



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

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375 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

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**Notice of Time Change**

**FINANCE/ADMINISTRATION  
COMMITTEE**

**Tuesday, August 26, 2025**

**9:30 a.m.**

**Boardroom**

**375 11<sup>th</sup> Street**

**Oakland, CA 94607**

Notice is hereby given that the Tuesday, August 26, 2025 Finance/Administration Committee meeting of the Board of Directors has been rescheduled from 10:00 a.m. to 9:30 a.m. The meeting will be held in the Administration Building Boardroom at 375 11th Street, Oakland, California.

Dated: August 21, 2025



Rischa S. Cole

Secretary of the District

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

375 – 11<sup>th</sup> Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA  
Finance/Administration Committee  
Tuesday, August 26, 2025  
9:30 a.m.  
Boardroom  
375 11th Street  
Oakland, CA 94607**

*Committee Members: Directors Valerie D. Lewis {Chair}, Andy Katz, and Jim Oddie*

**\*\*\* Please see appendix for public participation instructions\*\*\***

**ROLL CALL:**

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

**DETERMINATION AND DISCUSSION:**

1. Fiscal Year 2026 Insurance Summary (Skoda)
2. Monthly Investment Transactions Reports (Skoda)
3. Quarterly Financial Reports: (Skoda)
  - Quarterly Payroll, Disbursement and Real Estate Summary Reports for the Water and Wastewater Systems for Quarter Ended June 30, 2025
  - Quarterly Investment Report — June 30, 2025
4. Proposed Fiscal Year 2026 Financing Plan (Skoda)
5. Revisions to District Policies (Gardin)
6. Revisions to Policy 6.04, Ethics of the EBMUD Board of Directors (McDonald)

**ADJOURNMENT:**

**Disability Notice**

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

**Document Availability**

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



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## Finance/Administration Committee Meeting

*EBMUD Board committee meetings will be conducted in person and accessible via Zoom.  
These meetings are live streamed on the District's website.*

### Online\*

<https://ebmud.zoom.us/j/92433162059?pwd=emM4YjRrQTJtK3M0NnAxTDRoVzh5Zz09>

Webinar ID: 924 3316 2059

Passcode: 282322

### By Phone\*

Telephone: 1 669 900 6833

Webinar ID: 924 3316 2059

Passcode: 282322

International numbers available: <https://ebmud.zoom.us/u/kdjd0Kd06>

\*To familiarize yourself with Zoom, please visit <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

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

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

### In person

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

### Via Zoom

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

### Submitting written comments or materials

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

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**To view the livestream of Board meetings, please visit:**

<https://www.ebmud.com/about-us/board-directors/board-meetings/>

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## EAST BAY MUNICIPAL UTILITY DISTRICT

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DATE: August 21, 2025

MEMO TO: Board of Directors

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

FROM: Sophia D. Skoda, Director of Finance *SDS*

SUBJECT: Fiscal Year 2026 Insurance Summary

### SUMMARY

Every year the District's insurance broker and staff market our entire insurance portfolio with local, national, and now even international insurers. The District's insurance policies were renewed for Fiscal Year (FY) 2026 at competitive rates. This memo summarizes activities in the insurance market, and the status of the District's insurance policies. This item will be presented at the August 26, 2025 Finance/Administration Committee meeting.

### DISCUSSION

The District's insurance risk treatment program provides cost-effective and broad coverage for large catastrophic claims while retaining smaller losses through high deductibles covered by District self-insurance. Below is a summary of the five categories of insurance policies procured by the District, and the attachment shows the final result in chart form.

1. All Risk Property
2. Excess Liability
3. Excess Workers' Compensation
4. Boiler and Machinery
5. Crime

The overall cost of insurance in FY 2026 increased 3.5 percent over FY 2025, from \$3,719,909 to \$3,843,762. Key issues for this year's Property renewal were softening of the marketplace resulting in increased limits and lower premiums benefiting the District. The liability renewal was influenced by social inflation, employment practice claims, nuclear verdicts<sup>1</sup>, sexual abuse and molestation, including rising medical costs for the entire insurance market. The report includes a comparison of self-insured retention (SIR)/deductibles, limits, and premiums between FY 2025 and FY 2026.

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<sup>1</sup> A nuclear verdict is defined as an exceptionally high jury award that surpasses what should be a reasonable or rational amount.

### All Risk Property (Including Flood)

Multiple property insurers approached by our broker indicated increased rates. Conditions did improve over last year's challenging market circumstances which resulted in additional capacity being available to the District and other insureds. Specifically, this allowed the District to purchase a total of \$300 million in primary layer coverage as compared with \$200 million in FY 2025.

Property coverage for this year was secured with multiple carriers providing additional stability for the property program. This also allowed the removal of the wildfire exclusion placed on insurance for certain District locations last year by property insurance carrier AIG. The insurance carriers underwriting the Primary \$300 million limit are AIG at 30 percent, Swiss Re at 40 percent, Starr Tech at 17.5 percent, and Munich Re at 12.5 percent. The deductible remains at \$500,000. Further, the premium decreased by \$135,974 from \$1,574,567 to \$1,438,593. The policy also includes a \$25 million annual aggregate sublimit<sup>2</sup> for flood coverage with a separate \$10 million sublimit for floods in Special Flood Hazard Areas (defined by the Federal Emergency Management Agency (FEMA) as areas of 100-year flooding) with a minimum \$1.5 million deductible per occurrence.

The District and its broker regularly review the earthquake insurance market but continue to be unable to find reasonably priced earthquake insurance. Consequently, earthquake insurance was not pursued further and is not recommended. Staff reviewed a parametric earthquake insurance vehicle for specific facilities last year and decided this alternative risk financing option is not cost effective for the District at this time.

### Excess Liability

The Excess Liability Insurance Program provides a total insurance of up to a \$90 million limit per occurrence/aggregate with a \$10 million SIR. The premium increased by \$256,249 from \$1,768,944 to \$2,025,193. Social inflation of the value of jury verdicts remains challenging for casualty carriers with loss severity rising at double the pace of economic inflation. Nuclear verdicts continue to remain a significant factor in the market as well as third-party litigation funding. Claims related to emerging risks such as PFAS (forever chemicals), glyphosate and biometric privacy breaches are continued concerns and exclusions will remain on the policies.

Due to reduction in maximum capacity offered by any single carrier, the District added an additional insurance carrier to its tower to secure the \$90 million in coverage. The Primary carrier changed from Homesite to Accredited Specialty Insurance Company who will provide \$5 million in excess of the District's \$10 million SIR coverage; Group Ark and Upland Specialty share the second layer of \$5 million; Starstone insures the next \$5 million, followed by Liberty Surplus for the next \$5 million, Westchester at \$10 million, Allied World at \$15 million, Great

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<sup>2</sup> A liability limit in an insurance policy for a particular risk that is below the aggregate liability limit of the policy.

American Insurance at \$15 million, Endurance Risk at \$15 million, and Berkley National Insurance at \$15 million.

### Excess Workers' Compensation

The Excess Workers' Compensation Program is provided by Arch Insurance Company and pays all benefits required by California law in excess of the District's \$5 million SIR. The premium increased by \$22,305 from \$218,131 to \$240,436 in FY 2026. The workers' compensation market has continued to remain stable.

### Boiler and Machinery (Equipment Breakdown)

Boiler and Machinery Insurance is provided by Travelers Insurance Company and covers losses due to mechanical or electrical breakdown of covered equipment. The policy provides a limit of \$25 million per occurrence with a \$25,000 deductible. The premium increased by \$649 from \$108,561 to \$109,210 in FY 2025.

### Crime

The Crime coverage renewal included different insurance companies because the excess carrier changed its underwriting rules. Having marketed the District extensively, the broker negotiated positive results including full limits for Faithful Performance<sup>3</sup>. The crime insurance policies provide a limit of \$10 million per occurrence with a \$25,000 deductible. The coverage is provided by Fidelity and Deposit at \$1 million in excess of the \$25,000 deductible, Ategrity at \$5 million, and AIG at \$4 million. The policies provide a \$10 million sublimit for Faithful Performance. The annual premium is \$30,330 for the excess Crime policies. The Primary Crime policy is written for a three-year term.

CCC:SDS:VB

Attachment: Insurance Comparison Summary FY 2025 and FY 2026

I:\Sec\2025 Board Related Items\Committees 2025\082625\FIN – FY 2026 Insurance Summary.docx

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<sup>3</sup> Faithful Performance covers losses arising out of failure of an individual to faithfully execute duties required by company bylaws or those prescribed by law.

**INSURANCE COMPARISON SUMMARY**  
**Fiscal Year (FY) 2025 AND FY 2026**

Insurance Type	Self-Insured Retention (SIR/Deductible)		Insurance Limits (Above SIR/Deductible)		Premium	
	FY 2025	FY 2026	FY 2025	FY 2026	FY 2025	FY 2026
1. All Risk Property	\$500K	\$500K	\$300M	\$300M		
Flood	\$1.5M	\$1.5M	\$25M EXCEPT \$10M in Special Flood Hazard Areas	\$25M EXCEPT \$10M in Special Flood Hazard Areas	\$1,574,567	\$1,438,593
Earthquake	Excluded	Excluded	Excluded	Excluded		
2. Excess Liability	\$10M	\$10M	\$90M	\$90M	\$1,768,944	\$2,025,193
3. Excess Workers' Compensation	\$5M	\$5M	Statutory Limits	Statutory Limits	\$218,131	\$240,436
4. Boiler and Machinery	\$25K	\$25K	\$25M	\$25M	\$108,561	\$109,210
Business Income	N/A  7 Days for Internal Combustion Engines including the associated Generator Sets	N/A  7 Days for Internal Combustion Engines including the associated Generator Sets				
	25 Days for Combustion Turbines and Hydro Turbines including the associated Generator Sets	25 Days for Combustion Turbines and Hydro Turbines including the associated Generator Sets				
5. Crime	\$25K	\$25K	\$10M	\$10M	\$49,706	\$30,330
Sublimit for Faithful Performance			\$6M	\$10M	\$19,376 3-year Primary  \$30,330 Annual Excess	Annual Excess
<b>TOTAL ANNUAL PREMIUMS</b>					<b>\$3,719,909</b>	<b>\$3,843,762</b>

K = Thousand      M = Million

## EAST BAY MUNICIPAL UTILITY DISTRICT

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DATE: August 21, 2025

MEMO TO: Board of Directors

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

FROM: Sophia D. Skoda, Director of Finance *SDS*

SUBJECT: Monthly Investment Transactions Reports

### SUMMARY

In accordance with Policy 4.07 – Investments, staff prepares a monthly transactions report for the Finance/Administration Committee to review and for the Board to consider each month. The Committee will review the June and July 2025 reports at the August 26, 2025 Finance/Administration Committee meeting.

### DISCUSSION

Pursuant to Policy 4.07, staff prepares a monthly report of investment transactions (buys, sales, deposits, withdrawals) as well as transactions that occur as a feature of the securities held (interest, calls, maturities). Information on portfolio performance, balances, and other factors is presented in the quarterly investment report. This month includes the June report since the July 22, 2025 Finance/Administration Committee meeting was cancelled.

In June 2025, the portfolio decreased from \$695.8 million to \$665.4 million. Net transactions decreased the total by \$32.2 million. Interest received added \$1.7 million to the portfolio. Deposits into short-term liquidity funds totaled \$131.3 million, and the District withdrew \$133.7 million. The District purchased \$20.0 million in securities, and \$20.0 million in securities matured. No securities were called or sold. Net transactions at the District's commercial bank resulted in a decrease of approximately \$29.8 million.

In July 2025, the portfolio increased from \$665.4 million to \$665.5 million. Net transactions decreased the total by \$1.1 million. Interest received added \$1.2 million to the portfolio. Deposits into short-term liquidity funds totaled \$11.3 million, and the District withdrew \$64.1 million. The District did not purchase any securities, and no securities matured. No securities were called or sold. Net transactions at the District's commercial bank resulted in an increase of approximately \$51.8 million.

Monthly Investment Transactions Reports  
Finance/Administration Committee  
August 21, 2025  
Page 2

## **NEXT STEPS**

This item will be brought to the Board for consideration at its August 26, 2025 meeting.

CCC:SDS:rlh

Attachments:       1. June 2025 Monthly Investment Transactions Report  
                          2. July 2025 Monthly Investment Transactions Report


I:\Sec\2025 Board Related Items\Committees 2025\082625 Finance Ctte\FIN - Monthly Investment Transactions Report June and July 2025.docx

## Monthly Investment Transactions Report June 2025

This report is presented to the Board pursuant to Government Code Section 53607 and in accordance with the District's Investment Policy 4.07.

The attached report details transactions in the District's portfolio as follows:

- **Monthly Investment Transactions Summary** **Page 1**
- **Monthly Investment Activity** **Page 2**
  - Buys Page 3
  - Deposits Page 4
  - Matured Page 5
  - Calls Page 6
  - Sales Page 7
  - Withdrawals Page 8
- **Monthly Interest Activity** **Page 9**
  - Interest Received (Transferred to Wells Fargo) Page 10
  - Interest Received (Reinvested) Page 11

  
 Sophia Skoda (Aug 5, 2025 09:45:58 PDT)  
 Approved by: Sophia D. Skoda, Finance Director

08/05/2025

Date

SDS:KM:SLS



**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Monthly Investment Transactions Summary**  
**June 2025**

Portfolio	Beginning Balance*	Monthly Net Transaction Activity	Monthly Interest Activity	Ending Balance
<b>001 - Water System Consolidated</b>	509,228,970	(18,000,000)	714,724	491,943,694
<b>007 - Wastewater Consolidated</b>	104,951,406	18,000,000	200,869	123,152,275
<b>049 - Ferc Partnership</b>	2,211,518	-	-	2,211,518
<b>009 - BACWA</b>	2,501,890	-	-	2,501,890
<b>015 - DERWA</b>	1,105,760	-	-	1,105,760
<b>002 - FRWA</b>	1,105,760	-	-	1,105,760
<b>014 - IICP</b>	166,419	-	-	166,419
<b>010 - UMRWA</b>	70,767	-	-	70,767
<b>003 - Employees Retirement</b>	8,270,239	(2,441,000)	-	5,829,239
<b>099 - Wells Fargo**</b>	66,225,461	(29,774,286)	830,201	37,281,376
<b>Total</b>	<b>695,838,189</b>	<b>(32,215,286)</b>	<b>1,745,794</b>	<b>665,368,698</b>

\* Portfolio balance presented at face value.

\*\*Wells Fargo's month-end available balance per bank statement. Gross amount; not allocated by fund and not included in balances above.  
 A portion of the balance in Wells Fargo is swept to a money market fund to increase investment earnings.

Sherry Sarcos  
 Prepared by: Sherry Sarcos, Accounting Technician

07/31/2025  
 Date

Kevin Ma  
 Reviewed by: Kevin Ma, Accounting Supervisor

07/31/2025  
 Date

David Glasser  
 Approved by: David Glasser, Controller

07/31/2025  
 Date




**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Monthly Investment Activity**  
**June 2025**

Portfolio	Buys	Deposits	Matured	Calls	Sales	Withdrawals	Non-Investment Transactions*	Net Transaction Activity
001 - Water System Consolidated	16,000,000	78,000,000	(16,000,000)	-	-	(96,000,000)	-	(18,000,000)
007 - Wastewater Consolidated	4,000,000	42,000,000	(4,000,000)	-	-	(24,000,000)	-	18,000,000
049 - Ferc Partnership	-	-	-	-	-	-	-	-
009 - BACWA	-	-	-	-	-	-	-	-
015 - DERWA	-	-	-	-	-	-	-	-
002 - FRWA	-	-	-	-	-	-	-	-
014 - IICP	-	-	-	-	-	-	-	-
010 - UMRWA	-	-	-	-	-	-	-	-
003 - Employees Retirement	-	11,281,000	-	-	-	(13,722,000)	-	(2,441,000)
<b>Investment Activity Total</b>	<b>20,000,000</b>	<b>131,281,000</b>	<b>(20,000,000)</b>	-	-	<b>(133,722,000)</b>	-	<b>(2,441,000)</b>
<b>099 - Wells Fargo</b>	<b>(20,000,000)</b>	<b>(131,281,000)</b>	<b>20,000,000</b>	-	-	<b>133,722,000</b>	<b>(32,215,286)</b>	<b>(29,774,286)</b>
<b>Total</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>(32,215,286)</b>	<b>(32,215,286)</b>

\*Non-investment transactions are net receipts and expenditures in Wells Fargo resulting from activities other than investment and interest transactions detailed in this report.

  
 Reviewed by: Steven Goodman-Leibof, Principal Mgmt Analyst

07/31/2025  
 Date

  
 Approved by: Robert L. Hannay, Treasury Manager

07/31/2025  
 Date



**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Monthly Investment Activity**  
**June 2025**

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
<b>Buys</b>										
001 - Water System Consolidated	US Treasuries	T-Note 4.875 5/31/2026	91282CKS9	6/12/2025	6/13/2025	5/31/2026	16,000,000	16,115,000	27,705	16,142,705
					<b>Total</b>		<b>16,000,000</b>			
007 - Wastewater Consolidated	US Treasuries	T-Note 4.875 5/31/2026	91282CKS9	6/12/2025	6/13/2025	5/31/2026	4,000,000	4,028,750	6,926	4,035,676
					<b>Total</b>		<b>4,000,000</b>			

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20,000,000    20,143,750    34,631    20,178,381



**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Monthly Investment Activity**  
**June 2025**

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
<b>Deposits</b>										
001 - Water System Consolidated	Local Government Investment Pool	CAMP LGIP	CAMP6035	6/3/2025	6/3/2025	N/A	48,000,000	48,000,000	-	48,000,000
001 - Water System Consolidated	Money Market Mutual Funds	Federated MM	GOFXX	6/30/2025	6/30/2025	N/A	6,000,000	6,000,000	-	6,000,000
001 - Water System Consolidated	LAIF	LAIF LGIP	LGIP1001	6/3/2025	6/3/2025	N/A	24,000,000	24,000,000	-	24,000,000
					<b>Total</b>		<b>78,000,000</b>			
007 - Wastewater Consolidated	Local Government Investment Pool	CAMP LGIP	CAMP6035	6/20/2025	6/20/2025	N/A	6,000,000	6,000,000	-	6,000,000
007 - Wastewater Consolidated	Local Government Investment Pool	CAMP LGIP	CAMP6035	6/3/2025	6/3/2025	N/A	12,000,000	12,000,000	-	12,000,000
007 - Wastewater Consolidated	Money Market Mutual Funds	Federated MM	GOFXX	6/20/2025	6/20/2025	N/A	6,000,000	6,000,000	-	6,000,000
007 - Wastewater Consolidated	LAIF	LAIF LGIP	LGIP1001	6/3/2025	6/3/2025	N/A	6,000,000	6,000,000	-	6,000,000
007 - Wastewater Consolidated	Money Market Mutual Funds	Morgan Stanley MM	MVRXX	6/20/2025	6/20/2025	N/A	6,000,000	6,000,000	-	6,000,000
007 - Wastewater Consolidated	Money Market Mutual Funds	State Street MM	GVMXX	6/20/2025	6/20/2025	N/A	6,000,000	6,000,000	-	6,000,000
					<b>Total</b>		<b>42,000,000</b>			
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	6/20/2025	6/20/2025	N/A	5,630,000	5,630,000	-	5,630,000
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	6/6/2025	6/6/2025	N/A	5,651,000	5,651,000	-	5,651,000
					<b>Total</b>		<b>11,281,000</b>			
							<b>131,281,000</b>	<b>131,281,000</b>	<b>-</b>	<b>131,281,000</b>



**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Monthly Investment Activity**  
**June 2025**

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
<b>Matured</b>										
001 - Water System Consolidated	Federal Agency Is. FHLB 0.5	6/13/2025	3130AJKW8	6/13/2025	6/13/2025	6/13/2025	16,000,000	16,000,000	-	16,000,000
					<b>Total</b>		<b>16,000,000</b>			
007 - Wastewater Consolidated	Federal Agency Is. FHLB 0.5	6/13/2025	3130AJKW8	6/13/2025	6/13/2025	6/13/2025	4,000,000	4,000,000	-	4,000,000
					<b>Total</b>		<b>4,000,000</b>			

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20,000,000    20,000,000    -    20,000,000



EAST BAY MUNICIPAL UTILITY DISTRICT  
Monthly Investment Activity  
June 2025

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
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Calls

\*No Transactions this Period\*



EAST BAY MUNICIPAL UTILITY DISTRICT  
Monthly Investment Activity  
June 2025

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
Sales										

\*No Transactions this Period\*

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**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Monthly Investment Activity**  
**June 2025**

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
<b>Withdrawals</b>										
001 - Water System Consolidated	Local Government Investment Pool	CAMP LGIP	CAMP6035	6/20/2025	6/20/2025	N/A	6,000,000	6,000,000	-	6,000,000
001 - Water System Consolidated	Money Market Mutual Funds	Federated MM	GOFXX	6/20/2025	6/20/2025	N/A	6,000,000	6,000,000	-	6,000,000
001 - Water System Consolidated	Money Market Mutual Funds	Federated MM	GOFXX	6/2/2025	6/2/2025	N/A	24,000,000	24,000,000	-	24,000,000
001 - Water System Consolidated	Money Market Mutual Funds	Morgan Stanley MM	MVRXX	6/20/2025	6/20/2025	N/A	6,000,000	6,000,000	-	6,000,000
001 - Water System Consolidated	Money Market Mutual Funds	Morgan Stanley MM	MVRXX	6/2/2025	6/2/2025	N/A	24,000,000	24,000,000	-	24,000,000
001 - Water System Consolidated	Money Market Mutual Funds	State Street MM	GVMXX	6/20/2025	6/20/2025	N/A	6,000,000	6,000,000	-	6,000,000
001 - Water System Consolidated	Money Market Mutual Funds	State Street MM	GVMXX	6/2/2025	6/2/2025	N/A	24,000,000	24,000,000	-	24,000,000
					<b>Total</b>		<b>96,000,000</b>			
007 - Wastewater Consolidated	Money Market Mutual Funds	Federated MM	GOFXX	6/30/2025	6/30/2025	N/A	6,000,000	6,000,000	-	6,000,000
007 - Wastewater Consolidated	Money Market Mutual Funds	Federated MM	GOFXX	6/2/2025	6/2/2025	N/A	6,000,000	6,000,000	-	6,000,000
007 - Wastewater Consolidated	Money Market Mutual Funds	Morgan Stanley MM	MVRXX	6/2/2025	6/2/2025	N/A	6,000,000	6,000,000	-	6,000,000
007 - Wastewater Consolidated	Money Market Mutual Funds	State Street MM	GVMXX	6/2/2025	6/2/2025	N/A	6,000,000	6,000,000	-	6,000,000
					<b>Total</b>		<b>24,000,000</b>			
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	6/30/2025	6/30/2025	N/A	13,722,000	13,722,000	-	13,722,000
					<b>Total</b>		<b>13,722,000</b>			
099 - Wells Fargo	Cash	WELLS FARGO Cash	CASH2017	6/30/2025	6/30/2025	N/A	28,944,085	28,944,085	-	28,944,085
					<b>Total</b>		<b>28,944,085</b>			
							<b>162,666,085</b>	<b>162,666,085</b>	-	<b>162,666,085</b>



**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Monthly Interest Activity**  
**June 2025**

Portfolio	Total Interest Received	Interest Transferred to Wells Fargo*	Net Interest Activity (Reinvested)**
001 - Water System Consolidated	1,094,724	(380,000)	714,724
007 - Wastewater Consolidated	523,182	(322,313)	200,869
049 - Ferc Partnership	-	-	-
009 - BACWA	9,907	(9,907)	-
015 - DERWA	38,380	(38,380)	-
002 - FRWA	22,326	(22,326)	-
014 - IICP	7,236	(7,236)	-
010 - UMRWA	6,071	(6,071)	-
003 - Employees Retirement	43,969	(43,969)	-
<b>Interest Transactions Total</b>	<b>1,745,794</b>	<b>(830,201)</b>	<b>915,594</b>
<b>099 - Wells Fargo</b>	<b>-</b>	<b>830,201</b>	<b>830,201</b>
<b>Total</b>	<b>1,745,794</b>	<b>-</b>	<b>1,745,794</b>

\*Coupon and other interest received; reinvestment unavailable.

