

MINUTES

**Tuesday, June 10, 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 11:02 a.m. in the Administration Building Boardroom.

ROLL CALL

Directors April Chan, Luz Gómez, Jim Oddie (remote), Valerie D. Lewis, Joey D. Smith and President Marguerite Young were present at roll call. Director Andy Katz arrived at 11:06 a.m.

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

PUBLIC COMMENT

- Addressing the Board was Eric Larsen, President, AFSCME Local 444 who commented on contract negotiations and the District's proposed equity adjustment process.

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

ROLL CALL

President Marguerite Young called to order the Regular Meeting of the Board of Directors at 1:17 p.m. in the Administration Building Boardroom.

Directors April Chan, Luz Gómez, Andy Katz, Valerie D. Lewis, Jim Oddie (remote), 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.

PRESENTATION

Women's Business Enterprise Council Pacific 2024 Cornerstone Award

General Manager Clifford C. Chan announced the District received the Women's Business Enterprise Council (WBEC) Pacific's 2024 Cornerstone award in recognition of the outstanding work of the Contract Equity Program. The award celebrates organizations that provide a strong and enduring foundation for women owned business enterprises to thrive. This recognition underscores the District's continued leadership in supplier diversity and its role in creating equitable economic opportunities across the communities it serves. WBEC Pacific is one of fourteen regional partners of Women's Business Enterprise National Council; serves Northern California, Oregon, Washington, Alaska, Idaho and Montana; and facilitates procurement opportunities, business networking and supplier development. On behalf of the Board, Director Lewis congratulated and presented the award to Contract Equity Administrator Beverly D. Johnson.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

- Addressing the Board was Milindha Morahela who asked if a quorum of the public is required to conduct the public hearing under Agenda Item 15.

COMMITTEE REPORTS

- Filed with the Board were the Minutes for the May 27, 2025 Finance/Administration Committee Meeting.
- Director Gómez reported the Freeport Regional Water Authority Board met on May 30 and adopted the Fiscal Year 2026 budget and received updates on golden mussels and the United States Army Corps Of Engineers Levee Project. This project is not expected to impact the Freeport facilities.
- Director Gómez reported the Legislative/Human Resources Committee met earlier and received an update on Legislative Report No. 06-25 which includes a proposal for the Board to consider approving a position to support or sponsor legislation to protect against the spread of golden mussels.

CONSENT CALENDAR

- Motion by Director Katz, seconded by Director Gómez, to approve the recommended actions for Items 1-13 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. **Motion No. 106-25** – Approved the Special Meeting Minutes of May 20, 2025, Regular Meeting Minutes of May 27, 2025, Special Meeting Minutes of May 29, 2025, and Special Meeting Minutes of June 4, 2025.
 2. The following correspondence was filed with the Board: 1) Presentation entitled, “Government Code Section 53759.1 (Assembly Bill 2257),” dated June 10, 2025; 2) Presentation entitled, “Public Hearing Proposed Rates and Charges Subject to Proposition 218 for Fiscal Years 2026 and 2027,” dated June 10, 2025; 3) Presentation entitled, “Public Hearing Proposed Rates, Charges, & Fees Not Subject to Proposition 218 for Fiscal Year 2026 & Revisions to Select Regulations,” dated June 10, 2025; 4) Presentation entitled, “Proposed Biennial Budget for Fiscal Years 2026 & 2027,” dated June 10, 2025; 5) Presentation entitled, “Proposed Position Resolution for Fiscal Years 2026 & 2027,” dated June 10, 2025; 6) Speakers’ Bureau and Outreach Record, dated June 10, 2025; 7) Contra Costa Times Proof of Publication Notice of the Time and Place of Public Hearings on Reports and Recommendations of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, Other Fees, and Select Regulations for Fiscal Years 2026 & 2027 (Legal No. 0006898142 published May 23, 2025 and May 30, 2025); 8) Oakland Tribune Proof of Publication Notice of the Time and Place of Public Hearings on Reports and Recommendations of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, Other Fees, and Select Regulations for Fiscal Years 2026 & 2027 (Legal No. 0006898142 published May 23, 2025 and May 30, 2025); 9) West County Times Proof of Publication Notice of the Time and Place of Public Hearings on Reports and Recommendations of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, Other Fees, and Select Regulations for Fiscal Years 2026 & 2027 (Legal No. 0006898142 published May 23, 2025 and May 30, 2025); 10) Notarized Affidavit of Posting regarding the Notice of the Time and Place of Public Hearings on Reports and Recommendations of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, Other Fees, and Select Regulations for fees, and select regulations for Fiscal Years 2026 & 2027, dated June 20, 2025 (including notice); 11) Calaveras Enterprise Proof of Publication Notice of the Time and Place of Public Hearings on Reports and Recommendations of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, Other Fees, and Select Regulations for Fiscal Years 2026 & 2027 (published May 22, 2025 and May 29, 2025); 12) Amador Ledger Dispatch Proof of Publication Notice of the Time and Place of Public Hearings on Reports and Recommendations of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, Other Fees, and Select Regulations for Fiscal Years 2026 & 2027 (Legal No. Y277 published May 23, 2025 and May 30, 2025); and 13) Lodi News Sentinel Proof of Publication Notice of the Time and Place of Public Hearings on Reports and Recommendations of the General Manager for Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, Other Fees, and Select Regulations for Fiscal Years 2026 & 2027 (published May 23, 2025 and May 30, 2025).

