

MINUTES

**Tuesday, May 27, 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 Luz Gómez, Andy Katz, Jim Oddie, Joey D. Smith and President Marguerite Young were present at roll call. Director April Chan arrived at 11:06 a.m. Director Valerie D. Lewis was absent (excused).

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 commented on contract negotiations and equity adjustments, and asked the Board to authorize negotiators to increase the District's wage package; 2) Evan Klein-Corman, Wastewater Plant Operator II, commented on operator skills, staff turnover and retention, cost of living, and equity adjustments; 3) Aaron Rolls, Pipeline Welder III, commented on contract negotiations and equity adjustments; 4) Andy Abbett, Electrical Technician, commented on contract negotiations and equity adjustments; 5) Mike Fuller, Water Distribution Plumber III commented on his experience working at the District, cost of living, retention, and a fair and equitable wage increase; 6) Justin Young, President, AFSCME Local 2019, commented on contract negotiations, wages, HIB, and PEPRA and asked the Board to give negotiators the authority to complete negotiations; 7) Robert Collard, Heavy Transport Operator, asked the Board to observe the number of staff in the Boardroom regarding contract negotiations; 8) Jennifer Grey, Heavy Transport Operator, commented on the District values, work performed by employees in the field, and contract negotiations, and invited the Board to visit a jobsite to observe workers; 9) Vincent, Wastewater Operator Trainee, voiced support and solidarity for the unions; 10) John Halseth, Water Distribution Plumber III, commented on the union's wage proposals and cost of living; and 11) William Giovannetti, Water Distribution Crew Foreman commented on the 2011 labor contract and cost of living freeze and the family aspect of EBMUD.

President Young thanked staff for their comments and their time.

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

At 12:50 p.m., General Manager Clifford C. Chan informed Secretary of the District Rischa S. Cole that due to an extended Closed Session Meeting, the Regular Business Meeting would start at 1:30 p.m. At 1:25 p.m., the General Manager informed the Secretary that due to an extended Closed Session Meeting, the Regular Business Meeting would start at 1:45 p.m. At 1:40 p.m., the General Manager informed the Secretary that due to an extended Closed Session Meeting, the Regular Business Meeting would start at 1:50 p.m. President Marguerite Young called to order the Regular Meeting of the Board of Directors at 1:59 p.m. in the Administration Building Boardroom.

ROLL CALL

Directors April Chan, Andy Katz, Jim Oddie, Joey D. Smith, and President Marguerite Young were present at roll call. Director Luz Gómez arrived at 2:00 p.m. Director Valerie D. Lewis was absent (excused).

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.

Recognizing Pride Month and EBMUD's Raining Pride Affinity Group

Director Jim Oddie announced June marks Pride Awareness Month and on behalf of the Board, extended gratitude to Raining Pride for planning a series of meaningful events that offer opportunities for colleagues to come together, learn from one another, and build deeper understanding. District Affinity Groups are open to all employees and enrich the EBMUD workplace by creating opportunities to learn, grow, and build authentic relationships. Director Oddie highlighted Pride Month events which will kick off on June 4 and thanked Raining Pride for their continued dedication and contribution to our community and all communities.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

- Addressing the Board were the following: 1) Gary Walters II, Local 2019 contract negotiating team member, commented on contract negotiations, inflation, health insurance benefit costs, and incentives for PEPRAs members; and 2) Dylan Russel commented on EVO benefits and environmental issues.

COMMITTEE REPORTS

- Filed with the Board were the Minutes for the May 13, 2025 Planning and Legislative/Human Resources Committee Meetings.
- Director Oddie reported the Finance/Administration Committee met earlier and received updates on the April 2025 Monthly Investment Transactions Report; District Revenues, Expenses and Reserve Balances; Annual Investment Policy Review; Revisions to District Policies; External Auditor Request for Proposal; and Semi-Annual Internal Audit Report. He reported the Committee discussed additional edits to Policy 4.14 – Reimbursement Of Director Expenses and recommend discussing potential edits during a future Board retreat. The Committee also discussed edits to Policy 6.04 – Ethics of the EBMUD Board of Directors, to remove the requirement for the Finance/Administration Committee to interview independent auditors and to have staff conduct screenings and interviews and present the finalist to the Committee before seeking Board approval.

