

## MINUTES

**Tuesday, May 13, 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 11:01 a.m. in the Administration Building Boardroom.

### ROLL CALL

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

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

### PUBLIC COMMENT

- Addressing the Board were the following: 1) Dwight George, Assistant Construction and Maintenance Superintendent commented on equity adjustments; 2) Patrick Loosli, Water Distribution Plumber II commented on contract negotiations and equity adjustments; 3) Frederick Saavedra, Water District Plumber III commented on equity adjustments, being injured while on the job, and employee safety; 4) Steven Stanley, Heavy Equipment Operator commented on equity adjustments; 5) Adrian Camacho, Water Distribution Crew Foreman commented on standby pay; 6) John Halseth, Jr. Water Distribution Plumber III commented on contract negotiations and equity adjustments; 7) Robert Collard, Heavy Transport Operator commented on contract negotiations and cost of living; 8) Gilbert Laredo, Water Distribution Crew Foreman commented on contract negotiations and fair and equitable wages; and 9) Eric Larsen, President, AFSCME Local 444 commented on contract negotiations, equity adjustments, incentives for PEPRA members, and standby pay and asked the Board to authorize negotiators to increase the District's wage package.

### ANNOUNCEMENT OF CLOSED SESSION AGENDA

Secretary of the District Rischa S. Cole announced Manager of Employee Services Lisa A. Sorani will attend closed session for Agenda Item 1, in addition to those persons identified on the agenda for Item 1. 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 1:27 p.m. in the Administration Building Boardroom.

## **ROLL CALL**

Directors April Chan, Luz Gómez (remote), 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.

## **ANNOUNCEMENTS FROM CLOSED SESSION**

President Young announced the Board met in closed session earlier to consider a request by the General Counsel to authorize litigation in one matter. All Directors were present, and all Directors voted to authorize the General Counsel to initiate litigation. The action, parties, and other particulars will be disclosed upon inquiry once the action is formally commenced. There were no other announcements required from closed session.

## **PRESENTATIONS**

### **Contra Costa County Science & Engineering Fair Award Winner**

Director Smith announced that for the past twelve years, the District has proudly co-sponsored the “Excellence in Water and Wastewater Research Awards” in Alameda and Contra Costa counties. This year, Adit Anand, an 11th grader from San Ramon won the Award of Excellence for his project, “Using Machine Learning to Detect Water Leaks.” Adit took the opportunity to describe his project and address questions from the Board regarding his methodology and findings. Director Smith congratulated Adit and presented a check and certificate of accomplishment on behalf of EBMUD and the sponsors of the Excellence in Water and Wastewater Research Awards as well as a check on behalf of EBMUD and the sponsors of the Excellence in Water and Wastewater Research Awards to Adit’s teacher, Rae Anne Crandall. The Board congratulated Adit and encouraged him to continue his research.

### **American Society of Civil Engineers 2024 Outstanding Water and Wastewater Treatment Project: San Pablo Reservoir Hypolimnetic Oxygenation System Project**

General Manager Clifford C. Chan announced the District received an award for Outstanding Water/Wastewater Project of the Year for the San Pablo Reservoir Hypolimnetic Oxygenation System which was placed into service in last September. Mr. Chan described the project which addresses the root cause of water quality issues at San Pablo Reservoir by oxygenating the hypolimnion and gives the District a tool to effectively reduce taste and odor events as well as concentrations of dissolved manganese and methylmercury in the reservoir. The project will also help the District manage future droughts by improving raw water quality as well as improve habitat for fish and wildlife that reside in and around the San Pablo Reservoir and its wetlands. The award also recognizes the District’s ability to innovate in its construction projects. He highlighted the project team and acknowledged the following staff in attendance

representing the team: Senior Construction Inspector Jack Alexan, Senior Construction Inspector Faleteine Bell, Associate Civil Engineer Chloe Cheok, Engineering Manager Michael Hartlaub, Assistant Engineer Elaine Horng, Senior Civil Engineer Javier Prospero, Associate Mechanical Engineer Michael Takacs, Director of Engineering and Construction Serge Terentieff, and Associate Electrical Engineer Justin Young. President Young presented the award and the Board congratulated the team on their achievements.

### **BOARD OF DIRECTORS** (Continued)

#### **Proposed action to appoint Interim Vice President pending completion of the investigation into conduct of a District Board Member.**

President Young announced the Board will consider appointing an interim Vice President pending completion of the investigation into one of the Board members. President Young called for public comment.