3. **Motion No. 107-25** – Awarded a sole source contract beginning on or after June 10, 2025 to Amaya Solutions Inc., dba American Water Chemicals, for supplying threshold inhibitor antiscalant for the Richmond Advanced Recycled Expansion facility for one year, with two options to renew for additional one-year periods for a total cost, after the addition of taxes, including option years, not to exceed \$356,921.
4. **Motion No. 108-25** – Authorized an agreement beginning on or after July 1, 2025 with Calaveras County for \$1,575,000 for four years with an option to renew for an additional four-year period for a total amount, including option years, not to exceed \$3,183,000 for law enforcement services at Pardee and Camanche reservoirs and adjacent District watershed lands.
5. **Motion No. 109-25** – Authorized an agreement beginning on or after on or after July 1, 2025 with ENS Resources, Inc. for one year, with two options to renew for additional one-year periods for a total amount, including option years, not to exceed \$435,000 for continued legislative and regulatory information-gathering, analysis, representation, and liaison services in Washington, D.C.
6. **Motion No. 110-25** – Authorized an agreement beginning on or after on or after June 10, 2025 with Laisar Management Group, LLC in an amount not to exceed \$150,000 to conduct a comprehensive evaluation of the District’s Contract Equity Program and produce an economic impact report.
- 7.1. **Motion No. 111-25** – Awarded a contract to the lowest responsive/responsible bidder, Mar Con Builders, Inc., in an amount not to exceed \$5,435,986 for the construction of the Administration Building Roofing Systems Rehabilitation – Upper Terraces Project, under Specification 2196A.
- 7.2. **Motion No. 112-25** – Authorized an agreement beginning on or after June 10, 2025, with MCK Americas, Inc. in an amount not to exceed \$1,100,000 for construction management and inspection services to support construction of the Administration Building Roofing Systems Rehabilitation - Upper Terraces Project.
8. **Motion No. 113-25** – Authorized an agreement beginning on or after June 10, 2025, with the Town of Danville in an amount not to exceed \$108,570 to upgrade 141 District gate valve boxes after street paving.
9. **Motion No. 114-25** – Authorized an agreement beginning on or after June 10, 2025, with VertexOne for three years, with two options to renew for additional one-year periods for a total amount, including option years, not to exceed \$2,300,000 for customer water consumption reporting and engagement services.