\*\*Coupon and other interest payments reinvested in specific portfolio.

Sherry Sarcos  
 Prepared by: Sherry Sarcos, Accounting Technician

07/31/2025  
 Date

Kevin Ma  
 Reviewed by: Kevin Ma, Accounting Supervisor

07/31/2025  
 Date

David Glasser  
 Approved by: David Glasser, Controller

07/31/2025  
 Date






## Monthly Investment Transactions Report July 2025

This report is presented to the Board pursuant to Government Code Section 53607 and in accordance with the District's Investment Policy 4.07.

The attached report details transactions in the District's portfolio as follows:

- **Monthly Investment Transactions Summary** **Page 1**
- **Monthly Investment Activity** **Page 2**
  - Buys Page 3
  - Deposits Page 4
  - Matured Page 5
  - Calls Page 6
  - Sales Page 7
  - Withdrawals Page 8
- **Monthly Interest Activity** **Page 9**
  - Interest Received (Transferred to Wells Fargo) Page 10
  - Interest Received (Reinvested) Page 11

  
[Sophia Skoda \(Aug 7, 2025 15:21:40 PDT\)](#)  
 Approved by: Sophia D. Skoda, Finance Director

08/07/2025

Date

SDS:KM:SLS



**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Monthly Investment Transactions Summary**  
**July 2025**

Portfolio	Beginning Balance*	Monthly Net Transaction Activity	Monthly Interest Activity	Ending Balance
001 - Water System Consolidated	491,943,694	(40,000,000)	636,059	452,579,753
007 - Wastewater Consolidated	123,152,275	(10,000,000)	244,927	113,397,202
049 - Ferc Partnership	2,211,518	-	24,238	2,235,755
009 - BACWA	2,501,890	-	27,422	2,529,312
015 - DERWA	1,105,760	-	12,121	1,117,881
002 - FRWA	1,105,760	-	12,121	1,117,881
014 - IICP	166,419	-	1,822	168,241
010 - UMRWA	70,767	-	777	71,544
003 - Employees Retirement	5,829,239	(2,854,000)	146,888	3,122,127
099 - Wells Fargo**	37,281,376	51,777,042	126,132	89,184,549
<b>Total</b>	<b>665,368,698</b>	<b>(1,076,958)</b>	<b>1,232,506</b>	<b>665,524,245</b>

\* Portfolio balance presented at face value.

\*\*Wells Fargo's month-end available balance per bank statement. Gross amount; not allocated by fund and not included in balances above.  
 A portion of the balance in Wells Fargo is swept to a money market fund to increase investment earnings.

Sherry Sarcos  
 Prepared by: Sherry Sarcos, Accounting Technician

08-07-2025  
 Date

Kevin Ma  
 Reviewed by: Kevin Ma, Accounting Supervisor

08/07/2025  
 Date

David Glasser  
 Approved by: David Glasser, Controller

08/07/2025  
 Date



**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Monthly Investment Activity**  
**July 2025**

Portfolio	Buys	Deposits	Matured	Calls	Sales	Withdrawals	Non-Investment Transactions*	Net Transaction Activity
001 - Water System Consolidated	-	-	-	-	-	(40,000,000)	-	(40,000,000)
007 - Wastewater Consolidated	-	-	-	-	-	(10,000,000)	-	(10,000,000)
049 - Ferc Partnership	-	-	-	-	-	-	-	-
009 - BACWA	-	-	-	-	-	-	-	-
015 - DERWA	-	-	-	-	-	-	-	-
002 - FRWA	-	-	-	-	-	-	-	-
014 - IICP	-	-	-	-	-	-	-	-
010 - UMRWA	-	-	-	-	-	-	-	-
003 - Employees Retirement	-	11,284,000	-	-	-	(14,138,000)	-	(2,854,000)
<b>Investment Activity Total</b>	-	<b>11,284,000</b>	-	-	-	<b>(64,138,000)</b>	-	<b>(52,854,000)</b>
<b>099 - Wells Fargo</b>	-	<b>(11,284,000)</b>	-	-	-	<b>64,138,000</b>	<b>(1,076,958)</b>	<b>51,777,042</b>
<b>Total</b>	-	-	-	-	-	-	<b>(1,076,958)</b>	<b>(1,076,958)</b>

\*Non-investment transactions are net receipts and expenditures in Wells Fargo resulting from activities other than investment and interest transactions detailed in this report.

*Steven Goodman-Leibof*  
 Reviewed by: Steven Goodman-Leibof, Principal Mgmt Analyst

08/07/2025

Date

*Robert L. Hannay*  
 Approved by: Robert L. Hannay, Treasury Manager

08/07/2025

Date



EAST BAY MUNICIPAL UTILITY DISTRICT  
Monthly Investment Activity  
July 2025

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Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
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**Buys**

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\*No Transactions this Period\*



EAST BAY MUNICIPAL UTILITY DISTRICT  
 Monthly Investment Activity  
 July 2025

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
<b>Deposits</b>										
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	7/18/2025	7/18/2025	N/A	5,644,000	5,644,000	-	5,644,000
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	7/3/2025	7/3/2025	N/A	5,640,000	5,640,000	-	5,640,000
					<b>Total</b>		<b>11,284,000</b>			
099 - Wells Fargo	Cash	WELLS FARGO Cash	CASH2017	7/31/2025	7/31/2025	N/A	51,903,174	51,903,174	-	51,903,174
					<b>Total</b>		<b>51,903,174</b>			

<b>63,187,174</b>	<b>63,187,174</b>	<b>-</b>	<b>63,187,174</b>
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EAST BAY MUNICIPAL UTILITY DISTRICT  
Monthly Investment Activity  
July 2025

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
Matured										

\*No Transactions this Period\*



EAST BAY MUNICIPAL UTILITY DISTRICT  
Monthly Investment Activity  
July 2025

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
----------------	-------------	-------------	--------------	------------	-----------------	---------------	--------------------	-----------	--------------------	-------

Calls

\*No Transactions this Period\*



EAST BAY MUNICIPAL UTILITY DISTRICT  
Monthly Investment Activity  
July 2025

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Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
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Sales

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\*No Transactions this Period\*

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**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Monthly Investment Activity**  
**July 2025**

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
<b>Withdrawals</b>										
001 - Water System Consolidated	Local Government Investment Pool	CAMP LGIP	CAMP6035	7/9/2025	7/9/2025	N/A	40,000,000	40,000,000	-	40,000,000
					<b>Total</b>		<b>40,000,000</b>			
007 - Wastewater Consolidated	Local Government Investment Pool	CAMP LGIP	CAMP6035	7/9/2025	7/9/2025	N/A	10,000,000	10,000,000	-	10,000,000
					<b>Total</b>		<b>10,000,000</b>			
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	7/31/2025	7/31/2025	N/A	14,138,000	14,138,000	-	14,138,000
					<b>Total</b>		<b>14,138,000</b>			
							<b>64,138,000</b>	<b>64,138,000</b>	<b>-</b>	<b>64,138,000</b>



**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Monthly Interest Activity**  
**July 2025**

Portfolio	Total Interest Received	Interest Transferred to Wells Fargo*	Net Interest Activity (Reinvested)**
001 - Water System Consolidated	636,059	-	636,059
007 - Wastewater Consolidated	314,116	(69,189)	244,927
049 - Ferc Partnership	24,238	-	24,238
009 - BACWA	32,100	(4,678)	27,422
015 - DERWA	26,713	(14,593)	12,121
002 - FRWA	23,625	(11,504)	12,121
014 - IICP	5,255	(3,433)	1,822
010 - UMRWA	3,730	(2,954)	777
003 - Employees Retirement	166,669	(19,781)	146,888
<b>Interest Transactions Total</b>	<b>1,232,506</b>	<b>(126,132)</b>	<b>1,106,374</b>
<b>099 - Wells Fargo</b>	<b>-</b>	<b>126,132</b>	<b>126,132</b>
<b>Total</b>	<b>1,232,506</b>	<b>-</b>	<b>1,232,506</b>

\*Coupon and other interest received; reinvestment unavailable.

\*\*Coupon and other interest payments reinvested in specific portfolio.

Sherry Sarcos  
 Prepared by: Sherry Sarcos, Accounting Technician

08-07-2025  
 Date

Kevin Ma  
 Reviewed by: Kevin Ma, Accounting Supervisor

08/07/2025  
 Date

David Glasser  
 Approved by: David Glasser, Controller

08/07/2025  
 Date





**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Monthly Interest Activity**  
**July 2025**

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
<b>Interest Received (Reinvested)</b>										
001 - Water System Consolidated	LAIF	LAIF LGIP	LGIP1001	7/15/2025	7/15/2025	N/A	-	-	195,110	195,110
001 - Water System Consolidated	Local Government Investment Pool	CAMP LGIP	CAMP6035	7/31/2025	7/31/2025	N/A	-	-	135,199	135,199
001 - Water System Consolidated	Money Market Mutual Funds	Federated MM	GOFXX	7/1/2025	7/1/2025	N/A	-	-	120,469	120,469
001 - Water System Consolidated	Money Market Mutual Funds	Morgan Stanley MM	MVRXX	7/1/2025	7/1/2025	N/A	-	-	92,323	92,323
001 - Water System Consolidated	Money Market Mutual Funds	State Street MM	GVMXX	7/1/2025	7/1/2025	N/A	-	-	92,957	92,957
								<b>Total</b>		<b>636,059</b>
007 - Wastewater Consolidated	LAIF	LAIF LGIP	LGIP1001	7/15/2025	7/15/2025	N/A	-	-	62,607	62,607
007 - Wastewater Consolidated	Local Government Investment Pool	CAMP LGIP	CAMP6035	7/31/2025	7/31/2025	N/A	-	-	67,910	67,910
007 - Wastewater Consolidated	Money Market Mutual Funds	Federated MM	GOFXX	7/1/2025	7/1/2025	N/A	-	-	21,996	21,996
007 - Wastewater Consolidated	Money Market Mutual Funds	Morgan Stanley MM	MVRXX	7/1/2025	7/1/2025	N/A	-	-	45,014	45,014
007 - Wastewater Consolidated	Money Market Mutual Funds	State Street MM	GVMXX	7/1/2025	7/1/2025	N/A	-	-	47,400	47,400
								<b>Total</b>		<b>244,927</b>
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	7/15/2025	7/15/2025	N/A	-	-	146,888	146,888
								<b>Total</b>		<b>146,888</b>
002 - FRWA	LAIF	LAIF LGIP	LGIP1001	7/15/2025	7/15/2025	N/A	-	-	12,121	12,121
								<b>Total</b>		<b>12,121</b>
009 - BACWA	LAIF	LAIF LGIP	LGIP1001	7/15/2025	7/15/2025	N/A	-	-	27,422	27,422
								<b>Total</b>		<b>27,422</b>
010 - UMRWA	LAIF	LAIF LGIP	LGIP1001	7/15/2025	7/15/2025	N/A	-	-	777	777
								<b>Total</b>		<b>777</b>
014 - IICP	LAIF	LAIF LGIP	LGIP1001	7/15/2025	7/15/2025	N/A	-	-	1,822	1,822
								<b>Total</b>		<b>1,822</b>
015 - DERWA	LAIF	LAIF LGIP	LGIP1001	7/15/2025	7/15/2025	N/A	-	-	12,121	12,121
								<b>Total</b>		<b>12,121</b>
049 - Ferc Partnership	LAIF	LAIF LGIP	LGIP1001	7/15/2025	7/15/2025	N/A	-	-	24,238	24,238
								<b>Total</b>		<b>24,238</b>
									<b>1,106,374</b>	<b>1,106,374</b>

## EAST BAY MUNICIPAL UTILITY DISTRICT

---

DATE: August 21, 2025

MEMO TO: Board of Directors

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

FROM: Sophia D. Skoda, Director of Finance *SDS*

SUBJECT: Quarterly Payroll, Disbursement and Real Estate Summary Reports for the Water and Wastewater Systems for Quarter Ended June 30, 2025

### SUMMARY

File the June 30, 2025 quarterly payroll, disbursement, and real estate reports for the Water and Wastewater systems with the Board. These reports will be presented at the August 26, 2025 Finance/Administration Committee meeting.

### DISCUSSION

As directed by Board Resolution Nos. 32834-94 and 32837-94, attached is a record of the payment of demands and real estate transactions. The transaction for the property in the real estate report was executed at fair market price.

CCC:SDS:lc

Attachments: 1. Fourth Fiscal Quarterly Payroll and Disbursement Summary Report  
2. Real Estate Services Quarterly Report

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EAST BAY MUNICIPAL UTILITY DISTRICT  
FOURTH FISCAL QUARTERLY PAYROLL AND DISBURSEMENT SUMMARY REPORT


PAYROLL SUMMARY  
(RESOLUTION NO. 32834-94)

	April 2025		May 2025		June 2025		QUARTERLY TOTALS	
<i>District Payments</i>	WSG	WWG	WSG	WWG	WSG	WWG	WSG	WWG
Gross Pay	\$ 20,577,655	\$ 3,481,824	\$ 19,500,532	\$ 3,302,955	\$ 19,680,188	\$ 3,292,931	\$ 59,758,375	\$ 10,077,710
Retirement	\$ 7,964,986	\$ 1,329,055	\$ 7,969,298	\$ 1,332,386	\$ 7,994,945	\$ 1,333,483	\$ 23,929,229	\$ 3,994,924
FICA	\$ 1,570,139	\$ 265,511	\$ 1,487,517	\$ 251,807	\$ 1,499,560	\$ 251,070	\$ 4,557,216	\$ 768,388
Kaiser	\$ 2,764,690	\$ 442,705	\$ 2,743,223	\$ 442,705	\$ 2,756,142	\$ 444,483	\$ 8,264,055	\$ 1,329,893
Sutter Health	\$ 129,006	\$ 29,605	\$ 263,457	\$ 63,057	\$ (13,351)	\$ (3,846)	\$ 379,112	\$ 88,816
Blue Cross	\$ 456,053	\$ 55,536	\$ 425,086	\$ 55,698	\$ (42,862)	\$ (6,780)	\$ 838,277	\$ 104,454
VSP	\$ 29,387	\$ 4,683	\$ 58,689	\$ 9,345	\$ (5)	\$ (13)	\$ 88,071	\$ 14,015
Delta Dental	\$ 385,968	\$ 62,495	\$ 233,354	\$ 42,752	\$ 233,769	\$ 40,485	\$ 853,091	\$ 145,732
Life Insurance	\$ 42,034	\$ 6,938	\$ (132,588)	\$ (18,947)	\$ 41,032	\$ 6,807	\$ (49,522)	\$ (5,202)
Long Term Disability	\$ 52,801	\$ 8,866	\$ -	\$ -	\$ 52,982	\$ 8,860	\$ 105,783	\$ 17,726
Unemployment Insurance	\$ -	\$ -	\$ 11,421	\$ 11,002	\$ -	\$ -	\$ 11,421	\$ 11,002
<b>TOTAL</b>	<b>\$ 33,972,719</b>	<b>\$ 5,687,218</b>	<b>\$ 32,559,989</b>	<b>\$ 5,492,760</b>	<b>\$ 32,202,400</b>	<b>\$ 5,367,480</b>	<b>\$ 98,735,108</b>	<b>\$ 16,547,458</b>

DISBURSEMENT SUMMARY  
(RESOLUTION NO. 32837-94)

	April 2025		May 2025		June 2025		QUARTERLY TOTALS	
Voucher Payments	\$ 48,904,840	\$ 6,448,168	\$ 50,077,482	\$ 5,214,684	\$ 47,422,000	\$ 7,809,647	\$ 146,404,322	\$ 19,472,499
Electronic payments	\$ 817,294	\$ 232	\$ 480,379	\$ -	\$ 133,293,737	\$ 22,325,621	\$ 134,591,410	\$ 22,325,853
Peard payments	\$ 1,187,733	\$ -	\$ 1,245,582	\$ -	\$ 1,233,823	\$ -	\$ 3,667,138	\$ -
<b>TOTAL</b>	<b>\$ 50,909,867</b>	<b>\$ 6,448,400</b>	<b>\$ 51,803,443</b>	<b>\$ 5,214,684</b>	<b>\$ 181,949,560</b>	<b>\$ 30,135,268</b>	<b>\$ 284,662,870</b>	<b>\$ 41,798,352</b>

NOTE:

By:  08/05/2025  
 Sophia D. Skoda, Director of Finance Date

By: David Glasser 07/30/2025  
 David Glasser, Controller Date

## REAL ESTATE SERVICES QUARTERLY REPORT April – June 2025

### PROPERTY PURCHASES

OWNER	LOCATION	SIZE	TYPE	PROJECT/PURPOSE	AMOUNT PAID	DATE
-	-	-	-	-	-	-

### PROPERTY DISPOSITIONS

APPLICANT	LOCATION	SIZE	TYPE	PURPOSE	AMOUNT RECEIVED	DATE
Oakport PGE	Oakport Property	15K sqft.	Lease	Staging 6/3/25 – 8/2/25	\$15,950.00	6/03/25

Approved by:

*Matt Elawady*

7/30/2025

\_\_\_\_\_  
Matt Elawady, Manager of Real Estate Services

\_\_\_\_\_  
Date

Cc: Andrew Lee  
Kevin Ma

## EAST BAY MUNICIPAL UTILITY DISTRICT

---

DATE: August 21, 2025

MEMO TO: Board of Directors

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

FROM: Sophia D. Skoda, Director of Finance *SDS*

SUBJECT: Quarterly Investment Report – June 30, 2025

### SUMMARY

In accordance with Section 53646 of the California Government Code, the Treasurer of the District submits to the General Manager, the Internal Auditor, and the Board of Directors the attached June 30, 2025 Quarterly Investment Report. This report will be presented at the August 26, 2025 Finance/Administration Committee meeting.

### DISCUSSION

The investments held by the District as of June 30, 2025 are shown in Attachment A and totaled \$665.4 million. The portfolio is in compliance with the Board's adopted policy regarding District investments and as of June 30, 2025, had an average yield to maturity of 4.22 percent.

Investments also reflect the working capital of the District's associated Joint Powers Authorities and the East Bay Municipal Utility District Employees' Retirement System.

Attachment B shows the composition and credit allocation of the District's investment portfolio. It also shows a comparison of the yield of the District's portfolio against the yield on the 90-day Treasury Bill and the Federal Funds Rate. On June 30, 2025, the Federal Funds Rate was 4.50 percent (upper bound) and the yield on the 90-day Treasury Bill was 4.23 percent. Forecasts of the projected cash balances of the Water and Wastewater systems' general funds for the six months through December 2025 are also included. In compliance with Section 53646(b)3 of the California Government Code, this report indicates the District will meet expenditure requirements for the next six months from a combination of maturing investments and revenues from budgeted operations.

CCC:SDS:rlh

Attachment: Quarterly Investment Report


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EAST BAY MUNICIPAL UTILITY DISTRICT  
Portfolio Management  
Portfolio Summary  
June 30, 2025

ATTACHMENT A

Description	Face Amount Shares	Market Value	Book Value	% of Portfolio	YTM @ Cost	Days To Maturity
US Treasuries	309,000,000	307,279,830	307,038,820	46.31	4.21	293
Money Market Mutual Funds	118,072,637	118,072,637	118,072,637	17.80	4.25	1
Local Government Investment Pool	91,244,253	91,244,253	91,244,253	13.75	4.40	1
LAIF	57,270,432	57,270,432	57,270,432	8.63	4.27	1
Federal Agency Issues Coupon	52,500,000	52,348,810	52,373,586	7.89	4.16	114
Cash	37,281,376	37,281,376	37,281,376	5.62	3.90	1
<b>Total / Average</b>	<b>665,368,698</b>	<b>663,497,338</b>	<b>663,281,104</b>	<b>100.00</b>	<b>4.22</b>	<b>145</b>

  
Sophia Skoda (Aug 5, 2025 09:52:59 PDT)

Sophia D. Skoda  
Director of Finance

08/05/2025

Date

\*LAIF includes Retirement funds of \$5,829,239

\*\*A portion of the balance in Wells Fargo is swept to a money market fund to increase investment earnings



**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Portfolio Management**  
**Non-Cash Portfolio Holdings by Fund**  
**June 30, 2025**

**ATTACHMENT A**

**Water:**

<b>Description</b>	<b>Face Amount Shares</b>	<b>Market Value</b>	<b>Book Value</b>
US Treasuries	264,000,000	262,607,760	262,348,871
Money Market Mutual Funds	85,934,462	85,934,462	85,934,462
Local Government Investment Pool	64,095,287	64,095,287	64,095,287
Federal Agency Issues Coupon	43,500,000	43,361,450	43,381,110
LAIF	34,413,945	34,413,945	34,413,945
<b>Total/Average</b>	<b>491,943,694</b>	<b>490,412,904</b>	<b>490,173,674</b>

**Wastewater:**

<b>Description</b>	<b>Face Amount Shares</b>	<b>Market Value</b>	<b>Book Value</b>
US Treasuries	45,000,000	44,672,070	44,689,949
Money Market Mutual Funds	32,138,175	32,138,175	32,138,175
Local Government Investment Pool	27,148,965	27,148,965	27,148,965
LAIF	9,865,134	9,865,134	9,865,134
Federal Agency Issues Coupon	9,000,000	8,987,360	8,992,476
<b>Total/Average</b>	<b>123,152,275</b>	<b>122,811,705</b>	<b>122,834,700</b>



**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Portfolio Management**  
**Non-Cash Portfolio Holdings by Fund**  
**June 30, 2025**

**ATTACHMENT A**

**JPA:**

<b>BACWA</b>	<b>Face Amount Shares</b>	<b>Market Value</b>	<b>Book Value</b>
LAIF Local Government Investment Pool	2,501,890	2,501,890	2,501,890
<b>Total/Average</b>	<b>2,501,890</b>	<b>2,501,890</b>	<b>2,501,890</b>

**DERWA**

LAIF Local Government Investment Pool	1,105,760	1,105,760	1,105,760
<b>Total/Average</b>	<b>1,105,760</b>	<b>1,105,760</b>	<b>1,105,760</b>

**FRWA**

LAIF Local Government Investment Pool	1,105,760	1,105,760	1,105,760
<b>Total/Average</b>	<b>1,105,760</b>	<b>1,105,760</b>	<b>1,105,760</b>

**IICP**

LAIF Local Government Investment Pool	166,419	166,419	166,419
<b>Total/Average</b>	<b>166,419</b>	<b>166,419</b>	<b>166,419</b>

