 11 Transit districts.
- 12 Unified and union school districts' public libraries.
- 13 Vehicle parking districts.
- 14 Water agencies.
- 15 Water authorities.
- 16 Water conservation districts.
- 17 Water districts.
- 18 Water replenishment districts.
- 19 Water storage districts.
- 20 Watermaster districts.
- 21 Wine grape pest and disease control districts.
- 22 Zones, improvement zones, or service zones of any public body.
- 23 (2) Notwithstanding paragraph (1), a "public body" does not
- 24 include any of the following:
 - 25 (A) A community redevelopment agency formed pursuant to
 - 26 the Community Redevelopment Law (Part 1 (commencing with
 - 27 Section 33000) of Division 24 of the Health and Safety Code).
 - 28 (B) A community development commission, with respect to its
 - 29 exercise of the powers of a community redevelopment agency.
 - 30 (C) A joint powers authority that includes a community
 - 31 redevelopment agency or a community development commission
 - 32 as a member, with respect to its exercise of the powers of a
 - 33 community redevelopment agency.
- 34 (3) "Public body" includes both of the following:
 - 35 (A) The successor agency to the Redevelopment Agency of the
 - 36 City and County of San Francisco, solely for the purpose of issuing
 - 37 bonds or incurring other indebtedness pursuant to the provisions
 - 38 of Section 34177.7 of the Health and Safety Code.
 - 39 (B) A successor agency, as defined in subdivision (j) of Section
 - 40 34171 of the Health and Safety Code, solely for the purpose of

1 issuing bonds or incurring other indebtedness pursuant to the
2 provisions of Section 34177.5 of the Health and Safety Code.

3 (b) “Bonds” means all instruments evidencing an indebtedness
4 of a public body incurred or to be incurred for any public purpose,
5 all leases, installment purchase agreements, or similar agreements
6 wherein the obligor is one or more public bodies, all instruments
7 evidencing the borrowing of money in anticipation of taxes,
8 revenues, or other income of that body, all instruments payable
9 from revenues or special funds of those public bodies, all
10 certificates of participation evidencing interests in the leases,
11 installment purchase agreements, or similar agreements, and all
12 instruments funding, refunding, replacing, or amending any thereof
13 or any indebtedness.

14 (c) “Hereafter” means any time subsequent to the effective date
15 of this act.

16 (d) “Heretofore” means any time prior to the effective date of
17 this act.

18 (e) “Now” means the effective date of this act.

19 SEC. 3. All public bodies heretofore organized or existing
20 under any law, or under color of any law, are hereby declared to
21 have been legally organized and to be legally functioning as those
22 public bodies. Every public body, heretofore described, shall have
23 all the rights, powers, and privileges, and be subject to all the duties
24 and obligations, of those public bodies regularly formed pursuant
25 to law.

26 SEC. 4. The boundaries of every public body as heretofore
27 established, defined, or recorded, or as heretofore actually shown
28 on maps or plats used by the assessor, are hereby confirmed,
29 validated, and declared legally established.

30 SEC. 5. All acts and proceedings heretofore taken by any public
31 body or bodies under any law, or under color of any law, for the
32 annexation or inclusion of territory into those public bodies or for
33 the annexation of those public bodies to any other public body or
34 for the detachment, withdrawal, or exclusion of territory from any
35 public body or for the consolidation, merger, or dissolution of any
36 public bodies are hereby confirmed, validated, and declared legally
37 effective. This shall include all acts and proceedings of the
38 governing board of any public body and of any person, public
39 officer, board, or agency heretofore done or taken upon the question
40 of the annexation or inclusion or of the withdrawal or exclusion

1 of territory or the consolidation, merger, or dissolution of those
2 public bodies.

3 SEC. 6. (a) All acts and proceedings heretofore taken by or
4 on behalf of any public body under any law, or under color of any
5 law, for, or in connection with, the authorization, issuance, sale,
6 execution, delivery, or exchange of bonds of any public body for
7 any public purpose are hereby authorized, confirmed, validated,
8 and declared legally effective. This shall include all acts and
9 proceedings of the governing board of public bodies and of any
10 person, public officer, board, or agency heretofore done or taken
11 upon the question of the authorization, issuance, sale, execution,
12 delivery, or exchange of bonds.

13 (b) All bonds of, or relating to, any public body heretofore issued
14 shall be, in the form and manner issued and delivered, the legal,
15 valid, and binding obligations of the public body. All bonds of, or
16 relating to, any public body heretofore awarded and sold to a
17 purchaser and hereafter issued and delivered in accordance with
18 the contract of sale and other proceedings for the award and sale
19 shall be the legal, valid, and binding obligations of the public body.
20 All bonds of, or relating to, any public body heretofore authorized
21 to be issued by ordinance, resolution, order, or other action adopted
22 or taken by or on behalf of the public body and hereafter issued
23 and delivered in accordance with that authorization shall be the
24 legal, valid, and binding obligations of the public body. All bonds
25 of, or relating to, any public body heretofore authorized to be issued
26 at an election and hereafter issued and delivered in accordance
27 with that authorization shall be the legal, valid, and binding
28 obligations of the public body. Whenever an election has heretofore
29 been called for the purpose of submitting to the voters of any public
30 body the question of issuing bonds for any public purpose, those
31 bonds, if hereafter authorized by the required vote and in
32 accordance with the proceedings heretofore taken, and issued and
33 delivered in accordance with that authorization, shall be the legal,
34 valid, and binding obligations of the public body.

35 SEC. 7. (a) This act shall operate to supply legislative
36 authorization as may be necessary to authorize, confirm, and
37 validate any acts and proceedings heretofore taken pursuant to
38 authority the Legislature could have supplied or provided for in
39 the law under which those acts or proceedings were taken.

1 (b) This act shall be limited to the validation of acts and
2 proceedings to the extent that the same can be effectuated under
3 the California Constitution and the United States Constitution.

4 (c) This act shall not operate to authorize, confirm, validate, or
5 legalize any act, proceeding, or other matter being legally contested
6 or inquired into in any legal proceeding now pending and
7 undetermined or that is pending and undetermined during the
8 period of 30 days from and after the effective date of this act.

9 (d) This act shall not operate to authorize, confirm, validate, or
10 legalize any act, proceeding, or other matter that has heretofore
11 been determined in any legal proceeding to be illegal, void, or
12 ineffective.

13 (e) This act shall not operate to authorize, confirm, validate, or
14 legalize a contract between any public body and the United States.

15 SEC. 8. Any action or proceeding contesting the validity of
16 any action or proceeding heretofore taken under any law, or under
17 color of any law, for the formation, organization, or incorporation
18 of any public body, or for any annexation thereto, detachment or
19 exclusion therefrom, or other change of boundaries thereof, or for
20 the consolidation, merger, or dissolution of any public bodies, or
21 for, or in connection with, the authorization, issuance, sale,
22 execution, delivery, or exchange of bonds thereof upon any ground
23 involving any alleged defect or illegality not effectively validated
24 by the prior provisions of this act and not otherwise barred by any
25 statute of limitations or by laches shall be commenced within six
26 months of the effective date of this act, otherwise each and all of
27 those matters shall be held to be valid and in every respect legal
28 and incontestable. This act shall not extend the period allowed for
29 legal action beyond the period that it would be barred by any
30 presently existing valid statute of limitations.

31 SEC. 9. Nothing contained in this act shall be construed to
32 render the creation of any public body, or any change in the
33 boundaries of any public body, effective for purposes of assessment
34 or taxation unless the statement, together with the map or plat,
35 required to be filed pursuant to Chapter 8 (commencing with
36 Section 54900) of Part 1 of Division 2 of Title 5 of the Government
37 Code, is filed within the time and substantially in the manner
38 required by those sections.

39 SEC. 10. This act is an urgency statute necessary for the
40 immediate preservation of the public peace, health, or safety within

1 the meaning of Article IV of the Constitution and shall go into
2 immediate effect. The facts constituting the necessity are:
3 In order to validate the organization, boundaries, acts,
4 proceedings, and bonds of public bodies as soon as possible, it is
5 necessary that this act take immediate effect.

O

Introduced by Committee on Local Government (Senators Durazo (Chair), Arreguín, Cabaldon, Choi, Laird, Seyarto, and Wiener)

February 21, 2025

An act relating to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced, and declaring the urgency thereof, to take effect immediately.

LEGISLATIVE COUNSEL'S DIGEST

SB 736, as introduced, Committee on Local Government. Validations.

This bill would enact the Second Validating Act of 2025, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

This bill would declare that it is to take effect immediately as an urgency statute.

Vote: $\frac{2}{3}$. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. This act shall be known, and may be cited, as the
- 2 Second Validating Act of 2025.
- 3 SEC. 2. As used in this act:
- 4 (a) "Public body" means all of the following:
- 5 (1) The state and all departments, agencies, boards,
- 6 commissions, and authorities of the state. Except as provided in
- 7 paragraph (2), "public body" also means all cities, counties, cities

1 and counties, districts, authorities, agencies, boards, commissions,
2 and other entities, whether created by a general statute or a special
3 act, including, but not limited to, the following:
4 Agencies, boards, commissions, or entities constituted or
5 provided for under or pursuant to the Joint Exercise of Powers Act
6 (Chapter 5 (commencing with Section 6500) of Division 7 of Title
7 1 of the Government Code).
8 Affordable housing authorities.
9 Air pollution control districts of any kind.
10 Air quality management districts.
11 Airport districts.
12 Assessment districts, benefit assessment districts, and special
13 assessment districts of any public body.
14 Bridge and highway districts.
15 California water districts.
16 Citrus pest control districts.
17 City maintenance districts.
18 Climate resilience districts.
19 Community college districts.
20 Community development commissions in their capacity to act
21 as a housing authority for other community development purposes
22 of the jurisdiction in which the commission operates, except for
23 any action taken with respect to the commission's authority to act
24 as a community redevelopment agency.
25 Community facilities districts.
26 Community rehabilitation districts.
27 Community revitalization and investment authorities.
28 Community services districts.
29 Conservancy districts.
30 Cotton pest abatement districts.
31 County boards of education.
32 County drainage districts.
33 County flood control and water districts.
34 County free library systems.
35 County maintenance districts.
36 County sanitation districts.
37 County service areas.
38 County transportation commissions.
39 County water agencies.
40 County water authorities.

- 1 County water districts.
- 2 County waterworks districts.
- 3 Department of Water Resources and other agencies acting
- 4 pursuant to Part 3 (commencing with Section 11100) of Division
- 5 6 of the Water Code.
- 6 Distribution districts of any public body.
- 7 Districts acting pursuant to Section 53395.82 of the Government
- 8 Code.
- 9 Drainage districts.
- 10 Enhanced infrastructure financing districts.
- 11 Fire protection districts.
- 12 Flood control and water conservation districts.
- 13 Flood control districts.
- 14 Garbage and refuse disposal districts.
- 15 Garbage disposal districts.
- 16 Geologic hazard abatement districts.
- 17 Harbor districts.
- 18 Harbor improvement districts.
- 19 Harbor, recreation, and conservation districts.
- 20 Health care authorities.
- 21 Highway districts.
- 22 Highway interchange districts.
- 23 Highway lighting districts.
- 24 Housing authorities.
- 25 Improvement districts or improvement areas of any public body.
- 26 Industrial development authorities.
- 27 Infrastructure financing districts.
- 28 Integrated financing districts.
- 29 Irrigation districts.
- 30 Joint highway districts.
- 31 Levee districts.
- 32 Library districts.
- 33 Library districts in unincorporated towns and villages.
- 34 Local agency formation commissions.
- 35 Local health care districts.
- 36 Local health districts.
- 37 Local hospital districts.
- 38 Local transportation authorities or commissions.
- 39 Maintenance districts.
- 40 Memorial districts.

- 1 Metropolitan transportation commissions.
- 2 Metropolitan water districts.
- 3 Mosquito abatement and vector control districts.
- 4 Multifamily improvement districts.
- 5 Municipal improvement districts.
- 6 Municipal utility districts.
- 7 Municipal water districts.
- 8 Nonprofit corporations.
- 9 Nonprofit public benefit corporations.
- 10 Open-space maintenance districts.
- 11 Parking and business improvement areas.
- 12 Parking authorities.
- 13 Parking districts.
- 14 Permanent road divisions.
- 15 Pest abatement districts.
- 16 Police protection districts.
- 17 Port districts.
- 18 Property and business improvement areas.
- 19 Protection districts.
- 20 Public cemetery districts.
- 21 Public utility districts.
- 22 Rapid transit districts.
- 23 Reclamation districts.
- 24 Recreation and park districts.
- 25 Regional housing finance authorities.
- 26 Regional justice facility financing agencies.
- 27 Regional park and open-space districts.
- 28 Regional planning districts.
- 29 Regional transportation commissions.
- 30 Resort improvement districts.
- 31 Resource conservation districts.
- 32 River port districts.
- 33 Road maintenance districts.
- 34 Sanitary districts.
- 35 School districts of any kind or class.
- 36 School facilities improvement districts.
- 37 Separation of grade districts.
- 38 Service authorities for freeway emergencies.
- 39 Sewer districts.
- 40 Sewer maintenance districts.

- 1 Small craft harbor districts.
- 2 Special municipal tax districts.
- 3 Stone and pome fruit pest control districts.
- 4 Storm drain maintenance districts.
- 5 Storm drainage districts.
- 6 Storm drainage maintenance districts.
- 7 Storm water districts.
- 8 Toll tunnel authorities.
- 9 Traffic authorities.
- 10 Transit development boards.
- 11 Transit districts.
- 12 Unified and union school districts' public libraries.
- 13 Vehicle parking districts.
- 14 Water agencies.
- 15 Water authorities.
- 16 Water conservation districts.
- 17 Water districts.
- 18 Water replenishment districts.
- 19 Water storage districts.
- 20 Watermaster districts.
- 21 Wine grape pest and disease control districts.
- 22 Zones, improvement zones, or service zones of any public body.
- 23 (2) Notwithstanding paragraph (1), a "public body" does not
- 24 include any of the following:
 - 25 (A) A community redevelopment agency formed pursuant to
 - 26 the Community Redevelopment Law (Part 1 (commencing with
 - 27 Section 33000) of Division 24 of the Health and Safety Code).
 - 28 (B) A community development commission, with respect to its
 - 29 exercise of the powers of a community redevelopment agency.
 - 30 (C) A joint powers authority that includes a community
 - 31 redevelopment agency or a community development commission
 - 32 as a member, with respect to its exercise of the powers of a
 - 33 community redevelopment agency.
- 34 (3) "Public body" includes both of the following:
 - 35 (A) The successor agency to the Redevelopment Agency of the
 - 36 City and County of San Francisco, solely for the purpose of issuing
 - 37 bonds or incurring other indebtedness pursuant to the provisions
 - 38 of Section 34177.7 of the Health and Safety Code.
 - 39 (B) A successor agency, as defined in subdivision (j) of Section
 - 40 34171 of the Health and Safety Code, solely for the purpose of

1 issuing bonds or incurring other indebtedness pursuant to the
2 provisions of Section 34177.5 of the Health and Safety Code.

3 (b) “Bonds” means all instruments evidencing an indebtedness
4 of a public body incurred or to be incurred for any public purpose,
5 all leases, installment purchase agreements, or similar agreements
6 wherein the obligor is one or more public bodies, all instruments
7 evidencing the borrowing of money in anticipation of taxes,
8 revenues, or other income of that body, all instruments payable
9 from revenues or special funds of those public bodies, all
10 certificates of participation evidencing interests in the leases,
11 installment purchase agreements, or similar agreements, and all
12 instruments funding, refunding, replacing, or amending any thereof
13 or any indebtedness.

14 (c) “Hereafter” means any time subsequent to the effective date
15 of this act.

16 (d) “Heretofore” means any time prior to the effective date of
17 this act.

18 (e) “Now” means the effective date of this act.

19 SEC. 3. All public bodies heretofore organized or existing
20 under any law, or under color of any law, are hereby declared to
21 have been legally organized and to be legally functioning as those
22 public bodies. Every public body, heretofore described, shall have
23 all the rights, powers, and privileges, and be subject to all the duties
24 and obligations, of those public bodies regularly formed pursuant
25 to law.

26 SEC. 4. The boundaries of every public body as heretofore
27 established, defined, or recorded, or as heretofore actually shown
28 on maps or plats used by the assessor, are hereby confirmed,
29 validated, and declared legally established.

30 SEC. 5. All acts and proceedings heretofore taken by any public
31 body or bodies under any law, or under color of any law, for the
32 annexation or inclusion of territory into those public bodies or for
33 the annexation of those public bodies to any other public body or
34 for the detachment, withdrawal, or exclusion of territory from any
35 public body or for the consolidation, merger, or dissolution of any
36 public bodies are hereby confirmed, validated, and declared legally
37 effective. This shall include all acts and proceedings of the
38 governing board of any public body and of any person, public
39 officer, board, or agency heretofore done or taken upon the question
40 of the annexation or inclusion or of the withdrawal or exclusion

1 of territory or the consolidation, merger, or dissolution of those
2 public bodies.

3 SEC. 6. (a) All acts and proceedings heretofore taken by or
4 on behalf of any public body under any law, or under color of any
5 law, for, or in connection with, the authorization, issuance, sale,
6 execution, delivery, or exchange of bonds of any public body for
7 any public purpose are hereby authorized, confirmed, validated,
8 and declared legally effective. This shall include all acts and
9 proceedings of the governing board of public bodies and of any
10 person, public officer, board, or agency heretofore done or taken
11 upon the question of the authorization, issuance, sale, execution,
12 delivery, or exchange of bonds.

13 (b) All bonds of, or relating to, any public body heretofore issued
14 shall be, in the form and manner issued and delivered, the legal,
15 valid, and binding obligations of the public body. All bonds of, or
16 relating to, any public body heretofore awarded and sold to a
17 purchaser and hereafter issued and delivered in accordance with
18 the contract of sale and other proceedings for the award and sale
19 shall be the legal, valid, and binding obligations of the public body.
20 All bonds of, or relating to, any public body heretofore authorized
21 to be issued by ordinance, resolution, order, or other action adopted
22 or taken by or on behalf of the public body and hereafter issued
23 and delivered in accordance with that authorization shall be the
24 legal, valid, and binding obligations of the public body. All bonds
25 of, or relating to, any public body heretofore authorized to be issued
26 at an election and hereafter issued and delivered in accordance
27 with that authorization shall be the legal, valid, and binding
28 obligations of the public body. Whenever an election has heretofore
29 been called for the purpose of submitting to the voters of any public
30 body the question of issuing bonds for any public purpose, those
31 bonds, if hereafter authorized by the required vote and in
32 accordance with the proceedings heretofore taken, and issued and
33 delivered in accordance with that authorization, shall be the legal,
34 valid, and binding obligations of the public body.

35 SEC. 7. (a) This act shall operate to supply legislative
36 authorization as may be necessary to authorize, confirm, and
37 validate any acts and proceedings heretofore taken pursuant to
38 authority the Legislature could have supplied or provided for in
39 the law under which those acts or proceedings were taken.

1 (b) This act shall be limited to the validation of acts and
2 proceedings to the extent that the same can be effectuated under
3 the California Constitution and the United States Constitution.

4 (c) This act shall not operate to authorize, confirm, validate, or
5 legalize any act, proceeding, or other matter being legally contested
6 or inquired into in any legal proceeding now pending and
7 undetermined or that is pending and undetermined during the
8 period of 30 days from and after the effective date of this act.

9 (d) This act shall not operate to authorize, confirm, validate, or
10 legalize any act, proceeding, or other matter that has heretofore
11 been determined in any legal proceeding to be illegal, void, or
12 ineffective.

13 (e) This act shall not operate to authorize, confirm, validate, or
14 legalize a contract between any public body and the United States.

15 SEC. 8. Any action or proceeding contesting the validity of
16 any action or proceeding heretofore taken under any law, or under
17 color of any law, for the formation, organization, or incorporation
18 of any public body, or for any annexation thereto, detachment or
19 exclusion therefrom, or other change of boundaries thereof, or for
20 the consolidation, merger, or dissolution of any public bodies, or
21 for, or in connection with, the authorization, issuance, sale,
22 execution, delivery, or exchange of bonds thereof upon any ground
23 involving any alleged defect or illegality not effectively validated
24 by the prior provisions of this act and not otherwise barred by any
25 statute of limitations or by laches shall be commenced within six
26 months of the effective date of this act, otherwise each and all of
27 those matters shall be held to be valid and in every respect legal
28 and incontestable. This act shall not extend the period allowed for
29 legal action beyond the period that it would be barred by any
30 presently existing valid statute of limitations.

31 SEC. 9. Nothing contained in this act shall be construed to
32 render the creation of any public body, or any change in the
33 boundaries of any public body, effective for purposes of assessment
34 or taxation unless the statement, together with the map or plat,
35 required to be filed pursuant to Chapter 8 (commencing with
36 Section 54900) of Part 1 of Division 2 of Title 5 of the Government
37 Code, is filed within the time and substantially in the manner
38 required by those sections.

39 SEC. 10. This act shall become operative on September 1,
40 2025.

1 SEC. 11. This act is an urgency statute necessary for the
2 immediate preservation of the public peace, health, or safety within
3 the meaning of Article IV of the Constitution and shall go into
4 immediate effect. The facts constituting the necessity are:

5 In order to validate the organization, boundaries, acts,
6 proceedings, and bonds of public bodies as soon as possible, it is
7 necessary that this act take immediate effect.

O

Introduced by Committee on Local Government (Senators Durazo (Chair), Arreguín, Cabaldon, Choi, Laird, Seyarto, and Wiener)

February 21, 2025

An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, and to provide limitations of time in which actions may be commenced.

LEGISLATIVE COUNSEL'S DIGEST

SB 737, as introduced, Committee on Local Government. Validations.

This bill would enact the Third Validating Act of 2025, which would validate the organization, boundaries, acts, proceedings, and bonds of the state and counties, cities, and specified districts, agencies, and entities.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. This act shall be known, and may be cited, as the
- 2 Third Validating Act of 2025.
- 3 SEC. 2. As used in this act:
- 4 (a) "Public body" means all of the following:
- 5 (1) The state and all departments, agencies, boards,
- 6 commissions, and authorities of the state. Except as provided in
- 7 paragraph (2), "public body" also means all cities, counties, cities
- 8 and counties, districts, authorities, agencies, boards, commissions,
- 9 and other entities, whether created by a general statute or a special
- 10 act, including, but not limited to, the following:

1 Agencies, boards, commissions, or entities constituted or
2 provided for under or pursuant to the Joint Exercise of Powers Act
3 (Chapter 5 (commencing with Section 6500) of Division 7 of Title
4 1 of the Government Code).
5 Affordable housing authorities.
6 Air pollution control districts of any kind.
7 Air quality management districts.
8 Airport districts.
9 Assessment districts, benefit assessment districts, and special
10 assessment districts of any public body.
11 Bridge and highway districts.
12 California water districts.
13 Citrus pest control districts.
14 City maintenance districts.
15 Climate resilience districts.
16 Community college districts.
17 Community development commissions in their capacity to act
18 as a housing authority for other community development purposes
19 of the jurisdiction in which the commission operates, except for
20 any action taken with respect to the commission's authority to act
21 as a community redevelopment agency.
22 Community facilities districts.
23 Community rehabilitation districts.
24 Community revitalization and investment authorities.
25 Community services districts.
26 Conservancy districts.
27 Cotton pest abatement districts.
28 County boards of education.
29 County drainage districts.
30 County flood control and water districts.
31 County free library systems.
32 County maintenance districts.
33 County sanitation districts.
34 County service areas.
35 County transportation commissions.
36 County water agencies.
37 County water authorities.
38 County water districts.
39 County waterworks districts.