CONSENT CALENDAR

- Motion by Director Gómez, seconded by Director Chan, to approve the recommended actions for Items 1-11 on the Consent Calendar carried (6-0) by the following voice vote: AYES (Chan, Gómez, Katz, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (Lewis).
1. **Motion No. 095-25** – Approved the Special Meeting Minutes of May 12, 2025 and Regular Meeting Minutes of May 13, 2025.
 2. The following correspondence was filed with the Board: 1) Presentation entitled, “EBMUD Wildlife Preparedness and Response,” dated May 27, 2025; 2) Speakers’ Bureau and Outreach Record, dated May 27, 2025; 3) Freeport Regional Water Authority Board of Directors Special Meeting Agenda Packet – May 30, 2025; 4) Oakland Tribune Proof of Publication Notice Of Intent To Adopt A Mitigated Negative Declaration Miller Road Trench Soil Management Project, Public Review Extended To May 19, 2025 (Legal No. 0006891053 published April 18, 2025); 5) Notarized Affidavit of Posting regarding the Notice Of Intent To Adopt A Mitigated Negative Declaration Miller Road Trench Soil Management Project, dated May 29, 2025 (including notice); 6) Notarized Affidavit of Posting regarding the Notice Of Intent To Adopt A Mitigated Negative Declaration Miller Road Trench Soil Management Project, Extended Public Review Period, dated May 29, 2025 (including notice); and 7) Notarized Affidavit of Posting regarding the Notice Of Availability And Public Hearing Final Environmental Impact Report Sobrante Water Treatment Plant Reliability Improvements Project, dated May 29, 2025 (including notice).
 3. **Motion No. 096-25** – Awarded a sole source contract beginning on or after May 27, 2025 to Sacramento Municipal Utility District, to supply one 18-inch valve for the Upper San Leandro Dam outlet system for a total cost, after the addition of taxes, not to exceed \$167,375.
 4. **Motion No. 097-25** – Awarded a contract beginning on or after May 27, 2025 to the lowest responsive/responsible bidder, WesTech Engineering, LLC, for supplying ballasted flocculation equipment and design support services for the Walnut Creek Water Treatment Plant Pretreatment Project for a total cost, after the addition of taxes, not to exceed \$5,850,000, under Request for Quotation No. 2505.

5. **Motion No. 098-25** – Authorized an agreement beginning on or after May 27, 2025 with Brand Energy Services of California, Inc., in an amount not to exceed \$156,075 for removal and replacement of joint sealants and associated cleaning of Field Reservoir.
6. **Motion No. 099-25** – Authorized an agreement beginning on or after May 27, 2025, with Rubicon Landscape Corporation for three years, with two options to renew for additional one-year periods for a total amount, including option years, not to exceed \$732,029 for facility landscape maintenance.
7. **Motion No. 100-25** – Authorize an amendment to the agreement originally authorized under Board Motion No. 125-21, with Examintetics, Inc. to increase the agreement amount by \$30,000 to a total amount not to exceed \$165,000 for mobile onsite and online health services through July 12, 2026.
- 8.1. **Motion No. 101-25** – Authorized an amendment to the agreement previously amended under Board Motion No. 007-23 with the Western Area Power Administration to modify portfolio manager services of electricity purchases at select District facilities through December 31, 2029.
- 8.2. **Motion No. 102-25** – Authorized an amendment to the agreement previously amended under Board Motion No. 030-23 with the Western Area Power Administration for scheduling coordinator services of electricity purchases at select District facilities through December 31, 2029.
9. **Motion No. 103-25** – Authorized an amendment to the agreement originally authorized under Board Motion No. 040-23 with Trimark Associates, Inc. to add meter verification services for the electric meters of the District’s hydroelectric, biogas, and photovoltaic facilities and maintenance of the Remote Intelligent Gateway at the Pardee Powerhouse and document associated service fees.
10. **Motion No. 104-25** – Approved the April 2025 Monthly Investment Transactions Report.
11. **Resolution No. 35451-25** – Adopting Revised Policy 2.05, Employee Discipline; Revised Policy 4.05, Establishing System Capacity Charges; Revised Policy 4.12, Purchasing And Materials Management; Revised Policy 4.14, Reimbursement Of Director Expenses; Revised Policy 4.21, Land And Conservation/Mitigation Credit Sales – Use Of Funds; Revised Policy 6.06, Equal Employment Opportunity (EEO); Revised Policy 6.13, Training And Development; Revised Policy 7.01, Aqueduct And Distribution Pipeline Rights-Of-Way Maintenance; Revised Policy 7.08, Residences – District-Owned; Revised Policy 7.09, Workplace Safety And Health; Revised Policy 7.12, Weather Modification; Revised Policy 9.06 – Bay-Delta Protection; And Reauthorizing Policy 4.07, Investments.