10. **Motion No. 115-25** – Authorized the purchase of voice and data communication services beginning on or after July 1, 2025 from AT&T Corporation and from Comcast Business Communications, LLC, for District voice and data services for seven years for a total amount not to exceed \$10,375,000. This purchase will be made through the California Network and Telecommunications Program contracts.
11. **Motion No. 116-25** – Authorized the purchase of small size fish feed and large size fish feed beginning on or after June 10, 2025 from Moore-Clark USA dba Bio-Oregon, for the Mokelumne River Fish Hatchery for three years, for a total amount not to exceed \$765,000. This purchase will be made under State of California contracts 1-25-87-19 for small feed and 1-25-87-17C for large feed, both available for use by local governments.
- 12.1. **Motion No. 117-25** – Ratified the extension of the agreement with Terradex Inc. authorized under – Board Motion No. 190-20 to June 10, 2025 for providing WhatsDown environmental hazard data
- 12.2. aggregating software licenses and maintenance; and authorized an agreement beginning on or after June 10, 2025 with Terradex Inc. through May 31, 2026, with four additional one-year options for a total amount not to exceed \$155,000 for providing WhatsDown environmental hazard data aggregating software licenses and maintenance.
13. **Motion No. 118-25** – Authorized an amendment to the agreement originally authorized under Board Motion No. 042-21 with Keller Canyon Landfill Company to increase the agreement amount by \$6,400,000 to a total amount not to exceed \$9,400,000 and extend the agreement term to March 18, 2031, for disposal of contaminated, non-hazardous trench soils.

DETERMINATION AND DISCUSSION

14. **Consider all objections and other mailed or personally delivered correspondence (Submissions) regarding the proposed Fiscal Years (FY) 2026 and 2027 rates and charges subject to Proposition 218 and the District’s responses thereto, and make related findings and determinations in accordance with Government Code section 53759.1 (Assembly Bill (AB) 2257).**

General Manager Clifford C. Chan announced Government Code section 53759.1 and the District’s Proposition 218 notice provided requirements for submission of an objection to the proposed FY 2026 and 2027 rates and charges, and the District did not receive any timely submitted written objections that met those requirements. The District received other correspondence, however, that both relates to the proposed rates and charges and that does not constitute an objection. The District refers to that other correspondence as a submission. Submissions received by the District by 11:59 p.m. on Monday, June 2, 2025 that were labeled as “objections” by the author are included, along with the District’s responses thereto, in resolution Exhibit B. Other submissions received by the District by 11:59 p.m. on Monday, June 2, 2025 that were not labeled as “objections” by the author and that did not contain the term “objection” are included, along with the District’s responses thereto, in resolution Exhibit C.

Principal Management Analyst Phoebe A. Grow presented an overview of AB 2257 requirements which became effective January 1, 2025 and codified in Government Code section 53759.1. She highlighted sections of the District’s Proposition 218 notice that included requirements for the public to submit an objection to the proposed Fiscal Years 2026 and 2027 rates and charges and

reiterated the District did not receive any submissions that met these requirements. She also reviewed the protest procedure included in the notice and advised staff will provide a tabulation of protests to the proposed water and wastewater systems' rates and charges following the public hearing under Agenda Item 15. The Board is being asked to consider all objections and other mailed or personally delivered correspondence (Submissions) regarding the proposed FY 2026 and 2027 rates and charges subject to Proposition 218 and the District's responses thereto; to adopt a resolution to make related findings and determinations in accordance with Government Code section 53759.1; and to proceed with the public hearing under Agenda Item 15.

- Addressing the Board was Terry Woram who questioned whether any of the objections mailed to the District were considered valid with the requirements in the Proposition 218 notice and asked whether his objection was properly handled.

Ms. Grow responded to Mr. Woram's comments noting his submission was counted as a protest. General Counsel Derek T. McDonald clarified that while the District may not agree that every submission constituted a valid objection under AB 2257, all submissions were treated as objections and written responses were sent to those submissions received prior to the submittal deadline.

- Motion by President Katz, seconded by Director Gómez, to approve the recommended actions for Item 14 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. 35452-25 – Consideration Of All Objections To The Water System Schedule Of Rates And Charges And Wastewater System Schedule Of Rates And Charges Subject To Proposition 218 For Fiscal Year 2026 And Fiscal Year 2027 And Other Correspondence And Of The District's Responses Thereto; Adopting Relating Findings And Determinations. (*Government Code Section 53759.1, AB 2257*).