1 Department of Water Resources and other agencies acting
2 pursuant to Part 3 (commencing with Section 11100) of Division
3 6 of the Water Code.
4 Distribution districts of any public body.
5 Districts acting pursuant to Section 53395.82 of the Government
6 Code.
7 Drainage districts.
8 Enhanced infrastructure financing districts.
9 Fire protection districts.
10 Flood control and water conservation districts.
11 Flood control districts.
12 Garbage and refuse disposal districts.
13 Garbage disposal districts.
14 Geologic hazard abatement districts.
15 Harbor districts.
16 Harbor improvement districts.
17 Harbor, recreation, and conservation districts.
18 Health care authorities.
19 Highway districts.
20 Highway interchange districts.
21 Highway lighting districts.
22 Housing authorities.
23 Improvement districts or improvement areas of any public body.
24 Industrial development authorities.
25 Infrastructure financing districts.
26 Integrated financing districts.
27 Irrigation districts.
28 Joint highway districts.
29 Levee districts.
30 Library districts.
31 Library districts in unincorporated towns and villages.
32 Local agency formation commissions.
33 Local health care districts.
34 Local health districts.
35 Local hospital districts.
36 Local transportation authorities or commissions.
37 Maintenance districts.
38 Memorial districts.
39 Metropolitan transportation commissions.
40 Metropolitan water districts.

- 1 Mosquito abatement and vector control districts.
- 2 Multifamily improvement districts.
- 3 Municipal improvement districts.
- 4 Municipal utility districts.
- 5 Municipal water districts.
- 6 Nonprofit corporations.
- 7 Nonprofit public benefit corporations.
- 8 Open-space maintenance districts.
- 9 Parking and business improvement areas.
- 10 Parking authorities.
- 11 Parking districts.
- 12 Permanent road divisions.
- 13 Pest abatement districts.
- 14 Police protection districts.
- 15 Port districts.
- 16 Property and business improvement areas.
- 17 Protection districts.
- 18 Public cemetery districts.
- 19 Public utility districts.
- 20 Rapid transit districts.
- 21 Reclamation districts.
- 22 Recreation and park districts.
- 23 Regional housing finance authorities.
- 24 Regional justice facility financing agencies.
- 25 Regional park and open-space districts.
- 26 Regional planning districts.
- 27 Regional transportation commissions.
- 28 Resort improvement districts.
- 29 Resource conservation districts.
- 30 River port districts.
- 31 Road maintenance districts.
- 32 Sanitary districts.
- 33 School districts of any kind or class.
- 34 School facilities improvement districts.
- 35 Separation of grade districts.
- 36 Service authorities for freeway emergencies.
- 37 Sewer districts.
- 38 Sewer maintenance districts.
- 39 Small craft harbor districts.
- 40 Special municipal tax districts.

- 1 Stone and pome fruit pest control districts.
- 2 Storm drain maintenance districts.
- 3 Storm drainage districts.
- 4 Storm drainage maintenance districts.
- 5 Storm water districts.
- 6 Toll tunnel authorities.
- 7 Traffic authorities.
- 8 Transit development boards.
- 9 Transit districts.
- 10 Unified and union school districts' public libraries.
- 11 Vehicle parking districts.
- 12 Water agencies.
- 13 Water authorities.
- 14 Water conservation districts.
- 15 Water districts.
- 16 Water replenishment districts.
- 17 Water storage districts.
- 18 Watermaster districts.
- 19 Wine grape pest and disease control districts.
- 20 Zones, improvement zones, or service zones of any public body.
- 21 (2) Notwithstanding paragraph (1), a "public body" does not
- 22 include any of the following:
 - 23 (A) A community redevelopment agency formed pursuant to
 - 24 the Community Redevelopment Law (Part 1 (commencing with
 - 25 Section 33000) of Division 24 of the Health and Safety Code).
 - 26 (B) A community development commission, with respect to its
 - 27 exercise of the powers of a community redevelopment agency.
 - 28 (C) A joint powers authority that includes a community
 - 29 redevelopment agency or a community development commission
 - 30 as a member, with respect to its exercise of the powers of a
 - 31 community redevelopment agency.
- 32 (3) "Public body" includes both of the following:
 - 33 (A) The successor agency to the Redevelopment Agency of the
 - 34 City and County of San Francisco, solely for the purpose of issuing
 - 35 bonds or incurring other indebtedness pursuant to the provisions
 - 36 of Section 34177.7 of the Health and Safety Code.
 - 37 (B) A successor agency, as defined in subdivision (j) of Section
 - 38 34171 of the Health and Safety Code, solely for the purpose of
 - 39 issuing bonds or incurring other indebtedness pursuant to the
 - 40 provisions of Section 34177.5 of the Health and Safety Code.

(b) “Bonds” means all instruments evidencing an indebtedness of a public body incurred or to be incurred for any public purpose, all leases, installment purchase agreements, or similar agreements wherein the obligor is one or more public bodies, all instruments evidencing the borrowing of money in anticipation of taxes, revenues, or other income of that body, all instruments payable from revenues or special funds of those public bodies, all certificates of participation evidencing interests in the leases, installment purchase agreements, or similar agreements, and all instruments funding, refunding, replacing, or amending any thereof or any indebtedness.

(c) “Hereafter” means any time subsequent to the effective date of this act.

(d) “Heretofore” means any time prior to the effective date of this act.

(e) “Now” means the effective date of this act.

SEC. 3. All public bodies heretofore organized or existing under any law, or under color of any law, are hereby declared to have been legally organized and to be legally functioning as those public bodies. Every public body, heretofore described, shall have all the rights, powers, and privileges, and be subject to all the duties and obligations, of those public bodies regularly formed pursuant to law.

SEC. 4. The boundaries of every public body as heretofore established, defined, or recorded, or as heretofore actually shown on maps or plats used by the assessor, are hereby confirmed, validated, and declared legally established.

SEC. 5. All acts and proceedings heretofore taken by any public body or bodies under any law, or under color of any law, for the annexation or inclusion of territory into those public bodies or for the annexation of those public bodies to any other public body or for the detachment, withdrawal, or exclusion of territory from any public body or for the consolidation, merger, or dissolution of any public bodies are hereby confirmed, validated, and declared legally effective. This shall include all acts and proceedings of the governing board of any public body and of any person, public officer, board, or agency heretofore done or taken upon the question of the annexation or inclusion or of the withdrawal or exclusion of territory or the consolidation, merger, or dissolution of those public bodies.

SEC. 6. (a) All acts and proceedings heretofore taken by or on behalf of any public body under any law, or under color of any law, for, or in connection with, the authorization, issuance, sale, execution, delivery, or exchange of bonds of any public body for any public purpose are hereby authorized, confirmed, validated, and declared legally effective. This shall include all acts and proceedings of the governing board of public bodies and of any person, public officer, board, or agency heretofore done or taken upon the question of the authorization, issuance, sale, execution, delivery, or exchange of bonds.

(b) All bonds of, or relating to, any public body heretofore issued shall be, in the form and manner issued and delivered, the legal, valid, and binding obligations of the public body. All bonds of, or relating to, any public body heretofore awarded and sold to a purchaser and hereafter issued and delivered in accordance with the contract of sale and other proceedings for the award and sale shall be the legal, valid, and binding obligations of the public body. All bonds of, or relating to, any public body heretofore authorized to be issued by ordinance, resolution, order, or other action adopted or taken by or on behalf of the public body and hereafter issued and delivered in accordance with that authorization shall be the legal, valid, and binding obligations of the public body. All bonds of, or relating to, any public body heretofore authorized to be issued at an election and hereafter issued and delivered in accordance with that authorization shall be the legal, valid, and binding obligations of the public body. Whenever an election has heretofore been called for the purpose of submitting to the voters of any public body the question of issuing bonds for any public purpose, those bonds, if hereafter authorized by the required vote and in accordance with the proceedings heretofore taken, and issued and delivered in accordance with that authorization, shall be the legal, valid, and binding obligations of the public body.

SEC. 7. (a) This act shall operate to supply legislative authorization as may be necessary to authorize, confirm, and validate any acts and proceedings heretofore taken pursuant to authority the Legislature could have supplied or provided for in the law under which those acts or proceedings were taken.

(b) This act shall be limited to the validation of acts and proceedings to the extent that the same can be effectuated under the California Constitution and the United States Constitution.

1 (c) This act shall not operate to authorize, confirm, validate, or
2 legalize any act, proceeding, or other matter being legally contested
3 or inquired into in any legal proceeding now pending and
4 undetermined or that is pending and undetermined during the
5 period of 30 days from and after the effective date of this act.

6 (d) This act shall not operate to authorize, confirm, validate, or
7 legalize any act, proceeding, or other matter that has heretofore
8 been determined in any legal proceeding to be illegal, void, or
9 ineffective.

10 (e) This act shall not operate to authorize, confirm, validate, or
11 legalize a contract between any public body and the United States.

12 SEC. 8. Any action or proceeding contesting the validity of
13 any action or proceeding heretofore taken under any law, or under
14 color of any law, for the formation, organization, or incorporation
15 of any public body, or for any annexation thereto, detachment or
16 exclusion therefrom, or other change of boundaries thereof, or for
17 the consolidation, merger, or dissolution of any public bodies, or
18 for, or in connection with, the authorization, issuance, sale,
19 execution, delivery, or exchange of bonds thereof upon any ground
20 involving any alleged defect or illegality not effectively validated
21 by the prior provisions of this act and not otherwise barred by any
22 statute of limitations or by laches shall be commenced within six
23 months of the effective date of this act, otherwise each and all of
24 those matters shall be held to be valid and in every respect legal
25 and incontestable. This act shall not extend the period allowed for
26 legal action beyond the period that it would be barred by any
27 presently existing valid statute of limitations.

28 SEC. 9. Nothing contained in this act shall be construed to
29 render the creation of any public body, or any change in the
30 boundaries of any public body, effective for purposes of assessment
31 or taxation unless the statement, together with the map or plat,
32 required to be filed pursuant to Chapter 8 (commencing with
33 Section 54900) of Part 1 of Division 2 of Title 5 of the Government
34 Code, is filed within the time and substantially in the manner
35 required by those sections.

119TH CONGRESS
1ST SESSION

S. 322

To improve the lead time, accuracy, and dissemination of forecasts of atmospheric rivers throughout the United States, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 29, 2025

Mr. PADILLA (for himself and Ms. MURKOWSKI) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To improve the lead time, accuracy, and dissemination of forecasts of atmospheric rivers throughout the United States, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Improving Atmos-
5 pheric River Forecasts Act”.

6 **SEC. 2. ATMOSPHERIC RIVERS FORECAST IMPROVEMENT**
7 **PROGRAM.**

8 (a) IN GENERAL.—The Under Secretary, in collabo-
9 ration with the weather enterprise in the United States

1 and institutions of higher education, shall establish an at-
 2 mospheric river forecast improvement program (in this
 3 section referred to as the “program”).

4 (b) PROGRAM ELEMENTS.—In carrying out the pro-
 5 gram, the Under Secretary shall seek to reduce the loss
 6 of life and property and economic losses from atmospheric
 7 rivers through the development and extension of, and re-
 8 search on, accurate, effective, and actionable forecasts and
 9 warnings, including by—

10 (1) establishing quantitative atmospheric river
 11 forecast skill metrics that include the benefits of dy-
 12 namical modeling, data assimilation, and machine
 13 learning improvements in the probabilistic forecasts
 14 of landfall location, extreme wind and precipitation,
 15 and cascading impacts;

16 (2) developing an atmospheric river forecast
 17 system within a unified forecast system, and advanc-
 18 ing next-generation coupled modeling systems, with
 19 the capability of providing seasonal to short-range
 20 atmospheric river forecasts that include forecasts of
 21 snow accumulation and other hydrologic compo-
 22 nents;

23 (3) advancing scientific understanding of the
 24 roles of atmospheric rivers in subseasonal-to-sea-

1 sonal precipitation and probabilistic predictions at
 2 subseasonal and seasonal scales;

3 (4) developing tools and improved forecast
 4 products to predict periods of active or inactive at-
 5 mospheric river landfalls and inland penetration over
 6 the United States with a focus on addressing stake-
 7 holder and public needs related to perceiving, com-
 8 prehending, and responding to atmospheric river
 9 forecast improvements;

10 (5) enhancing the transition of research to op-
 11 erations through the testbeds of the National Oce-
 12 anic and Atmospheric Administration, including the
 13 evaluation of physical and social science, technology,
 14 and other research to develop products and services
 15 for implementation and use by relevant stakeholders;
 16 and

17 (6) incorporating social, behavioral, risk, com-
 18 munication, and economic sciences, including by col-
 19 lecting voluntary data regarding hazardous weather
 20 or water events.

21 (c) INNOVATIVE OBSERVATIONS, DATA ASSIMILA-
 22 TION, AND MODELING.—The Under Secretary shall en-
 23 sure the program periodically examines, tests, and evalu-
 24 ates the value of incorporating innovative observations,
 25 such as observations from radar, observations from crewed

1 or uncrewed aircraft, novel airborne and satellite-based
 2 measurements, data from ocean buoys, data from soil
 3 moisture monitoring systems, reservoir storage data, ob-
 4 servations from mesonets, or any observations, measure-
 5 ments, or data from other emerging technologies, with re-
 6 spect to the improvement of atmospheric river analyses,
 7 modeling, forecasts, predictions, and warnings.

8 (d) IMPROVED MODELING.—

9 (1) IN GENERAL.—Under the program, the
 10 Under Secretary may improve modeling for precipi-
 11 tation forecasts, with an emphasis on forecasting for
 12 complex terrain.

13 (2) IMPROVED PRECIPITATION FORECASTS.—
 14 Improved precipitation forecasts pursuant to im-
 15 proved modeling under paragraph (1) should support
 16 improved water resource management and resilience
 17 to extreme water-related events, from floods to
 18 drought, which may include the use of enhanced
 19 streamflow prediction.

20 (3) ELEMENTS.—In improving modeling under
 21 paragraph (1), the Under Secretary may—

22 (A) develop, test, and operationalize proto-
 23 type high-resolution Atmospheric River Analysis
 24 and Forecasting System models through a re-
 25 search and operations partnership with partners

outside the National Oceanic and Atmospheric
Administration;

(B) enhance data assimilation of current
and new satellite and ocean observations;

(C) improve data processing techniques;

(D) use artificial intelligence and machine
learning methods as applicable;

(E) ensure the surface and subsurface ob-
servations of the ocean meet the needs of at-
mospheric river analysis and forecasting pre-
dictions on time scales from days, to weeks, to
months, to seasons; and

(F) improve or establish baseline weather
monitoring service in areas that have histori-
cally experienced, or are predicted to experi-
ence, atmospheric rivers.

(e) ATMOSPHERIC RIVER RECONNAISSANCE.—

(1) IN GENERAL.—The Under Secretary shall
acquire and sustain adequate crewed and uncrewed
aircraft, scientific equipment, and personnel nec-
essary to meet mission requirements annually from
November 1 through March 31 to—

(A) ensure atmospheric river air reconnais-
sance observations are available throughout the
expected seasons of atmospheric rivers;

1 (B) meet air reconnaissance and research
2 mission requirements of the National Oceanic
3 and Atmospheric Administration, including with
4 respect to tropical cyclones, high-impact weath-
5 er, sea ice, atmospheric chemistry, climate, air
6 quality for public health, fire weather research
7 and operations, and other missions, including
8 marine animal surveys, post-damage surveys,
9 and coastal erosion reconnaissance;

10 (C) ensure data and information collected
11 by the aircraft are made available to all users
12 for research and operations purposes;

13 (D) participate in the research and oper-
14 ations partnership that guides flight planning
15 and uses research methods to improve and ex-
16 pand the capabilities and effectiveness of atmos-
17 pheric river reconnaissance over time;

18 (E) develop data management strategies to
19 ensure that data and metadata are adequately
20 stewarded, maintained, and archived in accord-
21 ance with collective benefit, authority to control,
22 responsibility, and ethics principles (commonly
23 known as “CARE” principles), findable, acces-
24 sible, interoperable, and reusable principles
25 (commonly known as “FAIR” principles), and

1 the Foundations for Evidence-Based Policy-
2 making Act of 2018 (Public Law 115–435; 132
3 Stat. 5529) and the amendments made by that
4 Act, and preserve and curate such data and
5 metadata in accordance with chapter 31 of title
6 44, United States Code (commonly known as
7 the “Federal Records Act of 1950”);

8 (F) maintain or establish within the Office
9 of Oceanic and Atmospheric Research not fewer
10 than one atmospheric river observatory, which
11 shall include water vapor flux analyses and
12 forecasts, radar and disdrometer precipitation
13 analyses, and snow level radars in all States
14 along the West Coast of the United States, in-
15 cluding Alaska, to ensure equal and comprehen-
16 sive coverage of that region; and

17 (G) undertake such other additional activi-
18 ties as the Under Secretary, in consultation
19 with the Secretary of the Air Force, considers
20 appropriate to improve and grow the atmos-
21 pheric river reconnaissance mission.

22 (f) IMPROVED ATMOSPHERIC RIVER HAZARD COM-
23 MUNICATION.—Under the program, the Under Secretary
24 shall consider research and development activities to—

1 (1) as appropriate, develop and refine methods
2 to categorize the intensity of atmospheric rivers on
3 a quantitative scale and the impacts of such a scale
4 in hazard communication;

5 (2) develop best practices for communication of
6 atmospheric river events and hazards across regions
7 of the United States;

8 (3) gather information from areas prone to at-
9 mospheric rivers regarding levels of knowledge and
10 preparedness, including responses to early forecasts
11 and warnings by the National Oceanic and Atmos-
12 pheric Administration; and

13 (4) explore strategies and effectiveness of com-
14 municating that atmospheric river events are bene-
15 ficial at lower intensities versus hazardous at higher
16 intensities.

17 (g) PROGRAM PLAN.—Not later than 270 days after
18 the date of the enactment of this Act, the Under Sec-
19 retary, in consultation with the Secretary of the Air Force
20 or the Commander of the 53rd Weather Reconnaissance
21 Squadron of the Air Force Reserve Command, shall—

22 (1) develop a plan that details the specific re-
23 search, development, data acquisition, partnerships
24 with institutions of higher education, and technology
25 transfer activities, as well as corresponding resources

1 and timelines, necessary to achieve the goals of the
 2 program under subsection (b);

3 (2) submit that plan to the Committee on Com-
 4 merce, Science, and Transportation of the Senate
 5 and the Committee on Science, Space, and Tech-
 6 nology of the House of Representatives; and

7 (3) make that plan available to the public.

8 (h) DEFINITIONS.—In this section:

9 (1) INSTITUTION OF HIGHER EDUCATION.—The
 10 term “institution of higher education” has the
 11 meaning given that term in section 101(a) of the
 12 Higher Education Act of 1965 (20 U.S.C. 1001(a)).

13 (2) SEASONAL; SUBSEASONAL; UNDER SEC-
 14 RETARY; WEATHER ENTERPRISE.—The terms “sea-
 15 sonal”, “subseasonal”, “Under Secretary”, and
 16 “weather enterprise” have the meanings given those
 17 terms in section 2 of the Weather Research and
 18 Forecasting Innovation Act of 2017 (15 U.S.C.
 19 8501).

○

Introduced by Committee on Local Government (Senators Durazo (Chair), Arreguín, Cabaldon, Choi, Laird, Seyarto, and Wiener)

March 12, 2025

An act to amend Sections 25103, 25105, 26802.5, and 53601 of the Government Code, and to amend Section 11865 of the Public Utilities Code, relating to local government.

LEGISLATIVE COUNSEL'S DIGEST

SB 858, as introduced, Committee on Local Government. Local Government Omnibus Act of 2025.

(1) Existing law authorizes a county board of supervisors, by resolution, to authorize the use of a facsimile signature of the chairperson of the board on all papers, documents, or instruments requiring the signature of the chairperson, as provided, if certain requirements are met relating to the personal signature of the chairperson. Under existing law, if those requirements are met, the papers, documents, or instruments bearing the facsimile signature are accorded the same force and effect as though personally signed by the chairperson.

This bill would remove the requirement for that authorization to occur by resolution of the board. The bill would authorize the board, in addition to authorizing a facsimile signature, to authorize the use of an electronic signature of the chairperson on all papers, documents, or instruments requiring the signature of the chairperson. Under the bill, a document bearing the electronic signature of the chairperson would have the same force and effect as if personally signed by the chairperson.

(2) Existing law authorizes a county board of supervisors to authorize the use of photographs, microphotographs, electronic data processing records, optical disks, or any other medium that is a trusted system and

that does not permit additions, deletions, or changes to the original document, or photocopies of all records, books, and minutes of the board. Under existing law, if the documents are signed using a digital signature, the reproduced documents are considered authenticated if the reproduced documents are created by a trusted system, as defined in pertinent digital signature regulations.

This bill would provide that if the documents are signed using an electronic or digital signature, the reproduced documents are considered authenticated if the reproduced documents are created by a trusted system, as defined in pertinent digital signature regulations, or in compliance with the Uniform Electronic Transactions Act.

(3) Existing law authorizes a registrar of voters to be appointed by the board of supervisors in specified counties to discharge all duties vested by law in the county clerk that relate to and are a part of election procedure.

This bill would include the County of Kern among those counties in which the board of supervisors is authorized to appoint a registrar of voters.

This bill would make legislative findings and declarations as to the necessity of a special statute for the County of Kern.

(4) Existing law regulates the investment of public funds by local agencies, as defined. Existing law authorizes the legislative body of a local agency, as specified, that has money in a sinking fund or in its treasury not required for immediate needs to invest the money as it deems wise or expedient in certain securities and financial instruments. In this regard, existing law authorizes investment in prime quality commercial paper issued by entities meeting certain criteria, if the eligible commercial paper has a maximum maturity of 270 days or less.

This bill would revise the maximum maturity periods for the investments in prime quality commercial paper to 397 days.

(5) Existing law, the Municipal Utility District Act, governs the formation and governance of municipal utility districts. The act provides that the government of every district is vested in a board of 5 or 7 directors and specifies procedures for filling a vacancy on a board. Those procedures authorize the remaining board members to fill a vacancy by appointment until the next district general election that is scheduled 90 or more days after the effective date of the vacancy, as provided.

This bill would require the person appointed to fill a vacancy to hold office until the person elected at the next district general election that

is scheduled 90 or more days after the effective date of the vacancy has been qualified and takes office.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. (a) This act shall be known, and may be cited,
2 as the Local Government Omnibus Act of 2025.

3 (b) The Legislature finds and declares that Californians want
4 their governments to be run efficiently and economically and that
5 public officials should avoid waste and duplication whenever
6 possible. The Legislature further finds and declares that it desires
7 to control its own costs by reducing the number of separate bills.
8 Therefore, it is the intent of the Legislature in enacting this act to
9 combine several minor, noncontroversial statutory changes relating
10 to the common theme, purpose, and subject of local government
11 into a single measure.