DETERMINATION AND DISCUSSION

12. Legislative Update.

Special Assistant I Debbie Michel reviewed Legislative Report No. 05-25. AB 532 (Ransom), as amended May 5, 2025, would make changes to existing law and would grant express authority for public urban retail water suppliers to establish and fund low-income water rate assistance programs for residential ratepayers and gives maximum flexibility in how those programs can be structured.

The bill also contains enhanced reporting requirements; repeals a prior statute requiring the Department of Community Services and Development to implement and administer the Low-Income Household Water Assistance Program, funded through federal COVID-19 relief funds; specifies the Legislature's intent to create a revised program; and other legislative findings and declarations. The bill is sponsored by the California Municipal Utilities Association (CMUA). SB 350 (Durazo) as amended May 7, 2025, which is similar in concept to SB 222 (Dodd) from 2022, establishes a Water Rater Assistance Fund in the State Treasury to provide water affordability assistance for both drinking water and wastewater services to low-income residential ratepayers and requires the SWRCB to administer the fund. The bill also contains public outreach and reporting requirements for SWRCB; a requirement for the California Public Utilities Commission to establish a data sharing mechanism; and other legislative findings and declarations. SB 350 is sponsored by Clean Water Action, Community Water Center, and Leadership Counsel for Justice and Accountability. Ms. Michel reported that last week, both the Senate and Assembly Appropriations Committees met and dispensed with their suspense file for bills with State fiscal costs. AB 532 passed out of the Assembly Appropriations Committee with amendments, but SB 350 was held on suspense, meaning it will not be moving forward this year. Although it will not be moving forward, staff believes there is value in taking a position to support and amend the May 7, 2025 version of SB 350 to reference in future discussions. Ms. Michel discussed the sections of the bill that needs clarification and amendments.

- Addressing the Board was Jennifer Clary, Director of Clean Water Action who commented on SB 350, amendments to the bill, support from multiple water agencies, and the importance of addressing water affordability. She encouraged the Board to support SB 350. Ms. Clary addressed Board questions regarding SB 350 and AB 532.

Manager of Legislative Affairs Kathy Viatella concluded with an update on federal and state legislative activities. Ms. Viatella and Director of Water and Natural Resources Alice E. Towey addressed Board questions regarding the Delta Conveyance Project.

- Motion by President Young, seconded by Director Smith, to approve the recommended actions for Item 12 carried (6-0) by the following voice vote: AYES (Chan, Gómez, Katz, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (Lewis).

Motion No. 105-25 – Received Legislative Report No. 05-25 and approved positions on the following bills: SUPPORT AB 532 (Ransom) Water Rate Assistance Program and SUPPORT AND AMEND SB 350 (Durazo) Water Rate Assistance Program.

13. **General Manager's Report.**

Wildfire Preparedness and Response

Director of Operations and Maintenance David A. Briggs presented an update on the District's comprehensive approach to preparing for and responding to wildfires which includes active vegetation management, infrastructure investment, emergency preparedness training, mutual assistance agreements, community coordination, and research. Mr. Briggs reviewed vegetation management activities in the East Bay and the Mokelumne; reservoir operations; a map of areas served with and without pumping; hydrant maintenance and testing; capital investments and maintenance; lessons learned from the 1991 East Bay Hills fire; and emergency coordination with