**UMRWA**

LAIF Local Government Investment Pool	70,767	70,767	70,767
<b>Total/Average</b>	<b>70,767</b>	<b>70,767</b>	<b>70,767</b>



**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Portfolio Management**  
**Non-Cash Portfolio Holdings by Fund**  
**June 30, 2025**

**ATTACHMENT A**

**Other:**

<b>Employee Retirement System</b>	<b>Face Amount Shares</b>	<b>Market Value</b>	<b>Book Value</b>
LAIF Local Government Investment Pool	5,829,239	5,829,239	5,829,239
<b>Total/Average</b>	<b>5,829,239</b>	<b>5,829,239</b>	<b>5,829,239</b>

**FERC**

LAIF Local Government Investment Pool	2,211,518	2,211,518	2,211,518
<b>Total/Average</b>	<b>2,211,518</b>	<b>2,211,518</b>	<b>2,211,518</b>

**Cash**

Wells Fargo	37,281,376	37,281,376	37,281,376
<b>Total/Average</b>	<b>37,281,376</b>	<b>37,281,376</b>	<b>37,281,376</b>



**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Portfolio Management**  
**Portfolio Details by Fund - Investments**  
**June 30, 2025**

Description	CUSIP	Settlement Date	Face Amount Shares	Market Value	Book Value	Cost Value	Moody's	S&P	YTM @ Cost	Days To Maturity
<b>Water:</b>										
<b>US Treasuries</b>										
T-Note 1.625 5/15/2026	912828R36	5/20/2025	40,000,000	39,169,600	39,150,935	39,041,807	Aaa	AA+	4.13	319
T-Note 3.625 5/15/2026	91282CHB0	5/16/2025	40,000,000	39,851,600	39,837,049	39,814,062	Aaa	AA+	4.11	319
T-Note 3.625 5/15/2026	91282CHB0	5/20/2025	40,000,000	39,851,600	39,824,162	39,801,563	Aaa	AA+	4.14	319
T-Note 4.5 11/15/2025	91282CFW6	3/15/2024	40,000,000	40,020,000	39,959,279	39,820,000	Aaa	AA+	4.78	138
T-Note 3.625 5/15/2026	91282CHB0	12/15/2023	24,000,000	23,910,960	23,889,674	23,694,960	Aaa	AA+	4.18	319
T-Note 0 5/15/2026	912833LZ1	1/22/2025	16,000,000	15,477,920	15,423,490	15,136,139	Aaa	AA+	4.28	319
T-Note 4.25 12/31/2025	91282CJS1	12/16/2024	16,000,000	16,000,160	15,999,845	15,999,680	Aaa	AA+	4.25	184
T-Note 4.625 11/15/2026	91282CJK8	1/5/2024	16,000,000	16,155,040	16,096,653	16,200,800	Aaa	AA+	4.15	503
T-Note 4.625 3/15/2026	91282CGR6	3/17/2025	16,000,000	16,056,480	16,058,338	16,082,080	Aaa	AA+	4.09	258
<b>Subtotal/Average</b>			<b>264,000,000</b>	<b>262,607,760</b>	<b>262,348,871</b>	<b>261,706,091</b>				
<b>Money Market Mutual Funds</b>										
Federated MM	GOFXX	12/16/2021	33,907,475	33,907,475	33,907,475	33,907,475	Aaa	AAA	4.25	1
Morgan Stanley MM	MVRXX	12/17/2021	26,047,952	26,047,952	26,047,952	26,047,952	Aaa	AAA	4.23	1
State Street MM	GVMXX	10/20/2022	25,979,035	25,979,035	25,979,035	25,979,035	Aaa	AAA	4.27	1
<b>Subtotal/Average</b>			<b>85,934,462</b>	<b>85,934,462</b>	<b>85,934,462</b>	<b>85,934,462</b>				
<b>CAMP CA Asset Mgmt Program</b>										
CAMP LGIP	CAMP6035	5/9/2014	64,095,287	64,095,287	64,095,287	64,095,287	NR	AAA	4.40	1
<b>Subtotal/Average</b>			<b>64,095,287</b>	<b>64,095,287</b>	<b>64,095,287</b>	<b>64,095,287</b>				
<b>Federal Agency Issues Coupon</b>										
FHLB 4.27 11/14/2025	3130B6HB5	5/19/2025	19,500,000	19,496,490	19,500,000	19,500,000	Aaa	AA+	4.27	137
FFCB 4 9/19/2025	3133ERTZ4	9/19/2024	16,000,000	15,981,920	15,999,503	15,997,760	Aa	AAA	4.01	81
FHLB 0 11/6/2025	313385NX0	5/16/2025	8,000,000	7,883,040	7,881,607	7,840,307	Aaa	AA+	4.21	129
<b>Subtotal/Average</b>			<b>43,500,000</b>	<b>43,361,450</b>	<b>43,381,110</b>	<b>43,338,067</b>				
<b>LAIF Local Government Investment Pool</b>										
LAIF LGIP	LGIP1001	6/30/2011	34,413,945	34,413,945	34,413,945	34,413,945	NR	NR	4.27	1
<b>Subtotal/Average</b>			<b>34,413,945</b>	<b>34,413,945</b>	<b>34,413,945</b>	<b>34,413,945</b>				
<b>Total/Average</b>			<b>491,943,694</b>	<b>490,412,904</b>	<b>490,173,674</b>	<b>489,487,852</b>				



**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Portfolio Management**  
**Portfolio Details by Fund - Investments**  
**June 30, 2025**

Description	CUSIP	Settlement Date	Face Amount Shares	Market Value	Book Value	Cost Value	Moody's	S&P	YTM @ Cost	Days To Maturity
<b>Wastewater:</b>										
<b>US Treasuries</b>										
T-Note 3.625 5/15/2026	91282CHB0	12/15/2023	6,000,000	5,977,740	5,972,418	5,923,740	Aaa	AA+	4.18	319
T-Note 1.625 5/15/2026	912828R36	6/30/2022	5,000,000	4,896,200	4,936,771	4,719,531	Aaa	AA+	3.18	319
T-Note 1.625 5/15/2026	912828R36	5/20/2025	5,000,000	4,896,200	4,893,867	4,880,226	Aaa	AA+	4.13	319
T-Note 3.625 5/15/2026	91282CHB0	5/20/2025	5,000,000	4,981,450	4,978,020	4,975,195	Aaa	AA+	4.14	319
T-Note 0 5/15/2026	912833LZ1	1/22/2025	4,000,000	3,869,480	3,855,873	3,784,035	Aaa	AA+	4.28	319
T-Note 2.25 11/15/2025	912828M56	6/30/2022	4,000,000	3,969,480	3,986,930	3,883,125	Aaa	AA+	3.17	138
T-Note 4.25 12/31/2025	91282CJS1	12/16/2024	4,000,000	4,000,040	3,999,961	3,999,920	Aaa	AA+	4.25	184
T-Note 4.625 11/15/2026	91282CJK8	1/5/2024	4,000,000	4,038,760	4,024,163	4,050,200	Aaa	AA+	4.15	503
T-Note 4.625 3/15/2026	91282CGR6	3/17/2025	4,000,000	4,014,120	4,014,584	4,020,520	Aaa	AA+	4.09	258
<b>Subtotal/Average</b>			<b>45,000,000</b>	<b>44,672,070</b>	<b>44,689,949</b>	<b>44,265,242</b>				
<b>Money Market Mutual Funds</b>										
State Street MM	GVMXX	10/20/2022	13,247,126	13,247,126	13,247,126	13,247,126	Aaa	AAA	4.27	1
Morgan Stanley MM	MVRXX	12/17/2021	12,700,139	12,700,139	12,700,139	12,700,139	Aaa	AAA	4.23	1
Federated MM	GOFXX	12/16/2021	6,190,910	6,190,910	6,190,910	6,190,910	Aaa	AAA	4.25	1
<b>Subtotal/Average</b>			<b>32,138,175</b>	<b>32,138,175</b>	<b>32,138,175</b>	<b>32,138,175</b>				
<b>CAMP CA Asset Mgmt Program</b>										
CAMP LGIP	CAMP6035	8/19/2016	27,148,965	27,148,965	27,148,965	27,148,965	NR	AAA	4.40	1
<b>Subtotal/Average</b>			<b>27,148,965</b>	<b>27,148,965</b>	<b>27,148,965</b>	<b>27,148,965</b>				
<b>Federal Agency Issues Coupon</b>										
FHLB 4.27 11/14/2025	3130B6HB5	5/19/2025	4,500,000	4,499,190	4,500,000	4,500,000	Aaa	AA+	4.27	137
FFCB 4 9/19/2025	3133ERTZ4	9/19/2024	4,000,000	3,995,480	3,999,876	3,999,440	Aa	AAA	4.01	81
FHLB 0 11/6/2025	313385NX0	5/16/2025	500,000	492,690	492,600	490,019	Aaa	AA+	4.21	129
<b>Subtotal/Average</b>			<b>9,000,000</b>	<b>8,987,360</b>	<b>8,992,476</b>	<b>8,989,459</b>				
<b>LAIF Local Government Investment Pool</b>										
LAIF LGIP	LGIP1001	6/30/2011	9,865,134	9,865,134	9,865,134	9,865,134	NR	NR	4.27	1
<b>Subtotal/Average</b>			<b>9,865,134</b>	<b>9,865,134</b>	<b>9,865,134</b>	<b>9,865,134</b>				
<b>Total/Average</b>			<b>123,152,275</b>	<b>122,811,705</b>	<b>122,834,700</b>	<b>122,406,977</b>				



**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Portfolio Management**  
**Portfolio Details by Fund - Investments**  
**June 30, 2025**

Description	CUSIP	Settlement Date	Face Amount Shares	Market Value	Book Value	Cost Value	Moodys	S&P	YTM @ Cost	Days To Maturity
<b>JPA:</b>										
<b>BACWA</b>										
LAIF LGIP	LGIP1001	6/30/2011	2,501,890	2,501,890	2,501,890	2,501,890	NR	NR	4.27	1
<b>Subtotal/Average</b>			<b>2,501,890</b>	<b>2,501,890</b>	<b>2,501,890</b>	<b>2,501,890</b>				
<b>DERWA</b>										
LAIF LGIP	LGIP1001	2/1/2017	1,105,760	1,105,760	1,105,760	1,105,760	NR	NR	4.27	1
<b>Subtotal/Average</b>			<b>1,105,760</b>	<b>1,105,760</b>	<b>1,105,760</b>	<b>1,105,760</b>				
<b>FRWA</b>										
LAIF LGIP	LGIP1001	6/30/2011	1,105,760	1,105,760	1,105,760	1,105,760	NR	NR	4.27	1
<b>Subtotal/Average</b>			<b>1,105,760</b>	<b>1,105,760</b>	<b>1,105,760</b>	<b>1,105,760</b>				
<b>IICP</b>										
LAIF LGIP	LGIP1001	6/30/2011	166,419	166,419	166,419	166,419	NR	NR	4.27	1
<b>Subtotal/Average</b>			<b>166,419</b>	<b>166,419</b>	<b>166,419</b>	<b>166,419</b>				
<b>UMRWA</b>										
LAIF LGIP	LGIP1001	6/30/2011	70,767	70,767	70,767	70,767	NR	NR	4.27	1
<b>Subtotal/Average</b>			<b>70,767</b>	<b>70,767</b>	<b>70,767</b>	<b>70,767</b>				



**EAST BAY MUNICIPAL UTILITY DISTRICT  
Portfolio Management  
Portfolio Details by Fund - Investments  
June 30, 2025**

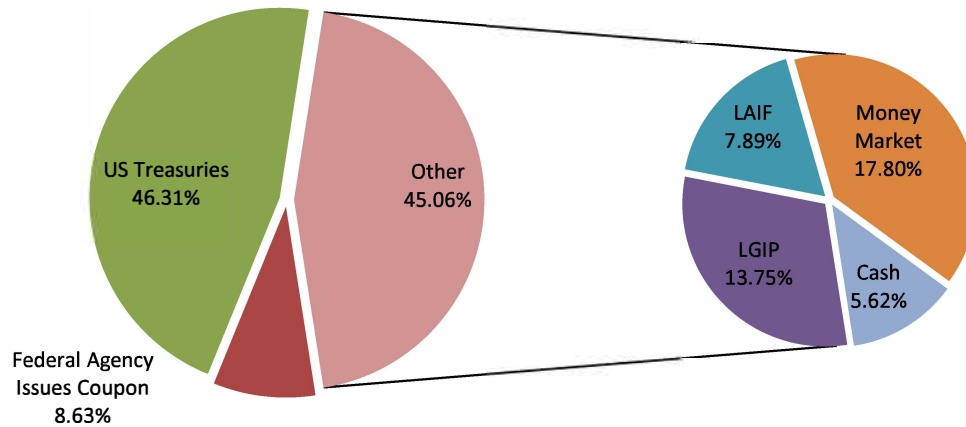
Description	CUSIP	Settlement Date	Face Amount Shares	Market Value	Book Value	Cost Value	Moody's	S&P	YTM @ Cost	Days To Maturity
<b>Other:</b>										
<b>Employee Retirement System</b>										
LAIF LGIP	LGIP1005	6/30/2011	5,829,239	5,829,239	5,829,239	5,829,239	NR	NR	4.27	1
<b>Subtotal/Average</b>			<b>5,829,239</b>	<b>5,829,239</b>	<b>5,829,239</b>	<b>5,829,239</b>				
<b>FERC</b>										
LAIF LGIP	LGIP1001	6/30/2011	2,211,518	2,211,518	2,211,518	2,211,518	NR	NR	4.27	1
<b>Subtotal/Average</b>			<b>2,211,518</b>	<b>2,211,518</b>	<b>2,211,518</b>	<b>2,211,518</b>				
<b>Cash</b>										
WELLS FARGO Cash	CASH2017	4/1/2017	37,281,376	37,281,376	37,281,376	37,281,376	NR	NR	3.90	1
<b>Subtotal/Average</b>			<b>37,281,376</b>	<b>37,281,376</b>	<b>37,281,376</b>	<b>37,281,376</b>				



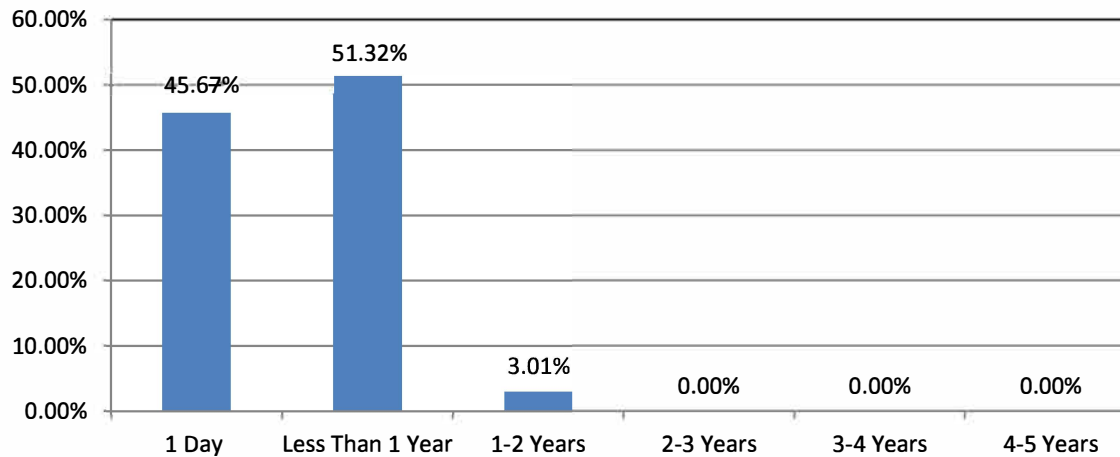
**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Investment Portfolio**  
**Yield and Composition - by Asset Class**  
**June 30, 2025**

ATTACHMENT B-1

**Portfolio Holding Distribution by Asset Class**



**Portfolio Holdings Distribution by Maturity Range**



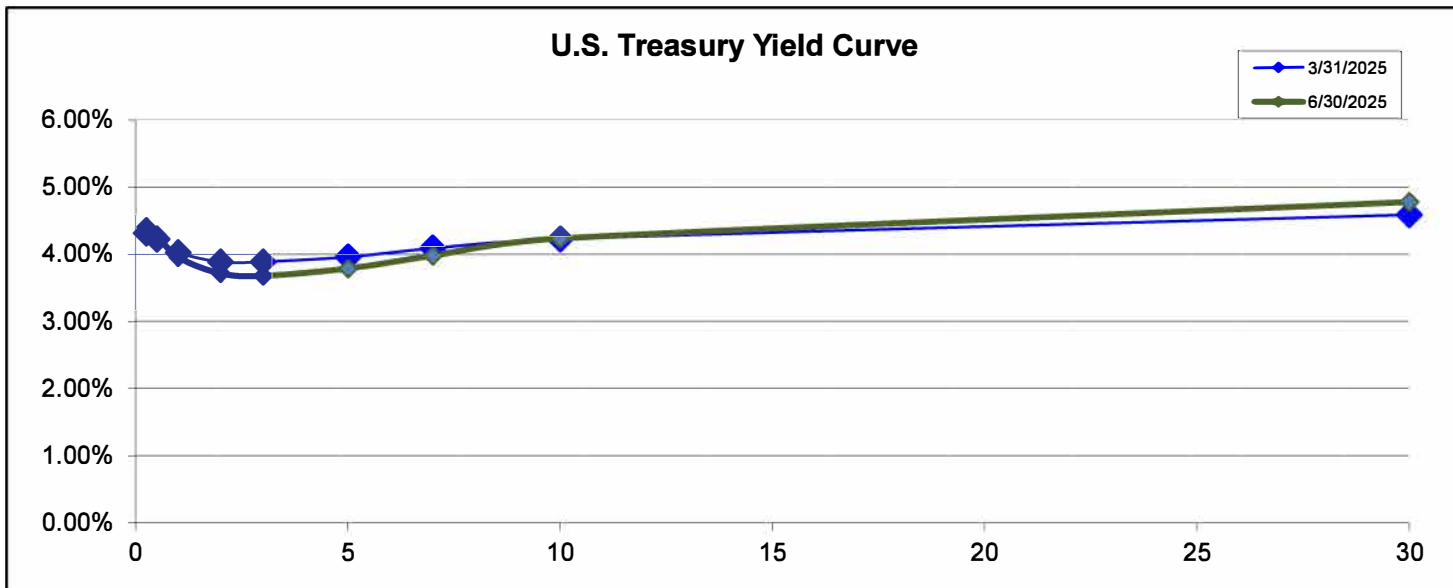
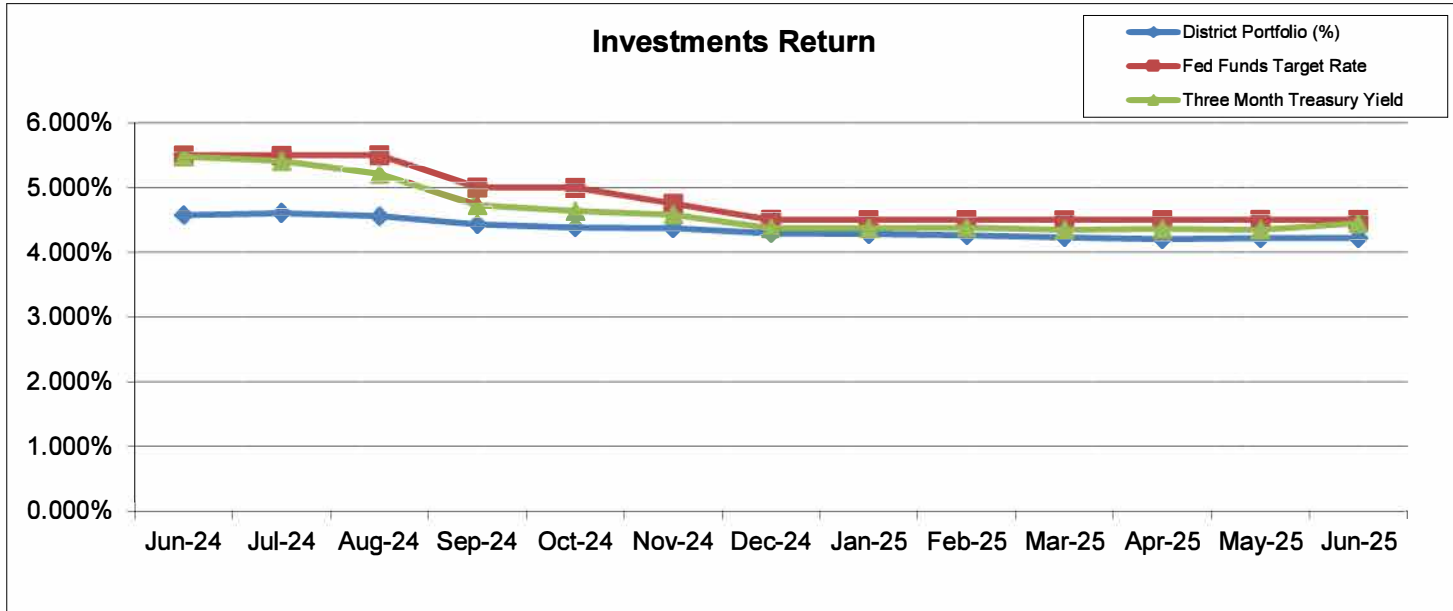
**Ratings & Amounts**

<u>U.S. Treasuries</u>		
T-Bills	AA+	-
T-Notes	AA+	309,000,000
<u>Agency Bonds</u>		
FAMC	AA+	-
FFCB	AAA	20,000,000
FHLB	AA+	32,500,000
FHLMC	AA+	-
FNMA	AA+	-
<u>Municipal Bonds</u>		
Municipal	AAA category	-
Municipal	AA category	-
<u>Corporate Bonds</u>		
Corporate	AAA category	-
Corporate	AA+ category	-
Corporate	AA- category	-
<u>Overnight Liquidity</u>		
LGIP	AAA	91,244,253
MMF	AAA	118,072,637
LAIF	N/A	57,270,432
Cash	N/A	37,281,376
		<u>\$ 665,368,698</u>



EAST BAY MUNICIPAL UTILITY DISTRICT  
Investment Portfolio  
Yield and Composition of Investment Portfolio  
June 30, 2025

ATTACHMENT B-2





**EAST BAY MUNICIPAL UTILITY DISTRICT**  
**Investment Portfolio**  
**Yield and Composition of Investment Portfolio**  
**June 30, 2025**

ATTACHMENT B-3

**Projected Cash Flow (in \$Millions)**

**Water System**

Month End	Matured Investments	Projected			Matured Reinvested
		Receipts	Disbursements	Cash & Investments	
Jun-25				531.5	
Jul-25	0.0	79.0	79.0	531.5	0.0
Aug-25	0.0	82.7	82.7	531.5	0.0
Sep-25	16.0	81.5	82.2	530.8	16.0
Oct-25	0.0	80.8	92.0	519.6	0.0
Nov-25	67.5	71.4	151.2	439.8	67.5
Dec-25	16.0	93.1	92.0	440.9	16.0

**Wastewater System**

Month End	Matured Investments	Projected			Matured Reinvested
		Receipts	Disbursements	Cash & Investments	
Jun-25				125.2	
Jul-25	0.0	11.2	20.4	116.0	0.0
Aug-25	0.0	11.2	20.4	106.8	0.0
Sep-25	4.0	11.2	20.4	97.6	4.0
Oct-25	0.0	11.2	20.4	88.4	0.0
Nov-25	9.0	11.2	28.1	71.5	9.0
Dec-25	4.0	33.6	20.4	84.6	4.0

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## EAST BAY MUNICIPAL UTILITY DISTRICT

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DATE: August 21, 2025

MEMO TO: Board of Directors

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

FROM: Sophia D. Skoda, Director of Finance *SDS*

SUBJECT: Proposed Fiscal Year 2026 Financing Plan

### SUMMARY

The proposed Fiscal Year (FY) 2026 Financing Plan (FY 2026 Financing Plan) includes the issuance of Water and Wastewater Bonds to provide funding for the Capital Improvement Program (CIP). The FY 2026 Financing Plan also includes continued monitoring of market conditions to evaluate the feasibility of derisking the Water and Wastewater Systems' Build America Bonds (BABs) or pursuing other refunding opportunities. Per the FY 2026 and FY 2027 Biennial Budget (Budget), funding for the CIP includes issuance of new money bonds in the amounts of \$355 million for the Water System and \$40 million for the Wastewater System in FY 2026.