- Addressing the Board were the following: 1) Lester, Oakland resident, commented on due process and the need for an independent investigation from an outside source; 2) Michelle, Fairview resident and constituent of Director Chan, expressed concern about the accusations, the administrative proceedings and internal investigations; 3) Theo Elpedes, constituent of Director Chan commented on the investigation and that the Board should delay making decisions until the investigations are complete; 4) Tim Ballas, constituent of Director Chan agreed with previous speakers and commented on due process for Director Chan; 6) Chris Moore, Alameda County resident agreed with previous speakers and commented on the need for transparency, his interactions with Director Chan, support for Director Chan to continue as Vice President, and that the Board should delay making decisions until the investigation is complete; 7) Tuan Ngo, commented on the March 27 incident, the proposed action being considered by the Board and its impact on the Asian community, the need for due process, and the community's support for Director Chan; 8) Elizabeth Kenny commented on Director Chan's character, service as a Board member and the community's support, and urged the Board to support Director Chan and to make the investigation independent and public; 9) Benny Lee, commented on a letter he submitted to the Board, the Board's actions to address the March 27 incident during Asian American Heritage month, due process, and support for Director Chan; 10) Chris Miller, Hayward resident expressed support for Director Chan and agreed with the previous speakers; 11) Mary Montgomery commented on support for Director Chan; 12) Lodema Epperson, Hayward resident commented on Director Chan's character, their relationship, and expressed support for her service; 13) Ceta Dochterman, Castro Valley resident commented on Director Chan's character, their relationship and expressed support for her service; 14) Kat Wellman expressed support for Director Chan and questioned the public investigation and due process; 15) Zoya commented on fairness and support for Director Chan; 16) George Wu, Berkeley resident commented on a transparent investigation, allowing Director Chan to continue in her current role, and political retaliation by EBMUD; and 17) Edward Escobar, Citizens Unite and Coalition for Community Engagement commented on due process for Director Chan, the reading of the Asian Pacific Employee Association's Heritage Resolution, and transparency during the investigation.

President Young thanked the speakers for their comments. An external investigation is currently underway to address allegations and conduct concerns, initiated shortly after the last Board meeting and is expected to conclude within the next few Board meetings. President Young noted Director Chan voluntarily extended her suspension as Vice President of the Board, which does not affect her ability to represent

constituents or participate in Board decisions. The investigation is being conducted by an independent firm and does not involve, nor is it being directed by the Board President. The investigation does not pertain to budget allocation matters or the District's previously proposed Quarry Site Restoration project as referenced by some speakers. President Young noted the decision to make the investigation report public may depend on the parties involved and acknowledged potential legal considerations associated with the report's disclosure. The Board will consider appointing an interim Vice President pending the conclusion and findings of the investigation. Director Chan addressed the Board and commented on the Quarry Site Restoration project and the speakers' voicing concern that her actions regarding budget allocations and the project are the cause for retaliation. Director Chan noted she would read letters of support to be entered into the meeting record. President Young recused herself and left the meeting at 2:19 p.m. Immediate Past President Andy Katz (acting as President pro tem in accordance with the Board of Directors Governance Manual) began presiding. He clarified that speaking as an individual, he did not request the item be placed on the agenda and that the Vice President position should remain vacant until the investigation concludes. He proposed the Board continue to leave the Vice President position vacant. He yielded the floor to Director Chan who read from some of the support letters. Following discussion regarding Director Chan reading the remaining support letters, President pro tem Katz called for Board comments and commented Director Chan could resume reading support letters after Board comments and if the Board has not reached consensus regarding next steps. There was extensive Board comment regarding the difficulty of the situation, clarifying the proposed actions are not being considered to remove or silence Director Chan, the public's concern, the Board's established procedures for officer selection and removal, the remarks made about President Young, the investigation coinciding with Asian American Heritage Month, scrutiny received by other Board members from the public regarding this matter, the need to remain impartial and fair, and ensuring a fair process. Director Chan commented concerns about being silenced were due to not being initially designated to read the Asian American Heritage Month statement at the April 22 Board meeting and not related to efforts to remove her from office. President pro tem Katz called for a motion to table the proposed action to appoint an Interim Vice President pending completion of the investigation into conduct of a District Board Member. There was additional Board discussion and comment.

- Motion by Director Lewis, seconded by Director Smith to proceed with appointing an Interim Vice President pending completion of the investigation into conduct of a District Board Member.

There was further Board discussion about the proposed action, the role of the Vice President, Director Chan reading the remaining support letters, the relevance of the discussion regarding the reading of the Asian American Heritage Month statement during the April 22 Board meeting to the investigation, the political sentiment raised, and leaving the Vice President position vacant and allowing the President pro tem to serve as needed.

Director Chan offered a second to President pro tem Katz's comment to leave the Vice President position vacant as the Board has provisions for a President pro tem. President pro tem Katz called for additional comments from the Board. There was additional Board comment regarding the proposed actions, impacts on other members of the community following the March 27 incident, and the reading of the Asian American Heritage Month statement. Director Chan resumed reading the support letters she received. Board members offered additional comment and there was further discussion about today's proceedings, some of the public comments, the proposed actions not being punitive, and a request for a separate discussion regarding the reading of the Asian American Heritage Month statement.