12 SEC. 2. Section 25103 of the Government Code is amended
13 to read:

14 25103. (a) The records and minutes of the board, acting in
15 any capacity, shall be signed by the chairperson and the clerk. The
16 board may ~~by resolution~~ authorize the use of a facsimile *or*
17 *electronic* signature of the chairperson of the board acting in any
18 capacity, where the board sits as the governing body, agency, or
19 entity on all papers, documents, or instruments requiring the
20 signature of the chairperson of the board, including all resolutions,
21 orders, ordinances, contracts, minutes, notices, deeds, leases, papers
22 and records of the board except ~~that that~~, *in the case of a facsimile*
23 *signature*, the original copy thereof, or the copy thereof filed in
24 the office of the clerk of the board, shall bear the personal signature
25 of the chairperson or shall have been delivered to ~~him or her~~, *the*
26 *chairperson*, and those papers, documents, or instruments bearing
27 the facsimile signature shall be accorded the same force and effect
28 as though personally signed by the chairperson. A certificate by
29 the clerk that a copy of that document has been delivered to the
30 chairperson of the board shall be prima facie evidence of the
31 delivery. *A document bearing the electronic signature of the*
32 *chairperson shall have the same force and effect as if personally*
33 *signed by the chairperson.*

1 If,

2 (b) If, in order to be recorded by the county recorder, the paper,
3 document, or instrument requires the acknowledgement or
4 verification of the person by whom it is executed, then it shall be
5 recordable when the clerk acknowledges ~~his or her~~ *the person's*
6 signature upon the certificate ~~which~~ *that* indicates that a copy of
7 the paper, document, or instrument has been delivered to the
8 chairperson.

9 If

10 (c) In the case of a public security or any instrument of payment,
11 ~~the provisions of~~ the Uniform Facsimile Signature of Public
12 Officials Act (Chapter 6 (commencing with Section 5500) of
13 Division 6 of Title 1 of the Government Code) 1) shall govern.

14 If

15 (d) If the facsimile signature of the chairperson of the board of
16 supervisors is affixed to any document prior to November 23,
17 1970, the document shall have the same force and effect from the
18 time of affixing as if the facsimile signature had been affixed after
19 that date.

20 SEC. 3. Section 25105 of the Government Code is amended
21 to read:

22 25105. The board of supervisors may authorize the use of
23 photographs, microphotographs, electronic data processing records,
24 optical disks, or any other medium that is a trusted system and that
25 does not permit additions, deletions, or changes to the original
26 document, or photocopies of all records, books, and minutes of
27 the board.

28 (a) Each photograph, microphotograph, or photocopy shall be
29 made in a manner and on paper ~~which~~ *that* will comply with
30 Section 12168.7 for recording of permanent records or
31 nonpermanent records, whichever applies. Every reproduction
32 shall be deemed and considered an ~~original~~; *a original*. A transcript,
33 exemplification, or certified copy of any reproduction shall be
34 deemed and considered a transcript, exemplification, or certified
35 copy, as the case may be, of the original. Each roll of microfilm
36 shall be deemed and constitute a book and shall be designated and
37 numbered, and provision shall be made for preserving, examining,
38 and using it. A duplicate of each roll of microfilm shall be made
39 and kept in a safe and separate place.

(b) Electronic data processing records, records recorded on optical disk, and records recorded on any other medium shall comply with Section 12168.7. A duplicate copy of any record reproduced in compliance with Section 12168.7 for recording of permanent records or nonpermanent records, whichever applies, shall be deemed an original.

(c) In the event the authorization provided herein is granted, the personal signatures required by Section 25103, if technically feasible, may be reproduced by the authorized process, and the reproduced signatures shall be deemed to satisfy the requirement of Section 25103. If the documents are signed using ~~a~~ *an electronic or digital signature*, reproduced documents shall be considered authenticated if the reproduced documents are created by a trusted system, as defined in ~~pertinent digital signature regulations; regulations, or in compliance with the Uniform Electronic Transactions Act (Title 2.5 (commencing with Section 1633.1) of Part 2 of Division 3 of the Civil Code).~~

SEC. 4. Section 26802.5 of the Government Code is amended to read:

26802.5. In the Counties of El Dorado, Imperial, Kern, Kings, Lake, Marin, Merced, Modoc, Monterey, Napa, Riverside, San Joaquin, Solano, Sonoma, and Tulare, a registrar of voters may be appointed by the board of supervisors in the same manner as other county officers are appointed. In those counties, the county clerk is not ex officio registrar of voters, and the registrar of voters shall discharge all duties vested by law in the county elections official that relate to and are a part of the election procedure.

SEC. 5. Section 53601 of the Government Code, as amended by Section 6 of Chapter 187 of the Statutes of 2023, is amended to read:

53601. This section shall apply to a local agency that is a city, a district, or other local agency that does not pool money in deposits or investments with other local agencies, other than local agencies that have the same governing body. However, Section 53635 shall apply to all local agencies that pool money in deposits or investments with other local agencies that have separate governing bodies. The legislative body of a local agency having moneys in a sinking fund or moneys in its treasury not required for the immediate needs of the local agency may invest any portion of the moneys that it deems wise or expedient in those investments

1 set forth below. A local agency purchasing or obtaining any
2 securities prescribed in this section, in a negotiable, bearer,
3 registered, or nonregistered format, shall require delivery of the
4 securities to the local agency, including those purchased for the
5 agency by financial advisers, consultants, or managers using the
6 agency's funds, by book entry, physical delivery, or by third-party
7 custodial agreement. The transfer of securities to the counterparty
8 bank's customer book entry account may be used for book entry
9 delivery.

10 For purposes of this section, "counterparty" means the other
11 party to the transaction. A counterparty bank's trust department
12 or separate safekeeping department may be used for the physical
13 delivery of the security if the security is held in the name of the
14 local agency. Where this section specifies a percentage limitation
15 for a particular category of investment, that percentage is applicable
16 only at the date of purchase. For purposes of compliance with this
17 section, an investment's term or remaining maturity shall be
18 measured from the settlement date to final maturity. A security
19 purchased in accordance with this section shall not have a forward
20 settlement date exceeding 45 days from the time of investment.
21 Where this section does not specify a limitation on the term or
22 remaining maturity at the time of the investment, no investment
23 shall be made in any security, other than a security underlying a
24 repurchase or reverse repurchase agreement or securities lending
25 agreement authorized by this section, that at the time of the
26 investment has a term remaining to maturity in excess of five years,
27 unless the legislative body has granted express authority to make
28 that investment either specifically or as a part of an investment
29 program approved by the legislative body no less than three months
30 prior to the investment:

31 (a) Bonds issued by the local agency, including bonds payable
32 solely out of the revenues from a revenue-producing property
33 owned, controlled, or operated by the local agency or by a
34 department, board, agency, or authority of the local agency.

35 (b) United States Treasury notes, bonds, bills, or certificates of
36 indebtedness, or those for which the faith and credit of the United
37 States are pledged for the payment of principal and interest.

38 (c) Registered state warrants or treasury notes or bonds of this
39 state, including bonds payable solely out of the revenues from a

1 revenue-producing property owned, controlled, or operated by the
2 state or by a department, board, agency, or authority of the state.

3 (d) Registered treasury notes or bonds of any of the other 49
4 states in addition to California, including bonds payable solely out
5 of the revenues from a revenue-producing property owned,
6 controlled, or operated by a state or by a department, board, agency,
7 or authority of any of the other 49 states, in addition to California.

8 (e) Bonds, notes, warrants, or other evidences of indebtedness
9 of a local agency within this state, including bonds payable solely
10 out of the revenues from a revenue-producing property owned,
11 controlled, or operated by the local agency, or by a department,
12 board, agency, or authority of the local agency.

13 (f) Federal agency or United States government-sponsored
14 enterprise obligations, participations, or other instruments,
15 including those issued by or fully guaranteed as to principal and
16 interest by federal agencies or United States government-sponsored
17 enterprises.

18 (g) Bankers' acceptances otherwise known as bills of exchange
19 or time drafts that are drawn on and accepted by a commercial
20 bank. Purchases of bankers' acceptances shall not exceed 180
21 days' maturity or 40 percent of the agency's moneys that may be
22 invested pursuant to this section. However, no more than 30 percent
23 of the agency's moneys may be invested in the bankers'
24 acceptances of any one commercial bank pursuant to this section.

25 This subdivision does not preclude a municipal utility district
26 from investing moneys in its treasury in a manner authorized by
27 the Municipal Utility District Act (Division 6 (commencing with
28 Section 11501) of the Public Utilities Code).

29 (h) Commercial paper of "prime" quality of the highest ranking
30 or of the highest letter and number rating as provided for by a
31 nationally recognized statistical rating organization (NRSRO).
32 The entity that issues the commercial paper shall meet all of the
33 following conditions in either paragraph (1) or (2):

34 (1) The entity meets the following criteria:

35 (A) Is organized and operating in the United States as a general
36 corporation.

37 (B) Has total assets in excess of five hundred million dollars
38 (\$500,000,000).

1 (C) Has debt other than commercial paper, if any, that is rated
2 in a rating category of “A” or its equivalent or higher by an
3 NRSRO.

4 (2) The entity meets the following criteria:

5 (A) Is organized within the United States as a special purpose
6 corporation, trust, or limited liability company.

7 (B) Has programwide credit enhancements including, but not
8 limited to, overcollateralization, letters of credit, or a surety bond.

9 (C) Has commercial paper that is rated “A-1” or higher, or the
10 equivalent, by an NRSRO.

11 Eligible commercial paper shall have a maximum maturity of
12 ~~270~~ 397 days or less. Local agencies, other than counties or a city
13 and county, may invest no more than 25 percent of their moneys
14 in eligible commercial paper. A local agency, other than a county
15 or a city and a county, may invest no more than 10 percent of its
16 total investment assets in the commercial paper and the
17 medium-term notes of any single issuer. Counties or a city and
18 county may invest in commercial paper pursuant to the
19 concentration limits in subdivision (a) of Section 53635.

20 (i) Negotiable certificates of deposit issued by a nationally or
21 state-chartered bank, a savings association or a federal association
22 (as defined by Section 5102 of the Financial Code), a state or
23 federal credit union, or by a federally licensed or state-licensed
24 branch of a foreign bank. Purchases of negotiable certificates of
25 deposit shall not exceed 30 percent of the agency’s moneys that
26 may be invested pursuant to this section. For purposes of this
27 section, negotiable certificates of deposit do not come within
28 Article 2 (commencing with Section 53630), except that the amount
29 so invested shall be subject to the limitations of Section 53638.
30 The legislative body of a local agency and the treasurer or other
31 official of the local agency having legal custody of the moneys
32 are prohibited from investing local agency funds, or funds in the
33 custody of the local agency, in negotiable certificates of deposit
34 issued by a state or federal credit union if a member of the
35 legislative body of the local agency, or a person with investment
36 decisionmaking authority in the administrative office manager’s
37 office, budget office, auditor-controller’s office, or treasurer’s
38 office of the local agency also serves on the board of directors, or
39 any committee appointed by the board of directors, or the credit

1 committee or the supervisory committee of the state or federal
2 credit union issuing the negotiable certificates of deposit.

3 (j) (1) Investments in repurchase agreements or reverse
4 repurchase agreements or securities lending agreements of
5 securities authorized by this section, as long as the agreements are
6 subject to this subdivision, including the delivery requirements
7 specified in this section.

8 (2) Investments in repurchase agreements may be made, on an
9 investment authorized in this section, when the term of the
10 agreement does not exceed one year. The market value of securities
11 that underlie a repurchase agreement shall be valued at 102 percent
12 or greater of the funds borrowed against those securities and the
13 value shall be adjusted no less than quarterly. Since the market
14 value of the underlying securities is subject to daily market
15 fluctuations, the investments in repurchase agreements shall be in
16 compliance if the value of the underlying securities is brought back
17 up to 102 percent no later than the next business day.

18 (3) Reverse repurchase agreements or securities lending
19 agreements may be utilized only when all of the following
20 conditions are met:

21 (A) The security to be sold using a reverse repurchase agreement
22 or securities lending agreement has been owned and fully paid for
23 by the local agency for a minimum of 30 days prior to sale.

24 (B) The total of all reverse repurchase agreements and securities
25 lending agreements on investments owned by the local agency
26 does not exceed 20 percent of the base value of the portfolio.

27 (C) The agreement does not exceed a term of 92 days, unless
28 the agreement includes a written codicil guaranteeing a minimum
29 earning or spread for the entire period between the sale of a security
30 using a reverse repurchase agreement or securities lending
31 agreement and the final maturity date of the same security.

32 (D) Funds obtained or funds within the pool of an equivalent
33 amount to that obtained from selling a security to a counterparty
34 using a reverse repurchase agreement or securities lending
35 agreement shall not be used to purchase another security with a
36 maturity longer than 92 days from the initial settlement date of the
37 reverse repurchase agreement or securities lending agreement,
38 unless the reverse repurchase agreement or securities lending
39 agreement includes a written codicil guaranteeing a minimum
40 earning or spread for the entire period between the sale of a security

1 using a reverse repurchase agreement or securities lending
2 agreement and the final maturity date of the same security.

3 (4) (A) Investments in reverse repurchase agreements, securities
4 lending agreements, or similar investments in which the local
5 agency sells securities prior to purchase with a simultaneous
6 agreement to repurchase the security may be made only upon prior
7 approval of the governing body of the local agency and shall be
8 made only with primary dealers of the Federal Reserve Bank of
9 New York or with a nationally or state-chartered bank that has or
10 has had a significant banking relationship with a local agency.

11 (B) For purposes of this chapter, “significant banking
12 relationship” means any of the following activities of a bank:

13 (i) Involvement in the creation, sale, purchase, or retirement of
14 a local agency’s bonds, warrants, notes, or other evidence of
15 indebtedness.

16 (ii) Financing of a local agency’s activities.

17 (iii) Acceptance of a local agency’s securities or funds as
18 deposits.

19 (5) (A) “Repurchase agreement” means a purchase of securities
20 by the local agency pursuant to an agreement by which the
21 counterparty seller will repurchase the securities on or before a
22 specified date and for a specified amount and the counterparty will
23 deliver the underlying securities to the local agency by book entry,
24 physical delivery, or by third-party custodial agreement. The
25 transfer of underlying securities to the counterparty bank’s
26 customer book-entry account may be used for book-entry delivery.

27 (B) “Securities,” for purposes of repurchase under this
28 subdivision, means securities of the same issuer, description, issue
29 date, and maturity.

30 (C) “Reverse repurchase agreement” means a sale of securities
31 by the local agency pursuant to an agreement by which the local
32 agency will repurchase the securities on or before a specified date
33 and includes other comparable agreements.

34 (D) “Securities lending agreement” means an agreement under
35 which a local agency agrees to transfer securities to a borrower
36 who, in turn, agrees to provide collateral to the local agency.
37 During the term of the agreement, both the securities and the
38 collateral are held by a third party. At the conclusion of the
39 agreement, the securities are transferred back to the local agency
40 in return for the collateral.

1 (E) For purposes of this section, the base value of the local
2 agency's pool portfolio shall be that dollar amount obtained by
3 totaling all cash balances placed in the pool by all pool participants,
4 excluding any amounts obtained through selling securities by way
5 of reverse repurchase agreements, securities lending agreements,
6 or other similar borrowing methods.

7 (F) For purposes of this section, the spread is the difference
8 between the cost of funds obtained using the reverse repurchase
9 agreement and the earnings obtained on the reinvestment of the
10 funds.

11 (k) Medium-term notes, defined as all corporate and depository
12 institution debt securities with a maximum remaining maturity of
13 five years or less, issued by corporations organized and operating
14 within the United States or by depository institutions licensed by
15 the United States or any state and operating within the United
16 States. Notes eligible for investment under this subdivision shall
17 be rated in a rating category of "A" or its equivalent or better by
18 an NRSRO. Purchases of medium-term notes shall not include
19 other instruments authorized by this section and shall not exceed
20 30 percent of the agency's moneys that may be invested pursuant
21 to this section. A local agency, other than a county or a city and a
22 county, may invest no more than 10 percent of its total investment
23 assets in the commercial paper and the medium-term notes of any
24 single issuer.

25 (l) (1) Shares of beneficial interest issued by diversified
26 management companies that invest in the securities and obligations
27 as authorized by subdivisions (a) to (k), inclusive, and subdivisions
28 (m) to (q), inclusive, and that comply with the investment
29 restrictions of this article and Article 2 (commencing with Section
30 53630). However, notwithstanding these restrictions, a counterparty
31 to a reverse repurchase agreement or securities lending agreement
32 is not required to be a primary dealer of the Federal Reserve Bank
33 of New York if the company's board of directors finds that the
34 counterparty presents a minimal risk of default, and the value of
35 the securities underlying a repurchase agreement or securities
36 lending agreement may be 100 percent of the sales price if the
37 securities are marked to market daily.

38 (2) Shares of beneficial interest issued by diversified
39 management companies that are money market funds registered
40 with the United States Securities and Exchange Commission under

1 the Investment Company Act of 1940 (15 U.S.C. Sec. 80a-1 et
2 seq.).

3 (3) If investment is in shares issued pursuant to paragraph (1),
4 the company shall have met either of the following criteria:

5 (A) Attained the highest ranking or the highest letter and
6 numerical rating provided by not less than two NRSROs.

7 (B) Retained an investment adviser registered or exempt from
8 registration with the United States Securities and Exchange
9 Commission with not less than five years' experience investing in
10 the securities and obligations authorized by subdivisions (a) to (k),
11 inclusive, and subdivisions (m) to (q), inclusive, and with assets
12 under management in excess of five hundred million dollars
13 (\$500,000,000).

14 (4) If investment is in shares issued pursuant to paragraph (2),
15 the company shall have met either of the following criteria:

16 (A) Attained the highest ranking or the highest letter and
17 numerical rating provided by not less than two NRSROs.

18 (B) Retained an investment adviser registered or exempt from
19 registration with the United States Securities and Exchange
20 Commission with not less than five years' experience managing
21 money market mutual funds with assets under management in
22 excess of five hundred million dollars (\$500,000,000).

23 (5) The purchase price of shares of beneficial interest purchased
24 pursuant to this subdivision shall not include commission that the
25 companies may charge and shall not exceed 20 percent of the
26 agency's moneys that may be invested pursuant to this section.
27 However, no more than 10 percent of the agency's funds may be
28 invested in shares of beneficial interest of any one mutual fund
29 pursuant to paragraph (1).

30 (m) Moneys held by a trustee or fiscal agent and pledged to the
31 payment or security of bonds or other indebtedness, or obligations
32 under a lease, installment sale, or other agreement of a local
33 agency, or certificates of participation in those bonds, indebtedness,
34 or lease installment sale, or other agreements, may be invested in
35 accordance with the statutory provisions governing the issuance
36 of those bonds, indebtedness, or lease installment sale, or other
37 agreement, or to the extent not inconsistent therewith or if there
38 are no specific statutory provisions, in accordance with the
39 ordinance, resolution, indenture, or agreement of the local agency
40 providing for the issuance.

(n) Notes, bonds, or other obligations that are at all times secured by a valid first priority security interest in securities of the types listed by Section 53651 as eligible securities for the purpose of securing local agency deposits having a market value at least equal to that required by Section 53652 for the purpose of securing local agency deposits. The securities serving as collateral shall be placed by delivery or book entry into the custody of a trust company or the trust department of a bank that is not affiliated with the issuer of the secured obligation, and the security interest shall be perfected in accordance with the requirements of the Uniform Commercial Code or federal regulations applicable to the types of securities in which the security interest is granted.

(o) (1) A mortgage passthrough security, collateralized mortgage obligation, mortgage-backed or other pay-through bond, equipment lease-backed certificate, consumer receivable passthrough certificate, or consumer receivable-backed bond.

(2) For securities eligible for investment under this subdivision not issued or guaranteed by an agency or issuer identified in subdivision (b) or (f), the following limitations apply:

(A) The security shall be rated in a rating category of “AA” or its equivalent or better by an NRSRO and have a maximum remaining maturity of five years or less.

(B) Purchase of securities authorized by this paragraph shall not exceed 20 percent of the agency’s surplus moneys that may be invested pursuant to this section.

(p) Shares of beneficial interest issued by a joint powers authority organized pursuant to Section 6509.7 that invests in the securities and obligations authorized in subdivisions (a) to (r), inclusive. Each share shall represent an equal proportional interest in the underlying pool of securities owned by the joint powers authority. To be eligible under this section, the joint powers authority issuing the shares shall have retained an investment adviser that meets all of the following criteria:

(1) The adviser is registered or exempt from registration with the United States Securities and Exchange Commission.

(2) The adviser has not less than five years of experience investing in the securities and obligations authorized in subdivisions (a) to (q), inclusive.

(3) The adviser has assets under management in excess of five hundred million dollars (\$500,000,000).

(q) United States dollar denominated senior unsecured unsubordinated obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development, International Finance Corporation, or Inter-American Development Bank, with a maximum remaining maturity of five years or less, and eligible for purchase and sale within the United States. Investments under this subdivision shall be rated in a rating category of “AA” or its equivalent or better by an NRSRO and shall not exceed 30 percent of the agency’s moneys that may be invested pursuant to this section.

(r) Commercial paper, debt securities, or other obligations of a public bank, as defined in Section 57600.

~~This section shall become operative on January 1, 2026.~~

SEC. 6. Section 11865 of the Public Utilities Code is amended to read:

11865. Vacancies on the board shall be filled as provided in this section:

(a) (1) The remaining board members may fill the vacancy by ~~appointment until appointment. The person appointed to fill the vacancy shall hold office until the person elected at the next district general election that is scheduled 90 or more days after the effective date of the vacancy. vacancy has been qualified and takes office.~~ The appointment shall be made within a period of 60 days immediately subsequent to the effective date of ~~such the~~ vacancy. A notice of ~~such the~~ vacancy shall be posted in three or more conspicuous places in the district at least 15 days before the appointment is made.

~~In~~

(2) In lieu of making an appointment, the remaining members of the board may within 60 days of the vacancy call a special election to fill the vacancy. The person elected at ~~such the~~ special election shall hold office for the remainder of the term in which the vacancy occurred.

(b) If the vacancy is not filled by appointment as provided in *paragraph (1) of subdivision (a)*, or if the board has not called for ~~an a special~~ election within 60 days of the ~~vacancy~~, *vacancy as provided in paragraph (2) of subdivision (a)*, the board of supervisors of the county representing the larger portion of the district area in which the election to fill the vacancy will be held may fill the vacancy by appointment within 90 days of the effective

1 date of the vacancy or may order the district to call a special
2 election to fill the vacancy.

3 (c) If within 90 days of the effective date of the vacancy, the
4 remaining members of the board or the appropriate board of
5 supervisors have not filled the vacancy by appointment and no
6 election has been called for, the district shall call a special election
7 to fill the vacancy.

8 (d) A person elected at an election to fill a position to which an
9 appointment was made pursuant to this section shall take office
10 immediately upon issuance of the certificate of election by the
11 secretary of the district, after qualifying according to law, and shall
12 hold office for the remainder of the term in which the vacancy
13 occurs.

14 SEC. 7. The Legislature finds and declares, with respect to
15 Section 4 of this act, that a special statute is necessary and that a
16 general statute cannot be made applicable within the meaning of
17 Section 16 of Article IV of the California Constitution because of
18 the unique circumstances of the County of Kern. The facts
19 constituting the special circumstances include the need to
20 reorganize the structure and duties of county officers to reduce
21 costs and increase productivity within the county government.

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: April 8, 2025

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager 

FROM: Roberto C. Cortez, Manager of Water Operations 

SUBJECT: Water Supply Update – April 8, 2025

The attached presentation outlines water production, precipitation to date, reservoir storage, and forecasted supply conditions for the remainder of water year 2025 under various hydrology scenarios. A water supply update will be presented at the April 8, 2025 Board meeting.