other entities including the Fire Agency Forum, the Hills Emergency Forum, and the East Bay Wildfire Coalition. Next, he discussed the District's 24/7 control centers; deploying portable generators and pumps when needed; local water storage to support aerial firefighting; addressing PG&E public safety power shutoffs; mutual assistance activities; and the District's history of aiding during disaster emergencies. Staff gained experience from responding to the Camp Fire in Paradise in 2018 and studying other recent urban fires in the western United States and documented findings in a Water Research Foundation publication: *Post-Wildfire Distribution System Water Quality Impacts and Potential Responses*. He concluded with an overview of the public notification process during the recent fires in Southern California, stakeholder meetings discussing the District's approach to wildfire preparedness and response, and next steps. Staff is preparing for the upcoming dry season and will engage with communities upon request; conduct outreach during community wildfire and safety fairs; and monitor potential legislation and regulatory changes that could affect the water system. Mr. Briggs responded to Board questions regarding the type and location of pipe in the service area; hydrant testing; addressing fire retardant if it enters District reservoirs; and discussions with the City of Berkeley and neighbors regarding Woods Reservoir. The Board requested additional information on the percentage of plastic pipe materials in the District's distribution system that is in designated high-risk fire zones and geographic information showing areas where there are fire hydrant issues. Staff was asked to coordinate with the City of Berkeley on creating a fire break to protect the neighborhood near Woods Reservoir and to discuss the sale of the reservoir property with neighbors. Staff was also asked to ensure the District's hydrant inspection program prioritizes maintenance based on information from CAL FIRE and local fire districts regarding high fire zones.

- Director Oddie left the meeting at 3:11 p.m. and returned at 3:12 p.m.
Director Chan left the meeting at 3:16 p.m. and returned at 3:19 p.m.

District Art Committee Update

General Manager Clifford C. Chan announced the agenda materials included a memorandum regarding the Art Committee and a list of art exhibits sponsored by the District during the past two years. The Committee is presently focused on increasing visibility and promotion of District-sponsored artists and the District art gallery on the second floor of the Administration Building. He discussed how the District currently assists with promoting art exhibits and the District's art gallery and said the Committee Chair recently met with President Young and will be meeting with staff to discuss additional ways to enhance promotion and visibility. President Young reported one option discussed with the Art Committee Chair was to have featured artists attend Board meetings to speak about their background and artwork.

Next, he announced the agenda materials for the May 30 special Freeport Regional Water Authority Board meeting and the Speakers' Bureau and Outreach Record CY25 had been provided at Board places.

DIRECTOR COMMENTS

14. **Other Items for Future Consideration.**

Provide crisis communication training for Board members.

15. **Director Comments.**

- Director Smith reported attending the ACWA Spring Conference in Monterey on May 13 – May 15; Richmond Rotary Club meeting in Richmond on May 16; EBMUD and LAO Family Community Development Community Resource Fair in Richmond and an annual Firehouse Open House in El Sobrante on May 17; and Contra Costa Special Districts Association meeting in Martinez on May 19.
- Directors Chan, Gómez, Katz, Lewis, Oddie and President Young had no reports.

ADJOURNMENT


President Young announced today’s meeting would be closed in honor of former Contra Costa County Board of Supervisor Federal Glover who passed away on May 18 and District employees and retirees who have passed away in the last year.

Directors Smith and Gómez commented on working with Mr. Glover over the years and his support for various initiatives to enhance Contra Costa County and the communities he served. Mr. Glover served as a councilmember and as Mayor for the City of Pittsburg and in 2000, made history as the first African American elected to the Contra Costa County Board of Supervisors, serving until his retirement in 2024. During his career, he secured over \$1 billion for regional transportation improvements, consolidated rural fire districts to enhance emergency response, and in 2020, established the Office of Racial Equity and Social Justice. Mr. Glover’s work led to the creation of county youth conferences, gang prevention programs, and taskforces, which continue to foster opportunities for the next generation including the Gang Taskforce, the AIDS/HIV Taskforce, and the Industrial Training Institute. He will be remembered as a pioneering leader, devoted public servant, and cherished member of the Contra Costa community. On behalf of the Board, Director Gómez extended heartfelt condolences to Mr. Glover’s family, loved ones, colleagues, and all who were touched by his life and work.

The names of District employees and retirees who have passed away in the last year were displayed onscreen while the Board and Boardroom attendees observed a moment of silence.

President Young adjourned the Regular Meeting at 3:37 p.m.

SUBMITTED BY:



Rischa S. Cole, Secretary of the District

APPROVED: June 10, 2025



Marguerite Young, President of the Board