President pro tem Katz called the question. Secretary of the District Rischa S. Cole restated the motion to nominate and appoint an Interim Vice President of the Board of Directors, who shall serve pending the results of investigations, and until such further action as the Board may take at a future meeting. There was no further discussion.

- Motion by Director Lewis, seconded by Director Smith, to nominate an interim Vice President of the Board of Directors carried (4-1) by the following roll call vote: AYES (Gómez, Lewis, Oddie, and Smith); NOES (Chan); ABSTAIN (Katz); ABSENT (Young).

**Motion No. 071-25** – Took action to nominate an interim Vice President of the Board of Directors, who shall serve pending the results of investigations and until such further action as the Board may take at a future meeting.

President pro tem Katz opened the floor for nominations for Interim Vice President of the Board of Directors.

- Motion by Director Lewis, seconded by Director Oddie to nominate Director Luz Gómez as Interim Vice President of the Board of Directors, who shall serve pending the results of investigations, and until such further action as the Board may take at a future meeting. Director Gómez accepted the nomination.

President pro tem Katz called for additional nominations, and none came forward. He called for a motion to close the nominations.

- Motion by Director Smith, seconded by Director Lewis to close the nominations for Interim Vice President of the Board of Directors carried (6-0) by the following roll call vote: AYES (Chan, Gómez, Lewis, Oddie, Smith, and Katz); NOES (None); ABSTAIN (None); ABSENT (Young).

**Motion No. 072-25** – Closed the nomination period for the Interim Vice President of the Board of Directors.

- Motion by Director Oddie, seconded by Director Smith, to nominate Director Luz Gómez as Interim Vice President of the Board of Directors, who shall serve pending the results of investigations, and until such further action as the Board may take at a future meeting carried (5-0) by the following roll call vote: AYES (Gómez, Lewis, Oddie, Smith, and Katz); NOES (None); ABSTAIN (Chan); ABSENT (Young).

**Motion No. 073-25** – Elected Director Luz Gómez as Interim Vice President of the Board of Directors, who shall serve pending the results of investigations and until such further action as the Board may take at a future meeting.

President Young returned and resumed presiding at 3:14 p.m.

- Director Smith left the meeting at 3:16 p.m. and returned at 3:20 p.m.
- Director Chan left the meeting at 3:16 p.m. and returned at 3:21 p.m.

### **PUBLIC COMMENT**

- Addressing the Board was Peter Rosen, Hayward Area Recreation and Park District Director, who commented on running for the Alameda LAFCo Alternate Special District Representative and asked the Board to consider advising the District’s Alameda County Special Districts Association (ACSDA) to vote for him during the election following the May 14 ACSDA meeting.

### **COMMITTEE REPORTS**

- Filed with the Board were the Minutes for the April 22, 2025 Finance/Administration Committee Meeting.
- Director Smith reported the UMRWA Board met on April 25, 2025 and reviewed Board Meeting minutes for January 24, 2025; the Treasurer’s Report; Phase 1 - Forest Projects Plan Implementation Report; Phase 2 - MAC Forest Health and Resilience Project Report; Procurement Policy Amendment; Proposed FY 2026 Budget; Audited Financials - FY 2024 and 2023; Re-setting Regular Board Meeting Schedule; and Legislative Issues Update.
- Director Chan reported the DERWA Board met on April 28, 2025 and received a presentation on DERWA Facilities Energy Evaluation; adopted the Fiscal Year 2025-2026 operating and capital budget; and discussed and provided direction on public outreach activities. An open house for DERWA is tentatively scheduled for September 2025.
- Chair April Chan reported the Planning Committee met earlier and received updates on the Sobrante Water Treatment Plant Reliability Improvements Project and Final Environmental Impact Report; Collaborative Project Delivery – Dewatering Improvements Project; and the Annual Watershed and Recreation Report – 2024.
- Chair Luz Gómez reported the Legislative/Human Resources Committee met earlier and received updates on Legislative Report No. 04-25; Statewide Workforce Development Efforts; and the Diversity, Equity, and Inclusion Strategic Plan.

### **CONSENT CALENDAR**

- Agenda Items 1, 7 and 12 were removed from the Consent Calendar for separate discussion.
  - Motion by Director Gómez, seconded by Director Oddie, to approve the recommended actions for Items 2-6, 8-11, and 13-16 on the Consent Calendar carried (7-0) by the following roll call vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).
1. **Approve the Regular Meeting Minutes of April 8, 2025, Special Meeting Minutes of April 16, 2025, Regular Meeting Minutes of April 22, 2025, and Special Meeting Minutes of May 6, 2025.**

Secretary of the District Rischa S. Cole reported the April 8, 2025 Regular Meeting minutes, originally submitted for approval on April 22, 2025, had been revised as requested by Director Chan. The final version of the April 22, 2025 Regular Meeting minutes will be updated to remove reference to Director Oddie participating in the April 25 Friends of the River event.