CCC:RCC:gb

Attachment: Water Supply Update Presentation

I:\SEC\2025 Board Related Items\040825 Board\OMD – Water Supply Update.docx

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Water Supply Update

Board of Directors

April 8, 2025

Roberto C. Cortez, Manager of Water Operations

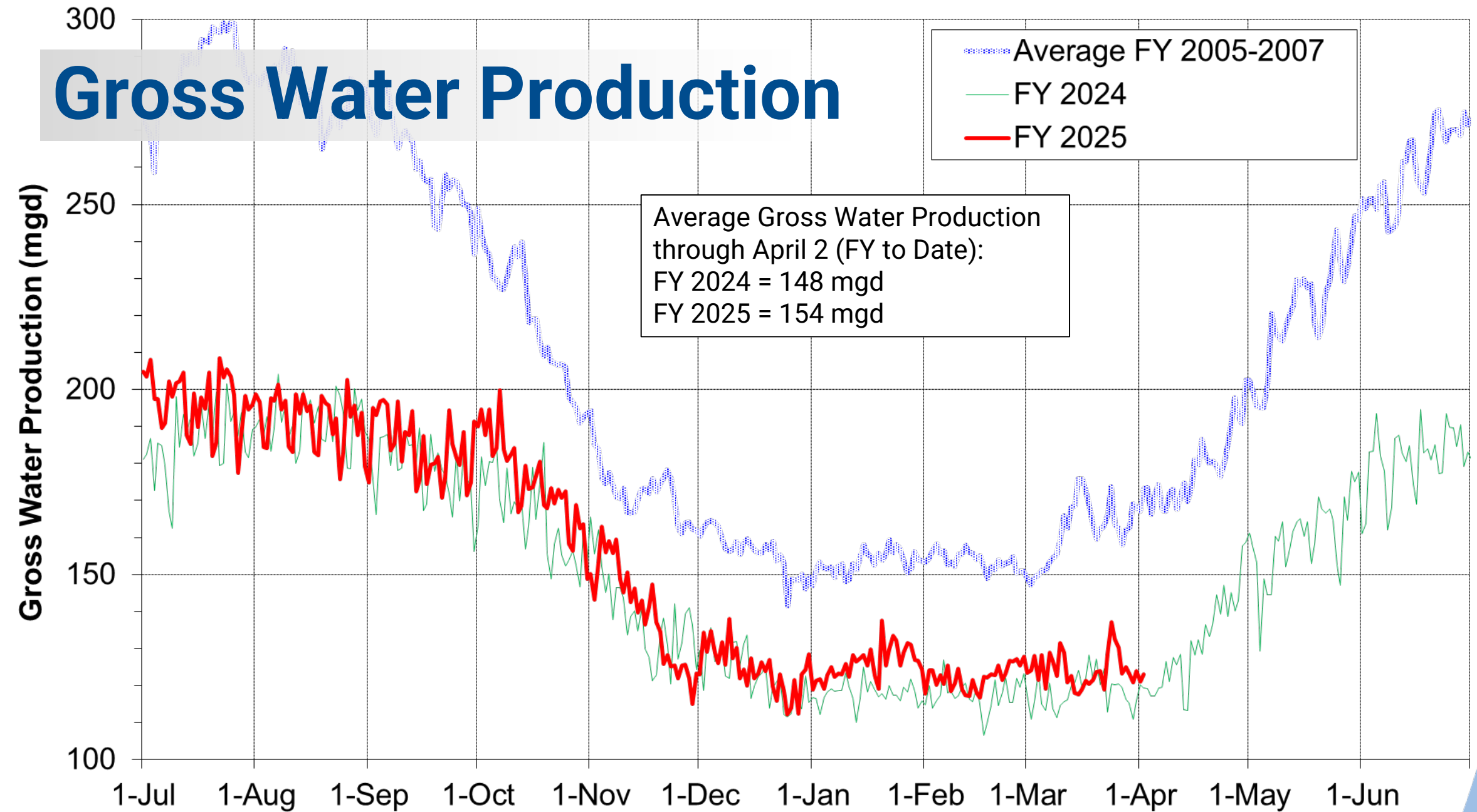
Briefing Topics

- Current Water Supply
- Water Supply Projections

Current Water Supply

A blue-tinted photograph of a river flowing over rocks, with dense trees in the background. The river is in the foreground, with many rocks visible beneath the water. The background is filled with a thick forest of trees.

Gross Water Production



Reservoir Storage

As of 4/2/2025	Current Storage	Percent of Average	Percent of Capacity
Pardee	185,230 AF	99%	91%
Camanche	326,840 AF	109%	78%
East Bay	136,930 AF	99%	91%
Total System	649,000 AF	103%	84%

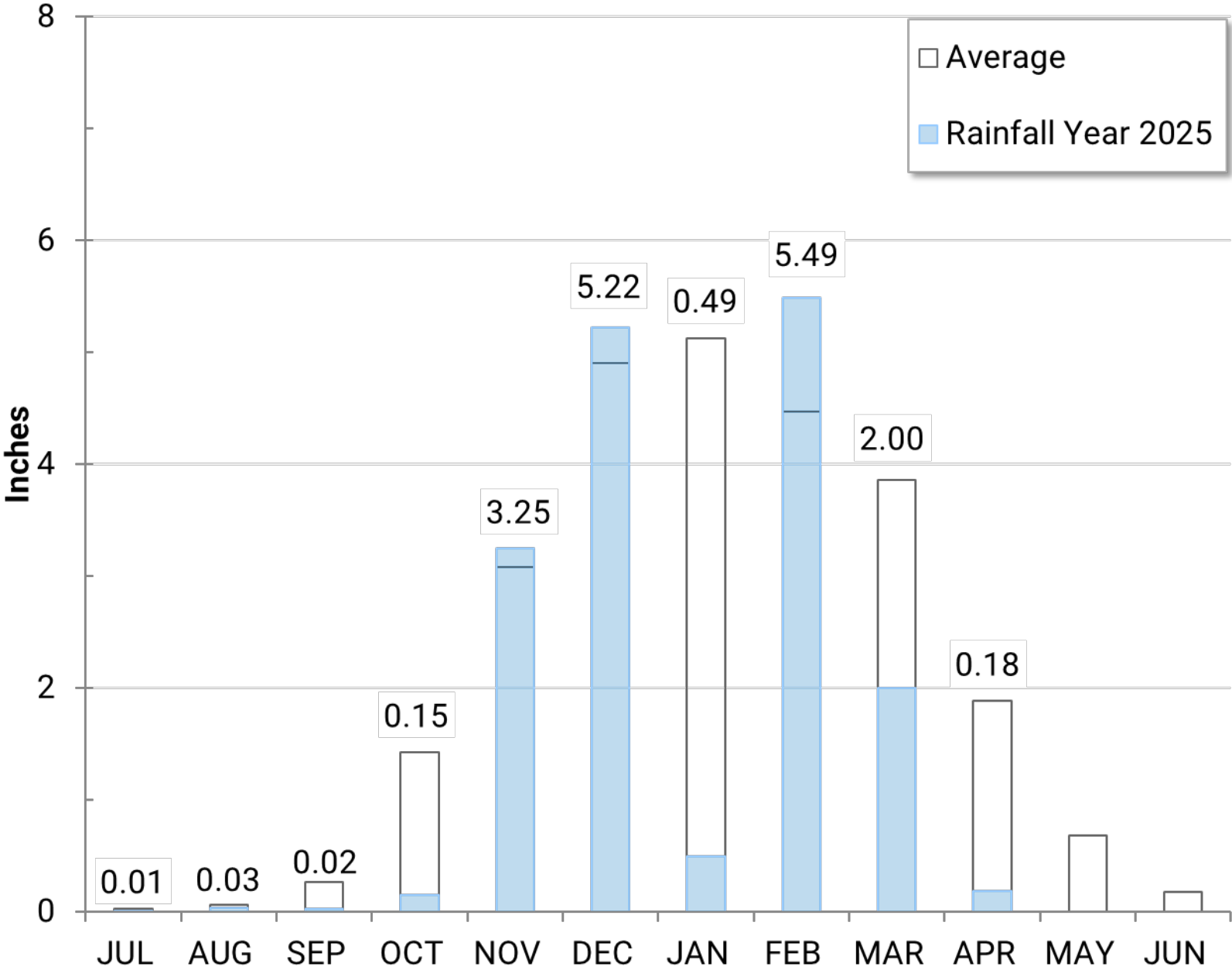
AF: Acre-Feet

Precipitation as of April 2

East Bay: 16.8”
(70% of average)

Weather Station
Details

- USL WTP
- Lafayette Reservoir
- Data collected since 1953

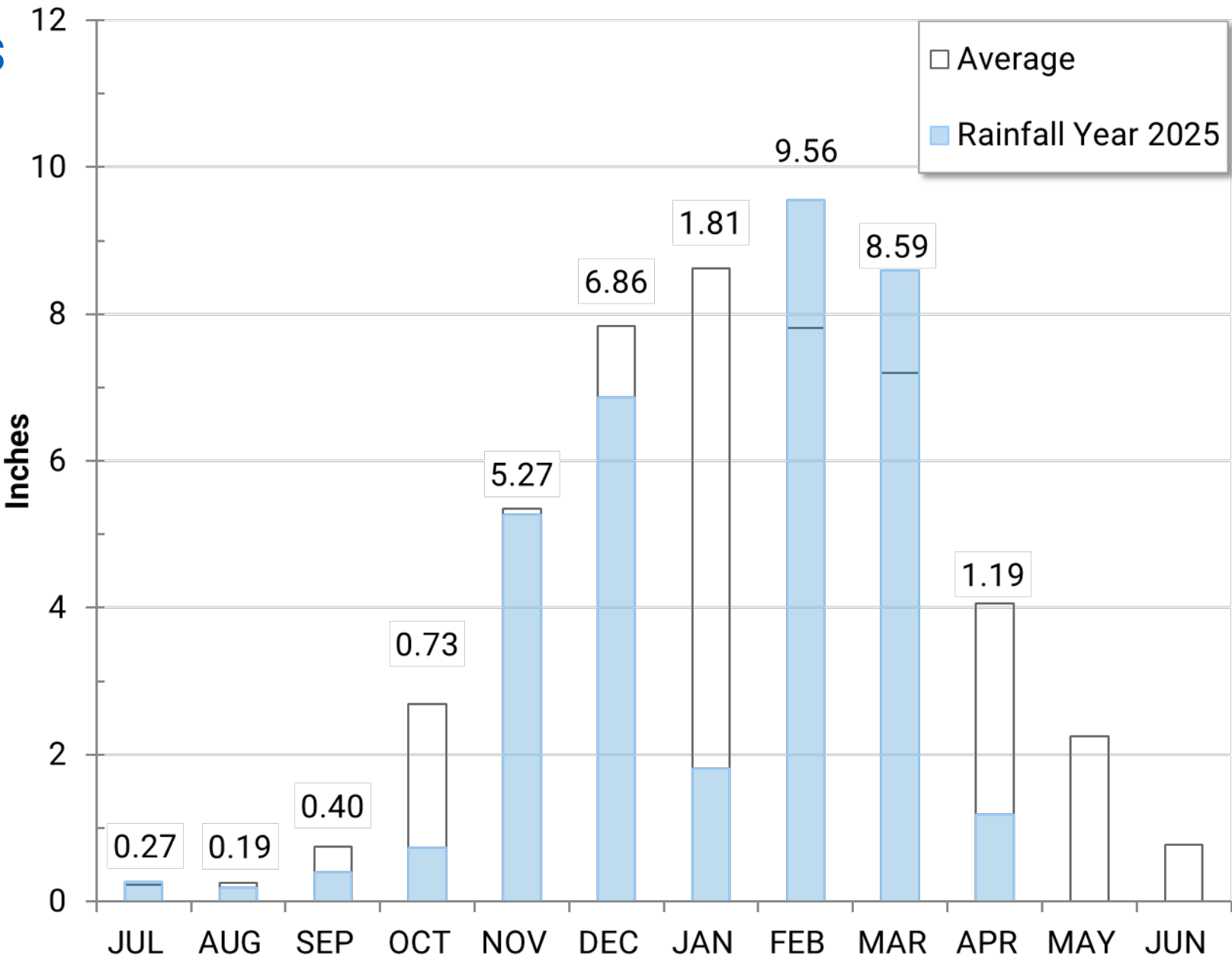


Precipitation as of April 2

Mokelumne: 34.9”
(84% of average)

Weather Station Details

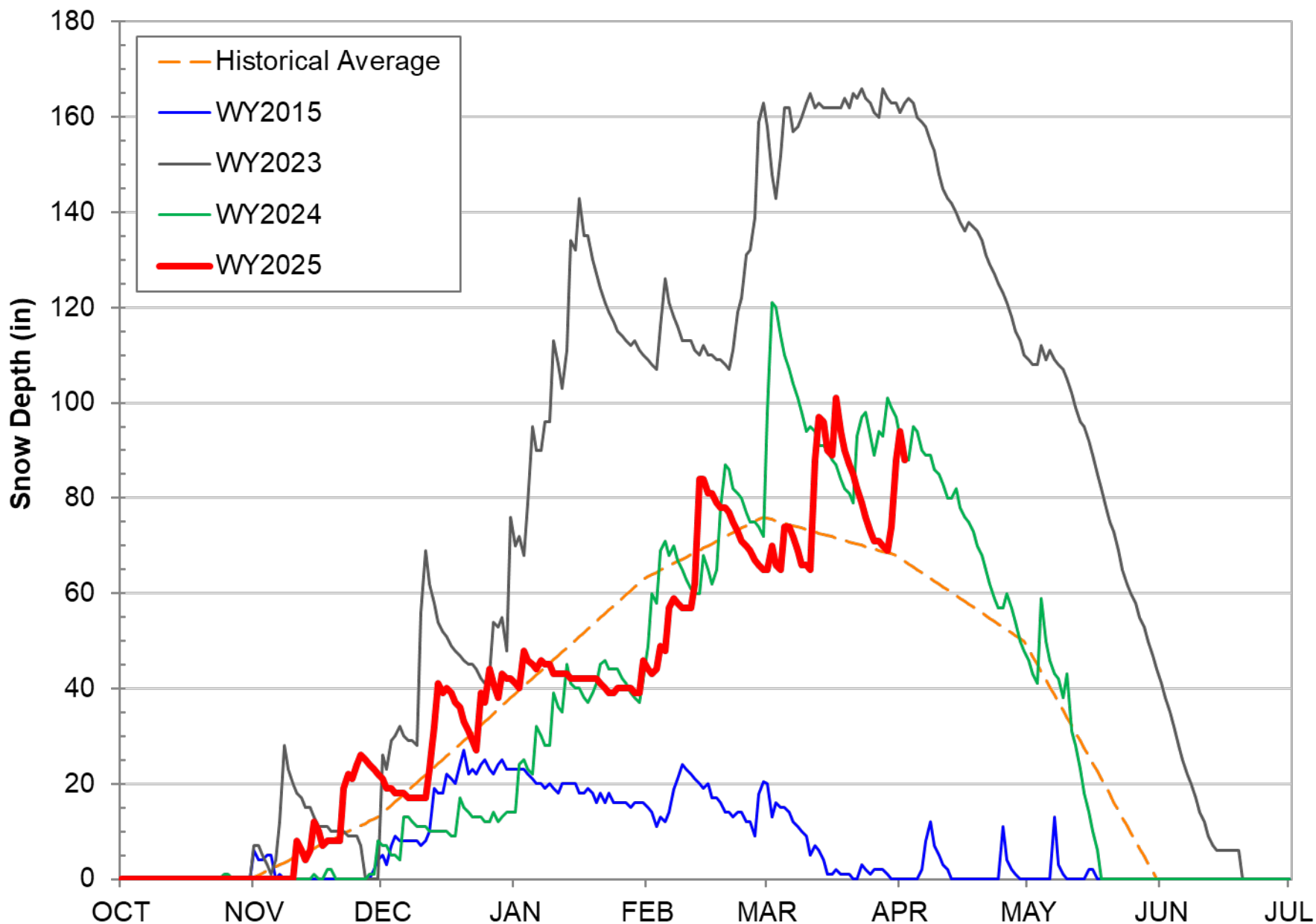
- Calaveras Big Trees
- Caples Lake
- Salt Spring Reservoir
- Tiger Creek Power Station
- Data collected since 1930



Caples Lake Snow as of April 2

Snow Depth – 88”
(132% of average)

Snow Water
Content – 23.9”
(86% of average)





Snowpack as of April 2

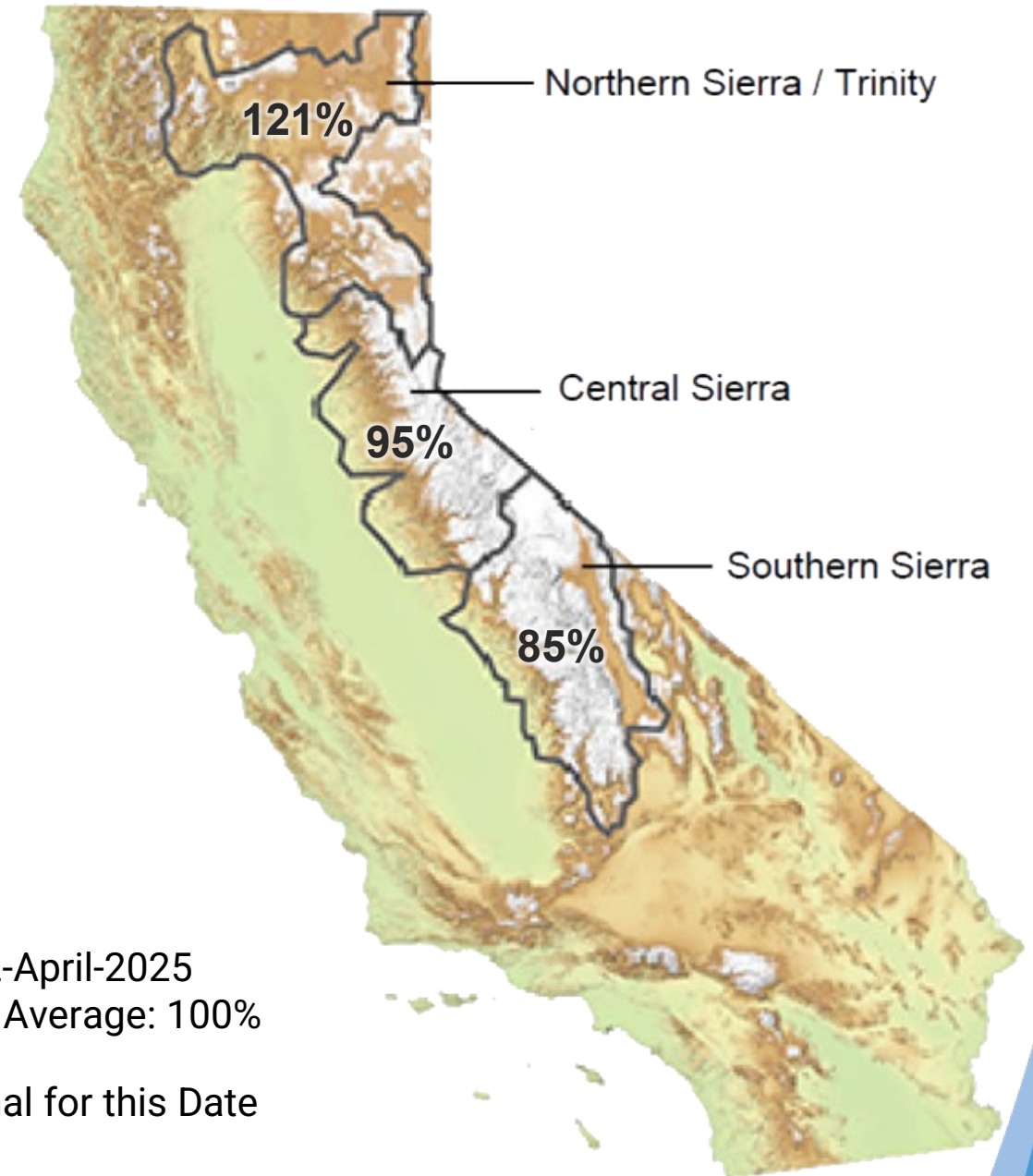
Snow Water Equivalent:

95% of Normal in Central Sierra



Data for: 2-April-2025
Statewide Average: 100%

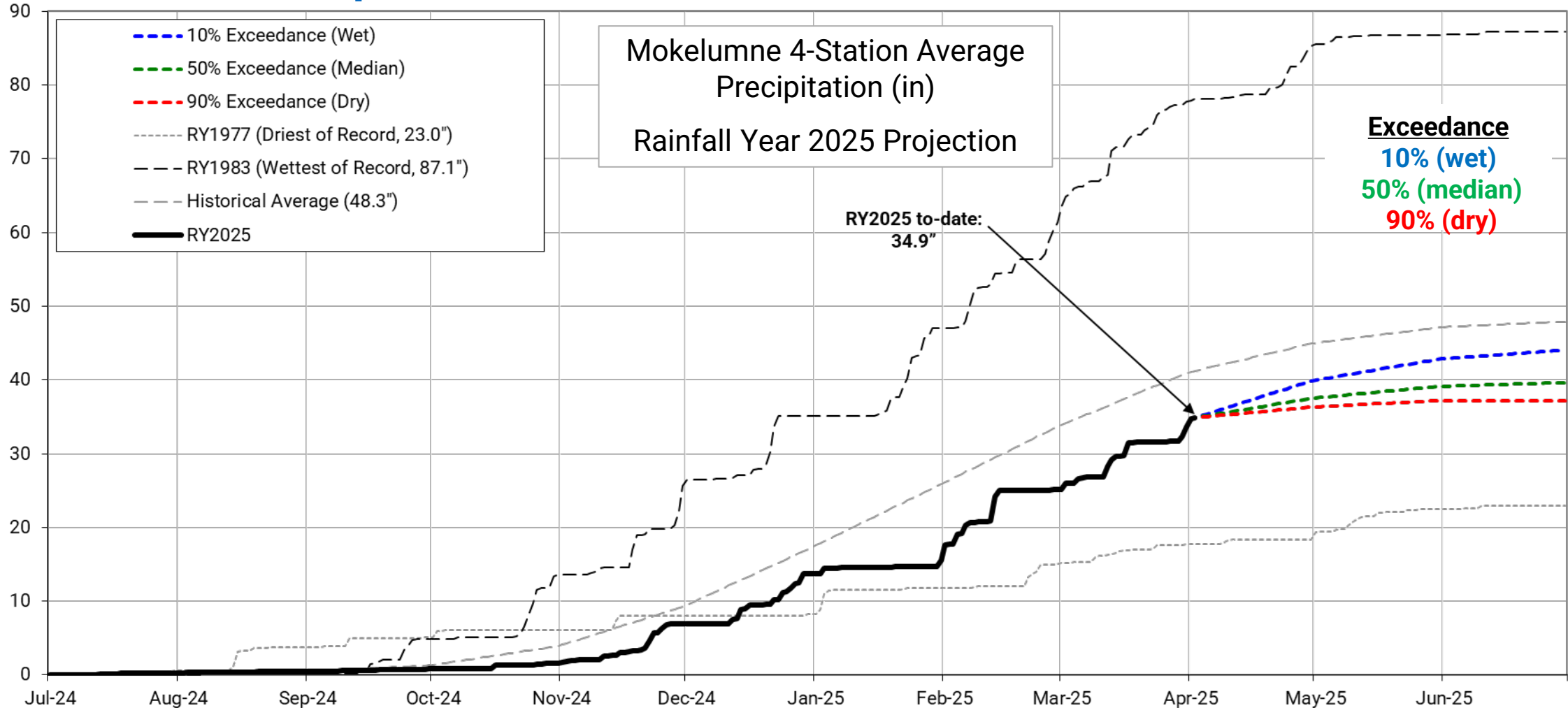
% of Normal for this Date



Water Supply Projections

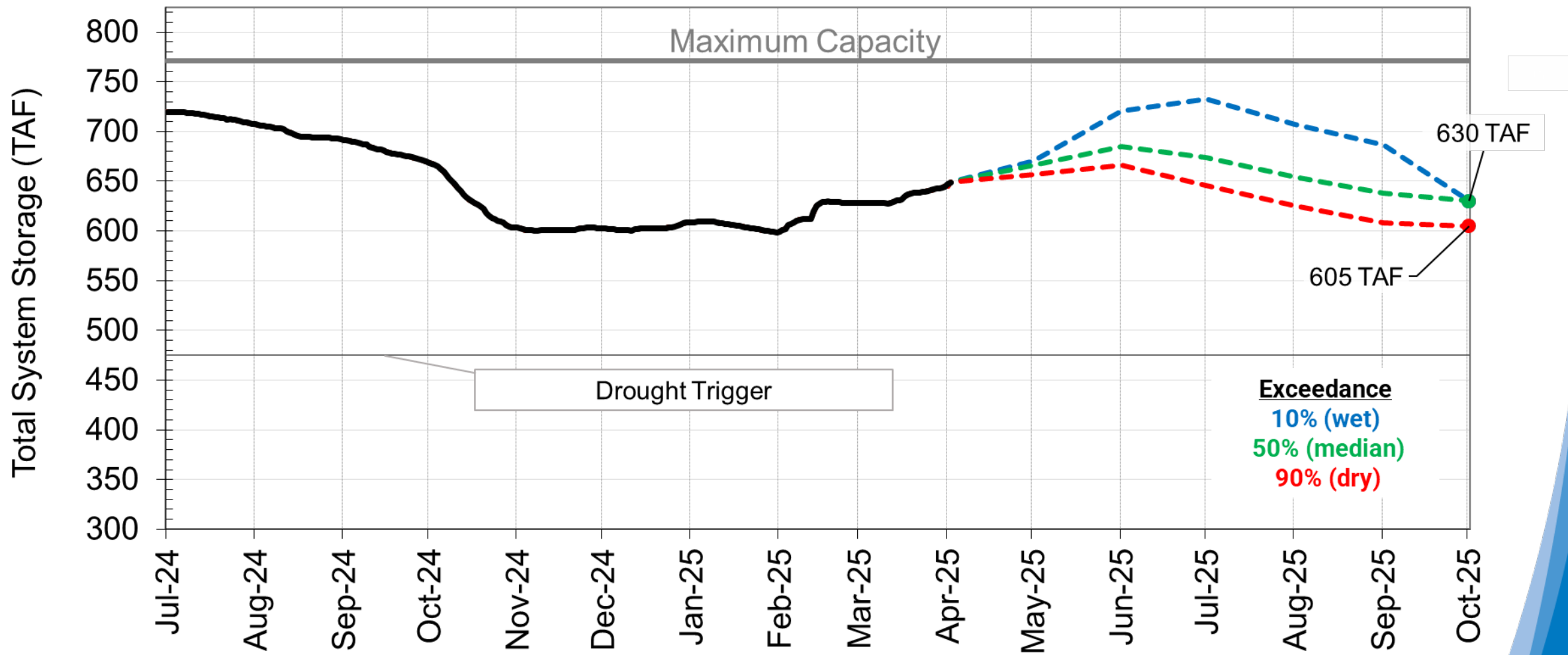
Projected Precipitation

Mokelumne Precipitation Rainfall Year 2025



End of Season Storage

2025 Total System Storage Projections





Questions?