### DISCUSSION

Each year, the Board reviews and considers the proposed annual Financing Plan. This plan describes the financing activities (e.g., bond issues) from the previous fiscal year, and the planned financing activities for the current fiscal year. The FY 2026 Financing Plan is provided as an attachment.

The District's Water System has approximately \$2.8 billion in debt outstanding. Of this total, 90 percent is fixed-rate, long-term revenue bonds, nine percent is Commercial Paper (CP) with variable interest rates, and one percent consists of parity State loans. Long-term credit ratings for the Water bonds are AAA from S&P, Aaa (or AAA equivalent) from Moody's and AA+ from Fitch.

The District's Wastewater System has approximately \$356 million in debt outstanding. The Wastewater System's debt is 100 percent fixed-rate, long-term revenue bonds. Long-term credit ratings for the Wastewater System are AAA from S&P, Aa1 (or AA+ equivalent) from Moody's and AA+ from Fitch.

In FY 2025, the District issued \$738 million in Water Bonds and \$77 million in Wastewater Bonds. Proceeds of the bonds were used to reimburse the District for CIP expenditures which

meet the District's Green Bond Criteria in the amounts of \$275 million for the Water System and \$30 million for the Wastewater System; and refinance \$528.4 million of outstanding, callable Series 2015ABC Water Bonds and \$54.8 million of outstanding, callable Series 2015A-1 Wastewater Bonds. The par amounts of the bond issues are less than the proceeds received due to the issuance of premium bonds – a typical structure in the current interest rate environment. The District also retired \$20 million in Water CP in FY 2025.

FY 2026 is expected to be an active year for debt financing. Per the FY 2026 Financing Plan, the District plans to issue new money bonds for the Water and Wastewater systems to provide proceeds to fund the CIP. The District will monitor opportunities to issue refunding bonds to refinance outstanding debt for debt service savings or derisking. The issuance is expected to take place in the second half of 2026.

As described in the Budget, funding for the CIP includes issuance of new money bonds in the amounts of \$355 million for the Water System and \$40 million for the Wastewater System in FY 2026. The new money bonds will likely be labeled Green Bonds, and their proceeds will be used to fund qualified projects in accordance with the Guidance for Issuing Green Bonds adopted by the Board in March 2022. The District is also continuing to monitor a derisking of up to \$550 million of outstanding BABs for the Water and Wastewater systems if certain conditions are met. Although no outstanding bonds are currently callable in FY 2026, staff will assess other market opportunities to refund debt for savings.

More details are provided in the attached FY 2026 Financing Plan. The proposed financing activities in this plan support the District's Long-Term Financial Stability Strategic Plan goal.

## **NEXT STEPS**

This FY 2026 Financing Plan will be brought to the Board for consideration at its August 26, 2025 meeting.

CCC:SDS:jwl

Attachment: Proposed Fiscal Year 2026 Financing Plan

## **Proposed Fiscal Year (FY) 2026 Financing Plan**

### **Previous Year Debt Activity (FY 2025)**

In FY 2025, the District issued new money and refunding Water System Revenue Bonds (Water Bonds) and Wastewater System Revenue Bonds (Wastewater Bonds) and retired a portion of its outstanding Water System Commercial Paper (Water CP). The new money bonds provided capital improvement program (CIP) funding for expenditures which met the District's Green Bond Criteria. The refunding bonds refinanced outstanding, callable bonds generating significant debt service savings. The tables below summarize the key debt activities for the fiscal year. Note that the par amounts of the bond issues are less than the proceeds received due to the issuance of premium bonds – a typical structure in the current interest rate environment.

<b>Water System FY 2025 Debt Activity</b>	
<b>Date</b>	<b>Debt Activity</b>
May 2025	Issued \$259.5 million Series 2025A new money, Green Bonds generating (with premium) \$275.0 million in CIP funding
May 2025	Issued \$479.0 million Series 2025B refunding bonds (with premium) to refinance \$528.4 million in callable Series 2015ABC bonds for present value debt service savings of \$36.1 million
June 2025	Retired \$20.0 million in Water CP

<b>Wastewater System FY 2025 Debt Activity</b>	
<b>Date</b>	<b>Debt Activity</b>
May 2025	Issued \$28.6 million Series 2025A new money, Green Bonds generating (with premium) \$30.0 million in CIP funding
May 2025	Issued \$48.4 million Series 2025B refunding bonds (with premium) to refinance \$54.8 million in callable Series 2015A-1 bonds for present value debt service savings of \$6.9 million

### **FY 2026 Financing Plan**

FY 2026 is expected to be an active year for debt financing activity. The District plans to issue new money Water and Wastewater Bonds and monitor opportunities to issue refunding bonds. The new money bonds will provide CIP funding for the Water and Wastewater Systems. If issued, the refunding bonds will refinance outstanding bonds for debt service savings or risk reduction. The tables below outline the planned debt activities for the fiscal year.

<b>Water System FY 2026 Debt Activity</b>	
<b>Activity Type</b>	<b>Debt Activity</b>
New Money	Issuance of new money, Green Bonds to provide \$355 million in CIP funding (budgeted)
Refunding/ De-risking	Potential issuance of refunding bonds to refinance \$400 million of callable Series 2010B Build America Bonds (“BABs”) for de-risking
Refunding	Monitor market for opportunities to refund outstanding bonds for debt service savings
CP Paydown	Retirement of at least \$10 million in Water CP

<b>Wastewater System FY 2026 Debt Activity</b>	
<b>Activity Type</b>	<b>Debt Activity</b>
New Money	Issuance of new money, Green Bonds to provide \$40 million in CIP funding (budgeted)
Refunding/ De-risking	Issuance of refunding bonds to refinance \$150 million of outstanding, callable Series 2010B BABs for de-risking
Refunding	Monitor market for opportunities to refund outstanding bonds for debt service savings

### **New Money Bonds**

The District’s FY 2026 Budget includes \$820 million in CIP appropriations. Funding for this includes issuance of new money bonds in the amounts of \$355 million for the Water System and \$40 million for the Wastewater System. The District expects to issue the new money bonds in the second half of FY 2026.

### **Green Bonds**

The District plans to designate its new money bonds as Green Bonds. Green Bonds are bonds issued to finance climate change resilient projects or other environmentally beneficial projects. Since 2015, the District has issued nine series of Green Bonds. The District will select projects for funding using the Guidance for Issuing Green Bonds adopted by the Board on March 22, 2022.

### **Refunding Bonds**

Staff continually monitors the market to identify opportunities to refund debt for savings or derisking. Staff will evaluate a de-risking opportunity in refunding the \$400 million Series 2010B Water BABs and \$150 million Series 2010B Wastewater BABs. The District receives a Federal subsidy for the BABs’ interest costs. This subsidy has been reduced over time under federal budget sequestration. Refunding the BABs would protect against the potential for further loss of the subsidy in the future. Although there are no outstanding

bonds with a par call in FY 2026, staff will assess other market-driven opportunities to refund debt for savings.

**Underwriter Selection for 2026 Bonds**

The District established a pool of qualified underwriting firms in 2022 through a competitive request for qualifications process. For the proposed FY 2026 financings, a request for information will be sent to the underwriter pool and responding firms will be evaluated and selected accordingly.


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## EAST BAY MUNICIPAL UTILITY DISTRICT

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DATE: August 21, 2025

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager 

FROM: Barry N. Gardin, Internal Auditor Supervisor 

SUBJECT: Revisions to District Policies

### SUMMARY

To ensure District operations and business practices remain consistent with Board objectives and priorities, the District reviews policies every two years to determine whether organizational, regulatory, or other changes have occurred which necessitate their modification. If policy modifications are warranted, they are forwarded to the Board for consideration and approval. Prior to being forwarded to the Board for approval, all proposed policy modifications are reviewed with Senior Management, the District's represented groups, and the Office of the General Counsel to obtain input and revise as necessary.

This memo summarizes modifications to 10 policies that are being submitted to the Board for consideration and approval. These policies will be presented at the August 26, 2025 Finance/Administration Committee meeting.

### DISCUSSION

Staff proposes changes to the following District policies.

#### 1. Policy 1.14 – Customer Assistance

This policy was modified to include reference to the 2024 Municipal Utility District Act change that allows customer payment plans up to 24 months, incorporate proactive initiatives for community outreach efforts, and remove consideration of multi-family lien program to protect tenants.

#### 2. Policy 4.01 – Employee Earnings and Payroll Determination

This policy was modified to incorporate compliance with applicable Memorandums of Understanding, state and federal laws.

**3. Policy 4.24 – Internal Audit**

This policy was modified to delineate the scope of Internal Audit responsibilities and clarify the circumstances under which investigations may be initiated.

**4. Policy 5.01 – Prohibiting Confidentiality of Settlement Agreements**

This policy was modified to specify that only nonprivileged communications between the District and adverse party may be subject to public disclosure.

**5. Policy 6.05 – Use of Social Media**

This policy was modified to expand the purpose to include increasing public understanding of water supply and conservation, prioritization of non-digital engagement for communities that face barriers to digital access, following best practices for digital accessibility, and building trust with all communities served.

**6. Policy 6.07 – Prevention of Workplace Harassment**

This policy was modified to include sexual harassment and retaliation in the policy scope. Also, to provide definitions and descriptions of harassment, complaints, protected activity, protected groups, retaliation, and third parties. The policy was also expanded to include conduct outside the workplace and outside business hours within the policy scope, and clarifies that termination may occur without progressive discipline.

**7. Policy 6.11 – Performance Management**

This policy was modified to add career and professional development as part of the performance management process.

**8. Policy 6.14 – Tuition Reimbursement for Employee Education**

This policy was modified to more accurately reflect allowable expenses and clarify the purpose.

**9. Policy 8.04 – Establishing Wastewater Capacity Fees**

This policy was modified to include clarifying language, update the description of the wastewater capacity fee credits and limitations, and revise terminology.

## **10. Policy 9.01 – Fire Control and Fuels Management on Watershed Lands**

This policy was modified to incorporate District watershed and connected waterways as considerations for addressing fire and fuels management issues and include native species and habitats as part of protection of watershed and water quality.

### **UNION NOTIFICATION**

Employee Relations reviewed the policy changes to determine the necessity for union review and, as deemed necessary, reviewed the changes that affect wages, hours, and working conditions with the represented groups.

### **FISCAL IMPACT**

These policy changes have no identified fiscal impact.

### **NEXT STEPS**

These policies will be brought to the Board for consideration at its August 26, 2025 meeting.

CCC:BNG

Attachments: Policies 1.14, 4.01, 4.24, 5.01, 6.05, 6.07, 6.11, 6.14, 8.04, and 9.01

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# Policy 1.14R

EFFECTIVE [26 AUG 25](#)

~~24 JAN 23~~

SUPERSEDES [24 JAN 23](#)

~~23 JUN 20~~

## CUSTOMER ASSISTANCE **POLICY**

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### IT IS THE POLICY OF EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Provide reliable, high-quality drinking water and wastewater services for all its customers at fair and reasonable rates. To this end, the District provides numerous protections and programs to help customers maintain service and avoid service interruption.

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#### Background

The District recognizes that affordability of water and wastewater services can be challenging for low-income customers. Recognizing the human right to water, the District is dedicated to working with customers to offer assistance to those who are unable to pay their bills in full. In 1986, the District pursued a legislative amendment to the Municipal Utility District (MUD) Act to expressly provide the District with the authority to assist its low-income customers. ~~The District's, which led to the development of the Customer Assistance Program (CAP) has been in place since in 1987. CAP and has provided~~ provides income-eligible customers with substantial temporary financial assistance relief directly on their water bill to avoid impacts to their water services. In 2024, the District secured a statutory change to the MUD Act which allowed payment plans, for customers experiencing undue hardship, to extend up to 24 months. ~~to the District's vulnerable eligible customers. In 2010, the District sponsored Senate Bill 1035 (Hancock) which provided the District the authority to collect delinquent water and wastewater charges through liens and county property tax rolls for master-metered multi-family accounts. The lien authority protects tenants by providing the District an alternative to interrupting water service when a property owner fails to pay outstanding bills.~~

~~The District recognizes the state's water policy actions to ensure every person has the right to safe, clean, affordable and accessible water as provided in California Water Code Section 106.3. In 2020, the District adopted Resolution No. 35211-20 affirming its customers' right to safe and clean water. Resolution No. 35211-20 allows the use of flow restrictors to provide tenant-occupied, single-family residential customers, who are unable to pay their water bills, enough water for basic consumption, cooking, and sanitary purposes. Resolution No. 35211-20 also allows the District to collect delinquent water and wastewater charges through the liens and county property tax rolls for owner-occupied single-family accounts. The District also understands that affordability of water and wastewater services can be challenging for low-income customers and is dedicated to working with customers to provide temporary financial assistance relief to those who are unable to pay their bills in full. Consistent with these objectives, the District commits to the guidelines contained objectives and initiatives, and program supports as described~~ in this policy.

**Program Initiatives**  
Purpose

~~Proactively identify, develop, and implement a wide range of services within the Customer Support Program (CSP) to assist qualifying low-income customers in accordance with the MUD Act and applicable federal and state laws and regulations including California Water Code Section 106.3.~~ Proactively support CAP through development and implementation of a wide range of services to assist qualifying low-income customers in accordance with the MUD Act and applicable federal and state laws and regulations including California Water Code Section 106.3.

Provide fair and reasonable water and wastewater rates and charges that are developed and structured in conformance with applicable laws, the MUD Act, Proposition 218 (California Constitution Article XIII D, Section 6), and best management practices.

Program Initiatives

Coordinate with state or local public agency(ies)ies or private nonprofit organization(s) to implement low-income assistance programs.

Secure and use unrestricted, non-rate revenues to fund ~~the~~ CAP and other programs to assist low-income customers, in compliance with Proposition 218 and Proposition 26.

Proactively promote ~~the CSP and its services~~ CAP, including by ~~inform~~ conducting community outreach to inform customers ~~about~~ of CAP ~~its~~ benefits; ~~offer~~ offering multi-lingual resources; ~~distributing~~ CAP applications at community events, conduct on-site enrollment when appropriate; providing technical ~~to encourage enrollment and expand participation;~~ assistance for customers with the application process; ~~and facilitate enrollment of low-income customers.~~ building relationships with local community groups to help spread the message about CAP and other District programs to assist customers struggling to pay their water bills.

Program Supports

Provide ~~a~~ customers enrolled in CAP with a 50 percent reduction in monthly water service and flow charges (up to a maximum of 1,050 gallons per person per month), and a 35 percent reduction in wastewater service and flow charges; for eligible residential low-income customers and homeless shelters.

Offer reasonable payment plans and other forms of assistance to help ~~eligible low-income~~ customers maintain water service and avoid water service interruption.

Continue to provide water service to customers who set up and comply with a District approved payment plan, make regular required payments toward the unpaid balance, and keep their account current as charges accrue in each subsequent billing period, including customers who have demonstrated medical necessity for ongoing water service with certification provided by a Primary Care Provider or a Medical Provider, certifying interruption of water service will be life-threatening or pose a serious threat to the health and safety to any resident of the premises.

Offer water use efficiency services (e.g., free water conserving devices, rebates, and water audits) to reduce water use and lower water bills.

Actively engage in local and state efforts to ensure the human right to water as articulated in California Water Code Section 106.3 and to develop other means to support affordability of water and wastewater services.

~~Utilize Multi-family Residential Lien Program to protect tenants' access to water and wastewater services by collecting delinquent charges through county property tax rolls for master-metered multifamily accounts.~~

Develop and maintain key performance indicators to monitor the effectiveness of this policy which captures the goals of maintaining water service and increasing percentage of eligible customers enrolled.

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**Authority**

Resolution No. 35211-20, December 8, 2020  
As amended by Resolution No. 33802-11, January 11, 2011  
As amended by Resolution No. 35065-17, October 10, 2017  
As amended by Resolution No. 35189-20, June 23, 2020  
As amended by Resolution No. 35335-23, January 24, 2023  
[As amended by Resolution No. XXXXX-25, August 26, 2025](#)

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**References**

Regulations Governing Water Services to Customers – Section 15  
Discontinuance of Service  
Regulations Governing Water Services to Customers – Section 15A  
Nonpayment of Bills by Single-Family Residents  
Municipal Utility District Act of the State of California  
Policy 4.13 - Establishing Water and Wastewater Rates  
Assembly Bill 401 - Low-Income Water Rate Assistance Program  
California Water Code Section 106.3  
California Public Utilities Code Sections 12811.2 and 12823



# Policy 1.14

EFFECTIVE 26 AUG 25

## CUSTOMER ASSISTANCE

SUPERSEDES 24 JAN 23

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### IT IS THE POLICY OF EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Provide reliable, high-quality drinking water and wastewater services for all its customers at fair and reasonable rates. To this end, the District provides numerous protections and programs to help customers maintain service and avoid service interruption.

---

#### Background

The District recognizes that affordability of water and wastewater services can be challenging for low-income customers. Recognizing the human right to water, the District is dedicated to working with customers to offer assistance to those who are unable to pay their bills in full. In 1986, the District pursued a legislative amendment to the Municipal Utility District (MUD) Act to expressly provide the District with the authority to assist its low-income customers, which led to the development of the Customer Assistance Program (CAP) in 1987. CAP provides income-eligible customers with temporary financial relief directly on their water bill to avoid impacts to their water services. In 2024, the District secured a statutory change to the MUD Act which allowed payment plans, for customers experiencing undue hardship, to extend up to 24 months.

Consistent with these objectives, the District commits to the objectives and initiatives, and program supports as described in this policy.

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#### Program Purpose

Proactively support CAP through development and implementation of a wide range of services to assist qualifying low-income customers in accordance with the MUD Act and applicable federal and state laws and regulations including California Water Code Section 106.3.

Provide fair and reasonable water and wastewater rates and charges that are developed and structured in conformance with applicable laws, the MUD Act, Proposition 218 (California Constitution Article XIII D, Section 6), and best management practices.

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#### Program Initiatives

Coordinate with state or local public agencies or private nonprofit organizations to implement low-income assistance programs.

Secure and use unrestricted, non-rate revenues to fund CAP and other programs to assist low-income customers, in compliance with Proposition 218 and Proposition 26.

Proactively promote CAP by conducting community outreach to inform customers about its benefits; offering multi-lingual resources; distributing CAP applications at community events, conducting on-site enrollment when appropriate; providing technical assistance for customers with the application process; and building relationships with local community groups to help spread the message about CAP and other District programs to assist customers struggling to pay their water bills.

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**Program Supports**

Provide customers enrolled in CAP with a 50 percent reduction in monthly water service and flow charges (up to a maximum of 1,050 gallons per person per month), and a 35 percent reduction in wastewater service and flow charges for eligible residential low-income customers and homeless shelters.

Offer reasonable payment plans and other forms of assistance to help customers maintain water service and avoid water service interruption.

Continue to provide water service to customers who set up and comply with a District approved payment plan, make regular required payments toward the unpaid balance, and keep their account current as charges accrue in each subsequent billing period, including customers who have demonstrated medical necessity for ongoing water service with certification provided by a Primary Care Provider or a Medical Provider, certifying interruption of water service will be life-threatening or pose a serious threat to the health and safety to any resident of the premises.

Offer water use efficiency services (e.g., free water conserving devices, rebates, and water audits) to reduce water use and lower water bills.

Actively engage in local and state efforts to ensure the human right to water as articulated in California Water Code Section 106.3 and to develop other means to support affordability of water and wastewater services.

Develop and maintain key performance indicators to monitor the effectiveness of this policy which captures the goals of maintaining water service and increasing the percentage of eligible customers enrolled.

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**References**

- Regulations Governing Water Services to Customers – Section 15  
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Nonpayment of Bills by Single-Family Residents
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- Policy 4.13 - Establishing Water and Wastewater Rates
- Assembly Bill 401 - Low-Income Water Rate Assistance Program
- California Water Code Section 106.3
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# Policy 4.01R

EFFECTIVE [26 AUG 25](#)  
~~24-SEP-13~~

SUPERSEDES [24 SEP 13](#)  
~~28-MAR-06~~

## EMPLOYEE EARNINGS AND PAYROLL DETERMINATION

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IT IS THE POLICY OF EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Establish salary rates for District employees on a monthly basis.

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**Payroll Period** A payroll period is two consecutive workweeks in duration.

Payroll checks for each payroll period shall be issued on or before the Friday following the end of the payroll period.

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**Calculation of Pay** Pay due an employee for a payroll period shall be based on the following formula, less required and authorized deductions, and plus any special pay additions:

$$\text{Hourly Rate} = \frac{\text{Employee's monthly rate x 12 months}}{52 \text{ weeks x 40 hours/week}}$$

For purposes of calculating pay, the hourly rate for an employee is determined by the above formula.

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**Payroll Verification and Issuance** The Director of Human Resources, as a designee for the General Manager shall verify monthly that ~~there are~~ systems and procedures are in place to ensure ~~the~~ accuracy of individual salaries, the existence of Board authorized positions, ~~and the~~ accuracy of the ~~indica~~reported status of all leaves ~~of absences as being~~ (with or without pay), and compliance with applicable Memorandums of Understanding, state and federal laws.

The Director of Finance, as a designee for the General Manager shall approve monthly the issuance of all payroll compensation to District employees and verifies that payroll systems and procedures are in place to ensure that expenditures do not exceed the authorized amount of compensation.

Payroll disbursement amounts will be reported on a quarterly basis to the Board of Directors and the Payroll System and Procedures are audited annually by independent outside auditors.

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**Authority** Adopted by Resolution No. 33028-97, January 28, 1997  
Amended by Resolution No. 33209-00, June 27, 2000  
Amended by Resolution No. 33389-03, December 9, 2003  
Amended by Resolution No. 33523-06, March 28, 2006  
Amended by Resolution No. 33941-13, September 24, 2013  
As amended by Resolution No. XXXXX-25, August 26, 2025

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**Reference** Electronic Timesheet System (ETS) User Guide

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# Policy 4.01

EFFECTIVE 26 AUG 25

SUPERSEDES 24 SEP 13

## EMPLOYEE EARNINGS AND PAYROLL DETERMINATION

---

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For purposes of calculating pay, the hourly rate for an employee is determined by the above formula.

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**Payroll Verification and Issuance** The Director of Human Resources, as a designee for the General Manager shall verify monthly that systems and procedures are in place to ensure accuracy of individual salaries, the existence of Board authorized positions, accuracy of the reported status of all leave (with or without pay), and compliance with applicable Memorandums of Understanding, state and federal laws.