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

**Motion No. 086-25** – Approved the Regular Meeting Minutes of April 8, 2025, Special Meeting Minutes of April 16, 2025, Regular Meeting Minutes of April 22, 2025, and Special Meeting Minutes of May 6, 2025.

2. The following correspondence was filed with the Board: **1)** Presentation entitled, “GM Reports on Water and Wastewater Schedules of Rates and Charges, Capacity Charges and Other Fees,” dated May 13, 2025; **2)** Presentation entitled, “Sobrante Water Treatment Plant Reliability Improvements Project Update and Final EIR,” dated May 13, 2025; **3)** Presentation entitled, “Spec 2194 – Lafayette and Walnut Creek Water Treatment Plants Chemical Systems Safety Improvements – Engineering Services During Construction,” dated May 13, 2025; **4)** Speakers’ Bureau and Outreach Record, dated May 13, 2025; **5)** Draft resolution appointing Director of Water and Natural Resources (corrected effective date); **6)** Draft resolution appointing Manager of Natural Resources (corrected effective date); **7)** Email dated May 12, 2025 with two attachments from Ivette Rivera, to Office of the Secretary and Board of Directors regarding For EBMUD Board Of Director May 13, 2025, afternoon meeting: In the spirit of transparency, for members of the public; The EBMUD Board of Directors are currently authorizing litigation related payments to Liebert Cassidy Whitmore for Ivette Rivera v EB...; **8)** Letter (undated) from the Asian Pacific American Democratic Caucus for Director Chan; **9)** Letter (undated) from the Gary for Director Chan; **10)** Letter (undated) from Martina Thomsen for Director Chan; **11)** Letter (undated) from Raymond Trembath for Director Chan; **12)** Letter dated May 12, 2025 from Anne Cawood for Director Chan; **13)** Letter dated May 12, 2025 from Chrissandra Schindler for Director Chan; **14)** Letter dated May 12, 2025 from Christine Margolin for Director Chan; **15)** Letter dated May 12, 2025 from Dublin Mayor Sherry Hu for Director Chan; **16)** Letter dated May 12, 2025 from Maryann Catherine Miller for Director Chan; **17)** Letter dated May 12, 2025 from Michael and Mary Matthews for Director Chan; **18)** Letter dated May 12, 2025 from Oakland Mayor Kevin Jenkins for Director Chan; **19)** Letter dated May 12, 2025 from Paul Wellenkamp for Director Chan; **20)** Letter dated May 12, 2025 from Randal Dutra for Director Chan; and **21)** Handout titled, “Vote for Peter Rosen for Alameda LAFCo Alternate Special District Representative May 2025-May 2028.”
3. **Motion No. 074-25** – Awarded a contract to the lowest responsive/responsible bidder, Guerra Bros. Plumbing, Inc., in an amount not to exceed \$115,920 for the relocation of an existing water meter from a difficult-to-maintain location to the public right-of-way, and the associated installation of a private houseline for 3367 Kim Road in Lafayette.
4. **Motion No. 075-25** – Awarded a contract beginning on or after May 14, 2025 to the lowest responsive/responsible bidder, Hill Brothers Chemical Co., for supplying liquid ammonium sulfate for the District’s Orinda, Lafayette, Sobrante, Upper San Leandro, Walnut Creek, and San Pablo water treatment plants for two years, with three options to renew for additional one-year periods

for a total cost, including option years, not to exceed \$2,627,295 under Request for Quotation No. 2513.

5. **Motion No. 076-25** – Awarded a contract beginning on or after May 13, 2025 to the lowest responsive/responsible bidder, Portable Pipeline Systems, for supplying flexible temporary water distribution hoses for a total cost, after the addition of taxes, not to exceed \$1,074,000, under Request for Quotation No. 2511.
- 6.1. **Motion No. 077-25** – Awarded a contract beginning on or after May 13, 2025, to the lowest responsive/responsible bidder, WHCI Plumbing Supply, for supplying copper tubing to the District for one year, with four options to renew for additional one-year periods for a total cost, after the addition of taxes, including option years, not to exceed \$3,121,172 under Request for Quotation No. 2506.
- 6.2. **Motion No. 078-25** – Approved the fair market bidding and purchase of polyethylene covered copper tubing on the open market for a five-year period beginning May 14, 2025 and ending May 13, 2030 for a total aggregate amount not to exceed \$3,070,578.
7. 1. **Award a contract to the lowest responsive/responsible bidder, Anvil Builders Inc., in an amount not to exceed \$54,647,046 for construction of the Project under Specification 2194.**

Associate Civil Engineer Emily C. Darby provided the presentation which included an overview of the project; the consultant selection process; project complexities; the District's roles and responsibilities; consultant management; cost tracking and controls; a new approach to consultant design; and next steps.