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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: April 8, 2025

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager 

FROM: Kelly A. Zito, Special Assistant to the General Manager 

SUBJECT: Speakers Bureau Topics for 2025

Detailed in the attached Speakers Bureau are the scheduled and anticipated events between April and December 2025, including community gatherings, sponsored events, regular coordination meetings, facility tours, field trips, assemblies, and others. Please review the spreadsheet and contact your respective Community Affairs Representative regarding any changes.

CCC:KAZ:mlf

Attachment: Speakers Bureau

I:\SEC\2025 Board Related Items\040825 Board Agenda Items\PAO-Speakers Bureau Topics-2025.docx

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SPEAKERS' BUREAU and OUTREACH RECORD CY25

Date/Time	Group	Ward	District Speaker/ Attendee	Type	Topics Requested	In-person and/or Virtual
4/1/25 9:00 a.m. - 1:30 p.m.	Sheldon Elementary (El Sobrante)	3	Christine Byrne Kathryn Horn Sydney Lester	Tour/Education	Water Education Field Trip	In-person and virtual
4/1/25 1:30 p.m. - 2:30 pm	City of Hayward Coordination Quarterly Coordination Meeting	5, 7	Engineering/OMD Staff	Coordination	Coordination Meeting	Virtual
4/1/25 6:00 p.m. - 9:00 p.m.	Fairview Municipal Advisory Council Meeting	7	Clifford Chan Sam Feldman Rolando Gonzalez Mona Favorite-Hill	Presentation	Budget and Rates Presentation	In-person
4/1/25 6:00 p.m. - 8:00 p.m.	North Richmond MAC	1	Y'Anad Burrell	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
4/2/25 9:00 a.m. - 10:00 a.m.	Contra Costa County Public Works Quarterly Coordination Meeting	1, 2, 3, 4, 7	Engineering/OMD Staff	Coordination	Coordination Meeting	Virtual
4/2/25 11:00 a.m. - 1:00 p.m.	Ward 4 Briefing	4	Director Katz Clifford Chan Dave Briggs Amit Mutsuddy Mike Tognolini Serge Terentieff	Community Update	Annual community update	In-person
4/2/25 1:30 p.m. - 3:30 p.m.	WWTP School Tour - Albany High	4	WWTP Staff	Tour/Education	Wastewater Treatment Plant Tour	In-person
4/2/25 2:00 p.m. - 3:00 p.m.	City of Oakland Quarterly Coordination Meeting	3, 4, 5, 6,	Engineering/OMD Staff	Coordination	Coordination Meeting	Virtual
4/2/25 4:30 p.m. - 7:00 p.m.	Community Water Academy Day 1, Adeline Maintenance Center (Oakland)	District-wide	Clifford Chan Christine Byrne Kathryn Horn	Tour/Education	Community Water Academy Day 1	In-person
4/3/25 9:00 a.m. - 11:00 a.m.	City of Oakland Monthly Utilities Coordination Meeting	3, 4, 5, 6	Engineering/OMD Staff	Coordination	Coordination Meeting	Virtual

Date/Time	Group	Ward	District Speaker/ Attendee	Type	Topics Requested	In-person and/or Virtual
4/3/25 6:00 p.m. - 7:00 p.m.	EBMUD Community Meeting: Miller Road Soil Storage Site	7	Director Chan Clifford Chan Gus Cicala Rolando Gonzalez	Community Meeting	Public meeting on Miller Rd soil storage site Mitigated Negative Declaration (MND)	Virtual
4/4/25 10:00 a.m. - 11:00 a.m.	Madera Elementary School (El Cerrito)	4	Christine Byrne Kathryn Horn Sydney Lester	Tour/Education	Environmental Detectives School Assembly	In-person
4/5/25 9:00 a.m. - 11:00 a.m.	Water Walk- Lindsay Wildlife Museum at Skyline Gardens	6	Kathryn Horn Christine Byrne	Tour/Education	Water Walk	In-person
4/5/25 10:00 a.m. - 12:00 p.m.	WWTP Public Tour	District-wide	WWTP Staff	Tour/Education	Wastewater Treatment Plant Tour	In-person
4/6/25 10:00 a.m. - 12:00 p.m.	Bay Nature's 2025 Local Hero Awards	District-wide	TBD	Sponsored Event	Annual awards event	In-person
4/8/25 9:00 a.m. - 10:30 a.m.	WWTP Virtual Tour - Crocker Highland Elementary	3	Zoe Lake	Tour/Education	Wastewater Treatment Plant Tour	Virtual
4/8/25 10:00 a.m. - 11:00 a.m.	Del Rey Elementary School (Orinda)	5	Christine Byrne Kathryn Horn Sydney Lester	Tour/Education	Environmental Detectives School Assembly	In-person
4/8/25 6:00 p.m. - 9:00 p.m.	Eden Area Municipal Advisory Council Meeting	7	Director Oddie Sun Kwong Sze Rolando Gonzalez	Community Meeting	Board member introduction	In-person and virtual
4/9/25 9:00 a.m. - 10:00 a.m.	Alameda County & Castro Valley Sanitary District	3, 4, 5, 6, 7	Engineering/OMD Staff	Coordination	Coordination Meeting	Virtual
4/9/25 1:30 p.m. - 3:30 p.m.	WWTP School Tour - Albany High School II	4	WWTP Staff	Tour/Education	Wastewater Treatment Plant Tour	In-person
4/9/25 4:30 p.m. - 7:00 p.m.	Community Water Academy Day 2, Walnut Creek Water Treatment Plant	District-wide	Christine Byrne Kathryn Horn Clifford Chan David Gluchowski	Tour/Education	Community Water Academy Day 2	In-person and virtual

Date/Time	Group	Ward	District Speaker/ Attendee	Type	Topics Requested	In-person and/or Virtual
4/9/25 6:30 p.m. - 8:30 p.m.	Alameda County Mayors Conference (Livermore)	3, 4, 5, 6, 7	Director Chan Sophia Skoda Sam Feldman Mona Favorite-Hill	Presentation	Budget and Rates	In-person
4/10/25 9:00 a.m. - 9:30 a.m.	Woodbridge Irrigation District Board Meeting	Upcountry	Mary Campbell	Coordination	No EBMUD speaker; attendance for networking and community updates	In-person
4/12/25 8:00 a.m. - 2:00 p.m.	City of Orinda Touch a Truck Event	3	Kathryn Horn	Event	Community Event	In-person
4/13/25 11:30 a.m. - 1:30 p.m.	West County Forum	1	Y'Anad Burrell	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person
4/14/25 8:50 a.m. - 10:20 a.m.	Fairmont Elementary School (El Cerrito)	4	Christine Byrne	Tour/Education	Water Education Assembly (Zun Zun)	In-person
4/14/25 6:30 p.m. - 8:30 p.m.	Castro Valley MAC Meeting - Land Use	7	Director Chan Gus Cicala Lon Le Rolando Gonzalez	Community Meeting	Mitigated Negative Declaration (MND) for the Miller Road soil storage site	In-person
4/15/25 9:30 a.m. - 1:30 p.m.	Highland Community Elementary School (Oakland)	6	Christine Byrne Kathryn Horn Sydney Lester	Tour/Education	Water Education Field Trip	In-person
4/15/25 10:30 a.m. - 12:30 p.m.	WWTP School Tour - Berkeley High School	4	WWTP Staff	Tour/Education	Wastewater Treatment Plant Tour	In-person
4/15/25 10:45 a.m. - 11:15 a.m.	Crocker Highlands Elementary School (Oakland)	6	Kathryn Horn Christine Byrne	Tour/Education	Water Education Assembly (Zun Zun)	In-person
4/15/25 6:00 p.m. - 7:00 p.m.	Walnut Creek City Council	2	Director Gómez Joe Voelker	Presentation	Joint Presentation with Contra Costa Water District	In-person
4/16/25 9:00 a.m. - 12:00 p.m.	Alameda County Fire Chiefs Meeting	5	Dave Briggs Kelly Zito Mike Tognolini David Rehnstrom Andrea Pook	Coordination	Coordination on Wildfire Preparedness	Virtual

Date/Time	Group	Ward	District Speaker/ Attendee	Type	Topics Requested	In-person and/or Virtual
4/16/25 4:30 p.m. - 7:00 p.m.	Community Water Academy Day 3, Main Wastewater Treatment Plant (Oakland)	District-wide	Christine Byrne Kathryn Horn Clifford Chan Amit Mutsuddy Zoe Lake	Tour/Education	Community Water Academy Day 3	In-person
4/18/25 7:00 a.m. - 6:00 p.m.	Community Water Academy Day 4, Pardee Dam and Mokelumne Fish Hatchery	District-wide	Christine Byrne Kathryn Horn Clifford Chan Michael Tognolini Roberto Cortez Dillon Cowan Gina Bellingham Scott Hill Mary Campbell	Tour/Education	Community Water Academy Day 4	In-person
4/18/25 TBD	Hoover Elementary School (Oakland)	3	Director Young	Presentation	TK Water Presentation	In-person
4/19/25 1:00 p.m.- 6:00p.m.	Oakland Roots Soccer Club and Alphabet Rockers Earth Day Event	District-wide	Kathryn Horn Christine Byrne	Event	Water on Wheels, Community Event	In-person
4/21/25 6:00 p.m. - 8:00 p.m.	Castro Valley MAC Meeting - General Purpose	7	Director Chan Sophia Skoda Samuel Feldman Rolando Gonzalez	Community Meeting	Budget and Rates	In-person
4/22/25 9:30 a.m. - 1:30 p.m.	Grant Elementary School (Richmond)	7	Christine Byrne Kathryn Horn Sydney Lester	Tour/Education	Water Education Field Trip	In-person
4/23/25 10:00 a.m. - 11:00 a.m.	Maya Lin Elementary School (Alameda)	5	Christine Byrne Kathryn Horn	Tour/Education	Environmental Detectives School Assembly	In-person
4/23/25 10:00 a.m. - 12:00 p.m.	WWTP School Tour - Summit High School (El Cerrito)	4	TBD	Tour/Education	Wastewater Treatment Plant Tour	In-person

Date/Time	Group	Ward	District Speaker/ Attendee	Type	Topics Requested	In-person and/or Virtual
4/23/25 4:30 p.m. - 7:00 p.m.	Community Water Academy Day 5, Berryman Reservoir & Vine St. Pump House (Berkeley)	District-wide	Christine Byrne Kathryn Horn Clifford Chan Sophia Skoda Andrew Lee Derry Moten	Tour/Education	Community Water Academy Day 5	In-person
4/23/25 6:00 p.m. - 8:00 p.m.	Alameda County Unincorporated Services Committee	5, 7	Director Chan Director Oddie Sophia Skoda Sam Feldman Mona Favorite-Hill	Presentation	Budget & Rate Presentation	In-person
4/24/25 8:20 a.m. - 8:50 a.m.	Oxford Elementary (Berkeley)	4	Kathryn Horn Christine Byrne	Tour/Education	Water Education Assembly (Zun Zun)	In-person
4/24/25 8:30 a.m. - 10:00 a.m.	West County Mayors and Supervisors Association Meeting	1	Director Smith Sophia Skoda Sam Feldman Y'Anad Burrell	Presentation	Budget & Rate Presentation	In-person
4/24/25 11:00 a.m. - 12:00 p.m.	City of Richmond	1	Engineering/OMD Staff	Coordination	Coordination Meeting	Virtual
4/24/25 1:30 p.m. - 2:00 p.m.	Rosa Parks Elementary School (Berkeley)	4	Kathryn Horn Christine Byrne	Tour/Education	Water Education Assembly (Zun Zun)	In-person
4/26/25 11:00 a.m. - 4:00 p.m.	City of Berkeley Parks, Recreation and Waterfront Department	4	ESD Staff	Event	Tabling at Berkeley Bay Festival	In-person
4/28/25 2:00 p.m. - 3:30 p.m.	North San Joaquin Water Conservation District	Upcountry	Mary Campbell	Event	Board Meeting	In-person
4/28/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - Land Use	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
4/29/25 9:30 a.m. - 1:30 p.m.	Bridges Academy at Melrose (Oakland)	5	Director Oddie Christine Byrne Kathryn Horn Sydney Lester	Tour/Education	Water Education Field Trip	In-person

Date/Time	Group	Ward	District Speaker/ Attendee	Type	Topics Requested	In-person and/or Virtual
4/29/25 1:00 p.m. - 2:00 p.m.	City of Pinole	1, 3	Engineering/OMD Staff	Coordination	Coordination Meeting	Virtual
4/30/25 10:00 a.m. - 12:00 p.m.	WWTP Tour: Oakland Arena/ Coliseum Staff	District-wide	WWTP Staff	Tour/Education	Wastewater Treatment Plant Tour	In-person
4/30/25 6:00 p.m.- 7:00 p.m.	Water Wednesday: Water Supply	District-wide	Kathryn Horn Christine Byrne	Education	Webinar	Virtual
5/1/25 9:00 a.m. - 11:00 a.m.	City of Oakland Monthly Utilities Coordination Meeting	3, 4, 5, 6	Engineering/OMD Staff	Coordination	Coordination Meeting	Virtual
5/1/25 9:30 a.m. - 11:30 a.m.	WWTP Tour: Laney College Microbiology Class	District-wide	WWTP Staff	Tour/Education	Wastewater Treatment Plant Tour	In-person
5/1/25 6:30 p.m. - 8:30 p.m.	Contra Costa County Mayors Conference (Pleasant Hill)	1, 2, 3, 4, 7,	Director Young Sophia Skoda Sam Feldman Mona Favorite-Hill	Presentation	Budget and Rates	In-person
5/3/25 10:00 a.m. - 12:00 p.m.	WWTP Public Tour	District-wide	WWTP Staff	Tour/Education	Wastewater Treatment Plant Tour	In-person
5/4/25 10:00 a.m. - 5:00 p.m.	23rd Street Merchants Richmond Cinco De Mayo Festival	1	Rolando Gonzalez	Sponsored Event	Water on Wheels, Community Event	In-person
5/4/25 12:30 p.m. - 4:30 p.m.	Interfaith-San Ramon Valley EarthFest 2025 (Danville)	2	Director Gómez Joe Voelker	Sponsored Event	Tabling for Earth Day celebration	In-person
5/6/25 9:30 a.m. - 1:30 p.m.	Crocker Highlands Elementary School (Oakland)	6	Christine Byrne Kathryn Horn Sydney Lester	Tour / Education	Water Education Field Trip	In-person
5/6/25 2:00 p.m. - 3:00 p.m.	City of Albany	4	Engineering/OMD Staff	Coordination	Coordination Meeting	Virtual
5/6/25 5:00 p.m. - 7:00 p.m.	North Richmond MAC	1	Sophia Skoda Y'Anad Burrell	Presentation	Budget & Rate Presentation	In-person and virtual

Date/Time	Group	Ward	District Speaker/ Attendee	Type	Topics Requested	In-person and/or Virtual
5/6/25 7:00 p.m. - 8:00 p.m.	Orinda City Council	3	Sam Feldman Joe Voelker	Presentation	Budget & Rate Presentation	In-person and virtual
5/6/25 6:00 p.m. - 9:00 p.m.	Fairview Municipal Advisory Council Meeting	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
5/7/25 10:00 a.m. - 12:00 p.m.	WWTP School Tour - Summit Middle School El Cerrito	4	WWTP Staff	Tour/Education	Wastewater Treatment Plant Tour	In-person
5/8/25 2:00 p.m. - 3:00 p.m.	City of Emeryville	4	Engineering/OMD Staff	Coordination	Coordination Meeting	Virtual
5/12/25 10:00 a.m. - 12:00 p.m.	WWTP Tour - Laney College Biology Course	5	WWTP Staff	Tour/Education	Wastewater Treatment Plant Tour	In-person
5/12/25 1:30 p.m. - 2:30 p.m.	City of Pleasant Hill	2	Engineering/OMD Staff	Coordination	Coordination Meeting	Virtual
5/12/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - Land Use	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
5/13/25 9:30 a.m. - 1:30 p.m.	Montalvin Elementary School (San Pablo)	1	Christine Byrne Kathryn Horn Sydney Lester	Tour / Education	Water Education Field Trip	In-person
5/13/25 1:00 p.m. - 2:00 p.m.	City of Berkeley	4	Engineering/OMD Staff	Coordination	Coordination Meeting	Virtual
5/13/25 6:00 p.m. - 8:00 p.m.	Eden Area Municipal Advisory Council Meeting	7	Director Oddie Sophia Skoda Samuel Feldman Rolando Gonzalez	Community Meeting	Budget and Rates	In-person
5/14/25 7:30 a.m. - 10:00 a.m.	Alameda County Special Districts Association	3, 4, 5, 6, 7	Y'Anad Burrell Joe Voelker Rolando Gonzalez Sun Kwong Sze	Meeting	No EBMUD speaker; attendance for networking and community updates	In-person

Date/Time	Group	Ward	District Speaker/ Attendee	Type	Topics Requested	In-person and/or Virtual
5/14/25 10:00 a.m. - 12:00 p.m.	WWTP Internal Tour - Water Conservation Group	District-wide	WWTP Staff	Tour/Education	Wastewater Treatment Plant Tour	In-person
5/14/25 1:30 p.m. - 2:30 p.m.	City of El Cerrito	4	Engineering/OMD Staff	Coordination	Coordination Meeting	Virtual
5/14/25 6:00 p.m. - 8:00 p.m.	El Sobrante MAC	3	Sophia Skoda Sam Feldman Joe Voelker	Presentation	Budget & Rate Presentation	In-person and virtual
5/14/25 6:30 p.m. - 8:30 p.m.	Alameda County Mayors Conference (Alameda)	3, 4, 5, 6, 7	TBD	Event	No EBMUD speaker; attendance for networking and community updates	In-person
5/17/25 8:30 a.m. - 12:30 p.m.	EBMUD Resource Fair Contra Costa County	District-wide	Sherilyn Tran Aunquise Morris	Event	County Resource Fair	In-person
5/17/25 9:00 a.m. - 11:00 a.m.	Water Walk- Lindsay Wildlife Museum at San Pablo Reservoir	District-wide	Kathryn Horn	Event	Water Walk	In-person
5/17/25 10:30 a.m. - 12:30 p.m.	Orinda Wildfire Safety and Preparedness Fair	3	Joe Voelker Alberto Mendo	Event	Orinda Wildfire Safety and Preparedness Fair	
5/19/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - General Purpose	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
5/20/25 9:30 a.m. - 1:30 p.m.	Crocker Highlands Elementary School	6	Christine Byrne Kathryn Horn Sydney Lester	Tour / Education	Water Education Field Trip	In-person
5/20/25 12:00 p.m. - 1:30 p.m.	Walnut Creek Rotary	2	Sophia Skoda Sam Feldman Joe Voelker	Presentation	Budget & Rate Presentation	In-person
5/21/25 1:00 p.m. - 2:00 p.m.	City of Piedmont	3	Engineering/OMD Staff	Coordination	Coordination Meeting	Virtual

Date/Time	Group	Ward	District Speaker/ Attendee	Type	Topics Requested	In-person and/or Virtual
5/21/25 6:00 p.m. - 7:00 p.m.	Water Wednesday- Budget and Rates	District-wide	Sophia Skoda Sam Feldman Christine Byrne	Webinar	Budget and Rates Presentation	Virtual
5/22/25 8:30 a.m. - 10:00 a.m.	West County Mayors & Supervisors Meeting	1	Y'Anad Burrell	Information Sharing	No EBMUD speaker; attendance for networking and community updates	In-person
5/22/25 5:30 p.m. - 7:00 p.m.	West Oakland Liaison Group Meeting	5	Director Oddie Sophia Skoda Samuel Feldman Sun Kwong Sze	Community Meeting	Annual update and Budget and Rates Presentation	In-person
5/25/25 - 5/26/25 11:00 a.m. - 6:00 p.m.	San Ramon Art and Wind Festival	2	PAO Staff Dawn Benson	Event	Water on Wheels, Community Event	In-person
5/27/25 9:30 a.m. - 1:30 p.m.	Montalvin Elementary School (San Pablo)	1	Christine Byrne Kathryn Horn Sydney Lester	Tour / Education	Water Education Field Trip	In-person
5/27/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - Land Use	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
5/29/25 3:30 p.m. - 5:30 p.m.	WWTP Tour - American Water Works Association	District-wide	Kevin Jim	Tour/Education	Wastewater Treatment Plant Tour	In-person
6/1/25 11:00 a.m. - 6:00 pm.	Bayfront/Hercules Cultural Festival	1	Kathryn Horn	Event	Water on Wheels, Community Event	In-person
6/3/25 6:00 p.m. - 9:00 p.m.	Fairview Municipal Advisory Council Meeting	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
6/4/25 10:00 a.m. - 11:00 a.m.	El Cerrito Chamber	4	Sophia Skoda Sam Feldman Y'Anad Burrell	Presentation	Budget & Rate Presentation	Virtual
6/5/25 6:30 p.m. - 8:30 p.m.	Contra Costa County Mayors Conference (San Ramon)	1, 2, 3, 4, 7	TBD	Event	No EBMUD speaker; attendance for networking and community updates	In-person