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Amended by Resolution No. 33941-13, September 24, 2013  
As amended by Resolution No. XXXXX-25, August 26, 2025

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**Reference** Electronic Timesheet System (ETS) User Guide

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# Policy 4.24R

EFFECTIVE [26 AUG 25](#)  
[24 SEP 13](#)

SUPERSEDES [24 SEP 13](#)  
[09-OCT-07](#)

## INTERNAL AUDIT

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### IT IS THE POLICY OF EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Maintain and support an Internal Audit Section as an independent appraisal and control function to provide assurance that assets and resources are accurately accounted for and properly and efficiently utilized; Board priorities are being met; and all applicable laws and regulations are complied with ~~examine and evaluate the activities of the District.~~

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#### Authorization and Independence

~~In carrying out their duties and responsibilities,~~ The Internal Audit Section shall have full, free, and unrestricted access to all District activities, records, and property, except personnel, medical, or similar records, the disclosure of which would result in an unwarranted invasion of personal privacy, and except for records otherwise confidential under the law. Internal Audit shall also have such access to any employee of the District, as well as persons working with or on behalf of the District as the result of subcontract, contract, consultant agreement, or proposal effort. Internal Audit review of communications protected by the attorney-client privilege shall not occur unless and until the Board of Directors waives that privilege.

In order to ensure independence, promote comprehensive audit coverage, and ~~assure~~ ensure adequate consideration of audit findings and recommendations, Internal Audit will submit its final reports to the General Manager.

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#### **Responsibilities**

Internal Audit's primary objective is to assist management and the Board of Directors in the effective and efficient operation of the District. Fulfillment of this objective entails performance of various tasks which include but are not limited to:

- Reviewing organizations within the District to ascertain whether they are efficiently and effectively performing their duties in accordance with management ~~instruction~~ directives, policies, procedures, and in a manner that is consonant with District objectives and high standards of ethical and business practices.
- Assessing risks and establishing controls to mitigate risks.
- Determining the adequacy and effectiveness of the District's system of accounting and internal controls.
- Ascertaining the adequacy of controls for safeguarding District assets, and when appropriate, verifying the existence of such assets.
- Appraising the economy and efficiency with which resources are employed.
- Evaluating the District's compliance with policies, procedures, laws, and regulations.
- Evaluating plans and actions taken to address reported conditions for satisfactory disposition of audit findings.
- Coordinating audit efforts with external auditors.

- Performing special reviews and investigations as requested by management or the Board of Directors or initiated as a result of information provided by management, staff, or outside stakeholders.

Internal audit is a staff function that has no direct authority over the activities audited. Performance of audits does not relieve management or staff of their assigned responsibilities.

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**Reporting**

To the extent permitted by law, Internal Audit will report audit results promptly to all appropriate management and staff (auditees) who are responsible for taking corrective action. Subsequent to initial review and discussion with auditees, final audit reports shall be distributed to the General Manager, and to the General Manager's staff and General Counsel as appropriate. The Internal Audit Supervisor will submit the annual internal audit work plan to the Board of Directors, via the Finance/Administration Committee, for approval. Additionally, the Internal Audit Supervisor will present semi-annual reports on the results of the audits completed during the fiscal year, including a discussion of the resulting findings and recommendations as well as the status of any corrective action(s) taken to address issues that have been raised.

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**Ethics and Standards**

As is mandated in California Government Code 1236 Internal Audit will comply with The Standards for the Professional Practice of Internal Auditing established by the Institute of Internal Auditors.

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**Authority**

Resolution No. 32912-95, February 28, 1995  
Amended by Resolution No. 33634-07, October 9, 2007  
Amended by Resolution No. 33941-13, September 24, 2013  
Amended by Resolution No. XXXXX-25, August 26, 2025

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# Policy 4.24

EFFECTIVE 26 AUG 25

SUPERSEDES 24 SEP 13

## INTERNAL AUDIT

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#### **Authorization and Independence**

The Internal Audit Section shall have full, free, and unrestricted access to all District activities, records, and property, except personnel, medical, or similar records, the disclosure of which would result in an unwarranted invasion of personal privacy, and except for records otherwise confidential under the law. Internal Audit shall also have such access to any employee of the District, as well as persons working with or on behalf of the District as the result of subcontract, contract, consultant agreement, or proposal effort. Internal Audit review of communications protected by the attorney-client privilege shall not occur unless and until the Board of Directors waives that privilege.

In order to ensure independence, promote comprehensive audit coverage, and ensure adequate consideration of audit findings and recommendations, Internal Audit will submit its final reports to the General Manager.

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#### **Responsibilities**

Internal Audit's primary objective is to assist management and the Board of Directors in the effective and efficient operation of the District. Fulfillment of this objective entails performance of various tasks which include but are not limited to:

- Reviewing organizations within the District to ascertain whether they are efficiently and effectively performing their duties in accordance with management directives, policies, procedures, and in a manner that is consonant with District objectives and high standards of ethical and business practices.
- Assessing risks and establishing controls to mitigate risks.
- Determining the adequacy and effectiveness of the District's system of accounting and internal controls.
- Ascertaining the adequacy of controls for safeguarding District assets, and when appropriate, verifying the existence of such assets.
- Appraising the economy and efficiency with which resources are employed.
- Evaluating the District's compliance with policies, procedures, laws, and regulations.
- Evaluating plans and actions taken to address reported conditions for satisfactory disposition of audit findings.
- Coordinating audit efforts with external auditors.
- Performing special reviews and investigations as requested by the Board of Directors or initiated as a result of information provided by management, staff, or outside stakeholders.

Internal audit is a staff function that has no direct authority over the activities audited. Performance of audits does not relieve management or staff of their assigned responsibilities.

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**Reporting**

To the extent permitted by law, Internal Audit will report audit results promptly to all appropriate management and staff (auditees) who are responsible for taking corrective action. Subsequent to initial review and discussion with auditees, final audit reports shall be distributed to the General Manager, and to the General Manager's staff and General Counsel as appropriate. The Internal Audit Supervisor will submit the annual internal audit work plan to the Board of Directors, via the Finance/Administration Committee, for approval. Additionally, the Internal Audit Supervisor will present semi-annual reports on the results of the audits completed during the fiscal year, including a discussion of the resulting findings and recommendations as well as the status of any corrective action(s) taken to address issues that have been raised.

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Amended by Resolution No. 33634-07, October 9, 2007  
Amended by Resolution No. 33941-13, September 24, 2013  
Amended by Resolution No. XXXXX-25, August 26, 2025

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# Policy 5.01R

EFFECTIVE [26 AUG 25](#)  
~~22 NOV 22~~

SUPERSEDES [22 NOV 22](#)  
~~27 NOV 12~~

## PROHIBITING CONFIDENTIALITY OF SETTLEMENT AGREEMENTS

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### IT IS THE POLICY OF THE EAST BAY MUNICIPAL UTILITY DISTRICT THAT:

Agreements entered into for purposes of settling any claim, demand or litigation against the District shall, upon becoming final, be subject to public disclosure, including the full and complete text of any such settlement agreement and records of all [nonprivileged](#) communications between the District and the adverse party. The District shall not solicit or agree to any settlement terms which would restrict immediate public disclosure of a settlement agreement, or any portion thereof, or nonprivileged records of all communications between the District and the adverse party. It shall be deemed a violation of this policy for any District officer, employee or agent to agree to confidentiality as a condition of settlement of any demand, claim, or litigation against the District.

This policy is not intended to apply to agreements for the settlement of internal employee grievances that are filed under a Memorandum of Understanding grievance procedure or other civil service grievance/appeal procedure. Public disclosure of such documents shall continue to be governed by the disclosure requirements and exemptions of the California Public Records Act.

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**Authority** Resolution No. 32927-95, June 13, 1995  
As amended by Resolution No. 33015-96, November 12, 1996  
As amended by Resolution No. 33904-12, November 27, 2012  
As amended by Resolution No. 35325-22, November 22, 2022  
[As amended by Resolution No. XXXXX-25, August 26, 2025](#)  
Public Records Act Government Sections 6254 *et seq.*  
Evidence Code Section 1152  
Code of Civil Procedure 1001

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# Policy 5.01

EFFECTIVE 26 AUG 25

SUPERSEDES 22 NOV 22

## PROHIBITING CONFIDENTIALITY OF SETTLEMENT AGREEMENTS

---

### IT IS THE POLICY OF THE EAST BAY MUNICIPAL UTILITY DISTRICT THAT:

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As amended by Resolution No. 33015-96, November 12, 1996  
As amended by Resolution No. 33904-12, November 27, 2012  
As amended by Resolution No. 35325-22, November 22, 2022  
As amended by Resolution No. XXXXX-25, August 26, 2025  
Public Records Act Government Sections 6254 *et seq.*  
Evidence Code Section 1152  
Code of Civil Procedure 1001

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# Policy 6.05R

EFFECTIVE [26 AUG 25](#)  
~~22-SEP-20~~  
SUPERSEDES [22 SEP 20](#)  
~~26-MAY-15~~

## USE OF SOCIAL MEDIA

### IT IS THE POLICY OF THE EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Use social media accounts as an official channel for District public communication in furtherance of the [District's](#) mission and goals ~~of the District~~.

**Purpose** EBMUD shall use social media accounts to communicate and disseminate information quickly, particularly during emergencies; engage in interactive conversations with members of the public; enhance the public's understanding of EBMUD policies, [water supplies and conservation, water and wastewater projects,](#) and mission; and communicate official District public information including [business and](#) employment opportunities.

**Compliance with Laws and Regulations** EBMUD social media account management practices shall comply with all applicable District policies and procedures and state and federal laws and administrative rules.  
  
EBMUD social media accounts are subject to the California Public Records Act and are therefore archived to meet those requirements.

**User Guidelines: Right to Restrict or Remove Content** EBMUD social media accounts are a mechanism for responsive dialogue between EBMUD and members of the public, and EBMUD reserves the right to restrict or remove any content posted by the public onto EBMUD social media platforms that is deemed in violation of this social media policy or any applicable law. When possible, EBMUD social media account managers reserve the right to remove content on its platforms posted by users/the public that includes or promotes the following:

- Links to spam or to commercial ventures or products;
- Content pertaining to candidate or ballot measure advocacy that may violate California Government Code Section 8314, which prohibits use of public resources for campaign activity;
- ~~Profane~~[Vulgar](#) language or content;
- Comments or content that promotes or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, veteran status, national origin, physical or mental disability or sexual orientation;
- Sexual content or links to sexual content;
- Conduct or encouragement of illegal activity;
- Information that may tend to compromise the safety or security of the public, public systems or EBMUD employees; or
- Content that violates a legal ownership interest of any other party.

These user guidelines must be displayed to users at [www.ebmud.com](#) and, when possible, be made available on EBMUD's social media accounts by hyperlink. EBMUD will archive content removed by the authorized account manager based on these prohibitions, including the time, date, and identity of the poster. To the extent possible and as provided under the terms and conditions of use by third party owned sites, EBMUD will make a good faith and reasonable effort to ensure that archive periods will be consistent with California Public Records Act requirements.

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EBMUD will prioritize non-digital engagement strategies with communities that face barriers to digital access, including providing multilingual content, culturally relevant messaging, and partnering with local organizations to increase awareness and participation.

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### Account Management Responsibilities

Public Affairs is the official source of information representing the District and uses EBMUD social media accounts to deliver official statements, comments, and responses on behalf of the District. Public Affairs is responsible for managing and delegating authority to manage the content of authorized EBMUD social media accounts, including the removal of any prohibited content. Only designated Public Affairs staff (or District staff which received approval from Public Affairs) may publish statements, ~~or images, and/or videos~~ to official EBMUD social media accounts in their capacity as an official District spokesperson or may authorize an employee to post information in that capacity.

Public Affairs is responsible for managing staff roles, responsibilities, information fact-checking and account duties for each social media site.

Social media content producers must follow best practices for digital accessibility, including images, videos, and web links.

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### Authority for Approving Social Media Sites for Official Accounts

Public Affairs is responsible for maintaining, adding or deleting social media sites and accounts to engage and build trust with EBMUD's diverse community to support EBMUD's mission and highlighting our role as a key partner in protecting public health and the environment. ~~based on perceived District benefits and resources. Prior to adding or deleting a social media site or account, Public Affairs will advise the Board of Directors of the planned changes.~~

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### Employees

All users, including District employees who post or comment on EBMUD social media accounts on behalf of the District, must receive approval from Public Affairs prior to any posting and abide by the same guidelines as all users specified above and noted on each platform.

Employees should be aware that employment with the District is public record. Employee's personal comments on the District's social media accounts are archived and therefore can be construed as official District statements, ~~employees are encouraged to make efforts to avoid such confusion.~~

Employees who see something of concern shared on social media, such as inaccuracies or misinformation related to the District, are encouraged to inform Public Affairs staff who are designated to respond in an official capacity on EBMUD social media channels.

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### Authority

Adopted by Resolution No. 34036-15, May 26, 2015  
As amended by Resolution No. 35203-20, September 22, 2020  
As amended by Resolution No. XXXXX-25, August 26, 2025

**References**

- Policy 2.24 Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule
- Policy 4.20 Use of District Technology Resources
- Policy 6.04 Ethics of the EBMUD Board of Directors
- Policy 6.06 Equal Employment Opportunity (EEO)
- Policy 6.15 Workforce Communications
- Procedure 223 Discipline
- Procedure 312 Control and Release of Security Sensitive Information: Maps, Drawings, Specifications and Related Data
- Procedure 453 Information Technology Use and Privacy
- Procedure 600 Community Outreach and Relations
- Procedure 606 News Media Standard Practice
- Procedure 608 Public Access to District Records
- Procedure 609 Revisions to Records Retention Schedule
- Procedure 720 Security: Facilities Photo/Video Images



# Policy 6.05

EFFECTIVE 26 AUG 25

SUPERSEDES 22 SEP 20

## USE OF SOCIAL MEDIA

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### IT IS THE POLICY OF THE EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Use social media accounts as an official channel for District public communication in furtherance of the District's mission and goals .

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**Purpose** EBMUD shall use social media accounts to communicate and disseminate information quickly, particularly during emergencies; engage in interactive conversations with members of the public; enhance the public's understanding of EBMUD policies, water supplies and conservation, water and wastewater projects, and mission; and communicate official District public information including business and employment opportunities.

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**Compliance with Laws and Regulations** EBMUD social media account management practices shall comply with all applicable District policies and procedures and state and federal laws and administrative rules.

EBMUD social media accounts are subject to the California Public Records Act and are therefore archived to meet those requirements.

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**User Guidelines: Right to Restrict or Remove Content** EBMUD social media accounts are a mechanism for responsive dialogue between EBMUD and members of the public, and EBMUD reserves the right to restrict or remove any content posted by the public onto EBMUD social media platforms that is deemed in violation of this social media policy or any applicable law. When possible, EBMUD social media account managers reserve the right to remove content on its platforms posted by users/the public that includes or promotes the following:

- Links to spam or to commercial ventures or products;
- Content pertaining to candidate or ballot measure advocacy that may violate California Government Code Section 8314, which prohibits use of public resources for campaign activity;
- Vulgar language or content;
- Comments or content that promotes or perpetuates discrimination on the basis of race, creed, color, age, religion, gender, marital status, veteran status, national origin, physical or mental disability or sexual orientation;
- Sexual content or links to sexual content;
- Conduct or encouragement of illegal activity;
- Information that may tend to compromise the safety or security of the public, public systems or EBMUD employees; or
- Content that violates a legal ownership interest of any other party.

These user guidelines must be displayed to users at [www.ebmud.com](http://www.ebmud.com) and, when possible, be made available on EBMUD's social media accounts by hyperlink. EBMUD will archive content removed by the authorized account manager based on these prohibitions, including the time, date, and identity of the poster. To the extent possible and as provided under the terms and conditions of use by third party owned sites, EBMUD will make a good faith and reasonable effort to ensure that archive periods will be consistent with California Public Records Act requirements.

EBMUD will prioritize non-digital engagement strategies with communities that face barriers to digital access, including providing multilingual content, culturally relevant messaging, and partnering with local organizations to increase awareness and participation.

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**Account Management Responsibilities**

Public Affairs is the official source of information representing the District and uses EBMUD social media accounts to deliver official statements, comments, and responses on behalf of the District. Public Affairs is responsible for managing and delegating authority to manage the content of authorized EBMUD social media accounts, including the removal of any prohibited content. Only designated Public Affairs staff (or District staff which received approval from Public Affairs) may publish statements, images, and/or videos to official EBMUD social media accounts in their capacity as an official District spokesperson or may authorize an employee to post information in that capacity.

Public Affairs is responsible for managing staff roles, responsibilities, information fact-checking and account duties for each social media site.

Social media content producers must follow best practices for digital accessibility, including images, videos, and web links.

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**Authority for Approving Social Media Sites for Official Accounts**

Public Affairs is responsible for maintaining, adding or deleting social media sites and accounts to engage and build trust with EBMUD’s diverse community to support EBMUD’s mission and highlight our role as a key partner in protecting public health and the environment.

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**Employees**

All users, including District employees who post or comment on EBMUD social media accounts on behalf of the District, must receive approval from Public Affairs prior to any posting and abide by the same guidelines as all users specified above and noted on each platform.

Employees should be aware that employment with the District is public record. Employee’s personal comments on the District’s social media accounts are archived and therefore can be construed as official District statements, .

Employees who see something of concern shared on social media, such as inaccuracies or misinformation related to the District, are encouraged to inform Public Affairs staff who are designated to respond in an official capacity on EBMUD social media channels.

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**Authority**

Adopted by Resolution No. 34036-15, May 26, 2015  
As amended by Resolution No. 35203-20, September 22, 2020  
As amended by Resolution No. XXXXX-25, August 26, 2025

**References**

- Policy 2.24 – Health Insurance Portability and Accountability Act (HIPAA) Privacy Rule
- Policy 4.20 – Use of District Technology Resources
- Policy 6.04 – Ethics of the EBMUD Board of Directors
- Policy 6.06 – Equal Employment Opportunity (EEO)
- Policy 6.15 – Workforce Communications
- Procedure 223 – Discipline
- Procedure 312 – Control and Release of Security Sensitive Information: Maps, Drawings, Specifications and Related Data
- Procedure 453 – Information Technology Use and Privacy
- Procedure 600 – Community Outreach and Relations
- Procedure 606 – News Media Standard Practice
- Procedure 608 – Public Access to District Records
- Procedure 609 – Revisions to Records Retention Schedule
- Procedure 720 – Security: Facilities Photo/Video Images



# Policy 6.07R

EFFECTIVE [26 AUG 25](#)  
~~[28 MAR 17](#)~~  
SUPERSEDES [28 MAR 17](#)  
~~[11 FEB 14](#)~~

## PREVENTION OF WORKPLACE HARASSMENT

### IT IS THE POLICY OF EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Provide a workplace for all employees that is free from any form of harassment.

**Purpose** To prohibit workplace harassment [\(including sexual harassment\) and retaliation](#), ~~and~~ establish commitments to address violations, and take appropriate corrective actions. Procedure 614 implements this policy and sets forth the complaint process and complaint mechanisms, in compliance with state [and federal](#) law.

**Scope** This policy prohibits [sexual harassment and](#) workplace harassment, [as defined in this policy](#), against an employee by any supervisor, manager, coworker, and/or any other third party ~~(e.g., applicants, vendors, customers, members of the public, independent contractors)~~ [that who](#) comes into contact with an employee. This policy also prohibits workplace harassment by employees ~~against third parties (e.g., vendors in the performance of their work for the District, customers, volunteers, students/trainees, members of the public and independent contractors)~~. Board members ~~will shall~~ not discriminate against or harass any person, as provided in the Policy 6.04, Ethics Policy of the EBMUD Board of Directors, and consistent with this policy.

[This policy also prohibits retaliation against an employee who engages in protected activity as defined in this policy.](#)

~~This policy applies to conduct in the workplace.~~

### Definitions

#### **Applicant**

An individual who has completed an employment application and met minimum qualifications for a specific, available position at the District.

#### **Complaint**

[An oral or written allegation of discrimination, harassment, and/or retaliation.](#)

#### **Employee**

An individual selected and/or appointed to a position created and authorized by the Board of Directors and receiving compensation and benefits from the District, including individuals in Board authorized job classifications with the term intern in the title.

#### **Equal Employment Opportunity (EEO) Discrimination**

EEO discrimination involves making employment decisions on the basis of an individual's protected group status, including but not limited to, decisions regarding the following aspects of the employment relationship:

- Recruitment
- Hiring
- Placement
- Promotion
- Transfer

- Training
- [Discipline](#)
- Working terms and conditions
- Wage and salary administration
- Employee benefits and application of policies

Discrimination includes harassment on the basis of a protected group and failure to accommodate a religious practice or provide a reasonable accommodation for a qualified individual with a disability.

[In addition, discrimination includes retaliation. See “Retaliation” for more information on -how this term is defined.](#)

### **Independent Contractor**

A person that is not an employee of the District and provides goods or services to the District under terms specified in a contract.

### **Protected Activity**

[Protected activities may include, but are not limited to, reporting or assisting in reporting suspected violations of this policy and/or District Policy 6.06 and/or cooperating in investigations or proceedings arising out of a violation of this policy and/or District Policy 6.06.](#)

### **Protected Groups**

[This policy prohibits discrimination and harassment on the basis of race \(i.e. racial characteristics including hair style/texture\), color, religion, creed, sex, reproductive health decision-making, gender, gender identity \(including transgender status\), gender expression, marital or registered domestic partnership status, age for individuals forty or older, national origin, ancestry, disability \(mental or physical\), medical condition \(cancer or genetic characteristics\), genetic information, sexual orientation, military and/or veteran status, family or medical leave status, pregnancy \(including childbirth, lactation or related medical condition\), pregnancy disability leave status, domestic violence victim status, political affiliation, or any other status protected by federal, state and/or local laws.](#)

~~District policy prohibits discrimination or harassment on the basis of race, color, citizenship or immigration status, religious creed, gender (including gender identity and gender expression), marital or registered domestic partnership status, age, national origin, ancestry, disability (mental or physical, including AIDS and HIV), medical condition (cancer and genetic characteristics), genetic information, sexual orientation, military and veterans status, family or medical leave status, pregnancy disability leave, or any other status protected by federal, state and/or local laws.~~

### **Retaliation**

[As used in this policy, retaliation is defined as any adverse employment action taken against an employee because the employee engaged in protected activity as defined in this policy.](#)

[Adverse employment action is conduct or an action that materially affects the terms and conditions of the employee's employment status or is reasonably likely to deter the employee from engaging in a protected activity. Adverse employment actions include, but are not limited to, demotion; suspension; reduction in pay; denial of a merit salary increase; failure to hire or consider for hire; refusing to promote or consider for promotion because of reporting a violation of this policy.](#)

Even actions that do not rise to the level of an adverse employment action may be regarded as retaliatory conduct in violation of this policy when considered in the totality of the circumstances.

Examples of retaliatory conduct under this policy include, but are not limited to: harassing another employee for filing a complaint; denying employment opportunities because of making a complaint for cooperating in an investigation; changing someone's work assignments for identifying harassment or other forms of discrimination in the workplace; spreading rumors or engaging in a campaign of disparaging conduct towards a complainant for raising a complaint; or any other pattern of disrespectful conduct towards a complainant for raising a complaint.