- Addressing the Board was Justin J. Young, Associate Civil Engineer who commented on the new approach to consultant design, contracting with the same consultant for design and engineering services, project costs, staff resolving project issues following consultant design and construction, and the goal to bring awareness about how the District is doing business. Director of Engineering and Construction Serge V. Terentieff commented on the need for the project, the District's goal to bring consistency in operations across all five of its water treatment plants, and the urgency to upgrade the chemical feed systems at the Lafayette Water Treatment Plant. Mr. Terentieff addressed questions from the Board about using the same consultant for design and construction; contracting to update existing facility drawings originally prepared by staff; completing designs using District staff; and the cost to train staff to complete this type of work in the future. Ms. Darby commented on the number of permanent staff that would be needed to complete this multi-year project and that the District does not have resource availability at this time. Staff was asked to provide an update on the new approach to design consultant use/management and to ensure there is collaboration between staff and consultants.
- Motion by President Young, seconded by Director Lewis, to approve the recommended actions for Item 7.1. carried (7-0) by the following roll call vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

**Motion No. 087-25** – Awarded a contract to the lowest responsive/responsible bidder, Anvil Builders Inc., in an amount not to exceed \$54,647,046 for construction of the Lafayette and Walnut

Creek Water Treatment Plants Chemical Systems Safety Improvements Project under Specification 2194.

- 7.2. **Authorize an agreement beginning on or after May 13, 2025 with Stantec Consulting Services, Inc. in an amount not to exceed \$7,106,647 for engineering services during construction for the Lafayette and Walnut Creek Water Treatment Plants Chemical Systems Safety Improvements Project.**
- Motion by Director Young, seconded by Director Lewis, to approve the recommended actions for Item 7.2. carried (7-0) by the following roll call vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).
- Motion No. 088-25** – Authorized an agreement beginning on or after May 13, 2025 with Stantec Consulting Services, Inc. in an amount not to exceed \$7,106,647 for engineering services during construction for the Lafayette and Walnut Creek Water Treatment Plants Chemical Systems Safety Improvements Project.
8. **Motion No. 079-25** – Authorized agreements beginning on or after July 1, 2025 with GSI Environmental Inc. and Terraphase Engineering Inc., for an aggregate amount of \$4,500,000 for three years, with two options to renew for additional one-year periods for a total aggregate amount, including option years, not to exceed \$7,500,000, for general environmental services.
9. **Motion No. 80-25** – Authorized an agreement beginning on or after May 13, 2025 with Insight Water Technologies, Inc. in an amount not to exceed \$429,000 for inspection services for Moraga Aqueduct No. 2 Prestressed Concrete Cylinder Pipeline Inspection.
10. **Motion No. 81-25** – Authorized an agreement beginning on or after May 13, 2025 with Sherwood Design Engineers in an amount not to exceed \$256,000 for final engineering design services for the rehabilitation of the existing wastewater lift station at the Mokelumne River Fish Hatchery.
- 11.1. **Motion No. 82-25** – Authorized amendments to the agreements originally authorized under Board – Motion No. 013-21, with ASK Equipment Rentals; Coast Counties Peterbilt PacLease; Darrah Trucking & Excavating, Inc.; Doc Bailey Construction Equipment Inc.; Gloria Washington Trucking, Inc.; Herc Rentals Inc.; Ibarra Team Construction Services, Inc.; Inder Trucking; JS Cole Company; KJ's Transport LLC; Monticello Trucking LLC; Nor Cal Rental Group dba Cresco Equipment Rentals; Owen Equipment Sales; Pape Machinery Inc.; S&L Transport, LLC; Saba Holding Company LLC dba Volvo Construction Equipment and Services; Sky Rock Inc.; Sunbelt Rentals, Inc.; Tri Valley Water Trucks, Inc.; United Rentals (North America), Inc.; and Western Pacific Crane & Equipment LLC to increase the aggregate amount of those agreements by \$6,000,000 to a total aggregate amount not to exceed \$31,000,000 for equipment rentals without change to the January 11, 2026 expiration date; and authorized additional agreements for equipment rentals, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on May 13, 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.

- 12.1. **Authorize amendments to the agreements previously authorized under Board Motion No. 087-24 with Auto Glass Techs; Autohaus Automotive Inc.; Crash Champions; Walnut Creek Ford; Got Power Inc. dba CD & Power; Doc Bailey Construction Equipment, Inc.; Falcon Collision Repair, Inc.; FH Dailey Chevrolet; Fleetworks, Inc.; Gold Country Auto Body; Golden Gate Truck Center; Grand Collision Center, Inc.; Kelly's Truck Repair; Safeshields dba Maz Glass; Nixon Egli Equipment Co., Inc.; Oakland Chevrolet; Owen Equipment Sales; Pape Machinery, Inc.; Patti's Auto Care, LLC; Peterson Power Systems, Inc.; Stewart's Body Shop, Inc.; United Transmission; Unlimited Tool Repair & Fabrication, Inc.; and Uptown Ford of Oakland to increase the aggregate amount of those agreements by \$1,200,000 to a total aggregate amount not to exceed \$2,030,000 and extend the term of the agreements to May 13, 2026 for vehicle/equipment repair and other related services; and authorize additional agreements for vehicle/equipment repair and other related services, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on May 13, 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 Managers monthly report.**
- Addressing the Board was Tony Martin, 1st Vice President, AFSCME Local 444, commented staffing for mechanics, and the other related services in these agreements being the core work of Local 444 members. General Manager Clifford C. Chan addressed questions from the Board on how much the District has spent on these agreements. Local 444 has informed staff they are not opposing the agreement but has requested additional information about the work being performed under the agreements that can be performed in-house.
- Motion by Director Gómez, seconded by Director Chan, to approve the recommended actions for Items 12.1. – 12.2. carried (7-0) by the following roll call vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