Date/Time	Group	Ward	District Speaker/ Attendee	Type	Topics Requested	In-person and/or Virtual
6/6/25 12:00 p.m. - 2:00 p.m.	Ward 2 Briefing	2	Director Gomez Clifford Chan Sophia Skoda David Briggs Joe Voelker	Community Meeting	Annual update and Budget and Rates Presentation	In-person
6/7/25 11:00 a.m. - 6:00 p.m.	San Leandro Cherry Festival and Parade	7	Director Chan Director Oddie Rolando Gonzalez	Sponsored Event	Water on Wheels, Community Event, Parade	In-person
6/9/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - Land Use	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
6/10/25 6:00 p.m. - 9:00 p.m.	Eden Area Municipal Advisory Council Meeting	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
6/11/25 6:00 p.m. - 9:00 p.m.	Alameda County Mayors Conference (Albany)	3, 4, 5, 6, 7	TBD	Event	No EBMUD speaker; attendance for networking and community updates	In-person
6/15/25 11:00 a.m. - 7:00 p.m.	Berkeley Juneteenth Festival	4	Y'Anad Burrell	Event	Water on Wheels, Community Event	In-person
6/16/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - General Purpose	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
6/23/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - Land Use	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
6/26/25 10:00 a.m. - 12:00 p.m.	WWTP NR Tour – ORIAS UCB Summer Teacher Program	District-wide	WWTP Staff	Tour/Education	Wastewater Treatment Plant Tour	In-person
6/28/25 10:00 a.m. - 12:00 p.m.	WWTP Tour - Conservation Society of CA	District-wide	WWTP Staff	Tour/Education	Wastewater Treatment Plant Tour	In-person
7/1/25 6:00 p.m. - 9:00 p.m.	Fairview Municipal Advisory Council Meeting	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
7/4/25	El Cerrito 4th of July Celebration	4	Director Smith	Event	Community Event, Parade	

Date/Time	Group	Ward	District Speaker/ Attendee	Type	Topics Requested	In-person and/or Virtual
7/4/25 10:00 a.m.	Orinda Fourth of July Parade	3	Director Young	Event	Community Event, Parade	In-person
7/4/25 9:00 a.m. - 12:00 p.m.	Danville Fourth of July Parade	2	Director Gomez	Event	Community Event, Parade	In-person
7/4/25 10:00 a.m.	Alameda Fourth of July Parade	5	Director Oddie	Event	Community Event, Parade	In-person
7/8/25 6:00 p.m. - 9:00 p.m.	Eden Area Municipal Advisory Council Meeting	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
7/9/25 6:00 p.m. - 9:00 p.m.	Alameda County Mayors Conference	3, 4, 5, 6, 7	Y'Anad Burrell Joe Voelker Rolando Gonzalez Sun Kwong Sze	Event	No EBMUD speaker; attendance for networking and community updates	In-person
7/9/2025	AC/CCSDA Annual Joint Meeting	District-wide	TBD	Event	Annual update	In-person
7/14/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - Land Use	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
7/20/25 TBD	Crockett Sugartown Festival	1	PAO Staff	Event	Water on Wheels, Community Event	In-person
7/21/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - General Purpose	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
7/26/25 10:00 a.m. - 6:00 p.m.	Alameda Art and Wine Festival	5	Water Conservation Staff	Event	Water on Wheels, Community Event	In-person
7/28/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - Land Use	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
TBD	Greenbelt Alliance Hidden Heroes Awards	6	TBD	Sponsored Event	No EBMUD speaker; attendance for networking and community updates	In-person
8/7/25 TBD	Contra Costa County Mayor's Conference (Antioch)	4	TBD	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person
8/11/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - Land Use	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual

Date/Time	Group	Ward	District Speaker/ Attendee	Type	Topics Requested	In-person and/or Virtual
8/12/25 6:00 p.m. - 9:00 p.m.	Eden Area Municipal Advisory Council Meeting	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
8/16/25	Water Walk: Estates and Piedmont Reservoir	District-wide	TBD	Tour/Education	No EBMUD speaker; attendance for networking and community updates	In-person
8/18/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - General Purpose	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
8/23/25 - 8/24/25	Oakland Chinatown StreetFest	5	TBD	Sponsored Event	No EBMUD speaker; attendance for networking and community updates	In-person
8/25/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - Land Use	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
TBD	Oakland Chinatown Chamber StreetFest	3, 5, 6	TBD	Sponsored Event Water on Wheels	No EBMUD speaker; attendance for networking and community updates	In-person
TBD	Oakland Pride Parade & Celebration	6	TBD	Sponsored Event	No EBMUD speaker; attendance for networking and community updates	In-person
9/2/25 6:00 p.m. - 9:00 p.m.	Fairview Municipal Advisory Council Meeting	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
9/4/25	Contra Costa County Mayor's Conference (El Cerrito)	4	TBD	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person
9/6/25-9/7/25	Castro Valley Fall Fest	7	TBD	Sponsored Event Water on Wheels	No EBMUD speaker; attendance for networking and community updates	In-person
9/8/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - Land Use	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
9/9/25 6:00 p.m. - 9:00 p.m.	Eden Area Municipal Advisory Council Meeting	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
9/10/25 6:00 p.m. - 9:00 p.m.	Alameda County Mayors Conference	3, 4, 5, 6, 7	Y'Anad Burrell Joe Voelker Rolando Gonzalez Sun Kwong Sze	Event	No EBMUD speaker; attendance for networking and community updates	In-person
9/14/25	Solano Avenue Stroll	4	TBD	Sponsored Event Water on Wheels	No EBMUD speaker; attendance for networking and community updates	In-person

Date/Time	Group	Ward	District Speaker/ Attendee	Type	Topics Requested	In-person and/or Virtual
9/15/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - General Purpose	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
9/17/25	Water Wednesday: Emergency Preparedness	District-wide	TBD	Tour/Education	No EBMUD speaker; attendance for networking and community updates	In-person
9/20/25 - 9/21/25	Lafayette Art and Wine Festival	2	TBD	Sponsored Event Water on Wheels	No EBMUD speaker; attendance for networking and community updates	In-person
9/21/25	Sobrante Chamber Stroll	3	TBD	Sponsored Event Water on Wheels	No EBMUD speaker; attendance for networking and community updates	In-person
9/22/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - Land Use	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
9/23/25	Oakland Ballers "Dia De Los Ballers" Partnership Game	District-wide	TBD	Sponsored Event Water on Wheels	No EBMUD speaker; attendance for networking and community updates	In-Person
9/26/25	Walnut Creek Oktoberfest	2	TBD	Sponsored Event Water on Wheels	No EBMUD speaker; attendance for networking and community updates	In-person
TBD	Greater Richmond Interfaith Harmony Walk	1	TBD	Sponsored Event	No EBMUD speaker; attendance for networking and community updates	In-person
TBD	Oakland State of the City	5, 6	TBD	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person
10/3/25	Pardee BBQ	Upcountry	TBD	Sponsored Event	No EBMUD speaker; attendance for networking and community updates	In-person
10/4/25 - 10/5/25	Oaktoberfest	3, 5, 6	TBD	Sponsored Event Water on Wheels	No EBMUD speaker; attendance for networking and community updates	In-person
10/7/25 6:00 p.m. - 9:00 p.m.	Fairview Municipal Advisory Council Meeting	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
10/8/25 6:00 p.m. - 9:00 p.m.	Alameda County Mayors Conference	3, 4, 5, 6, 7	Y'Anad Burrell Joe Voelker Rolando Gonzalez Sun Kwong Sze	Event	No EBMUD speaker; attendance for networking and community updates	In-person
10/9/25	Contra Costa County Mayor's Conference (Martinez)	4	TBD	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person
10/11/25	Rosie the Riveter Gala	1	TBD	Sponsored Event Water on Wheels	No EBMUD speaker; attendance for networking and community updates	In-person

Date/Time	Group	Ward	District Speaker/ Attendee	Type	Topics Requested	In-person and/or Virtual
10/13/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - Land Use	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
10/14/25 6:00 p.m. - 9:00 p.m.	Eden Area Municipal Advisory Council Meeting	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
10/18/25	Water Walk: Sobrante Water Treatment Plant Tour (Spanish)	District-wide	TBD	Tour/Education	No EBMUD speaker; attendance for networking and community updates	In-person
10/20/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - General Purpose	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
10/25/25	Water Walk: MWWTP Halloween Tour	District-wide	TBD	Tour/Education	No EBMUD speaker; attendance for networking and community updates	In-person
10/27/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - Land Use	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
11/2/2025	The Unity Council, Dia De Los Muertos	6	TBD	Sponsored Event Water on Wheels	No EBMUD speaker; attendance for networking and community updates	In-person
11/6/25	Contra Costa County Mayor's Conference (Danville)	4	TBD	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person
11/6/25 6:00 p.m. - 9:00 p.m.	Fairview Municipal Advisory Council Meeting	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
11/10/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - Land Use	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
11/12/25 6:00 p.m. - 9:00 p.m.	Alameda County Mayors Conference	3, 4, 5, 6, 7	Y'Anad Burrell Joe Voelker Rolando Gonzalez Sun Kwong Sze	Event	No EBMUD speaker; attendance for networking and community updates	In-person
11/13/25 6:00 p.m. - 9:00 p.m.	Eden Area Municipal Advisory Council Meeting	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
11/15/25	Water Walk: Mokelumne Fish Hatchery	District-wide	TBD	Tour/Education	No EBMUD speaker; attendance for networking and community updates	In-person

Date/Time	Group	Ward	District Speaker/ Attendee	Type	Topics Requested	In-person and/or Virtual
11/17/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - General Purpose	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
11/19/25	Water Wednesday: Salmon/Fish Hatchery	District-wide	TBD	Tour/Education	No EBMUD speaker; attendance for networking and community updates	In-person
11/24/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - Land Use	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
12/4/25	Contra Costa County Mayor's Conference (Pinole)	4	TBD	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
12/2/25 6:00 p.m. - 9:00 p.m.	Fairview Municipal Advisory Council Meeting	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
12/8/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - Land Use	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
12/9/25 6:00 p.m. - 9:00 p.m.	Eden Area Municipal Advisory Council Meeting	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual
12/10/25 6:00 p.m. - 9:00 p.m.	Alameda County Mayors Conference	3, 4, 5, 6, 7	Y'Anad Burrell Joe Voelker Rolando Gonzalez Sun Kwong Sze	Event	No EBMUD speaker; attendance for networking and community updates	In-person
12/15/25 6:00 p.m. - 9:00 p.m.	Castro Valley MAC Meeting - General Purpose	7	Rolando Gonzalez	Community Meeting	No EBMUD speaker; attendance for networking and community updates	In-person and virtual

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: April 8, 2025

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager 

FROM: David A. Briggs, Director of Operations and Maintenance 

SUBJECT: Wildfire Preparedness and Response

SUMMARY

Preparing for and responding to wildfires are well-established practices at the District. The District's comprehensive approach encompasses active vegetation management, infrastructure investment, emergency preparedness training, mutual assistance agreements, community coordination, and research. These activities enable the District to operate a resilient water system to support fire suppression while also safeguarding the public and employees. An update on the District's wildfire preparedness and response will be provided at the April 8, 2025 Board meeting.

DISCUSSION

The District's service area includes approximately 27,000 acres of watershed that are bordered by residential communities. Most of these wildland-urban interfaces (WUIs) are in the hills and are designated as "very high" severity zones by CAL FIRE. The East Bay experienced a devastating wildfire in the Oakland Hills Fire in 1991. This experience, and the lessons learned from the recent wildfires in Southern California, have shaped the District's preparedness. These actions are outlined below. Additionally, this memo also outlines the extensive amount of public outreach the District has engaged in since January 2025.

PreventionVegetation Management

The District manages nearly 60,000 acres in the East Bay and Sierra Nevada Foothills to protect water supply and quality. Year-round vegetation management includes construction of fuel breaks, cattle and goat grazing, removal of dead or dying trees, maintenance of fire roads, and use of prescribed fire to treat the land while training firefighters. In the East Bay, the District invests \$2.5 million annually in these activities. Vegetation management is performed on a schedule dictated by local fire code and is usually completed by July before wildfire risk is highest.

In the Mokelumne watershed, which comprises 578 square miles above Pardee Reservoir, the District coordinates forest restoration the Upper Mokelumne River Watershed Authority (UMRWA), a joint powers authority. Member agencies of UMRWA include Alpine County Water Agency, Amador Water Agency, Calaveras County Water District, Calaveras Public Utilities District, Jackson Valley Irrigation District, the counties of Amador, Calaveras and Alpine, and EBMUD. Through UMRWA, the District is helping restore 26,000 acres on U.S. Forest Service lands in the El Dorado and Stanislaus national forests. Restoration of an additional 225,000 acres of forest is planned. These restoration activities lessen the intensity and severity of wildfires in the watershed and consequently reduce water quality impacts by clearing underbrush and thinning overgrown areas.

Hydrant Readiness

The District rehabilitates, replaces, and maintains its infrastructure to store and deliver firefighting water to hydrants when fire agencies need it. Hydrants are typically designed to combat single-structure fires. The District's water distribution system, like other municipal systems, is not designed to maintain flow and pressure when too many hydrants are in use at the same time.

The water distribution system includes about 31,000 public fire hydrants within the 332-square-mile service area. The District repairs or replaces these hydrants as necessary. During Fiscal Year 2025 about 1,000 hydrants will be serviced. Next fiscal year, staff expect to service about 2,500 hydrants. All repairs are coordinated with local fire agencies. Additionally, staff inspects hydrants in high-risk fire zones and reports any access issues to the local fire department and landowners.

Flow tests completed on District hydrants are maintained in a database and shared with local fire agencies. Flow tests are performed by District staff for a fee when requested by a customer. Flow tests may also be performed by local fire agencies who share results with the District for inclusion in the consolidated database.

Hydrant operational status is provided to firefighting personnel through a real-time database. This database shows which hydrants are active and which are out of service due to maintenance. At any given time, fewer than 30 hydrants are out of service. Additionally, fire agencies are notified when reservoirs are out of service during the winter for water quality purposes or during planned outages during construction.

Emergency Coordination

Following the 1991 Oakland Hills Fire, the District helped establish the Hills Emergency Forum, which includes the District, the East Bay Regional Park District, the University of California, the Moraga-Orinda Fire District, Lawrence Berkeley National Laboratory, the California Department of Forestry and Fire Protection, and the cities of Oakland, El Cerrito, and Berkeley. Fire agencies and land managers use the forum to collaborate on wildfire mitigation and response. The forum, which includes agencies like CAL FIRE, the District, East Bay Regional

Park District, U.C. Berkeley, and local cities, meets regularly. One of its accomplishments was the standardization of hydrant fittings for mutual aid access. Separately, the District hosts an annual Fire Forum to coordinate with fire agencies throughout the service area. The Fire Forum meetings typically span a wider range of topics. Finally, the District also participates in the East Bay Wildfire Coalition as a Technical Advisor along with the East Bay Regional Park District.

Response

Operations

Recommendations following the 1991 Oakland Hills Fire led to improvements in electrical power service at pumping plants. These efforts were enhanced in 2019 when the District made additional improvements in response to PG&E Public Safety Power Shutoffs (PSPS) events. Many critical pumping plants now have on-site back-up electrical generators. At other sites, electrical connections have been added to facilitate conversion from line power (PG&E) to a mobile electrical generator when needed.

In the last 20 years the District purchased and actively maintains 37 mobile generators and pumps. Seasonal rental units supplement this equipment. Between 20 and 30 mobile generators and/or pumps are installed seasonally to coincide with PSPS events (typically August to November). This mobile emergency equipment is regularly tested and re-fueled.

Red flag events are declared by the National Water Service when strong winds, low humidity, and warm temperatures occur simultaneously in our service area. When these events occur, reservoirs are filled to maximize water availability for firefighting. Additional watershed patrols are deployed for early detection and quick response to wildfires. Recreational access and certain uses are also restricted including trail closures.

Additionally, when pumping plants and reservoirs are rehabilitated, any coating work performed on exterior surfaces reflects the latest fire code and incorporates fire-resistant materials (metallic or concrete) which have proven highly effective in reducing vulnerability to wildfire (along with vegetation management).

District staff and firefighting personnel remain in constant contact. Fire agencies regularly and directly contact the District's Dispatch Center when their operations require District support – usually for fires with two alarms or higher. Staff also deploy to the scene of a fire to increase water pressure and available supply as directed by fire personnel. On the watershed, District rangers are trained wildland firefighters and assist in fire suppression – often responding first.

The District's five local raw water reservoirs are available to CAL FIRE for supply of aerial firefighting resources. During the Keller Fire in October 2024, which impacted residential neighborhoods and District facilities, Upper San Leandro Reservoir was used to supply CAL FIRE resources and contributed to the rapid containment of the fire.

Mutual Assistance

The District is part of a statewide mutual assistance network and is connected with the California Governor's Office of Emergency Services to provide assistance following natural disasters and other emergencies. This can include mobilizing personnel, equipment, and expertise needed for emergency response and recovery. During the recent fires in Southern California, the District communicated its readiness to assist utilities.

Water System Recovery Expertise

Water systems are prone to contamination during a wildfire when components are damaged or when pipelines de-pressurize. Contamination with organic and inorganic compounds are difficult to remove – even with comprehensive flushing. Re-establishing potable water service in communities following wildfire is often limited by the utility's ability to prevent and remove this contamination from water pipelines. District staff have gained experience from responding to the Camp Fire in Paradise in 2018 and studying other recent urban fires in the western United States. District staff documented these findings in a Water Research Foundation publication: *Post-Wildfire Distribution System Water Quality Impacts and Potential Responses*.

Public Outreach

Staff have conducted numerous briefings with elected officials, fire agency personnel, and the public this year (see attachment). These briefings are additional to other meetings the District routinely conducts with fire agencies. During these briefings, staff shared information about the water system's operations and distribution, reservoir capacities, hydrant functions, pressure zones, vegetation management, mutual assistance and ongoing communications and coordination with local fire agencies. Staff also communicated the limits of the District's water system, noting that a wind-driven fire the size of the ones in Southern California would stress any distribution system and a coordinated effort would be needed to prevent and respond. The District has also responded to numerous customer inquiries regarding individual reservoirs and hydrants.

NEXT STEPS

Staff will continue to meet with communities as requested and will begin to prepare for the upcoming dry season. This outreach includes attendance at community wildfire and safety fairs to talk to the public about wildfire safety and watershed protection. Staff is also monitoring potential legislation or changes in regulations that could impact the water system, including changes to applicable building code or fire code.

CCC:DAB:sd

Attachment: EBMUD Fire Preparedness Outreach Meetings

EBMUD Fire Preparedness Outreach Meetings

Date	Meeting
January 14, 2025	San Ramon Valley Fire Protection District
January 22, 2025	Contra Costa County John Gioia's Office (District 1)
January 23, 2025	Oakland Fire Department
February 21, 2025	Town of Moraga
February 24, 2025	Contra Costa County Fire Protection District
February 27, 2025	East Bay Wildfire Coalition of Governments (including Alameda County, Contra Costa County, City of Berkeley, City of El Cerrito, City of Hercules, City of Oakland, City of Pinole, City of Richmond, Rodeo-Hercules Fire Protection District)
February 27, 2025	California State Senator Tim Grayson's Office (District 9)
March 12, 2025	Contra Costa County Executive Fire Chiefs (including Contra Costa County Fire Protection District, Crockett-Carquinez Fire Department, Moraga-Orinda Fire District, Richmond Fire Department, Rodeo-Hercules Fire Protection District, San Ramon Valley Fire Protection District)
March 14, 2025	California Assemblymember Buffy Wicks Office (District 14)
March 19, 2025	EBMUD Water Wednesday webinar – Wildfire Ready: Building Resilience and Community Safety

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: April 8, 2025

MEMO TO: Board of Directors

FROM: Clifford C. Chan, General Manager 

SUBJECT: Monthly Report – March 2025

HIGHLIGHT

On March 3, an unauthorized spur trail was closed adjacent to a newly discovered golden eagle nest on the San Pablo watershed near Tilden Park. The nest was discovered by a golden eagle researcher with the U.S. Geological Survey on February 28. Nesting golden eagles are sensitive to human disturbance so the unauthorized trail was closed by repairing a hole in the barbed wire fence. Staff will continue to monitor the nest and unlawful access in the area.

WATER SUPPLY

On March 6, staff attended the Eastern Water Alliance (EWA) virtual meeting and responded to questions about future groundwater banking projects between North San Joaquin Water Conservation District, Stockton East Water District and EBMUD. The meeting was focused on methods to estimate evapotranspiration and demands for future EWA agencies' demand management programs. Staff will attend the next quarterly meeting on June 5, 2025 to provide project updates.

On March 6, staff met with the Yuba Water Agency (YWA) and the Contra Costa Water District (CCWD) to discuss extending the three-way water transfer agreement to 2050. Additionally, a two-way agreement with CCWD for sharing spring and summer transfer water was offered by YWA.

On March 7, staff met with the State Water Resources Control Board (SWRCB) and the California Department of Water Resources to discuss the Healthy Rivers and Landscapes Program flow accounting for the Mokelumne River. The meeting was requested by SWRCB to review and discuss potential changes to simplify the method to account for flows into the San Francisco Bay Delta. A follow-up meeting will be scheduled to continue the discussion.

On March 19, staff met with the Bay Area Regional Reliability (BARR) partners to discuss golden mussel studies, abatement, and management and water supply planning approach. BARR partners include Alameda County Water District, Bay Area Water Supply and Conservation District, Contra Costa Water District, EBMUD, Marin Municipal Water District, San Francisco Public Utilities Commission, Santa Clara Valley Water District, and Zone 7 Water Agency. Each agency shared their management approach for golden mussels and provided details on their water supply planning status and approach.

On March 28, the District submitted the East Bay Plain Subbasin Annual Report for Water Year 2024 to the California Department of Water Resources. The annual report is required under the Sustainable Groundwater Management Act to report on the East Bay Plain Subbasin groundwater conditions and implementation status of the Groundwater Sustainability Plan for the past water year.

Precipitation. The East Bay precipitation for March was 2.00 inches (51 percent of average) and the season total was 16.64 inches (70 percent of average). The Mokelumne precipitation for March was 8.59 inches (119 percent of average) and the season total was 33.68 inches (82 percent of average).

Water Releases

Camanche Reservoir. The average rate of Camanche release for March was 333 cfs (288 cfs generation, 6 cfs sluice, and 39 cfs through the hatchery), and the average flow below Woodbridge Dam was 209 cfs, both in accordance with the Joint Settlement Agreement "Normal & Above" water year criteria.

East Bay Reservoirs. Releases were made from Upper San Leandro (USL) Reservoir and Chabot Reservoir in March to maintain the reservoirs within the winter operating storage ranges. The releases from USL Reservoir and Chabot Reservoir averaged 4 cfs and 13 cfs, respectively.