PUBLIC HEARING

15. **Conduct a Public Hearing 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 Fiscal Years 2026 and 2027 and to comply with Proposition 218 requirements.**

President Young opened the public hearing at 1:41 p.m. and announced the process for the public to lodge a written protest for the purposes of determining whether a majority protest exists under Proposition 218.

Principal Management Analyst Phoebe A. Grow provided the presentation with an overview of the budget and rates setting process. The Board held workshops in January and March 2025. The Proposition 218 notice began mailing to customers in April and staff 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 (FY) 2026 and 2027 with the Board on May 13. Between April and June, staff and Board members participated in multiple public meetings and webinars to discuss the proposed budget and rates. Water and Wastewater systems' rates are the District's primary source of revenue and fund essential services and infrastructure. Ms. Grow discussed an agency comparison of annual water charges and annual wastewater bills for

single-family residential customers and highlighted the proposed revisions in the schedules of water and wastewater rates and charges subject to Proposition 218. The proposed rates were developed based on Cost of Service studies. The Water System study was completed in March 2025 and the Wastewater System study in 2019. The proposed rate increase for the Water System is an overall 6.5 percent for FY 2026 and an additional overall 6.5 percent for FY 2027. The proposed rate increase for the Wastewater System is an overall 8.5 percent for FY 2026 and an additional overall 8.5 percent for FY 2027. Staff will announce the total number of validated protests received for the Water and Wastewater systems' rates and charges before asking the Board to take action on Agenda Item 17. President Young asked General Counsel Derek T. McDonald to address a comment from Milindha Morahela on whether a quorum of the public is needed to conduct the public hearing. Mr. McDonald provided clarification regarding the requirement for a quorum of the Board of Directors and said there is no legal requirement for a quorum of the public for the public hearing. President Young called for public comment.

- Director Chan left the meeting at 1:50 p.m. and returned at 1:51 p.m.
- Addressing the Board were the following: 1) Mark Joffe, President, Contra Costa Taxpayers Association commented on the proposed rate increases, inflation and affordability in California, staff salaries, and District spending on diversity, equity, and inclusion initiatives; 2) Terry Woram commented on the written protest he submitted to the increase in water rates and the elevation surcharge, historical rate increases, District reserves, and staffing levels. He urged the Board to manage internal costs; 3) Tom Dappis objected to the rate increases and commented on the objection process, holding rate hearings after 5:00 p.m., and not receiving invites to the Board workshops. He urged the Board to cut costs and be more transparent; 4) Maureen Hay commented on the proposed rate increases, impacts to average customers, and asked the Board to reassess its rate structure and spending; and 5) Milindha Morahela objected to the wastewater treatment charges assessed by cities and collected on the EBMUD water bill and asked the District to discuss these charges on behalf of its customers with the cities.

President Young called for a motion to close the public hearing and closed the public hearing at 2:12 p.m.

Motion No. 119-25 – Conducted a Public Hearing 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 Fiscal Years 2026 and 2027 and to comply with Proposition 218 requirements.

- Motion by Director Chan, seconded by Director Smith, to close the public hearing 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. 120-25 – Closed the Public Hearing 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 Fiscal Years 2026 and 2027 and to comply with Proposition 218 requirements.

PUBLIC HEARING

16. **Conduct a Public Hearing 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.**

President Young opened the public hearing at 2:12 p.m.

Principal Management Analyst Phoebe A. Grow provided the presentation and reviewed the proposed revisions included in the Report and Recommendation of the General Manager – Revisions to the Water and Wastewater Schedules of Rates and Charges, Capacity Charges, and Other Fees Not Subject to Proposition 218 Fiscal Year 2026 and to Select Regulations filed with the Board on May 13, 2025. If approved, most changes will take effect July 1, 2025, with recreation fees taking effect beginning January 1, 2026. Next, she reviewed District regulations with proposed revisions.