**Motion No. 089-25** – Authorized amendments to the agreements previously authorized under Board Motion No. 087-24 with Auto Glass Techs; Autohaus Automotive Inc.; Crash Champions; Walnut Creek Ford; Got Power Inc. dba CD & Power; Doc Bailey Construction Equipment, Inc.; Falcon Collision Repair, Inc.; FH Dailey Chevrolet; Fleetworks, Inc.; Gold Country Auto Body; Golden Gate Truck Center; Grand Collision Center, Inc.; Kelly's Truck Repair; Safeshields dba Maz Glass; Nixon Egli Equipment Co., Inc.; Oakland Chevrolet; Owen Equipment Sales; Pape Machinery, Inc.; Patti's Auto Care, LLC; Peterson Power Systems, Inc.; Stewart's Body Shop, Inc.; United Transmission; Unlimited Tool Repair & Fabrication, Inc.; and Uptown Ford of Oakland to increase the aggregate amount of those agreements by \$1,200,000 to a total aggregate amount not to exceed \$2,030,000 and extend the term of the agreements to May 13, 2026 for vehicle/equipment repair and other related services; and authorized additional agreements for vehicle/equipment repair and other related services, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on May 13, 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.

- 13.1. **Motion No. 083-25** – Ratified the extension of Purchase Order No. BPA 122-77938-AX and the payment of \$8,297.96 to GRM Information Management Services of San Francisco, LLC (GRM)
- 13.2. for the continuous work of supplying monthly storage and maintenance services for the District's inactive records; and authorized an amendment to Purchase Order No. BPA-122-77398-AX with GRM, to increase the agreement amount by \$80,000, which incorporates the ratified amount from the action above, for a total amount not to exceed \$160,000 to support the continued storage and maintenance of the District's inactive records through June 30, 2030.
- 14.1. **Motion No. 084-25** – Ratified the payments of \$42,800.56 to Admail Express, Inc. (Admail) and – \$47,461.27 to Dakota Press, Inc. (Dakota) for the printing and mailing services of the District's
- 14.2. Proposition 218 rate notification rendered between March 25, 2025, and April 17, 2025; and authorized agreements with an effective date on or after March 25, 2025, with Admail and with Dakota in an aggregate amount not to exceed \$90,261.83 for printing and mailing services of the District's Proposition 218 rate notifications.
15. **Motion No. 085-25** – Authorized the Office of General Counsel to continue the employment of the firm of Barboza & Associates for specialized investigative services and mediation and facilitation services relating to Equal Employment Opportunity workplace investigations in an additional amount not to exceed \$75,000.
16. **Resolution No. 35447-25** – Confirming Appointment Of Standby Officer For The East Bay Municipal Utility District Board Of Directors For Ward No. 6 Under The Emergency Succession Plan For The Board Of Directors.

#### **DETERMINATION AND DISCUSSION**

##### **17. Appoint the Director of Water and Natural Resources.**

General Manager Clifford C. Chan announced Alice E. Towey as the candidate for appointment to the position of Director of Water and Natural Resources and highlighted Ms. Towey's background, education and experience.

- Motion by President Young, seconded by Director Smith, to approve the recommended actions for Item 17 carried (7-0) by the following roll call vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

Ms. Towey thanked the Board for the opportunity and acknowledged the General Manager and outgoing Director of Water and Natural Resources Michael T. Tognolini.

**Resolution No. 35448-25** – Appointing Alice E. Towey As Director Of Water And Natural Resources (*effective May 19, 2025*).

##### **18. Appoint Manager of Natural Resources.**

General Manager Clifford C. Chan announced Michelle L. Workman as the candidate for appointment to the position of Manager of Natural Resources and highlighted Ms. Workman's background, education and experience.

- Motion by Director Oddie, seconded by President Young, to approve the recommended actions for Item 18 carried (7-0) by the following roll call vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

**Resolution No. 35449-25** – Appointing Michelle L. Workman As Manager Of Natural Resources (*effective May 19, 2025*).

Ms. Workman thanked the Board and the General Manager for the opportunity.