~~Retaliation involves taking an adverse action, e.g., firing, demoting, harassing, or otherwise "retaliating" against someone, because they engaged in a protected activity, i.e., filed a charge of discrimination, complained to the District or other entity about discrimination on the job, or participated in an employment discrimination proceeding (such as an investigation or lawsuit).~~

### Sexual Harassment

~~See Workplace Harassment definition below.~~

### Student/Trainee

Any District authorized student or trainee who is not compensated by the District but is either paid by a third party or retained by a third party to work at the District in order to gain job experience or academic credit.

### Customer/Third Party

Vendors, customers, volunteers, students/trainees, members of the public, and independent contractors with whom an employee comes into contact in the course of their work for the District. ~~A person who receives District water and/or wastewater services.~~

### Volunteer

Individuals serving as unpaid helpers for various community events. Individuals who volunteer or donate their services, usually on a limited basis, for public service, religious or humanitarian objectives for non-profit organizations that receive their service.

### Workplace

The workplace exists where there is a nexus between the behavior and the EEO rights of employees or others (customers, vendors, member of the public, etc.). The workplace may include District facilities and worksites, or off-site locations, outside of the District's facilities, such as off-site meetings and trainings and social functions involving District employees or related to District activities. Conduct that occurs outside of the work facilities and outside of work hours could nonetheless be work-related if the conduct adversely impacts the workplace.

### Workplace Harassment

Workplace harassment is unwelcome conduct that is ~~based on~~ motivated by another's protected group status, including sexual harassment. ~~Workplace harassment~~ is a form of EEO discrimination and may include verbal, written, ~~or electronic,~~ and/or physical conduct that denigrates or shows hostility or aversion toward an individual because of his/her the individual's protected group status that:

- has the purpose or effect of creating an intimidating, hostile, or offensive, ~~intimidating, hostile or offensive~~ work environment;

- has the purpose or effect of unreasonably interfering with an individual's work performance,- or
- otherwise adversely affects an individual's employment opportunities.

**Sexual harassment** is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, physical, visual, or other conduct of a sexual nature, when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, e.g., explicitly or implicitly conditioning a job or promotion on an applicant or employee's submission to sexual advances or other conduct based on sex, ~~or~~
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

An employee alleging sexual harassment is not required to sustain a loss of tangible job benefits to establish sexual harassment. In addition, hostile acts toward an employee because of ~~his/her~~their gender can ~~amount to~~constitute sexual harassment, regardless of whether the treatment is motivated by any sexual desire.

This policy prohibits harassing conduct, regardless of whether the conduct rises to the level of a legal violation.

~~Prohibited workplace harassment conduct includes, but is not limited to:~~

### Prohibited workplace harassment

Prohibited workplace harassment, sexual harassment, and retaliation, include but are not limited to:

- **Verbal Conduct** such as epithets, derogatory jokes or comments, slurs (including racial and ethnic slurs), negative stereotyping, sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats, requests for any type of sexual favor (this includes repeated, unwelcome requests for dates), and verbal abuse made because of an individual's EEO-protected group status.
- **Visual Conduct** such as ~~threatening or intimidating acts~~ threatening or intimidating acts; written or graphic material, including calendars, posters, ~~and~~ cartoons, or memes, including items that are sexually suggestive or show hostility toward an individual or group because of ~~sex~~protected group status; leering, staring; obscene gestures; offensive or abusive content in letters and notes, facsimiles, email, photos, text messages, tweets and Internet postings; and or other forms of communication based on a protected group status.
- **Physical Conduct** such as forced sexual intercourse, sexual acts or assault; unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing and fondling; intentionally blocking normal movement. ~~Engaging in such physical conduct shall subject an employee to termination of employment without progressive discipline.~~
- **Threats or Demands** to submit to sexual requests in order to keep a job or affecting other employment status.

- **Offers** of employment benefits in return for sexual favors.
- [Conduct constituting retaliation as defined in this policy.](#)

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**Prevention**

The District believes that prompt appropriate action should be taken to prevent or stop incidents of workplace harassment ([including sexual harassment](#)) and [retaliation](#), and strongly encourages employees to express their objections to ~~unwelcome conduct~~ [unwelcome conduct and based on an employee's protected group status and/or protected activity](#), ~~either to the perpetrator directly or~~ to the Diversity and Inclusion Office (DIO) or any District supervisor/[manager](#). However, just because an employee has not complained about harassment does not mean that the employee has not been harassed. ~~Failure~~

~~pto communicate with the perpetrator does not prevent an employee from filing a complaint, nor does it in any way exonerate the harasser.~~ [Failure to communicate with the perpetrator does not prevent an employee from filing a complaint, nor does it in any way exonerate the harasser.](#)

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**Responsibilities**

All District employees are required to report to their supervisor and/or manager and/or to the DIO any ~~EEO~~ workplace harassment ([including sexual harassment](#)) and/or [retaliation based on an employee's protected group status and/or protected activity](#) of which they become aware. Supervisors and/or managers are held to a higher reporting standard. They must report to their supervisor and/or manager **and** the DIO any apparent or suspected workplace harassment or retaliation. The report should be made within two (2) business days of becoming aware of the offending conduct. Managers and supervisors who knowingly allow or tolerate workplace harassment or retaliation, including the failure to timely report such misconduct, are in violation of this policy and subject to corrective action.

In cases of potential workplace harassment, including sexual harassment, supervisors have a legal responsibility to take timely action if they know or should have known of a harassing situation. When a supervisor learns of, observes, has reason to believe, or is informed of a potential [workplace harassment \(including sexual harassment\) and/or retaliation based on an employee's protected group status and/or protected activity](#) situation, the supervisor/~~manger~~ must consult with the DIO. The supervisor/[manager](#), upon learning of a possible [workplace harassment \(especially sexual harassment\) and/or retaliation based on an employee's protected group status and/or protected activity](#) incident is required to take timely action, in coordination with the DIO, to address the concern regardless of the victim's stated desire to pursue or not to pursue the matter.

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**Enforcement**

Workplace harassment (~~including sexual harassment~~), [and/or retaliation based on an employee's protected group status and/or protected activity](#), will not be condoned or tolerated. The District provides training to its managers, supervisors, and employees to prevent and address workplace harassment and abusive conduct, and to assist them in dealing sensitively and effectively with incidents of harassment. When any District supervisor or manager is notified or becomes aware of any behavior that violates this policy, they are required to take corrective actions.

Complaints and cases of [EEO harassment, discrimination, and/or retaliation](#) brought to the attention of the Diversity and Inclusion Office or any District supervisor/[manager](#) shall be handled promptly through a confidential procedure.

Appropriate remedial or disciplinary action will be taken when warranted, up to and including termination [without progressive discipline](#).

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Retaliation against employees alleging harassment or involved as witnesses in a harassment investigation is prohibited, regardless of whether or not the original complaint is substantiated. Employees who oppose and/or refuse to participate in harassment are also protected against retaliation. If retaliation occurs, the District will take further corrective actions up to and including termination.

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**Consensual Relationships**

The District is aware that consensual intimate relationships sometimes develop between District employees. Although these relationships do not in and of themselves violate this harassment policy, the District is sensitive to the potential for such relationships to give rise to conditions where sexual harassment might occur, especially where the relationship involves supervisor and subordinate. The District therefore adopts the following:

If current employees become involved in consensual intimate relationships where one employee is in a position to directly make or influence employment decisions about the other or to directly affect any term or condition of the other's employment, it is the responsibility of each of the employees to advise their supervisor of the relationship. The supervisors shall consult with Human Resources regarding the appropriate organizational response which will best protect both the District and the employees involved.

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**Authority**

Resolution No. 32952-95, December 12, 1995  
As amended by Resolution No. 33438-04, September 14, 2004  
Reaffirmed by Motion 006-11, January 11, 2011  
As amended by Resolution No. 33864-12, January 24, 2012  
Reaffirmed by Motion 026-14, February 11, 2014  
As amended by Resolution No. 35029-17, March 28, 2017  
[As amended by Resolution No. XXXXX-25, August 26, 2025](#)

Title VII, Civil Rights Act of 1964 as amended (42 USC §2000e et seq.), including The Pregnancy Discrimination Act; The Age Discrimination in Employment Act of 1967 (29 U.S.C. §621 et seq.); Title I of the Americans with Disabilities Act of 1990 (42 USC §12101 et seq.); The Genetic Information Nondiscrimination Act of 2008; Immigration Reform and Control Act (8 USC 1101 et seq.); Executive Order 11246; Family and Medical Leave Act (29 U.S.C. §2601, et seq.); Rehabilitation Act of 1973, Section 503; Uniformed Services Employment and Reemployment Rights Act (38 U.S.C. §§ 4301–4335); Vietnam Era Veterans' Readjustment Assistance Act (38 U.S.C. § 4212); California Fair Employment and Housing Act (Gov. Code §12900 et seq.), including the California Family Rights Act (Gov. Code §12945.2); [California Labor Code § 1102.5](#).

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**References**

Policy 2.05	Employee Discipline
Policy 6.04	Ethics Policy of the EBMUD Board of Directors
Policy 6.06	Equal Employment Opportunity (EEO)
Procedure 223	Discipline
Procedure 614	Equal Employment Opportunity (EEO) Discrimination, Harassment and Retaliation Complaints, Investigations and Appeals

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# Policy 6.07

EFFECTIVE 26 AUG 25

SUPERSEDES 28 MAR 17

## PREVENTION OF WORKPLACE HARASSMENT

### IT IS THE POLICY OF EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Provide a workplace for all employees that is free from any form of harassment.

**Purpose** To prohibit workplace harassment (including sexual harassment) and retaliation, establish commitments to address violations, and take appropriate corrective action. Procedure 614 implements this policy and sets forth the complaint process and complaint mechanisms, in compliance with state and federal law.

**Scope** This policy prohibits sexual harassment and workplace harassment, as defined in this policy, against an employee by any supervisor, manager, coworker, and/or any other third party who comes into contact with an employee. This policy also prohibits workplace harassment by employees in the performance of their work for the District. Board members shall not discriminate against or harass any person, as provided in the Policy 6.04, Ethics Policy of the EBMUD Board of Directors, and consistent with this policy.

This policy also prohibits retaliation against an employee who engages in protected activity as defined in this policy.

### Definitions

#### Applicant

An individual who has completed an employment application and met minimum qualifications for a specific, available position at the District.

#### Complaint

An oral or written allegation of discrimination, harassment, and/or retaliation.

#### Employee

An individual selected and/or appointed to a position created and authorized by the Board of Directors and receiving compensation and benefits from the District, including individuals in Board authorized job classifications with the term intern in the title.

#### Equal Employment Opportunity (EEO) Discrimination

EEO discrimination involves making employment decisions on the basis of an individual's protected group status, including but not limited to, decisions regarding the following aspects of the employment relationship:

- Recruitment
- Hiring
- Placement
- Promotion
- Transfer
- Training
- Discipline
- Working terms and conditions
- Wage and salary administration
- Employee benefits and application of policies

Discrimination includes harassment on the basis of a protected group and failure to accommodate a religious practice or provide a reasonable accommodation for a qualified individual with a disability.

In addition, discrimination includes retaliation. See “Retaliation” for more information on how this term is defined.

### **Independent Contractor**

A person that is not an employee of the District and provides goods or services to the District under terms specified in a contract.

### **Protected Activity**

Protected activities may include, but are not limited to, reporting or assisting in reporting suspected violations of this policy and/or District Policy 6.06 and/or cooperating in investigations or proceedings arising out of a violation of this policy and/or District Policy 6.06.

### **Protected Groups**

This policy prohibits discrimination and harassment on the basis of race (i.e. racial characteristics including hair style/texture), color, religion, creed, sex, reproductive health decision-making, gender, gender identity (including transgender status), gender expression, marital or registered domestic partnership status, age for individuals forty or older, national origin, ancestry, disability (mental or physical), medical condition (cancer or genetic characteristics), genetic information, sexual orientation, military and/or veteran status, family or medical leave status, pregnancy (including childbirth, lactation or related medical condition), pregnancy disability leave status, domestic violence victim status, political affiliation, or any other status protected by federal, state and/or local laws.

### **Retaliation**

As used in this policy, retaliation is defined as any adverse employment action taken against an employee because the employee engaged in protected activity as defined in this policy.

Adverse employment action is conduct or an action that materially affects the terms and conditions of the employee’s employment status or is reasonably likely to deter the employee from engaging in a protected activity. Adverse employment actions include, but are not limited to, demotion; suspension; reduction in pay; denial of a merit salary increase; failure to hire or consider for hire; refusing to promote or consider for promotion because of reporting a violation of this policy.

Even actions that do not rise to the level of an adverse employment action may be regarded as retaliatory conduct in violation of this policy when considered in the totality of the circumstances.

Examples of retaliatory conduct under this policy include, but are not limited to: harassing another employee for filing a complaint; denying employment opportunities because of making a complaint for cooperating in an investigation; changing someone’s work assignments for identifying harassment or other forms of discrimination in the workplace; spreading rumors or engaging in a campaign of disparaging conduct towards a complainant for raising a complaint; or any other pattern of disrespectful conduct towards a complainant for raising a complaint.

### **Student/Trainee**

Any District authorized student or trainee who is not compensated by the District but is either paid by a third party or retained by a third party to work at the District in order to gain job experience or academic credit.

### **Third Party**

Vendors, customers, volunteers, students/trainees, members of the public, and independent contractors with whom an employee comes into contact in the course of their work for the District.

### **Volunteer**

Individuals serving as unpaid helpers for various community events. Individuals who volunteer or donate their services, usually on a limited basis, for public service, religious or humanitarian objectives for non-profit organizations that receive their service.

### **Workplace**

The workplace exists where there is a nexus between the behavior and the EEO rights of employees or others (customers, vendors, member of the public, etc.). The workplace may include District facilities and worksites, or off-site locations, outside of the District's facilities, such as off-site meetings and trainings and social functions involving District employees or related to District activities. Conduct that occurs outside of the work facilities and outside of work hours could nonetheless be work-related if the conduct adversely impacts the workplace.

### **Workplace Harassment**

Workplace harassment is unwelcome conduct that is motivated by another's protected group status, including **sexual harassment**. **Workplace harassment** is a form of EEO discrimination and may include verbal, written, or electronic, and/or physical conduct that denigrates or shows hostility or aversion toward an individual because of the individual's protected group status that:

- has the purpose or effect of creating an intimidating, hostile, or offensive, work environment;
- has the purpose or effect of unreasonably interfering with an individual's work performance or
- otherwise adversely affects an individual's employment opportunities.

**Sexual harassment** is defined as unwelcome sexual advances, requests for sexual favors, and other verbal, physical, visual, or other conduct of a sexual nature, when:

- submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment, or
- submission to or rejection of such conduct by an individual is used as the basis for employment decisions affecting such individual, e.g., explicitly or implicitly conditioning a job or promotion on an applicant or employee's submission to sexual advances or other conduct based on sex,
- such conduct has the purpose or effect of unreasonably interfering with an individual's work performance or creating an intimidating, hostile or offensive working environment.

An employee alleging sexual harassment is not required to sustain a loss of tangible job benefits to establish sexual harassment. In addition, hostile acts toward an employee because of their gender can constitute sexual harassment, regardless of whether the treatment is motivated by any sexual desire.

This policy prohibits harassing conduct, regardless of whether the conduct rises to the level of a legal violation.

**Prohibited workplace harassment**

Prohibited workplace harassment, sexual harassment, and retaliation, include but are not limited to:

- **Verbal Conduct** such as epithets, derogatory jokes or comments, slurs (including racial and ethnic slurs), negative stereotyping, sexual innuendoes, suggestive comments, jokes of a sexual nature, sexual propositions, lewd remarks and threats, requests for any type of sexual favor (this includes repeated, unwelcome requests for dates), and verbal abuse made because of an individual's protected group status.
  - **Visual Conduct** such as threatening or intimidating acts written or graphic material, including calendars, posters, cartoons, or memes, including items that are sexually suggestive or show hostility toward an individual or group because of protected group status; leering, staring; obscene gestures; offensive or abusive content in letters and notes, facsimiles, email, photos, text messages, tweets and Internet postings; and or other forms of communication based on a protected group status.
  - **Physical Conduct** such as forced sexual intercourse, sexual acts or assault; unwanted physical contact, including touching, tickling, pinching, patting, brushing up against, hugging, cornering, kissing and fondling; intentionally blocking normal movement.
  - **Threats or Demands** to submit to sexual requests in order to keep a job or affecting other employment status.
  - **Offers** of employment benefits in return for sexual favors.
  - **Conduct** constituting retaliation as defined in this policy.
- 

**Prevention**

The District believes that prompt appropriate action should be taken to prevent or stop incidents of workplace harassment (including sexual harassment) and retaliation, and strongly encourages employees to express their objections to unwelcome conduct and based on an employee's protected group status and/or protected activity to the Diversity and Inclusion Office (DIO) or any District supervisor/manager. However, just because an employee has not complained about harassment does not mean that the employee has not been harassed. Failure to communicate with the perpetrator does not prevent an employee from filing a complaint, nor does it in any way exonerate the harasser.

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**Responsibilities**

All District employees are required to report to their supervisor and/or manager and/or to the DIO any workplace harassment (including sexual harassment) and/or retaliation based on an employee's protected group status and/or protected activity of which they become aware. Supervisors and managers are held to a higher reporting standard. They must report to their supervisor and/or manager **and** the DIO any apparent or suspected workplace harassment or retaliation. The report should be made within two (2) business days of becoming aware of the offending conduct. Managers and supervisors who knowingly allow or tolerate workplace harassment or retaliation, including the failure to timely report such misconduct, are in violation of this policy and subject to corrective action.

In cases of potential workplace harassment, including sexual harassment, supervisors have a legal responsibility to take timely action if they know or should have known of a harassing situation. When a supervisor learns of, observes, has reason to believe, or is informed of a potential workplace harassment (including sexual harassment) and/or retaliation based on an employee's protected group status and/or protected activity situation, the supervisor/manager must consult with the DIO. The supervisor/manager, upon learning of a possible workplace harassment (especially sexual harassment) and/or retaliation based on an employee's protected

group status and/or protected activity incident is required to take timely action, in coordination with the DIO, to address the concern regardless of the victim's stated desire to pursue or not to pursue the matter.

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**Enforcement**

Workplace harassment (including sexual harassment) and/or retaliation based on an employee's protected group status and/or protected activity, will not be condoned or tolerated. The District provides training to its managers, supervisors, and employees to prevent and address workplace harassment and abusive conduct, and to assist them in dealing sensitively and effectively with incidents of harassment. When any District supervisor or manager is notified or becomes aware of any behavior that violates this policy, they are required to take corrective action.

Complaints and cases of EEO harassment, discrimination, and/or retaliation brought to the attention of the Diversity and Inclusion Office or any District supervisor/manager shall be handled promptly through a confidential procedure.

Appropriate remedial or disciplinary action will be taken when warranted, up to and including termination without progressive discipline.

Retaliation against employees alleging harassment or involved as witnesses in a harassment investigation is prohibited, regardless of whether or not the original complaint is substantiated. Employees who oppose and/or refuse to participate in harassment are also protected against retaliation. If retaliation occurs, the District will take further corrective action up to and including termination.

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**Consensual Relationships**

The District is aware that consensual intimate relationships sometimes develop between District employees. Although these relationships do not in and of themselves violate this harassment policy, the District is sensitive to the potential for such relationships to give rise to conditions where sexual harassment might occur, especially where the relationship involves supervisor and subordinate. The District therefore adopts the following:

If current employees become involved in consensual intimate relationships where one employee is in a position to directly make or influence employment decisions about the other or to directly affect any term or condition of the other's employment, it is the responsibility of each of the employees to advise their supervisor of the relationship. The supervisors shall consult with Human Resources regarding the appropriate organizational response which will best protect both the District and the employees involved.

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**References**

- Policy 2.05 Employee Discipline
- Policy 6.04 Ethics Policy of the EBMUD Board of Directors
- Policy 6.06 Equal Employment Opportunity (EEO)
- Procedure 223 Discipline
- Procedure 614 Equal Employment Opportunity (EEO) Discrimination, Harassment and Retaliation Complaints, Investigations and Appeals

**Authority**

Resolution No. 32952-95, December 12, 1995  
As amended by Resolution No. 33438-04, September 14, 2004  
Reaffirmed by Motion 006-11, January 11, 2011  
As amended by Resolution No. 33864-12, January 24, 2012  
Reaffirmed by Motion 026-14, February 11, 2014  
As amended by Resolution No. 35029-17, March 28, 2017  
As amended by Resolution No. XXXXX-25, August 26, 2025

Title VII, Civil Rights Act of 1964 as amended (42 USC §2000e et seq.), including The Pregnancy Discrimination Act; The Age Discrimination in Employment Act of 1967 (29 U.S.C. §621 et seq.); Title I of the Americans with Disabilities Act of 1990 (42 USC §12101 et seq.); The Genetic Information Nondiscrimination Act of 2008; Immigration Reform and Control Act (8 USC 1101 et seq.); Executive Order 11246; Family and Medical Leave Act (29 U.S.C. §2601, et seq.; Rehabilitation Act of 1973, Section 503; Uniformed Services Employment and Reemployment Rights Act (38 U.S.C. §§ 4301–4335); Vietnam Era Veterans' Readjustment Assistance Act (38 U.S.C. § 4212); California Fair Employment and Housing Act (Gov. Code §12900 et seq.), including the California Family Rights Act (Gov. Code §12945.2); California Labor Code § 1102.5.



# Policy 6.11R

EFFECTIVE [26 AUG 25](#)

~~24 JAN 23~~

SUPERSEDES [24 JAN 23](#)

~~24 MAR 20~~

## PERFORMANCE MANAGEMENT

### IT IS THE POLICY OF THE EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Support the District’s mission and strategic goals through a formalized process to plan ~~for~~, discuss and review employee performance, [professional development, and career growth](#). The intent is to enhance individual, work group and organizational performance and continued workforce excellence. This is accomplished when managers, supervisors and employees engage in consistent and meaningful dialogue/feedback about identified job responsibilities, performance expectations, and organizational goals, as well as [career or professional development](#) ~~developmental~~ needs [and goals](#) and performance improvement opportunities.

**Responsible Party** The Office of Diversity, Equity, and Culture institutes procedures and provides guidance on the performance planning and appraisal process.

**Authority** Resolution No. 20996, June 8, 1962  
As amended by Resolution 33476-05, June 14, 2005  
As amended by Resolution 35168-20, March 24, 2020  
As amended by Resolution 35335-23, January 24, 2023  
[As amended by Resolution No. XXXXX-25, August 26, 2025](#)

**Reference** Procedure 617 – Performance Plan and Appraisals



# Policy 6.11

EFFECTIVE 26 AUG 25

SUPERSEDES 24 JAN 23

## PERFORMANCE MANAGEMENT

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### IT IS THE POLICY OF THE EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Support the District's mission and strategic goals through a formalized process to plan, discuss and review employee performance, professional development, and career growth. The intent is to enhance individual, work group and organizational performance and continued workforce excellence. This is accomplished when managers, supervisors and employees engage in consistent and meaningful dialogue/feedback about identified job responsibilities, performance expectations, and organizational goals, as well as career or professional development needs and goals and performance improvement opportunities.

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**Responsible Party** The Office of Diversity, Equity, and Culture institutes procedures and provides guidance on the performance planning and appraisal process.