– Director Chan left the meeting at 2:15 p.m. and returned at 2:17 p.m.

President Young called for public comment. There was none. President Young called for a motion to close the public hearing and closed the public hearing at 2:18 p.m.

Motion No. 121-25 – Conducted a Public Hearing 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.

- Motion by Director Oddie, seconded by Director Chan, to close the public hearing 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. 122-25 – Closed the Public Hearing 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.

DETERMINATION AND DISCUSSION (Continued)

17. **Adopt the rates and charges subject to Proposition 218 recommended in 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 filed with the Board of Directors on May 13, 2025.**

President Young announced the District's water service area includes approximately 340,754 parcels. The Secretary of the District reported a total of 68 valid written protests were received from record owners or customers of record. Based on this number, a majority protest does not exist and therefore the proposed water rates and charges may be adopted and implemented by the District upon Board approval. For the wastewater service area, which includes approximately

152,168 parcels, the Secretary of the District reported the District received 19 valid written protests from record owners or customers of record. Based on this number, a majority protest also does not exist and therefore the proposed wastewater rates and charges may be adopted and implemented by the District upon Board approval.

- Addressing the Board were the following: 1) Maureen Hay asked for clarification on what constitutes a majority protest and commented on whether the Board considers the comments received during the public hearings; 2) Terry Woram commented on the Proposition 218 protest process, and contacting his Board representative, as well as assemblymember and Senator regarding the impacts rate increases are having on constituents. He asked that future Proposition 218 notices include a simple form for customers to formally object to proposed rate increases; and 3) Milindha Morahela agreed with previous speakers regarding providing a simple form and holding public hearings during non-work hours.

Staff confirmed a majority protest requires 50 percent plus one of all parcel owners or customers of record. Board members thanked staff for their efforts and the speakers for their comments and concerns. Board members commented on the proposed rate increases, the proposed budget, developing policies to identify criteria for evaluating future increases, taking public comments into consideration when making decisions regarding rate increases, infrastructure investments, the Board's commitment to ensuring affordability for low-income customers and increased outdoor education opportunities for youth, rising costs across various District sectors, and increasing public outreach efforts for future budget and rates discussions. Following her comments, Director Gómez stated she would not be able to support the rate increases or the budget.

- Motion by Director Chan, seconded by Director Smith, to approve the recommended actions for Item 17 carried (5-2) by the following roll call vote: AYES (Chan, Katz, Oddie, Smith, and Young); NOES (Gómez and Lewis); ABSTAIN (None); ABSENT (None).

Resolution No. 35453-25 – Adopting Water System Schedule Of Rates And Charges And Wastewater System Schedule Of Rates And Charges Subject To Proposition 218 For Fiscal Year 2026 And Fiscal Year 2027, Confirming The Exemption Determination Under The California Environmental Quality Act, And Directing Staff To File A Notice Of Exemption.

18. **Adopt the rates, charges, and other fees not subject to Proposition 218 for Fiscal Year (FY) 2026 and the revisions to select regulations as recommended in the Report and Recommendation of the General Manager – Revisions to the Water and Wastewater Schedules of Rates, Charges, and Fees Not Subject to Proposition 218 for Fiscal Year FY 2026 and to Select Regulations, filed with the Board of Directors on May 13, 2025.**

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

Resolution No. 35454-25 – Adopting Revised Water And Wastewater Systems Schedules Of Rates, Charges, And Other Fees Not Subject To Proposition 218 For Fiscal Year 2026; Adopting Revised Regulations Governing Water Service; Confirming The Exemption Determination Under The California Environmental Quality Act; And Directing Staff To File A Notice Of Exemption.