19. **Legislative Update.**

General Manager Clifford C. Chan announced the Legislative/Human Resources Committee met earlier and unanimously supported the recommended positions in the report. Manager of Legislative Affairs Kathy Viatella reviewed Legislative Report No. 04-25. AB 1153 (Bonta) would revise CalRecycle’s Solid Waste Disposal and Codisposal Site Cleanup Program to additionally include removal and disposal of recreational vehicles; development of enforcement strategies; and development of local enforcement teams and illegal dumping enforcement officers. H.R. 1871 (Huffman) would amend the Internal Revenue Code to make rebates for water conservation, stormwater management, and wastewater management measures exempt from federal taxes. This would align the tax treatment of these rebates with those already in place for energy conservation improvements. H.R. 2269 (McClain) and S. 1092 (Merkley), collectively known as the WIPPES Act, would create a national standard for labeling nonflushable wipes. These companion bills mirror California’s requirements established by AB 818 (Bloom) in 2021, which the District supported, and are expected to help reduce the disposal of non-flushable wet wipes in sewer systems and in turn, decrease costly damage to these systems. Ms. Viatella concluded with an update on federal and state legislative activities.

– Director Oddie left the meeting at 4:06 p.m. and returned at 4:08 p.m.

- Motion by Director Katz, seconded by Director Smith, to approve the recommended actions for Item 19 carried (7-0) by the following roll call vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

**Motion No. 090-25** – Received Legislative Report No. 04-25 and approved positions on the following bills: SUPPORT AB 1153 (Bonta) Solid waste disposal and codisposal site cleanup: illegal disposal site abatement; SUPPORT H.R. 1871 (Huffman) Water Conservation Rebate Tax Parity Act; SUPPORT H.R. 2269 (McClain) Wastewater Infrastructure Pollution Prevention and Environmental Safety Act; and SUPPORT S. 1092 (Merkley) Wastewater Infrastructure Pollution Prevention and Environmental Safety Act.

20.1. **File the Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges Subject to Proposition 218 for FY 2026 and FY 2027.**

Director of Finance Sophia D. Skoda provided the presentation which discusses actions for Agenda Items 20.1-20.2 and 21.1 – 21.2. She reviewed the budget and rates calendar; rates and charges subject to Proposition 218; annual water charges and annual wastewater bills for single-family residential (SFR) District accounts compared to other Bay Area agencies; proposed updates to

elevation surcharges and the recycled water rate; and the monthly impacts to the average SFR bills from the proposed water and wastewater rate increases noting actual charges to a customer's bill will depend on the amount of water used in each billing period. Wastewater treatment charges collected on the water bill do not include the Wet Weather Facility Charge which is collected on the property tax bill. Next, she reviewed proposed revisions to rates, fees, and charges that are not subject to Proposition 218 as well as to Regulations Governing Water Service. Two public hearings are scheduled for the June 10, 2025 Board meeting – a hearing on the recommendations and adoption of the budget, rates and charges subject to Proposition 218 and a second hearing (as outlined under Agenda Items 21.1-21.2) on the Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, and Other Fees Not Subject to Proposition 218 for FY 2026 and to Select Regulations. For the rates and charges subject to Proposition 218, a notice was mailed to the record owners of parcels upon which the proposed charges will be imposed and tenants directly responsible for the payment of the proposed charges informing them of the proposed increases, the public hearing and Proposition 218 objection and protest provisions. Ms. Skoda recognized and thanked Finance Department and Budget Office staff for their work preparing the reports and developing the budget.

- Motion by Director Oddie, seconded by Director Gómez, to approve the recommended actions for Item 20.1. carried (7-0) by the following roll call vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

**Motion No. 091-25** – Filed the Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges Subject to Proposition 218 for Fiscal Years 2026 and 2027.

**20.2. Set a Public Hearing for Tuesday, June 10, 2025, during the Board's regular meeting, to consider the Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges Subject to Proposition 218 for FY 2026 and FY 2027 and to comply with Proposition 218 requirements.**

- Motion by Director Oddie, seconded by Director Gómez, to approve the recommended actions for Item 20.2. carried (7-0) by the following roll call vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

**Motion No. 092-25** – Set a Public Hearing for Tuesday, June 10, 2025, during the Board's regular meeting, to consider the Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges Subject to Proposition 218 for FY 2026 and FY 2027 and to comply with Proposition 218 requirements.

**21.1. File the Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, and Other Fees Not Subject to Proposition 218 for FY 2026 and to Select Regulations.**

- Motion by Director Katz, seconded by Director Smith, to approve the recommended actions for Item 21.1. carried (7-0) by the following roll call vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

**Motion No. 093-25** – Filed the Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, and Other Fees Not Subject to Proposition 218 for Fiscal Year 2026 and to Select Regulations.