Water Storage

Mokelumne reservoirs storage is 104 percent of average. As of March 31, 2025, Pardee was at 558.4 feet or 98 percent of average, and Camanche was at 222.3 feet or 108 percent of average. Combined Pardee and Camanche reservoir storage was 508,000 acre-feet compared to 523,000 acre-feet last year.

East Bay reservoirs storage is 99 percent of average. As of March 31, 2025, USL was at 459.7 feet or 112 percent of average, San Pablo was at 300.9 feet or 82 percent of average, and Briones was at 574.9 feet or 102 percent of average. Total terminal reservoir storage was 137,000 acre-feet compared to 139,000 acre-feet last year.

Mokelumne Aqueducts and Raw Water Pumping Plants. The average rate of Mokelumne Aqueduct draft for March 2025 was 128 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 March:

	March 2025	March 2024	March 2020	Average of FY 2005-2007
East of Hills	26 MGD	24 MGD	34 MGD	33 MGD
West of Hills	98 MGD	94 MGD	109 MGD	129 MGD
Total	124 MGD	118 MGD	143 MGD	162 MGD
Max Day Production	137 MGD (3/24/2025)	128 MGD (3/18/2024)	168 MGD (3/4/2020)	

Note: Data are all from preliminary daily operational reports and are subject to revision

WATER QUALITY AND ENVIRONMENTAL PROTECTION

In March, seasonal salmonid field monitoring was conducted in the Mokelumne River.

Staff continued to conduct weekly redd surveys, with a cumulative total of 7,195 Chinook salmon redds and 174 Steelhead redds observed as of March 18. Juvenile Chinook salmon outmigration monitoring is ongoing with both rotary screw traps in operation. Through March 20, there were 56,696 naturally produced juvenile Chinook salmon counted in the upstream trap (including weekend estimates) while 1,741 naturally produced juvenile Chinook salmon have been captured in the downstream trap (including weekend estimates). In addition to trap checks, rotary screw trap calibrations were conducted to help provide an estimate of the proportion of natural-origin juvenile Chinook salmon captured. As a result, the current production estimate of juvenile Chinook salmon at the upstream trap is 784,182, while the outmigration estimate of juvenile Chinook salmon at the downstream trap is 38,870.

On March 4 and 6, staff conducted surveys for active nesting eagles in Pardee and Camanche watersheds. Six bald eagles and 10 osprey nests were observed on Camanche Reservoir. Three bald eagles, one golden eagle, and four osprey nests were observed on Pardee Reservoir.

On March 10, the District reported one pH exceedance to West County Wastewater (WCW). The exceedance, in which the pH ranged from 4.4 to 5.0 for up to two minutes and included a discharge of 664 gallons of water, occurred at the Richmond Advanced Recycled Expansion facility at the Chevron Richmond Refinery on March 6. A pH of less than 5.0 is a violation of the wastewater discharge permit issued by WCW. The exceedance was the result of operator error when clean-in-place (CIP) processes were being performed. WCW issued the District a Notice of Violation in response to the pH exceedance that requires the District to act upon the District's suggested corrective actions: reprogram the control system screen for entering set point(s) (to make it clearer what equipment is being controlled), create a pre-start checklist for staff performing CIP processes, and tailgate the changes to the CIP process. The District will provide WCW with a copy of the checklist, as well as a staff sign-in log from the review of checklist and CIP procedures meeting. No fine is associated with this notice of violation.

Between March 17-18, staff conducted Swainson's hawk surveys around Camanche Reservoir and Woodward Island. Three Swainson's hawks were observed in the vicinity of Camanche Hills Hunting Preserve; no Swainson's hawks were observed in the vicinity of the

aqueduct relining project on Woodward Island located in the Sacramento-San Joaquin Delta. The surveys are required by the California Department of Fish & Wildlife Routine Maintenance Agreement.

On March 25, staff attended the virtual Mokelumne River Hatchery Genetics Management Plan (HGMP) coordination meeting. California Department of Fish & Wildlife and District staff are working together to develop a HGMP for Chinook salmon. Next steps include continuing to prepare the document collaboratively, with document completion expected by next year.

All authorized discharges from the Main Wastewater Treatment Plant (MWWTP) were in compliance with the permit limits for the month of March. This is the 307th consecutive month that the MWWTP experienced no exceedances.

The District received no odor reports from the public in March.

INFRASTRUCTURE INVESTMENT

On March 5, the District issued a letter of intent to the U.S. Army Corps of Engineers to initiate the second increment of work for the East Bayshore Recycled Water Project to expand recycled water service within the city of Alameda. Staff will continue to work with the U.S. Army Corps of Engineers on the first increment of work, which includes planning and design of the Oakland-Alameda Estuary Crossing Pipeline Project. This project received federal funding through the Water Resources Development Act.

On March 10, the District received two granular activated carbon filtration units that will address odor complaints from neighbors living near Danville Reservoir in Danville. Installation of the filtration units is scheduled in April as part of the \$18.2 million East of Hills Demolitions and Improvements Project, under Specification 2179.

On March 11, the District and the U.C. Berkeley Center for Smart Infrastructure (CSI) conducted a four-point deflection test on large-diameter earthquake-resistant ductile iron pipe (ERDIP) made by US Pipe. US Pipe's 36-inch diameter TR Xtreme pipe joint was tested. TR Xtreme is the District's stock pipe for 20-inch and smaller ERDIP installations. Analysis of the four-point bending test results are still underway, but preliminary results exceeded the manufacturer's expectations. Full results will likely take a few weeks. The test was remotely viewed by other utilities, including the Los Angeles Department of Water and Power, the Metropolitan Water District of Southern California, and the Tualatin Valley Water District (Oregon).

On March 28, the District submitted the Dam Safety Surveillance and Monitoring Reports (DSSMRs) for the Pardee and Camanche facilities to the Federal Energy Regulatory Commission (FERC). The annual DSSMRs summarize the District's dam safety monitoring, which includes field observations, instrumentation evaluations, and engineering assessments. The reports concluded that the dams are considered safe for continued operation. This finding will be reviewed and approved by FERC.

Design of the Main Wastewater Treatment Plant Oxygen Production Plant (O2 Plant) Rehabilitation Project was completed under SD-428A. The original project was bid under SD-428 and received one bid that was significantly over budget (~\$12 million) and subsequently rejected. The original scope was for improvement to the reliability of the O2 Plant by replacing motors, valves, instruments, and integrating the controls into the distributed controls system. Additional reliability and safety improvements were added to the original project, including replacement of autotransformers and cryogenic piping. The design for the rebid of this project was completed under SD-428A. Construction is expected to be completed in 2028.

Mains repaired in March totaled 50. The attached table lists the mains repaired by staff in March, 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 March, staff conducted 16 environmental education field trips for approximately 770 students as follows:

- On March 3, a total of 150 students from Lodi's Beckman Elementary School, Acampo's Joe Serna Jr Charter School, and Lodi's David Reese Elementary School toured the fish hatchery and habitat.
- On March 7, a total of 15 students from Oakland's 3rd grade Girl Scout Troup toured the San Pablo Reservoir.
- On March 7, a total of 150 students from Lodi's Lois E. Borchardt Elementary School and Stockton's Davis Elementary toured the fish hatchery and habitat.
- On March 10, a total of 150 students from Stockton's Sutherland Elementary School and Stockton's John Muir Elementary School toured the fish hatchery and habitat.
- On March 11, a total of 30 students from Oakland's Redwood Heights Elementary School toured the Lafayette Reservoir and the Walnut Creek Water Treatment Plant.
- On March 13, a total of 150 students from Stockton's Oakwood Elementary School and Stockton's Creekside Elementary School, and Lodi's Lakewood Elementary School toured the fish hatchery and habitat.
- On March 18, a total of 30 students from Oakland's Redwood Heights Elementary toured the Lafayette Reservoir and Walnut Creek Water Treatment Plant.
- On March 19, a total of 40 students from Alameda's Girl Scout Troup and Oakland's Lincoln Elementary School toured either the San Pablo Reservoir or the Administration Building in Oakland.

In March, staff conducted 15 tours of the Main Wastewater Treatment Plant for approximately 400 attendees. Tour participants included students from Skyline High School and Oakland Tech; students from UC Berkeley's Energy and Resources Group and Civil and Environmental Engineering course; CalRecycle Renewable Energy and Climate Change Unit; Alameda County Environmental Health Dept; a public tour for District customers; a reporter from Bay Nature Magazine, and a tour for District staff during Infrastructure Week.

In March, the District participated in seven assemblies for approximately 1,760 students as follows:

Environmental Detectives assemblies presented by the Lawrence Hall of Science provide information on watersheds, conservation, climate change, and pollution prevention.

- March 13, a total of 240 students at Hercules' Lupine Hills Elementary School
- March 18, a total of 190 students at Alameda's Amelia Earhart Elementary School
- March 20, a total of 290 students from Albany's Ocean View Elementary School
- March 21, a total of 420 students from Walnut Creek's Walnut Heights Elementary School

Assemblies led by Zun Zun, an organization that leads musical assemblies on watersheds, conservation, climate change, and pollution prevention on behalf of sponsoring water agencies.

- March 26, a total of 145 at Castro Valley's Palomares Elementary School
- March 27, a total of 145 students at Richmond's Olinda Elementary School
- March 27, a total of 330 students at Oakland's Emerson Elementary School

On March 3, the District held a virtual public meeting for neighbors adjacent to the entrance of the Walnut Creek Water Treatment Plant (WCWTP) to discuss the WCWTP Pretreatment Project. The purpose of the meeting was to provide an update on the project design, construction staging, and radar feedback signs. Staff responded to questions and advised there will be ongoing meetings with the community to provide Project design updates; the next public meeting will be scheduled in June 2025. Approximately 15 people attended.

On March 4, staff attended the Fairview Municipal Advisory Council meeting to learn more about community issues.

On March 6, staff met with the City of Oakland for the Monthly Utilities Coordination meeting. The agencies shared information on current and upcoming work.

On March 10, staff hosted the Lodi Tokay Rotary and conducted a tour of the fish hatchery and habitat. Approximately 20 people attended.

On March 10, staff attended the Castro Valley Municipal Advisory Council Land Use meeting to learn more about the community and issues.

On March 11, staff attended the Eden Area Municipal Advisory Council meeting to learn more about the community and issues.

On March 12, the District hosted a virtual meeting for the Mokelumne River Technical Advisory Committee (MRTAC). The MRTAC is a forum for sharing technical information about the Mokelumne River fishery, habitat restoration actions, and river operations with state and federal agency personnel and river partners. Attendees included California Department of Fish and Wildlife, U.S. Fish & Wildlife Service, California Sportfish Protection Alliance, National Marine Fisheries Service, Woodbridge Irrigation District, and California State Water Resources Control Board. Approximately 30 people attended.

On March 12, staff attended the San Joaquin Farm Bureau Water Committee meeting to learn more about regional issues and to network with stakeholders.

On March 12, staff met with the Contra Costa County Executive Fire Chiefs to discuss coordination on wildfire preparedness.

On March 13, staff met with the City of Orinda for the quarterly coordination meeting. The agencies shared information on current and upcoming work.

On March 13, staff presented at the Woodbridge Irrigation District Board Meeting. The presentation highlighted hydrography. Approximately 20 people attended.

On March 13, staff attended the West County Forum to learn about community issues.

On March 13, staff met with the City of Orinda (City) to review and discuss capital projects in the City as part of an ongoing quarterly coordination meeting. The project status, environmental documentation, and schedules were presented to City staff as an opportunity to share information and receive input early in the planning phase. Staff provided information upcoming and future capital projects and provided responses to questions.

On March 14, staff participated as volunteer judges at the Contra Costa County Science and Engineering Fair in Pittsburg. The District sponsored the Excellence in Water, Wastewater, and the Recycled Water Research awards for middle and high school students and their mentoring science teacher. There was one winning project from a school within EBMUD's service area. The two students responsible for the project, both from Danville's Diablo Vista Middle School, will be invited to the May 13, 2025 Board meeting. Approximately 500 people attended.

On March 15, staff presented on the Mokelumne Watershed Fossil Discovery. The presentation was held at the Mountain Ranch Community Club in Calaveras County. Approximately 60 people attended.

On March 15, staff participated as volunteer judges at the Alameda County Science and Engineering Fair in Hayward. The District sponsored the Excellence in Water, Wastewater, and Recycled Water Research awards for middle and high school students and their mentoring science teacher. Approximately 100 people attended.

On March 17, staff attended the Castro Valley Municipal Advisory Council General Purpose meeting to learn more about community issues.

On March 19, the District hosted a Water Wednesday Webinar. The presentation, Wildfire Ready: Building Community Resilience and Safety, featured City of Piedmont Fire Chief Dave Brannigan, who discussed wildfire preparedness, water supply and fire flow, home hardening and defensible space, and interagency collaboration. Approximately 100 people attended.

On March 20, staff participated in U.C. Berkeley’s World Water Day Event. Staff provided information on District careers, climate change, watersheds, and conservation. Approximately 150 people attended.

On March 20, staff attended the City of Alameda’s State of the City to learn more about community issues.

On March 21, staff attended the Fairmede-Hilltop Neighborhood Council meeting to learn more about community issues.

Between March 21-22, staff participated in the Oakland Wellness Expo at Henry J. Kaiser Center for the Arts in Oakland. Staff provided information on water conservation, drink tap messaging, the customer assistance program, and District careers. The Water on Wheels trailer was present on March 22. Approximately 10,000 people attended.

On March 24, staff attended the Path to Clean Air Community Emissions Reduction Plan Committee Meeting in Richmond. Staff learned about the implementation of the Path To Clean Air Plan.

On March 26, staff attended the Women In Civic Leadership Luncheon to learn about community issues.

On March 26, staff presented at the City of Piedmont’s Local Hazard Mitigation Plan community meeting. The presentation highlighted earthquake-resistant pipe and pipeline replacements. Approximately 20 people attended.

On March 26, staff attended the Emeryville Commerce Connection Mixer to network with stakeholders learn about community events.

On March 27, staff participated in Oakland’s Greenleaf Elementary School career fair. Staff provided information on District careers, climate change, watersheds, and conservation. Approximately 170 people attended.

On March 28, staff attended the Lower Mokelumne River Stewardship Steering Committee meeting. The Committee is a stakeholder group defined in EBMUD’s Joint Settlement Agreement. Staff attends to provide local landowners updates on EBMUD activities in the Mokelumne watershed.

On March 31, staff attended the North San Joaquin Water Conservation District Board meeting to learn more about regional issues and to network with stakeholders.

Media. A press release was sent out on March 13 announcing the release of H2Flow, a music video celebrating water. An updated press release was sent on March 21 on the Alphabet Rockers with a focus on World Water Day and the number of views at that time. The song was featured multiple times on KGO/ABC7 and featured in the Association of California Water Agencies (ACWA) newsletter. The video topped 120,000 views on YouTube in March. A press release was issued on March 21 announcing EBMUD’s request for proposals for the lease of the

former Cal Shakes property; stories ran on local outlets (KCBS, SF Chronicle, SF Gate). Other media coverage included a story on the invasive golden mussel (KCBS); nutrient removal (California Water Environment Association Clean Water Magazine); an EBMUD infrastructure and nutrients wrap-up (Alameda Post); a follow-up story on the fires in Los Angeles raising questions about preparedness in the Bay Area (KCBS); a reference question about fire hydrants in candidate interviews for Oakland Mayor (Oaklandside); a round-up on the current status of water supplies in the Bay Area included EBMUD's storage levels (Mercury News and all Bay Area News Group outlets); note of a road closure cancellation on Sandretto Road at Pardee Reservoir (Ledger Dispatch); and mention of a tour of EBMUD's water distribution operations (Industry Safety and Hygiene News).

Social Media:

Social Platform	Popular Topic	Impression Generation	# Followers	Change Over Last Month
X	Sher-Leak Homes post 1	253	3,850	-3
Facebook	Golden Mussel in Brazil	9, 490	2,534	32
Instagram	Golden Mussel in Brazil	5,786	2,955	100
LinkedIn	Golden Mussel in Brazil	3,754	11,165	169
Nextdoor	H2FLOW World Water Day	8,990		

Staff conducted public outreach to neighbors and interested parties on the following projects:

- Camino Sobrante Phase 2 Pipeline Replacement (Orinda)
- Carter and Arroyo Reservoir Improvements (Moraga)
- East of Hills Facilities Demolition and Improvements (San Ramon, Danville, Alamo)
- Happy Valley Pumping Plant and Pipeline Replacement (Orinda)
- Lafayette Reservoir Tower Seismic Upgrade (Lafayette)
- Lincoln Avenue Pipeline Replacement (Oakland)
- Magellan Drive Pipeline Replacement (Oakland)
- Market Street Cluster Pipeline Replacement (Oakland)
- Mokelumne Aqueduct Recoating (Contra Costa County)
- Orinda Water Treatment Plant Disinfection Improvements (Orinda)
- Reliez Valley Road Pipeline Replacement (Lafayette)
- Tappan Terrace Pipeline Replacement (Orinda)
- Walnut Creek Water Treatment Plant Pretreatment (Walnut Creek)
- Westside Pumping Plant Replacement (Orinda)
- Withers and Reliez Valley Road Pipeline Replacement (Lafayette)

Contract Equity

Contract Equity staff participated in the following customer events and outreach activities:

- March 13 - Statewide Coalition on Diversity Initiative's 2025 California Supplier Diversity Symposium – 350 attendees
- March 19 - Golden State Warriors Franchise Foundation's Small Business Cohort Graduation and Networking Mixer – 100 attendees
- March 20 - Oakland African American Chamber's 2025 Women's History Month Awards Luncheon – 600 attendees
- March 25 - San Joaquin Public Agency Consortium's Contract & Procurement Forum – 200 attendees
- March 26 – University of California's Small & Diverse Business Advisory Council Meeting – 30 attendees
- March 28 – 27th Annual National Coalition of 100 Black Women's Annual Community & Small Business awards Luncheon – 1,000 attendees

Water Conservation

On March 19, staff chaired the Quarter One (Q1), California Water Efficiency Program Board Meeting hosted by Coachella Valley Water District in Palm Desert. The Board meeting included Q1 financial review, discussion on the urban water agencies reporting and data streamlining with Association of California Water Agencies and California Water Data Consortium and began planning the annual 2025 Peer to Peer annual event for industry professionals which the District also sponsors. Approximately 25 people attended.

On March 20, staff participated in the California Water Efficiency Partnership's Plenary at the Coachella Valley Water District in Palm Desert. Staff participated on a panel discussion on Assembly Bill 1572 (non-functional turf ban), an update on low-flow toilets, and the California Energy Commission potential new rulemaking. Presentations were given on Long-term Framework and the Variance Estimator Tool (LTF). The LTF tool is to help guide water utilities to determine if an agency needs to apply for a variance in their data reporting. Approximately 100 people attended.

WORKFORCE PLANNING AND DEVELOPMENT

On March 10, the District received a letter from Cal/OSHA alleging unsafe conditions at the Orinda Water Treatment Plant Disinfection and Chemical Systems Safety Improvements Project. The complaint alleged insufficient lighting in the work area and that the temporary stairs posed a hazard. The District's contractors made improvements to the stairs and lighting and the District submitted a response to Cal/OSHA on March 20.

Between March 17-21, staff attended the Park Ranger Association of California Conference in Reno, Nevada. The conference provided workshop topics including habitat restoration, managing historic sites, trail maintenance techniques, natural resources conservation, ranger safety, and search and rescue awareness.

On March 18, staff attended an Association of State Dam Safety Officials' webinar on Introduction to Computational Fluid Dynamics (CFD) modeling for Dam and Levee Safety.

The webinar focused on the basics of CFD modeling, how to create a CFD model, understanding how to read model results, understanding of when to use CFD modeling, and how to review a CFD model. The District is looking to apply a CFD model in its evaluation of hydraulics at spillways in the East Bay and Mokelumne watersheds.

On March 18, staff attended the California Water Plan Resource Management Strategies Release Webinar presented by the California Department of Water Resources.

The California Water Plan Team provided an overview of the updated resource management strategies that help local agencies and governments manage their water and related resources.

On March 18 and 20, staff received training on the District's Integrated Pest Management Program.

The training provided information on appropriate use of best management practices and avoidance measures to follow and comply with EBMUD's existing permits and appropriate state and federal laws. Approximately 30 people attended.

Staff participated in events/activities that support the District's long-term efforts to develop a diverse pipeline of candidates for future workforce needs and expand collaborative relationships with local partner organizations:

- **On March 6, staff participated in McClymonds High School's College & Career Readiness workshop in Oakland.** Staff provided information on District careers, recruitments, the application process, and internship opportunities, specifically the District's High School Summer Internship program. Approximately 75 people attended.
- **On March 13, staff participated in Rising Sun's Careers & Women in the Trades Day Fair in San Pablo.** Staff provided information on District careers, internships, current and upcoming recruitments, and the application process. Approximately 110 people attended.
- **On March 13, staff participated in De Anza High School's Spring College & Career Fair in Richmond.** Staff provided information on District careers, recruitments, the application process, and internship opportunities, specifically the District's High School Summer Internship program. Approximately 500 people attended.
- **On March 14, staff participated in Alameda County Office of Education's Introduction to Post-Secondary Transition Planning for the Trades in Hayward.** Staff provided information on District careers, recruitments, the application process and internship opportunities, specifically opportunities in the skilled trades and the District's High School Summer Internship program. Approximately 50 people attended.
- **On March 18, staff participated in Oakland Unified School District's Skilled Trades Fair in Oakland.** Staff provided information on District careers, recruitments, the application process, and internship opportunities, specifically the District's HSSI program

and upcoming recruitments for Water Distribution Plumber I and Meter Reader/Mechanic. Approximately 300 people attended.

- **On March 26, staff participated in City College of San Francisco’s Engineering & Construction Management Spring Mixer.** Staff provided information on District careers, upcoming recruitments, and application processes to current students. Approximately 50 people attended.
- **On March 27, staff participated in Alameda County’s Apprenticeship Fair in Hayward.** Staff provided information about District careers, recruitments, the application process, and internship opportunities to high school students and job-seekers, including the upcoming Water Distribution Plumber I and Meter Reader/Mechanic recruitments. Approximately 130 people attended.

Tuition Reimbursement

	March 2025	FY25 Total
# of Employees	10	100
# of Classes	12	130
Total Reimbursed	\$8,356.54	\$122,397.53

Employment Information

	March 2025	FY25 Total
Retirements – Regular	5	55
Retirements – Vested	3	11
Hires/Rehires	10	140
Other Separations	7	64

FINANCIAL STABILITY

The construction contract with OC Jones for the Gilman Interchange Recycled Water Pipeline Project construction requires an increase in the change order contingency. Costs increased due to contaminated soils excavation, overhaul, landfill, and state disposal fees. It is estimated that the change order contingency will need to be raised to 17.33 percent or \$305,010 of the original contract amount of \$1,760,015. EBMUD partnered with Alameda County Transportation Commission (ACTC) and Caltrans to install about 2,500 feet of 12” mortar lined steel recycled water pipeline as part of the Gilman Interchange Improvement Project in Berkeley. A utility agreement was signed between EBMUD and ACTC for this work. Caltrans managed the contract bidding process and construction of the pipeline; however, their scope had no bid item for any hazardous material disposal cost. Caltrans opted to deal with the hazardous materials during the construction phase on a change order basis.

Capital Budget Transfers. In March 2025 there were no capital transfers. Through March 31, 2025, there have been six capital transfers in FY 2025, for a total of \$4.3 million in the Water system and \$7.3 million in the Wastewater system.