19. **Adopt operating, debt service, and capital budgets for the Water and Wastewater systems for Fiscal Year (FY) 2026 and FY 2027 as recommended in the FY 2026 and FY 2027 Proposed Biennial Budget presented to the Board of Directors on March 25, 2025 with minor modifications thereto, establishing the terms and conditions for the payment of demands against the District, delegating authority for certain budget implementation actions, and expressing the District's intention to issue tax exempt debt obligations for reimbursement of expenditures for certain capital improvement projects.**

Director of Finance Sophia D. Skoda thanked the speakers and ratepayers who sent letters to the District. She reviewed the District's current challenges including addressing aging infrastructure, maintaining high water quality, ensuring environmental stewardship for the watershed and the San Francisco Bay, adapting to climate change through infrastructure investments, and maintaining a strong financial position and sustainable finances. She highlighted the budget development timeline which began in January 2024; community engagement efforts between March 2025 and June 2025; and how water and wastewater rate dollars are used. The FY 2026 and FY 2027 proposed biennial budget appropriation for operations, debt service, and capital appropriations is \$3.1 billion - \$2.7 billion for the Water System and \$483.7 million for the Wastewater System. Staff was asked to consider including a form for customers to submit a formal objection to rates and charges when developing future Proposition 218 notices, conducting public hearings regarding rates and charges in the evening, and presenting proposed budget information prior to the public hearings on rates and charges. Board members expressed appreciation for staff's work preparing the proposed budget. Director Gómez stated she would be voting differently on the budget.

- Motion by Director Smith, seconded by Director Katz, to approve the recommendation actions for Item 19 carried (6-0) by the following roll call vote: AYES (Chan, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (Gómez); ABSENT (None).

Resolution No. 35455-25 – Approving And Adopting The Budget Of The East Bay Municipal Utility District Water And Wastewater Systems For Fiscal Year 2026 And Fiscal Year 2027, Establishing The Terms And Conditions For The Payment Of Demands Against The District, Delegating Authority For Certain Budget Implementation Actions, And Expressing The District's Intention To Issue Tax Exempt Debt Obligations For Reimbursement Of Expenditures For Certain Capital Improvement Projects.

20. **Adopt the proposed position resolution for Fiscal Year (FY) 2026 and FY 2027 to implement necessary staffing and classification changes.**

Director of Finance Sophia D. Skoda provided the presentation. The proposed position resolution reflects staffing and classification changes requiring Board approval that are requested in the FY 2026 and FY 2027 operating and capital budgets. The proposed changes are consistent with the Strategic Plan goals. For the Water System, proposed changes will result in a net increase of 10.50 full-time equivalent (FTE) positions. Total staffing levels in FY 2026 will be 1,936.25 and 1,938.25 in FY 2027. Wastewater System staffing levels will result in a net increase of 2.00 FTE. Total staffing levels in FY 2026 will be 306.00 with no changes in FY 2027. Three new job classifications are proposed - Data Scientist I, Data Scientist II, and Outreach and Education Specialists, while two job classifications are proposed for deletion - Equipment Superintendent and Senior Legal Secretary.

- Addressing the Board was Eric Larsen, President, AFSCME Local 444 who said the union objected to the Local 444 represented limited-term positions, specifically Meter Reader Mechanics, Paving Crew Foreman, Concrete Finisher II, and Utility Laborer. He said these positions should be classified as regular, full-time civil service positions.

Ms. Skoda and General Manager Clifford C. Chan responded to Mr. Larsen’s comments and clarified how the positions would be used to address backlogs.

- Motion by Director Lewis, seconded by Director Oddie, to approve the recommended actions for Item 20 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. 35456-25 – Authorizing The Number And Character Of Positions And Authorizing The General Manager To Take Action In Connection Therewith.

21. **File the Report and Recommendation of the General Manager to Transfer Unpaid Liens for Delinquent Charges of owner-occupied single-family residential and multi-family residential accounts to Alameda and Contra Costa counties’ 2025-2026 Property Tax Rolls.**

Director of Customer and Community Services Andrew L. Lee addressed Board questions regarding the process for customers to protest or resolve outstanding charges prior to the transfer of unpaid liens to the property tax rolls. Customers can settle their accounts with the District before unpaid liens are transferred to the counties on or by August 10.