21.2. **Set a Public Hearing for Tuesday, June 10, 2025, during the Board’s regular meeting, Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, and Other Fees Not Subject to Proposition 218 for FY 2026 and to Select Regulations.**

- Motion by Director Katz, seconded by Director Smith, to approve the recommended actions for Item 21.2. carried (7-0) by the following roll call vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

**Motion No. 094-25** – Set a Public Hearing for Tuesday, June 10, 2025, during the Board’s regular meeting, to consider the Report and Recommendation of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, and Other Fees Not Subject to Proposition 218 for Fiscal Year 2026 and to Select Regulations.

22.1. **Take actions to certify the Final Environmental Impact Report (EIR) for the Sobrante Water – Treatment Plant Reliability Improvements Project (Project); make findings in accordance with the California Environmental Quality Act (CEQA), including a Statement of Overriding Considerations; adopt the Mitigation Monitoring and Reporting Program in accordance with CEQA; adopt the Practices and Procedures Monitoring and Reporting Plan; and approve the Project.**

General Manager Clifford C. Chan announced the Planning Committee met earlier and unanimously supported the recommendation to certify the EIR and approve the project. Associate Civil Engineer Jae Y. Park provided a presentation on proposed improvements at Sobrante WTP. The project will be implemented in two phases: Phase 1 will restore treatment capacity from 45 million gallons per day (MGD) to 60 MGD and Phase 2 will expand capacity to 80 MGD and construct a transmission pipeline from Sobrante WTP to Road 20 in San Pablo. Phase 1 will occur at the Sobrante WTP while Phase 2 will include work at the WTP and installation of the transmission pipeline. The improvements will address aging infrastructure, enhance climate resiliency, address water quality challenges, increase operational efficiency, and maintain flexibility to treat supplemental supplies. Mr. Park reviewed the project scope and construction locations, outreach to agencies and the public, environmental analyses, and key mitigation measures to address aesthetics; biological resources; cultural, tribal cultural, and geology and soils; transportation; and noise. Some noise impacts remain significant and unavoidable and will require the Board to approve a Statement of Overriding Considerations when approving the project. Public input led to substantial design modifications including increased setbacks, reduced fence heights, architectural enhancements, and improved landscaping. The Final EIR was updated to add Caltrans permitting requirements, revise the project construction schedule, make other minor clarifications and address comments related to traffic, noise, aesthetics, utility conflicts, and environmental resources. Mr. Park reported on community outreach plans for projects where construction was deferred and CEQA has been completed. If the Board certifies the EIR and approves the project, Phase 1 design is scheduled from 2036 through 2039 followed by construction in 2039 through 2043. Phase 2 construction would depend on the timing of future demands and is currently scheduled for 2054 through 2056.

- Motion by President Young, seconded by Director Chan, to approve the recommended actions for Items 22.1-22.5 carried (7-0) by the following roll call vote: AYES (Chan, Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (None).

**Resolution No. 35450-25** – Certifying The Final Environmental Impact Report For The Sobrante Water Treatment Plant Reliability Improvements Project, Making Findings, Adopting The Mitigation Monitoring And Reporting Plan And Practices And Procedures Monitoring And Reporting Plan, And Approving The Project.

**23. General Manager’s Report.**

General Manager Clifford C. Chan announced the April 2025 Monthly Report was included in the agenda materials and the Speakers’ Bureau and Outreach Record CY25 had been provided at Board places.

**DIRECTOR COMMENTS**

**24. Other Items for Future Consideration.**

None.

**25. Director Comments.**

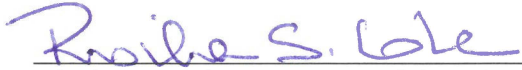
President Young asked Directors to submit their comments for this meeting in writing to the Secretary.

- Director Smith reported attending the Spring Mega Chamber Mixer and Business Expo in El Cerrito on April 22; West County Mayors and Supervisors Meeting in Hercules on April 24; UMRWA Board meeting in Valley Springs on April 25; DERWA Board meeting in Dublin on April 25; North Richmond Municipal Advisory Committee in Richmond on May 6; and a vegetation management tour with upcountry staff on May 8.
- Directors Chan, Gómez, Katz, Lewis, Oddie and President Young had no reports.

**ADJOURNMENT**

. President Young adjourned the Regular Meeting at 4:44 p.m.

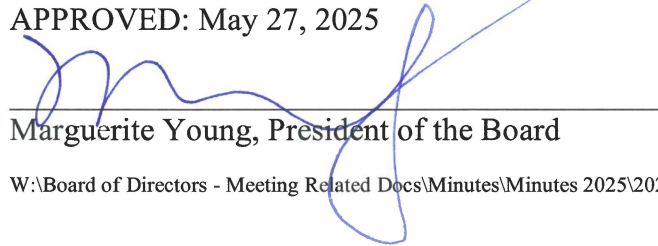
SUBMITTED BY:



---

Rischa S. Cole, Secretary of the District

APPROVED: May 27, 2025



---

Marguerite Young, President of the Board