The estimated earned revenue from the Main Wastewater Treatment Plant Power Generation Station’s surplus power sales for March is \$47,402. The District sold renewable power and related Renewable Energy Certificates (RECs) to the Port of Oakland. The sale of RECs generated \$17,152 from the Port of Oakland. Earned revenue for FY 2025 to date is estimated at \$525,955 or 131 percent of the total FY 2025 budget of \$400,000.

The estimated earned revenue from Mokelumne power sales for March is \$460,634. The District sold renewable power and related Renewable Energy Certificates (RECs) to Marin Clean Energy (MCE). A total of \$72,151 was generated from REC sales – all from MCE. Resource Adequacy (RA) capacity sales to NRG Business Marketing LLC earned \$55,675. Earned revenue to date through March is estimated at \$8,923,291 or 88 percent of the FY25 budgeted \$10.2 million. Forecasted revenue for FY25 is \$10,846,513 million.

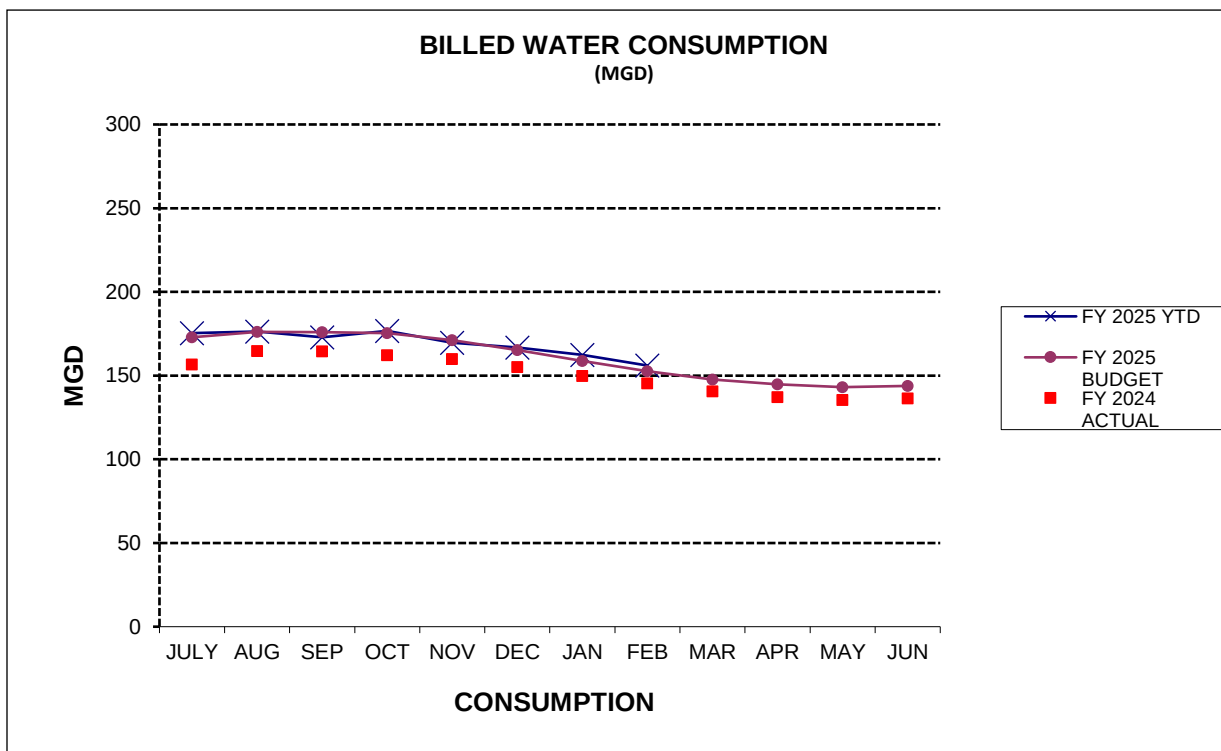
There were no material, supply, or construction contracts from \$80,001 to \$100,000 and one general and professional service agreement from \$30,001 up to \$80,000 approved by the General Manager in March 2025.

VENDOR NAME	DATE AWARDED	CEP STATUS	ITEM (S) PURCHASED	PROJECT	CONTRACT TERM	VALUE
Capstone Fire and Safety Management	3/13/25	Unclassified	Purchase Order No. EBM237834 increased by \$19,861 for confined space emergency rescue services during Lafayette Aqueduct No. 1 repair	N/A	N/A	\$45,537

Water Sales (Consumption)

The following consumption information is the average water consumption in millions of gallons per day (MGD) for the first month of FY25. The budgeted average daily water consumption for FY25 is 143.9 MGD, and 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 FY24 data for the same period of time.

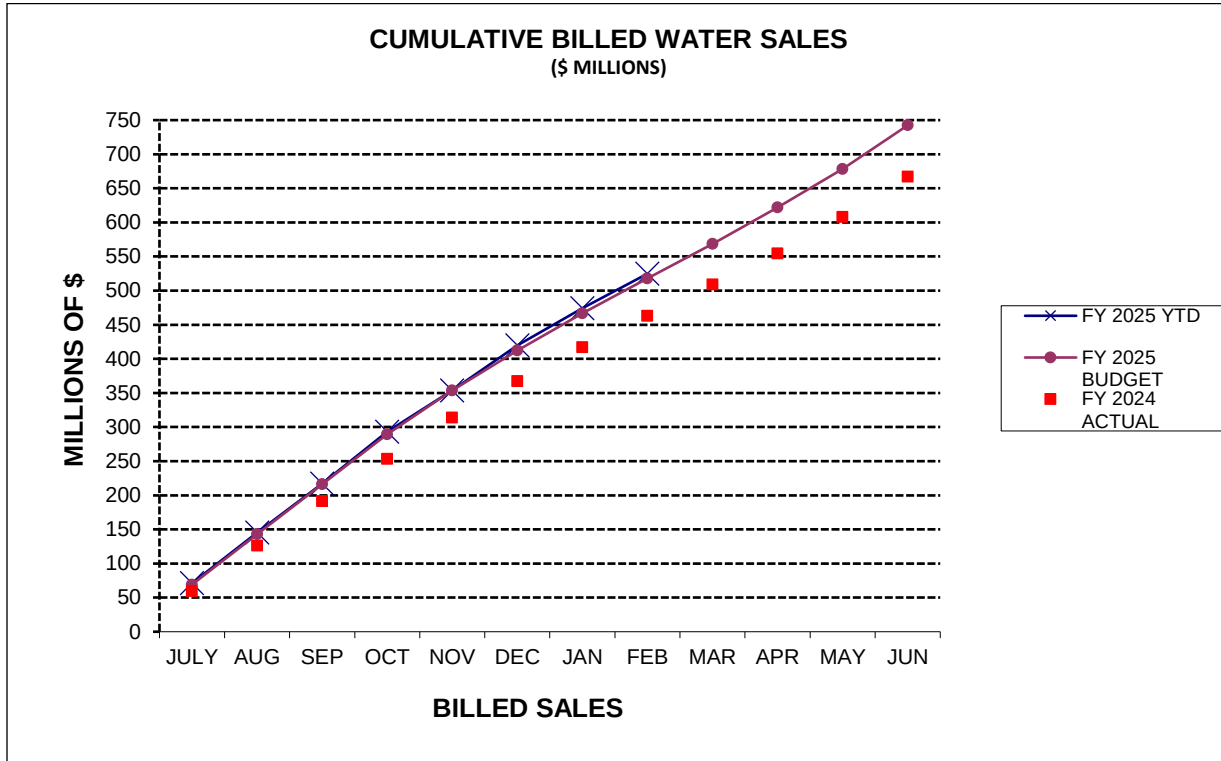
Fiscal Year-to-Date Billed Water Consumption			
Usage Type	FY 2025 (MGD)	FY 2024 (MGD)	Year-over-Year (% change)
Residential	76.4	71.7	6.6%
Commercial	52.9	47.8	10.7%
Industrial	19.9	19.2	3.6%
Public Authority	6.8	6.6	3.0%
Total Billed Water Consumption	156.0	145.3	7.4%



Source: Customer Information System

Water Sales (Revenue)

Water revenues billed through the end of February were \$524.8 million¹ or 13.3% more than the FY 2024 revenue for the same period of \$463.1 million. This increase in water revenues is a result of higher consumption and an 8.5% rate increase (effective July 1, 2024). Total FY 2025 water revenues through February are \$7.1 million (1.4%) more than the budgeted water revenue of \$517.7 million.



Source: Customer Information System

¹ Water sales includes potable and non-potable water sales.

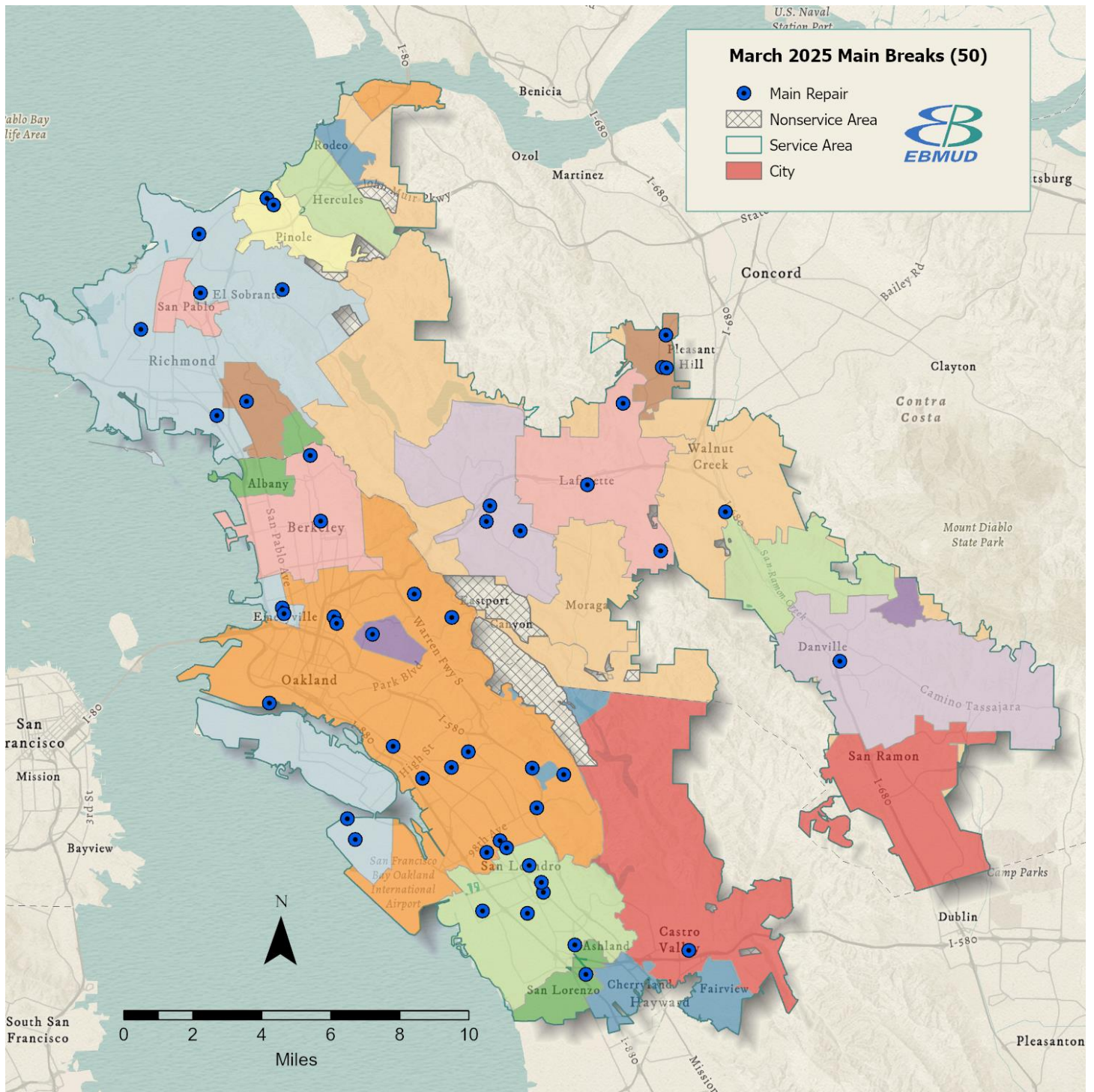
MARCH 2025 MAIN BREAK REPAIRS											
City	Pre	Street	Suf	Ward	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
ALAMEDA		BAYWOOD	RD	5	ASBESTOS CEMENT	6	1978	4,500	3/24/2025	3/24/2025	Y
ALAMEDA		HARBOR	RD	5	ASBESTOS CEMENT	6	1979	1,350	3/22/2025	3/22/2025	Y
ALAMO		CREST	AVE	2	STEEL	8	1963	0	3/20/2025	3/20/2025	Y
BERKELEY		SANTA BARBARA	RD	4	STEEL	6	1931	23,040	2/25/2025	3/4/2025	Y
BERKELEY		UNIVERSITY	AVE	4	CAST IRON	8	1940	36,000	3/24/2025	3/25/2025	Y
CASTRO VALLEY		FOREST	AVE	7	CAST IRON	8	1954	0	3/6/2025	3/6/2025	Y
DANVILLE		WILLOW	DR	2	ASBESTOS CEMENT	6	1964	18,000	3/10/2025	3/10/2025	Y
EL CERRITO		NORVELL	ST	4	CAST IRON	6	1951	10,080	3/6/2025	3/12/2025	Y
EMERYVILLE		45TH	ST	4	CAST IRON	10	1931	180	3/26/2025	3/26/2025	Y
EMERYVILLE		HOLLIS	ST	4	CAST IRON	6	1920	270	3/21/2025	3/21/2025	Y
LAFAYETTE		BICKERSTAFF	RD	2	CAST IRON	4	1945	21,600	3/9/2025	3/13/2025	Y
LAFAYETTE		GABLE	LN	2	CAST IRON	8	1955	1,350	3/15/2025	3/15/2025	Y
LAFAYETTE		GABLE	LN	2	CAST IRON	8	1955	720	3/16/2025	3/17/2025	Y
LAFAYETTE		ROHRER	DR	2	STEEL	16	1965	14,400	3/6/2025	3/7/2025	Y
OAKLAND		52ND	AVE	5	ASBESTOS CEMENT	8	1939	8,640	3/6/2025	3/6/2025	Y
OAKLAND		57TH	AVE	6	CAST IRON	6	1949	1,350	3/16/2025	3/17/2025	Y
OAKLAND		57TH	AVE	6	CAST IRON	6	1938	5,760	3/25/2025	3/28/2025	Y
OAKLAND		103RD	AVE	5	CAST IRON	6	1926	13,500	3/9/2025	3/9/2025	Y
OAKLAND		105TH	AVE	5	CAST IRON	6	1924	0	3/21/2025	3/26/2025	Y
OAKLAND		BROADWAY	TER	3	CAST IRON	6	1951	9,000	3/5/2025	3/6/2025	Y
OAKLAND		GOLF LINKS	RD	6	STEEL	8	1986	0	3/6/2025	3/11/2025	Y
OAKLAND		INTERNATIONAL	BL	6	CAST IRON	6	1924	900	3/10/2025	3/10/2025	Y
OAKLAND		KENTWOOD	CT	6	ASBESTOS CEMENT	6	1976	45,000	3/3/2025	3/4/2025	Y
OAKLAND		MCGURRIN	RD	6	CAST IRON	6	1948	0	2/25/2025	3/10/2025	Y
OAKLAND		MIDDLE HARBOR	RD	5	CAST IRON	10	1933	34,560	3/4/2025	3/11/2025	Y
OAKLAND		OPAL	ST	3	CAST IRON	12	1910	900	3/18/2025	3/18/2025	Y
OAKLAND		PASO ROBLES	DR	3	STEEL	12	1955	0	2/26/2025	3/11/2025	Y
OAKLAND		WEBSTER	ST	3	WROUGHT IRON	14	1926	5,760	3/3/2025	3/6/2025	Y
ORINDA		CAMINO ENCINAS		3	CAST IRON	4	1934	18,000	3/5/2025	3/5/2025	Y
ORINDA		DAVIS	RD	3	CAST IRON	4	1937	9,000	3/5/2025	3/5/2025	Y

***KPI = turn around time to repair the leak**

MARCH 2025 MAIN BREAK REPAIRS											
City	Pre	Street	Suf	Ward	Pipe Material	Pipe Diameter	Year Installed	Est Water Loss (Gal)	Identified On	Completed On	KPI Met?
ORINDA		GLORIETTA	BL	3	CAST IRON	8	1956	0	2/20/2025	3/6/2025	Y
PIEDMONT		BLAIR	AVE	3	CAST IRON	6	1938	11,520	3/17/2025	3/20/2025	Y
PINOLE		BAY VIEW FARM	RD	1	ASBESTOS CEMENT	8	1953	900	3/17/2025	3/17/2025	Y
PINOLE		LAUREL	AVE	1	CAST IRON	6	1953	900	3/21/2025	3/21/2025	Y
PLEASANT HILL		CHARLTON	CIR	2	ASBESTOS CEMENT	4	1952	7,200	3/3/2025	3/7/2025	Y
PLEASANT HILL		PLATO	CT	2	ASBESTOS CEMENT	6	1961	0	3/6/2025	3/6/2025	Y
PLEASANT HILL		SLATER	AVE	2	ASBESTOS CEMENT	8	1965	1,350	3/14/2025	3/14/2025	Y
RICHMOND		HARTNETT	AVE	1	ASBESTOS CEMENT	8	1961	27,000	3/13/2025	3/14/2025	Y
RICHMOND		SANTA RITA	RD	3	ASBESTOS CEMENT	6	1957	900	3/25/2025	3/25/2025	Y
RICHMOND		SHANE	DR	1	ASBESTOS CEMENT	12	1955	27,000	3/5/2025	3/5/2025	Y
RICHMOND		WILLARD	AVE	1	CAST IRON	4	1940	9,000	3/23/2025	3/23/2025	Y
RICHMOND		YARROW	PL	1	STEEL	6	1999	17,280	3/14/2025	3/19/2025	Y
SAN LEANDRO	E	14TH	ST	7	CAST IRON	8	1950	0	3/20/2025	3/25/2025	Y
SAN LEANDRO		ALADDIN	AVE	7	STEEL	16	1954	0	1/28/2025	3/20/2025	Y
SAN LEANDRO		ELSIE	AVE	7	CAST IRON	6	1941	7,200	3/22/2025	3/26/2025	Y
SAN LEANDRO		RAMONA	WAY	7	CAST IRON	4	1941	5,760	3/10/2025	3/13/2025	Y
SAN LEANDRO		SUFFOLK	DR	7	CAST IRON	4	1942	0	3/18/2025	3/18/2025	Y
SAN LEANDRO		WILLIAMS	ST	5	CAST IRON	8	1946	20,160	2/27/2025	3/5/2025	Y
SAN LORENZO		DERMODY	AVE	7	CAST IRON	8	1950	14,400	3/15/2025	3/19/2025	Y
SAN LORENZO		VIA TOLEDO		7	CAST IRON	6	1950	8,640	3/21/2025	3/26/2025	Y
							Total	443,070			

	Non-surfacing leaks discovered by leak detection technologies	4
	Breaks caused by contractors or other agencies	0
	Other main breaks	46
	Total water main repairs	50

**KPI = turn around time to repair the leak*



Board of Directors
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Customer Account Delinquency Information March 2025													
(Data collection began September 1, 2017 - CAP applications processed through Mar 23 25)													
CUSTOMER ASSIST. PROGRAM (CAP) ENROLLMENT	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25 ⁵⁷	Totals (since 9/1/2017)						
New CAP Participants	271	265	292	300	299	180	16,635						
CAP Renewals	193	166	188	191	210	199	16,894						
CAP Departures	388	372	367	363	280	461	24,042						
Total Active CAP Participants w/Active Accounts	10,367	10,499	10,605	10,765	10,866	10,954	-						
PAYMENT PLANS	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Totals (since 9/1/2017)						
Approved Payment Plans	3,294	3,203	3,556	3,544	3,123	2,996	257,640						
SERVICE INTERRUPTIONS - RESIDENTIAL	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Totals (since 9/1/2017)						
15-day Final Collection Notices ⁵¹	17,448	15,162	18,981	15,111	15,125	16,376	1,459,108						
48-hr Service Interruptions Notices ^{3,52}	12,541	10,779	12,268	9,805	10,423	9,279	877,246						
TENANT OCCUPIED - FLOW RESTRICTORS	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Totals (since 9/1/2024)						
Service Interruption Orders/Door Hangers Generated	587			388	657	25	1,070						
Service Interruptions Completed (Flow Restrictor Installed)	144	111	93	158	490	264	1,260						
Number of Flow Restrictors Removed/Service Restored	72	70	63	116	261	263	845						
Flow Restrictors Remain Installed as of End of Month	72	113	143	185	414	415							
OWNER OCCUPIED - SINGLE-FAMILY LIENS	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Totals (since 11/1/2024)						
Liens Filed	-	276	-	190	412	239	841						
Released	-	-	-	22	20	61	103						
Transferred to Alameda Cty.	-	-	-	-	-	-							
Transferred to Contra Costa Cty.	-	-	-	-	-	-							
Total Transactions/Month	-	276	-	212	432	300	944						
FLOW RESTRICTOR TAMPERING	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Totals						
Flow Restrictor Tapered	2	3	-	6	3	8	22						
WATER THEFT	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Totals (since 9/1/2017)						
No. of Incidents	8	3	7	2	-	3	575						
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	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Totals (since 9/1/2017)						
Liens Filed	102	189	26	175	77	95	7,483						
Released	14	340	-	49	12	24	6,520						
Transferred to Alameda Cty.	-	-	-	-	-	-	2,418						
Transferred to Contra Costa Cty.	-	-	-	-	-	-	444						
Total Transactions/Month	116	529	26	224	89	119	16,865						
BAD DEBT - WRITE OFFS ²	Oct 24	Nov 24	Dec 24	Jan 25	Feb 25	Mar 25	Totals (since 9/1/2017)						
Total Referred to Collection Agency	\$584,747	\$457,574	\$611,715	\$625,300	\$330,010	TBD	22,077,823						
Write-Off % to Billed Revenue	0.69%	0.67%	0.81%	1.00%	0.56%	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). ⁵⁷ Report dated 04-01-25. Pending: Final CAP data pending (data processed through 03-23-25). Mar 25 Collection agency totals will be updated in Apr 25. Updates: CAP data updated for Feb 25, Write Off % for Feb 25.													
<i>*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 shutdown as of January 2020. The DNP information will be omitted from this table until the District resumes DNP activities.</i>													
Water Theft													
Water Theft Type/City	Alameda	Alamo	Albany	Berkeley	Castro Valley	Crockett	Danville	El Cerrito	El Sobrante	Emeryville	Hayward	Hercules	Lafayette
Meter	7	1	2	21	5	3	1	2	3	1	9	6	2
Illegal Connection	0	1	0	3	0	0	0	0	0	0	0	0	0
Hydrant	0	0	0	0	0	0	0	0	0	0	0	0	0
Total	7	2	2	24	5	3	1	2	3	1	9	6	2
Water Theft Type/City	Oakland	Orinda	Piedmont	Pinole	Richmond	Rodeo	San Lorenzo	San Leandro	San Pablo	San Ramon	Walnut Creek	Total as of 9/1/2017	
Meter	362	1	2	6	98	7	2	12	7	2	2	564	
Illegal Connection	4	1	0	0	0	1	0	0	0	0	1	11	
Hydrant	0	0	0	0	0	0	0	0	0	0	0	0	
Total	366	2	2	6	98	8	2	12	7	2	3	575	

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