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**Authority** Resolution No. 20996, June 8, 1962  
As amended by Resolution 33476-05, June 14, 2005  
As amended by Resolution 35168-20, March 24, 2020  
As amended by Resolution 35335-23, January 24, 2023  
As amended by Resolution No. XXXXX-25, August 26, 2025

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**Reference** Procedure 617 – Performance Plan and Appraisals

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# Policy 6.14R

EFFECTIVE [26 AUG 25](#)  
~~22 NOV 22~~

SUPERSEDES [22 NOV 22](#)  
~~25 OCT 16~~

## TUITION REIMBURSEMENT FOR EMPLOYEE EDUCATION

---

IT IS THE POLICY OF THE EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Reimburse eligible employees for [the cost of tuition, and related books, and materials](#) ~~software and textbook costs~~ for approved courses or professional development programs at colleges, universities, schools, vocational institutions, and [training organizations, correspondence schools,](#) consistent with the District's objective to [increase](#) ~~improve~~ employee safety, productivity, and career opportunities.

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### Authority

Resolution No. 33004-96, dated August 13, 1996  
As amended by Resolution No. 33487-05, dated August 9, 2005  
As amended by Resolution No. 33993-14, dated August 12, 2014  
As amended by Resolution No. 35008-16, dated October 25, 2016  
As amended by Resolution No. 35325-22, dated November 22, 2022  
[As amended by Resolution No. XXXXX-25, August 26, 2025](#)

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### References

Policy 6.13 – Training  
Procedure 616 – Tuition Reimbursement for Employee Education

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# Policy 6.14

EFFECTIVE 26 AUG 25

SUPERSEDES 22 NOV 22

## TUITION REIMBURSEMENT FOR EMPLOYEE EDUCATION

---

### IT IS THE POLICY OF THE EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Reimburse eligible employees for the cost of tuition and related books and materials for approved courses or professional development programs at colleges, universities, schools, vocational institutions, and training organizations, consistent with the District's objective to increase employee safety, productivity, and career opportunities.

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#### Authority

Resolution No. 33004-96, dated August 13, 1996  
As amended by Resolution No. 33487-05, dated August 9, 2005  
As amended by Resolution No. 33993-14, dated August 12, 2014  
As amended by Resolution No. 35008-16, dated October 25, 2016  
As amended by Resolution No. 35325-22, dated November 22, 2022  
As amended by Resolution No. XXXXX-25, August 26, 2025

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#### References

Policy 6.13 – Training  
Procedure 616 – Tuition Reimbursement for Employee Education

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# Policy 8.04R

EFFECTIVE [26 AUG 25](#)

~~24 AUG 21~~

SUPERSEDES [24 AUG 21](#)

~~26 SEP 17~~

## ESTABLISHING WASTEWATER CAPACITY FEES

### IT IS THE POLICY OF THE EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Establish fees to recover the estimated cost to provide capacity in the District's wastewater facilities for new or expanded use of such facilities by residential and non-residential customers.

**Background** The Wastewater Capacity Fee (WCF) program was established in 1984. The purpose of the WCF program is to recover the costs of capital facilities necessary to provide wastewater treatment capacity for new and expanded system use. WCFs are used to replace and repair major equipment or facilities within the wastewater system. The WCF program helps to fund the District's capital program, including the payment of debt service and funding for wastewater related capital projects.

**Wastewater Capacity Fee Basis** WCFs are developed using the buy-in methodology, whereby new users "buy-in" to a wastewater system that currently has adequate dry weather capacity to serve existing and new demand. The WCF is based on wastewater volume and strength factors and is collected from all dischargers who apply for a new connection to the wastewater system or [when there is an increase in volume or strength of wastewater](#) discharged through an existing wastewater connection.

**Restrictions** Fees collected under the program must be expended for the purpose for which the fees are collected and cannot exceed the estimated reasonable cost of providing capacity in the District's wastewater facilities.

**Wastewater Capacity Fee 2-Year Review** For non-residential customers, a review of the actual volume and strength may be conducted within 24 months of establishing a WCF to determine whether the actual volume and strength is consistent with the original estimate. The review may result in the [assessment collection](#) of additional ~~Wastewater Capacity Fees~~ [WCFs](#) if the actual flow and/or strength exceeds the original estimate.

**Wastewater Capacity Credit** [Consistent with this policy, a](#) credit may be provided when new services provided to a property replace one or more existing or prior services provided to that property, in conformance with this policy and in a specific manner determined by District staff. The credit ~~will be~~ [is](#) based on the WCF previously paid for service at the property; ~~(if any); or the historical use at the property. WCF-based on the historical usage at the property, where the sewer connection predates the WCF program.~~ The WCF credit does not apply to service that does not typically result in ~~substantial~~ wastewater discharge, including, without limitation, dedicated irrigation meters, standby meters, fire service meters, or in the case of a combination standard and fire service meter, the portion of the meter oversized for the private fire protection system. [Additional limitations to the application of WCF credits may be specified in the District's most recent adopted Schedule of Rates, Charges and Fees.](#)

**Regulatory Basis** The WCF Program will be implemented consistent with applicable legal requirements.

# Establishing Wastewater Capacity Fees

NUMBER 8.04

PAGE NO.: 2

EFFECTIVE DATE: ~~24-AUG-21~~  
26 AUG 25

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## Authority

Adopted by Resolution No. 34052-15, September 22, 2015  
Amended by Resolution No. 35061-17, September 26, 2017  
Amended by Resolution No. 35243-21, August 24, 2021  
[Amended by Resolution No. XXXXX-25, August 26, 2025](#)

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## References

EBMUD Wastewater Control Ordinance, section 2(d)  
Government Code Section 66013 [limitations on capacity fees]  
Government Code Section 65852.2 [accessory dwelling units]  
Government Code Section 65852.22 [junior accessory dwelling units]  
Proposition 26 (Cal. Const., art. XIII C, sec. 1(e))  
Resolution No. 30945, June 26, 1984

Water and Wastewater System Schedules of Rates and Charges, Capacity  
Charges, and Other Fees



# Policy 8.04

EFFECTIVE 26 AUG 25

SUPERSEDES 24 AUG 21

## ESTABLISHING WASTEWATER CAPACITY FEES

---

### IT IS THE POLICY OF THE EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Establish fees to recover the estimated cost to provide capacity in the District's wastewater facilities for new or expanded use of such facilities by residential and non-residential customers.

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#### Background

The Wastewater Capacity Fee (WCF) program was established in 1984. The purpose of the WCF program is to recover the costs of capital facilities necessary to provide wastewater treatment capacity for new and expanded system use. WCFs are used to replace and repair major equipment or facilities within the wastewater system. The WCF program helps to fund the District's capital program, including the payment of debt service and funding for wastewater related capital projects.

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#### Wastewater Capacity Fee Basis

WCFs are developed using the buy-in methodology, whereby new users "buy-in" to a wastewater system that currently has adequate dry weather capacity to serve existing and new demand. The WCF is based on wastewater volume and strength factors and is collected from all dischargers who apply for a new connection to the wastewater system or when there is an increase in volume or strength of wastewater discharged through an existing wastewater connection.

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#### Restrictions

Fees collected under the program must be expended for the purpose for which the fees are collected and cannot exceed the estimated reasonable cost of providing capacity in the District's wastewater facilities.

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#### Wastewater Capacity Fee Two-Year Review

For non-residential customers, a review of the actual volume and strength may be conducted within 24 months of establishing a WCF to determine whether the actual volume and strength is consistent with the original estimate. The review may result in the collection of additional WCFs if the actual flow and/or strength exceeds the original estimate.

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#### Wastewater Capacity Credit

Consistent with this policy, a credit may be provided when new services provided to a property replace one or more existing or prior services provided to that property, in conformance with this policy and in a specific manner determined by District staff. The credit will be based on the WCF previously paid for service at the property (if any) or the historical use at the property. The WCF credit does not apply to service that does not typically result in wastewater discharge, including, without limitation, dedicated irrigation meters, standby meters, fire service meters, or in the case of a combination standard and fire service meter, the portion of the meter oversized for the private fire protection system. Additional limitations to the application of WCF credits may be specified in the District's most recent adopted Schedule of Rates, Charges and Fees.

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#### Regulatory Basis

The WCF Program will be implemented consistent with applicable legal requirements.

# Establishing Wastewater Capacity Fees

NUMBER 8.04

PAGE NO.: 2

EFFECTIVE DATE: 26 AUG 25

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## Authority

Adopted by Resolution No. 34052-15, September 22, 2015  
Amended by Resolution No. 35061-17, September 26, 2017  
Amended by Resolution No. 35243-21, August 24, 2021  
Amended by Resolution No. XXXXX-25, August 26, 2025

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## References

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Government Code Section 65852.22 [junior accessory dwelling units]  
Proposition 26 (Cal. Const., art. XIII C, sec. 1(e))  
Resolution No. 30945, June 26, 1984  
Water and Wastewater System Schedules of Rates and Charges, Capacity  
Charges, and Other Fees



# Policy 9.01R

EFFECTIVE [26 AUG 25](#)

~~26 SEP 23~~

SUPERSEDES [26 SEP 23](#)

~~22 NOV 22~~

## FIRE CONTROL AND FUELS MANAGEMENT ON WATERSHED LANDS

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### IT IS THE POLICY OF THE EAST BAY MUNICIPAL UTILITY DISTRICT TO:

Manage District-owned watersheds to minimize the occurrence and impacts of wildland fires to protect life, property, the environment and water quality; and collaborate with appropriate state and federal agencies, local governments, private landowners, indigenous groups, and other organizations in addressing fire and fuels management issues involving lands not owned by the District, but that drain into District reservoirs, [District watersheds, or connected waterways](#).

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#### Protection of Watershed Lands and Water Quality

The District will:

- Implement measures to reduce fire hazards and maintain emergency access on District-owned watershed lands to the extent practicable to protect life, property and source water quality from wildland fire-related impacts including erosion, sedimentation, and nutrient loading.
- Ensure fire and fuels management activities are consistent with the District's objectives for the management and protection of source water quality, biodiversity, and other natural resources to the extent practicable by using a strategic planning approach to fire management.
- Cooperate with state and local fire suppression agencies and committees and with adjacent property owners in fire suppression programs, training, and management activities.
- Maintain sufficient fire suppression capability, equipment, and patrols to ensure that a basic level of fire safety is maintained and the District is capable of providing assistance in response to fires that consume or threaten District-owned property or other property when Mutual Aid is requested.
- Recognize the importance of fire as a natural ecological process and use prescribed burning and other techniques to reduce hazardous fuel loads under carefully managed conditions to achieve long-term fire safety, water quality protection, and biodiversity management objectives.
- Encourage the use of environmentally appropriate methods to reduce hazardous fuel loads [in accordance with the District's Integrated Pest Management Program Guidelines](#) (e.g., livestock and/or targeted grazing, mowing, plowing, and vegetation removal).
- Support the establishment and placement of required fire hazard mitigation measures within the boundaries of new developments when possible, in order to avoid additional costs to the District and impacts to District watershed properties.
- Implement appropriate restoration and rehabilitation actions after a fire on District watersheds when necessary [to support native species and habitats and](#) to protect water quality.

**Fire Control and Fuels Management on Watershed Lands**

NUMBER 9.01

PAGE NO.: 2

EFFECTIVE DATE: [26 AUG 25](#)  
~~26-SEP-23~~

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- Collaborate with appropriate state and federal agencies, local governments, public utilities, private landowners, indigenous groups, and other organizations to address fire and fuels management on watershed lands draining into District reservoirs, [District watersheds, or connected waterways](#) but not owned by the District.
  - Support legislative efforts and grant funding opportunities that enhance effective fire controls and fuel management on lands draining into District reservoirs.
- 

**Authority**

Resolution No. 16,866, January 14, 1955  
Amended by Resolution No. 33116-98, August 11, 1998,  
Amended by Resolution No. 33236-01, February 13, 2001  
Amended by Resolution No. 33634-07, October 9, 2007  
Amended by Resolution No. 33756-10, February 23, 2010  
Amended by Resolution No. 33871-12, April 24, 2012  
Amended by Resolution No. 34080-16, April 26, 2016  
Amended by Resolution No. 35203-20, September 22, 2020  
Amended by Resolution No. 35325-22, November 22, 2022  
Amended by Resolution No. 35364-23, September 26, 2023  
[Amended by Resolution No. XXXXX-25, August 26, 2025](#)

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**Reference**

Policy 7.10 – Source Water Quality



# Policy 9.01

EFFECTIVE 26 AUG 25

SUPERSEDES 26 SEP 23

## **FIRE CONTROL AND FUELS MANAGEMENT ON WATERSHED LANDS**

---

### **IT IS THE POLICY OF THE EAST BAY MUNICIPAL UTILITY DISTRICT TO:**

Manage District-owned watersheds to minimize the occurrence and impacts of wildland fires to protect life, property, the environment and water quality; and collaborate with appropriate state and federal agencies, local governments, private landowners, indigenous groups, and other organizations in addressing fire and fuels management issues involving lands not owned by the District, but that drain into District reservoirs, District watersheds, or connected waterways.

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#### **Protection of Watershed Lands and Water Quality**

The District will:

- Implement measures to reduce fire hazards and maintain emergency access on District-owned watershed lands to the extent practicable to protect life, property and source water quality from wildland fire-related impacts including erosion, sedimentation, and nutrient loading.
- Ensure fire and fuels management activities are consistent with the District's objectives for the management and protection of source water quality, biodiversity, and other natural resources to the extent practicable by using a strategic planning approach to fire management.
- Cooperate with state and local fire suppression agencies and committees and with adjacent property owners in fire suppression programs, training, and management activities.
- Maintain sufficient fire suppression capability, equipment, and patrols to ensure that a basic level of fire safety is maintained and the District is capable of providing assistance in response to fires that consume or threaten District-owned property or other property when Mutual Aid is requested.
- Recognize the importance of fire as a natural ecological process and use prescribed burning and other techniques to reduce hazardous fuel loads under carefully managed conditions to achieve long-term fire safety, water quality protection, and biodiversity management objectives.
- Encourage the use of environmentally appropriate methods to reduce hazardous fuel loads in accordance with the District's Integrated Pest Management Program Guidelines (e.g., livestock and/or targeted grazing, mowing, plowing, and vegetation removal).
- Support the establishment and placement of required fire hazard mitigation measures within the boundaries of new developments when possible, in order to avoid additional costs to the District and impacts to District watershed properties.
- Implement appropriate restoration and rehabilitation actions after a fire on District watersheds when necessary to support native species and habitats and to protect water quality.

**Fire Control and Fuels Management on Watershed Lands**

NUMBER 9.01

PAGE NO.: 2

EFFECTIVE DATE: 26 AUG 25

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- Collaborate with appropriate state and federal agencies, local governments, public utilities, private landowners, indigenous groups, and other organizations to address fire and fuels management on watershed lands draining into District reservoirs, District watersheds, or connected waterways but not owned by the District.
  - Support legislative efforts and grant funding opportunities that enhance effective fire controls and fuel management on lands draining into District reservoirs.
- 

**Authority**

Resolution No. 16,866, January 14, 1955  
Amended by Resolution No. 33116-98, August 11, 1998,  
Amended by Resolution No. 33236-01, February 13, 2001  
Amended by Resolution No. 33634-07, October 9, 2007  
Amended by Resolution No. 33756-10, February 23, 2010  
Amended by Resolution No. 33871-12, April 24, 2012  
Amended by Resolution No. 34080-16, April 26, 2016  
Amended by Resolution No. 35203-20, September 22, 2020  
Amended by Resolution No. 35325-22, November 22, 2022  
Amended by Resolution No. 35364-23, September 26, 2023  
Amended by Resolution No. XXXXX-25, August 26, 2025

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**Reference**


Policy 7.10 – Source Water Quality


## EAST BAY MUNICIPAL UTILITY DISTRICT

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DATE: August 21, 2025

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager 

FROM: Derek McDonald, General Counsel 

SUBJECT: Revisions to District Policy 6.04 - Ethics of the EBMUD Board of Directors

### SUMMARY

In 2024, the Board adopted a Board of Directors Governance Manual. In conjunction with the development of the manual, edits were made to Policy 6.04 - Ethics of the EBMUD Board of Directors, to move certain sections of the Policy into the Governance Manual and into other District policies. Further edits were made to Policy 6.04 based on input from the Board. A revised Policy 6.04 incorporating these edits will be discussed at the August 26, 2025 Finance/Administration Committee meeting.

### DISCUSSION

The revised Policy 6.04 includes the following substantive modifications, as requested by Board members:

#### Fair and Open Processes Involving the Public

Minor revisions have been made to this section to clarify that “vendors” includes “contractors” in the scope of entities about which Board members must disclose ex parte communications relating to Board matters in which the Board is performing an adjudicatory or quasi-judicial role.

#### Fair and Equal Treatment

A new requirement has been added. Any Board member who becomes aware of a violation of Policy 6.06, Equal Employment Opportunity (EEO), must immediately report that violation to the General Manager. If the EEO complaint is made against the General Manager, the Board member must report the complaint to the General Counsel.

### Use of Confidential Information

A clarification has been added that the Board must maintain confidentiality of both written and oral information received for or during a closed session meeting.

### Board Member – General Manager Relationship

This section has been deleted from Policy 6.04 and incorporated into the Board Governance Manual.

### Exercise Responsible Fiscal Management

This section has been revised to change the role of the Finance/Administration Committee in selecting an external independent auditor. Rather than participate in interviews of vendor candidates for the auditor contract, the Committee will review staff recommendations for an independent auditor and recommend the approval of the auditor to the full Board.

### Improper Activities and the Reporting of Improper Activities; Protection of Whistleblowers

This section has been deleted from Policy 6.04 and incorporated into a new, separate Policy 6.16, Protection of Whistleblowers, to be presented to the Finance/Administration Committee and the full Board on October 28, 2025.

### Directors' Compensation and Expense Reimbursements

This section has been deleted from Policy 6.04 and incorporated into the Board Governance Manual and Policy 4.14 - Reimbursement of Director Expenses. Policy 4.14 was reviewed and updated by the Board in May 2025.

### Violation of Ethics Policy

Language has been added to this section to clarify that any Board member has the right to request that a perceived violation of Policy 6.04 be placed on the regular Board meeting agenda for determination and discussion.

## **NEXT STEPS**

Revised Policy 6.04 will be brought to the Board for consideration at its August 26, 2025 meeting.

CCC:DM:RSC

Attachments: Revised Policy 6.04



# Policy 6.04R

EFFECTIVE [26-SEP-23](#)SUPERSEDES [26-SEP-23](#)  
[12-JUL-22](#)

## ETHICS OF THE EBMUD BOARD OF DIRECTORS

### IT IS THE POLICY OF THE EAST BAY MUNICIPAL UTILITY DISTRICT BOARD OF DIRECTORS TO:

Promote ethical behavior in the conduct of District business.

**Purpose and Scope** The proper operation of EBMUD requires that Board members remain objective and responsive to the needs of the public, make decisions within the proper channels of governmental structure, and not use public office for personal gain. To further these objectives, certain ethical principles govern the conduct of each member of the EBMUD Board of Directors.

This policy promotes awareness of ethics, integrity and fidelity as critical elements in Board members' conduct and in achievement of the EBMUD mission. It references relevant policies, practices, and procedures that provide the legal framework and operational guidelines for addressing ethical issues.

### Responsibilities of Public Office

EBMUD Board members are dedicated to the concepts of effective and democratic government by responsible elected officials. Board members:

- Uphold the Constitution of the United States and the Constitution of the State of California, and carry out the laws of the nation, the state and local governmental agencies;
- Comply with applicable laws regulating their conduct, including open government, conflict of interest, and financial disclosure laws;
- Fulfill all applicable training requirements, including attending two (2) hours of ethics training (AB 1234) and two (2) hours of sexual harassment prevention training and education (AB 1661) every two (2) years; and
- Work in full cooperation with other public officials, unless they are legally prohibited from doing so.

*[California Government Code Section 1360; California Government Code 53235; California Government Code Section 87200; California Government Code Section 53237; Article 20, Section 3 of the California Constitution.]*

### Fair and Open Processes Involving the Public

EBMUD Board members promote fair and open public processes. Board members, and persons elected but who have not yet assumed office as members of the Board, [fully must](#) comply with California's open meeting law for public agencies (the Brown Act).

#### Disclosure of Communications

- Board members shall publicly disclose any oral or written communications they have had with persons, including, but not limited to, employees, legislators, legislative staff, public officials, developers, [contractors](#), vendors and consultants, that relate to matters at a Board meeting or Committee meeting in which the Board is performing an adjudicatory or quasi-judicial function.

- The disclosure may be made orally or in writing ~~in form~~ and may be made at the start of the meeting or may be made prior to consideration of the agenda item at the meeting.
- The Board shall make a good faith effort to comply with these Disclosure provisions of this Policy. A good faith failure to comply with these provisions shall not be construed to be a violation of this Policy.

*[California Government Code Section 54950 and following; California Government Code Section 54952.1; California Government Code Section 54959.]*

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**Fair and Equal Treatment**

EBMUD Board members promote diversity, equity, inclusion, and equality in personnel matters and in contracting, consistent with state and federal laws.

- Board members, in performance of their official duties and responsibilities, will not discriminate against or harass any person on the basis of race, color, religion, creed, sex, gender (including breastfeeding), gender identity (including transgender status), gender expression, marital or registered domestic partnership status, age for individuals forty or older, national origin, ancestry, disability (mental and physical), medical condition (cancer and genetic characteristics), genetic information, sexual orientation, military and veterans status, family or medical leave status, pregnancy (including childbirth or related medical condition), pregnancy disability leave status, or any other status protected by federal, state and/or local laws.
- Board members will immediately report any alleged violation of District Policy 6.06, Equal Employment Opportunity (EEO), to the General Manager. If a complaint is made against the General Manager, the Board member will report the violation to the General Counsel.
- Board members will not grant any special consideration, treatment, or advantage to any person or group beyond that available to every other person or group in similar circumstances.
- Board members will cooperate in achieving the equal opportunity objectives of EBMUD.

*[See, e.g., Article 1, Section 31 of the California Constitution; Age Discrimination in Employment Act of 1967; Americans with Disabilities Act Amendments Act of 2008; Fair Employment and Housing Act; Rehabilitation Act of 1973; Title VII of the Civil Rights Act of 1964; California Labor Code Section 1102. See also EBMUD’s Policy 6.06, Equal Employment Opportunity (EEO); Policy 6.08, Contract Equity Program; Policy 6.07, Prevention of Workplace Harassment; and Policy 2.02, Accommodation for Individuals with Disabilities in the Workplace.]*

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**Proper Use and Safeguarding of EBMUD Property and Resources**

EBMUD Board members exercise responsible management of District property and resources in the conduct of District business.

- Board members will safeguard EBMUD property, equipment, moneys, and assets against unauthorized use or removal, as well as from loss including criminal acts or breach of trust.
- A Board member will not ask or require an EBMUD employee to perform services for the personal benefit or profit of a Board member or employee.

- Each Board member will protect and properly use any EBMUD asset within his or her control, including information recorded on paper or in electronic form.
- Board members will maintain written records, including expense accounts, in sufficient detail to reflect accurately and completely all transactions and expenditures made on EBMUD’s behalf.
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*[Article 16, Section 6 of the California Constitution; Penal Code Section 424. See also EBMUD Policy 7.04, Access to District Property for Tours; Policy 7.06, Pardee Conference and Lodging Facility Use; Policy 7.11, Use of District Bay Area Facilities; Policy 4.14, Reimbursement of Director Expenses; Policy 4.20, Use of District Technology Resources]*

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- (1) has been received for, or during, a closed session Board meeting, either in writing or as part of a discussion,
- (2) is protected from disclosure under the attorney/client or other evidentiary privilege, or
- (3) is not disclosable under the California Public Records Act.