- Motion by Director Katz, seconded by Director Gómez, to approve the recommended actions for Item 21 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. 123-25 – Filed the Report and Recommendation of the General Manager to Transfer Unpaid Liens for Delinquent Charges of owner-occupied single-family residential and multi-family residential accounts to Alameda and Contra Costa counties’ 2025-2026 Property Tax Rolls.

22. **Legislative Report.**

General Manager Clifford C. Chan announced the Legislative/Human Resources Committee met earlier and unanimously supported the staff recommendation for Legislative Report No. 06-25. Special Assistant I Jennifer B. Williams reviewed the report. Staff recommends that the Board approve a position to either support or sponsor proposed legislation to amend the Fish and Game Code. The proposed amendment would extend to golden mussels the same regulatory authority currently granted to the California Department of Fish and Wildlife over dreissenid mussels. Specifically, the amendment would require agencies that operate a water supply system and detect golden mussels to implement a control or eradication plan and provide liability protection to those agencies, provided they are in compliance with their plan. A coalition of water agencies is actively seeking to amend existing legislation to include golden mussels under the same provisions that apply to dreissenid mussels. Ms. Williams addressed questions from the Board on whether the District would be advocating for a bill to be introduced as an urgency item or during a regular session noting various strategies are under consideration.

- Director Chan was excused from the remainder of the meeting at 3:27 p.m.

Next, Manager of Legislative Affairs Kathy Viatella provided updates on state and federal legislative activities including the status of the State budget, the newly named President pro Tempore designee Senator Monique Limón of the California Senate, the federal House reconciliation package, and the President’s review of proposed departmental budgets.

- Motion by Director Katz, seconded by Director Gómez, to approve the recommended actions for Item 22 carried (6-0) by the following roll call vote: AYES (Gómez, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (Chan).

Motion No. 124-25 – Received Legislative Report No. 06-25 and approved a position to support or sponsor legislation to protect against the spread of golden mussels.

23. General Manager’s Report.

General Manager Clifford C. Chan announced the May 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.

- Director Gomez requested an update to the Legislative/Human Resources Committee or at a Board meeting on the Delta Conveyance Project, Healthy Rivers and Landscapes, and levee-related issues.
- President Young asked all Board members to make themselves available for the upcoming Board retreat which is being scheduled in follow-up to the February 2025 retreat.

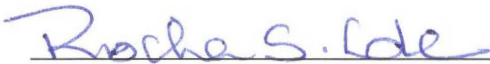
25. Director Comments.

- Director Gómez reported attending the Ward 7 briefing in San Ramon on June 6 and thanked staff for their work on the briefing.
- Director Lewis reported attending the Black Elected Officials Luncheon in Oakland on April 26 where former Director Bill Patterson was recognized for his service to EBMUD and the swearing-in ceremony for Oakland Mayor Barbara Lee in Oakland on May 20.
- Director Oddie reported participating in the San Leandro Cherry Festival Parade on June 7 and attending the West Oakland Liaison Group meeting on May 22.
- Director Smith reported attending the funeral of former Contra Costa County Supervisor Federal Glover, along with Director Gomez in Concord on May 28. She commented on how elected officials were recognized during the services.
- Directors Chan, Katz and President Young had no reports.

ADJOURNMENT

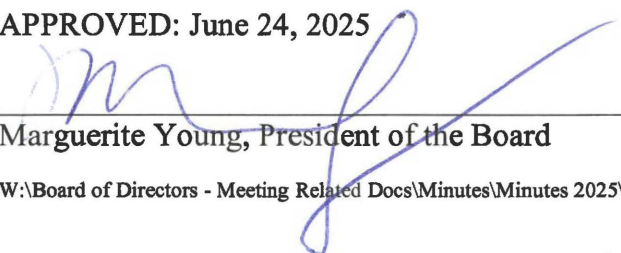
President Young adjourned the Regular Meeting at 3:38 p.m.

SUBMITTED BY:



Rischa S. Cole, Secretary of the District

APPROVED: June 24, 2025



Marguerite Young, President of the Board

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