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*[California Government Code Section 54963; California Government Code Section 1098]*

**Conflicts of Interest**

Board members avoid both actual conflicts of interest and the appearance of conflicts of interest with the District.

- A Board member will not have a financial interest in a contract with the District, or be a purchaser at a sale by the District or a vendor at a purchase made by the District, unless his or her participation is legally authorized.
- A Board member will not participate in the discussion, deliberation or vote on a matter before the Board, or in any way attempt to use his or her official position to influence a decision of the Board, if he or she has a prohibited interest with respect to the matter under California law.
- A Board member will not accept any honoraria.
- A Board member will not accept gifts that exceed the limitations specified in California law. Board members will report all gifts, campaign contributions, income

and financial information as required under the District's Conflict of Interest Code and the provisions of the Fair Political Practices Act and Regulations.

- A Board member will not recommend the employment of a relative to the District or to any person known by the Board member to be bidding for or negotiating a contract with the District.

*[California Government Code Section 87100 and following; California Government Code Section 1090 and following; California Government Code Section 81000 and following; California Government Code Section 87105; California Government Code Section 89502; Penal Code Sections 68 and 70, and EBMUD Conflict of Interest Code.]*

**Soliciting Political Contributions**

Board members will not solicit political funds or contributions of in-kind services at EBMUD facilities or use EBMUD equipment.

- A Board member will not solicit or direct a political contribution or in-kind services from District officers, employees, consultants or contractors, or from vendors or consultants that have a material financial interest in a contract or other matter while that matter is pending before EBMUD.
- A Board member will not use EBMUD's seal, trademark, stationary, or other indicia of EBMUD's identity or facsimile thereof in any solicitation for political contributions.

*[California Government Code Section 3205 and EBMUD Campaign Finance Reform Ordinance.]*

**Incompatible Offices**

Except as expressly permitted by law, Board members appointed or elected to another public office, the duties of which may legally require action contradictory or inconsistent with the interests of the first entity, will resign from the first entity.

*(See, generally, [73-Cal. Op. Atty. Gen. 357 \(1990\)](#) [California Government Code Section 1099](#). See also [California Government Code Section 53227](#), under which a special district employee may not be sworn into office as an elected or appointed member of the same special district unless he or she resigns as an employee.)*

**Board Member-General Manager Relationship**

~~The Board sets District policy and the General Manager is responsible for execution of policy.~~

- ~~• The Board provides policy direction and instructions to the General Manager on matters within the authority of the Board by majority vote of the Board during duly convened Board and Board committee meetings.~~
- ~~• Members of the Board deal with matters within the authority of the General Manager through the General Manager, except when it pertains to the functions of the General Counsel.~~

~~*[Municipal Utility District Act (MUD Act) Sections 11883, 11937 and 11939.]*~~

**Exercise Responsible Financial Management**

The Board ensures the District exercises responsible financial management.

- The Board ensures that EBMUD maintains a system of auditing and accounting that completely and at all times shows the financial condition of the District in accordance with generally accepted accounting principles and legal requirements.
- The Finance/Administration Committee will interview-review the staff and recommend an independent auditor to conduct an annual audit of the District's books, records, financial affairs, and periodic single audits of federal funds received by the District and forward the recommendation to the full Board for approval.
- The independent auditor will provide reports and present the results of their audits, including recommendations made to the Board's Finance/Administration Committee. Reports from the auditor will be provided to the Board upon completion as part of the next Board mailing.
- Staff will respond to audit recommendations and provide periodic updates to the Board on the status of the responses to the recommendations.

*[MUD Act Section 11889.]*

**Improper Activities and the Reporting of Such Activities; Protection of Whistleblowers**

~~The Board ensures that EBMUD maintains a healthy and transparent work environment.~~

- ~~• The General Manager has primary responsibility for ensuring compliance with the District's personnel policies and procedures, and ensuring that District employees do not engage in improper activities, for investigating allegations of improper activities, and for taking appropriate corrective and disciplinary actions. The Board ensures that the General Manager is operating the District according to law and the policies approved by the Board.~~
- ~~• Board members will disclose to the General Manager, to the extent not expressly prohibited by law, improper activities within their knowledge. Board members will not interfere with the General Manager's responsibilities in identifying, investigating and correcting improper activities, unless the Board determines the General Manager is not properly carrying out these responsibilities.~~
- ~~• A Board member will not directly or indirectly use or attempt to use the authority or influence of his or her position to intimidate, threaten, coerce, command or influence any other person for the purpose of preventing such person from acting in good faith to bring to the attention of the General Manager or the Board any information that, if true, would constitute: a work-related violation by a Board member or District employee of any law or regulation, gross waste of District funds, gross abuse of authority, a specified and substantial danger to public health or safety due to an act or omission of a District official or employee, use of a District office or position or of District resources for personal gain, or a conflict of interest of a District Board member or District employee.~~

~~*[Labor Code Section 1102.5 and following; California Government Code Section 53298 and 53298.5; and EBMUD Equal Employment Opportunity (EEO) Policy 6.06.]*~~

**Directors' Compensation and**

~~EBMUD Board members receive a monthly stipend for their public service and the amount of that stipend is reviewed annually. EBMUD reimburses Board members for~~

**Expense Reimbursement**

~~actual reasonable and necessary expenses incurred in the performance of duties authorized or requested by the Board.~~

- ~~• EBMUD Board members receive monthly compensation in an amount set at a public meeting of the Board of Directors. Board members must attend a minimum of 50 percent of their assigned meetings. Meetings include regular business meetings, standing committee meetings, special meetings, joint powers authority meetings, retirement board meetings, and closed session meetings. Salary shall not be paid to a Board member for any month in which he or she has not attended the minimum number of meetings unless the Board President excuses the absence(s) for good cause. Good cause includes, but is not limited to, a Board member's illness, family emergency, or schedule conflict directly related to the business and interests of the District.~~
- ~~• Any Board member arriving 15 or more minutes late for a Board or Committee meeting will be considered absent from that meeting. Such absences will be taken into account when determining the minimum number of meetings attended for compensation during that period. Committee chairs or presiding officers may excuse late arrivals, at their discretion, due to unforeseen circumstances.~~
- ~~• Each Board member is encouraged to participate in outside activities and organizations that further the interests of the District. Board members do not receive compensation for attendance at non-District activities. Expenses incurred by Board members in connection with such activities are reimbursable, where authorized in advance or subsequently ratified by the Board President. No personal gain or loss to a Board member is intended. The following rules apply:
 
  - ~~a) All expenses must be incurred in compliance with Policy 4.14, *Reimbursement of Director Expenses*. Any expense that is not specified in Policy 4.14 must be approved in a public meeting by the Board, before it is incurred.~~
  - ~~b) All expenses must be reasonable and necessary and Board members will exercise prudence in all expenditures, including transportation, food, lodging, telephone, and technology related charges.~~
  - ~~c) Each Board member must use government and group rates offered by a transportation or lodging provider when available.~~
  - ~~d) EBMUD does not provide credit cards to Board members. Upon incurring expenses, Board members will submit a reimbursement request, accompanied by evidence of payment of such expenses that will meet the District's requirements.~~
  - ~~e) At the next Board meeting, each official shall briefly report on meetings attended at District expense. If multiple officials attended, a joint report may be made.~~~~

~~[MUD Act Sections 11908 and 11908.1; Resolution No. 35000-16, August 9, 2016; Policy 4.14, *Reimbursement of Director Expenses*; California Government Code Section 53232.2.]~~

**Candidate's Statement**

A Board member will not include false or misleading information in a candidate's statement for a general District election filed pursuant to Section 13307 of the Elections Code.

~~[Elections Code Sections 13307 and 13313; EBMUD Campaign Finance Reform Ordinance.]~~

**Violation of Ethics Policy**

A perceived violation of EBMUD’s ethics policy by a Board member should be referred to the Board President for investigation and consideration of any appropriate action warranted. In the case of a perceived violation by the Board President, the matter should be referred to the Board Vice President. [Nothing in this policy shall be construed to limit the right of any Board member to request that the perceived violation be placed on the agenda for determination and discussion.](#) A violation of this policy may be addressed by remedies available by law, including but not limited to:

- Adopting a resolution expressing disapproval of the conduct of the Board member who has violated this policy,
- Injunctive relief, or
- Referral of the violation to the California Fair Political Practices Commission, District Attorney and/or the Grand Jury.

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**Authority**

Resolution No. 33414-04, March 23, 2004.  
As amended by Motion No. 041-05, March 8, 2005  
As amended by Resolution No. 33577-07, January 9, 2007  
As amended by Resolution No. 33883-12, June 26, 2012  
As amended by Resolution No. 35008-16, October 25, 2016  
As amended by Resolution No. 35132-19, February 26, 2019  
As amended by Resolution No. 35221-21, April 27, 2021  
As amended by Resolution No. 35302-22, July 12, 2022  
As amended by Resolution No. 35364-23, September 26, 2023  
[As amended by Resolution No. XXXXX-25, August 26, 2025](#)

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**References**

~~See footnotes in above sections.~~  
References are ~~stated in each section above available for public review in the Office of the District Secretary.~~  
~~Resolution No. 35000-16, August 9, 2016~~



# Policy 6.04R

EFFECTIVE

## ETHICS OF THE EBMUD BOARD OF DIRECTORS

SUPERSEDES

26 SEP 23

### IT IS THE POLICY OF THE EAST BAY MUNICIPAL UTILITY DISTRICT BOARD OF DIRECTORS TO:

Promote ethical behavior in the conduct of District business.

**Purpose and Scope** The proper operation of EBMUD requires that Board members remain objective and responsive to the needs of the public, make decisions within the proper channels of governmental structure, and not use public office for personal gain. To further these objectives, certain ethical principles govern the conduct of each member of the EBMUD Board of Directors.

This policy promotes awareness of ethics, integrity and fidelity as critical elements in Board members' conduct and in achievement of the EBMUD mission. It references relevant policies, practices, and procedures that provide the legal framework and operational guidelines for addressing ethical issues.

**Responsibilities of Public Office** EBMUD Board members are dedicated to the concepts of effective and democratic government by responsible elected officials. Board members:

- Uphold the Constitution of the United States and the Constitution of the State of California, and carry out the laws of the nation, the state and local governmental agencies;
- Comply with applicable laws regulating their conduct, including open government, conflict of interest, and financial disclosure laws;
- Fulfill all applicable training requirements, including attending two (2) hours of ethics training (AB 1234) and two (2) hours of sexual harassment prevention training and education (AB 1661) every two (2) years; and
- Work in full cooperation with other public officials, unless they are legally prohibited from doing so.

*[California Government Code Section 1360; California Government Code 53235; California Government Code Section 87200; California Government Code Section 53237; Article 20, Section 3 of the California Constitution.]*

**Fair and Open Processes Involving the Public** EBMUD Board members promote fair and open public processes. Board members, and persons elected but who have not yet assumed office as members of the Board, must comply with California's open meeting law for public agencies (the Brown Act).

#### Disclosure of Communications

- Board members shall publicly disclose any oral or written communications they have had with persons, including, but not limited to, employees, legislators, legislative staff, public officials, developers, contractors, vendors and consultants, that relate to matters at a Board meeting or Committee meeting in which the Board is performing an adjudicatory or quasi-judicial function.

- The disclosure may be made orally or in writing and may be made at the start of the meeting or may be made prior to consideration of the agenda item at the meeting.
- The Board shall make a good faith effort to comply with these Disclosure provisions of this Policy. A good faith failure to comply with these provisions shall not be construed to be a violation of this Policy.

*[California Government Code Section 54950 and following; California Government Code Section 54952.1; California Government Code Section 54959.]*

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**Fair and Equal Treatment**

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*(See, generally, California Government Code Section 1099. See also California Government Code Section 53227, under which a special district employee may not be sworn into office as an elected or appointed member of the same special district unless he or she resigns as an employee.)*

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*[MUD Act Section 11889.]*

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As amended by Resolution No. XXXXX-25, August 26, 2025

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**References**

References are stated in each section above.



RESOLUTION NO. \_\_\_\_\_

ADOPTING REVISED POLICY 6.04, ETHICS OF THE EBMUD BOARD OF DIRECTORS

Introduced by Director \_\_\_\_\_ ; Seconded by Director \_\_\_\_\_

WHEREAS, it is the desire and intention of the Board of Directors of the EBMUD to update and revise Policy 6.04, entitled "Ethics of the EBMUD Board of Directors"; and

WHEREAS, Policy 6.04 has so been updated and revised, and the revisions are reflected in Exhibit A attached hereto;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the East Bay Municipal Utility District that Revised Policy 6.04, attached hereto as Exhibit A, is hereby adopted.

ADOPTED this 26th day of August, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
President

ATTEST:

\_\_\_\_\_  
Secretary

APPROVED AS TO FORM AND PROCEDURE:

\_\_\_\_\_  
General Counsel



# Policy 6.04R

EFFECTIVE [26-SEP-23](#)

SUPERSEDES [26-SEP-23](#)  
[12-JUL-22](#)

## ETHICS OF THE EBMUD BOARD OF DIRECTORS

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- Fulfill all applicable training requirements, including attending two (2) hours of ethics training (AB 1234) and two (2) hours of sexual harassment prevention training and education (AB 1661) every two (2) years; and
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- A Board member will not have a financial interest in a contract with the District, or be a purchaser at a sale by the District or a vendor at a purchase made by the District, unless his or her participation is legally authorized.
- A Board member will not participate in the discussion, deliberation or vote on a matter before the Board, or in any way attempt to use his or her official position to influence a decision of the Board, if he or she has a prohibited interest with respect to the matter under California law.
- A Board member will not accept any honoraria.
- A Board member will not accept gifts that exceed the limitations specified in California law. Board members will report all gifts, campaign contributions, income

and financial information as required under the District's Conflict of Interest Code and the provisions of the Fair Political Practices Act and Regulations.

- A Board member will not recommend the employment of a relative to the District or to any person known by the Board member to be bidding for or negotiating a contract with the District.

*[California Government Code Section 87100 and following; California Government Code Section 1090 and following; California Government Code Section 81000 and following; California Government Code Section 87105; California Government Code Section 89502; Penal Code Sections 68 and 70, and EBMUD Conflict of Interest Code.]*

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Board members will not solicit political funds or contributions of in-kind services at EBMUD facilities or use EBMUD equipment.

- A Board member will not solicit or direct a political contribution or in-kind services from District officers, employees, consultants or contractors, or from vendors or consultants that have a material financial interest in a contract or other matter while that matter is pending before EBMUD.
- A Board member will not use EBMUD's seal, trademark, stationary, or other indicia of EBMUD's identity or facsimile thereof in any solicitation for political contributions.

*[California Government Code Section 3205 and EBMUD Campaign Finance Reform Ordinance.]*

**Incompatible Offices**

Except as expressly permitted by law, Board members appointed or elected to another public office, the duties of which may legally require action contradictory or inconsistent with the interests of the first entity, will resign from the first entity.

*(See, generally, [73-Cal. Op. Atty. Gen. 357 \(1990\)](#) [California Government Code Section 1099](#). See also [California Government Code Section 53227](#), under which a special district employee may not be sworn into office as an elected or appointed member of the same special district unless he or she resigns as an employee.)*

**Board Member-General Manager Relationship**

~~The Board sets District policy and the General Manager is responsible for execution of policy.~~

- ~~• The Board provides policy direction and instructions to the General Manager on matters within the authority of the Board by majority vote of the Board during duly convened Board and Board committee meetings.~~
- ~~• Members of the Board deal with matters within the authority of the General Manager through the General Manager, except when it pertains to the functions of the General Counsel.~~

~~*[Municipal Utility District Act (MUD Act) Sections 11883, 11937 and 11939.]*~~

**Exercise Responsible Financial Management**

The Board ensures the District exercises responsible financial management.

- The Board ensures that EBMUD maintains a system of auditing and accounting that completely and at all times shows the financial condition of the District in accordance with generally accepted accounting principles and legal requirements.
- The Finance/Administration Committee will interview-review the staff and recommend ation for an independent auditor to conduct an annual audit of the District’s books, records, financial affairs, and periodic single audits of federal funds received by the District and forward the recommendation to the full Board for approval.
- The independent auditor will provide reports and present the results of their audits, including recommendations made to the Board’s Finance/Administration Committee. Reports from the auditor will be provided to the Board upon completion as part of the next Board mailing.
- Staff will respond to audit recommendations and provide periodic updates to the Board on the status of the responses to the recommendations.

*[MUD Act Section 11889.]*

**Improper Activities and the Reporting of Such Activities; Protection of Whistleblowers**

~~The Board ensures that EBMUD maintains a healthy and transparent work environment.~~

- ~~• The General Manager has primary responsibility for ensuring compliance with the District’s personnel policies and procedures, and ensuring that District employees do not engage in improper activities, for investigating allegations of improper activities, and for taking appropriate corrective and disciplinary actions. The Board ensures that the General Manager is operating the District according to law and the policies approved by the Board.~~
- ~~• Board members will disclose to the General Manager, to the extent not expressly prohibited by law, improper activities within their knowledge. Board members will not interfere with the General Manager’s responsibilities in identifying, investigating and correcting improper activities, unless the Board determines the General Manager is not properly carrying out these responsibilities.~~
- ~~• A Board member will not directly or indirectly use or attempt to use the authority or influence of his or her position to intimidate, threaten, coerce, command or influence any other person for the purpose of preventing such person from acting in good faith to bring to the attention of the General Manager or the Board any information that, if true, would constitute: a work-related violation by a Board member or District employee of any law or regulation, gross waste of District funds, gross abuse of authority, a specified and substantial danger to public health or safety due to an act or omission of a District official or employee, use of a District office or position or of District resources for personal gain, or a conflict of interest of a District Board member or District employee.~~

~~*[Labor Code Section 1102.5 and following; California Government Code Section 53298 and 53298.5; and EBMUD Equal Employment Opportunity (EEO) Policy 6.06.]*~~

**Directors’ Compensation and**

~~EBMUD Board members receive a monthly stipend for their public service and the amount of that stipend is reviewed annually. EBMUD reimburses Board members for~~

**Expense  
Reimbursement**

~~actual reasonable and necessary expenses incurred in the performance of duties authorized or requested by the Board.~~

- ~~• EBMUD Board members receive monthly compensation in an amount set at a public meeting of the Board of Directors. Board members must attend a minimum of 50 percent of their assigned meetings. Meetings include regular business meetings, standing committee meetings, special meetings, joint powers authority meetings, retirement board meetings, and closed session meetings. Salary shall not be paid to a Board member for any month in which he or she has not attended the minimum number of meetings unless the Board President excuses the absence(s) for good cause. Good cause includes, but is not limited to, a Board member's illness, family emergency, or schedule conflict directly related to the business and interests of the District.~~
- ~~• Any Board member arriving 15 or more minutes late for a Board or Committee meeting will be considered absent from that meeting. Such absences will be taken into account when determining the minimum number of meetings attended for compensation during that period. Committee chairs or presiding officers may excuse late arrivals, at their discretion, due to unforeseen circumstances.~~
- ~~• Each Board member is encouraged to participate in outside activities and organizations that further the interests of the District. Board members do not receive compensation for attendance at non-District activities. Expenses incurred by Board members in connection with such activities are reimbursable, where authorized in advance or subsequently ratified by the Board President. No personal gain or loss to a Board member is intended. The following rules apply:
  - ~~a) All expenses must be incurred in compliance with Policy 4.14, *Reimbursement of Director Expenses*. Any expense that is not specified in Policy 4.14 must be approved in a public meeting by the Board, before it is incurred.~~
  - ~~b) All expenses must be reasonable and necessary and Board members will exercise prudence in all expenditures, including transportation, food, lodging, telephone, and technology-related charges.~~
  - ~~c) Each Board member must use government and group rates offered by a transportation or lodging provider when available.~~
  - ~~d) EBMUD does not provide credit cards to Board members. Upon incurring expenses, Board members will submit a reimbursement request, accompanied by evidence of payment of such expenses that will meet the District's requirements.~~
  - ~~e) At the next Board meeting, each official shall briefly report on meetings attended at District expense. If multiple officials attended, a joint report may be made.~~~~

~~[MUD Act Sections 11908 and 11908.1; Resolution No. 35000-16, August 9, 2016; Policy 4.14, *Reimbursement of Director Expenses*; California Government Code Section 53232.2.]~~

**Candidate's  
Statement**

A Board member will not include false or misleading information in a candidate's statement for a general District election filed pursuant to Section 13307 of the Elections Code.

~~[Elections Code Sections 13307 and 13313; EBMUD Campaign Finance Reform Ordinance.]~~

**Violation of Ethics Policy**

A perceived violation of EBMUD’s ethics policy by a Board member should be referred to the Board President for investigation and consideration of any appropriate action warranted. In the case of a perceived violation by the Board President, the matter should be referred to the Board Vice President. [Nothing in this policy shall be construed to limit the right of any Board member to request that the perceived violation be placed on the agenda for determination and discussion.](#) A violation of this policy may be addressed by remedies available by law, including but not limited to:

- Adopting a resolution expressing disapproval of the conduct of the Board member who has violated this policy,
- Injunctive relief, or
- Referral of the violation to the California Fair Political Practices Commission, District Attorney and/or the Grand Jury.

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**Authority**

Resolution No. 33414-04, March 23, 2004.  
As amended by Motion No. 041-05, March 8, 2005  
As amended by Resolution No. 33577-07, January 9, 2007  
As amended by Resolution No. 33883-12, June 26, 2012  
As amended by Resolution No. 35008-16, October 25, 2016  
As amended by Resolution No. 35132-19, February 26, 2019  
As amended by Resolution No. 35221-21, April 27, 2021  
As amended by Resolution No. 35302-22, July 12, 2022  
As amended by Resolution No. 35364-23, September 26, 2023  
[As amended by Resolution No. XXXXX-25, August 26, 2025](#)

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**References**

~~See footnotes in above sections.~~  
References are ~~stated in each section above available for public review in the Office of the District Secretary.~~  
~~Resolution No. 35000-16, August 9, 2016~~



# Policy 6.04R

EFFECTIVE

## ETHICS OF THE EBMUD BOARD OF DIRECTORS

SUPERSEDES

26 SEP 23

### IT IS THE POLICY OF THE EAST BAY MUNICIPAL UTILITY DISTRICT BOARD OF DIRECTORS TO:

Promote ethical behavior in the conduct of District business.

**Purpose and Scope** The proper operation of EBMUD requires that Board members remain objective and responsive to the needs of the public, make decisions within the proper channels of governmental structure, and not use public office for personal gain. To further these objectives, certain ethical principles govern the conduct of each member of the EBMUD Board of Directors.

This policy promotes awareness of ethics, integrity and fidelity as critical elements in Board members' conduct and in achievement of the EBMUD mission. It references relevant policies, practices, and procedures that provide the legal framework and operational guidelines for addressing ethical issues.

**Responsibilities of Public Office** EBMUD Board members are dedicated to the concepts of effective and democratic government by responsible elected officials. Board members:

- Uphold the Constitution of the United States and the Constitution of the State of California, and carry out the laws of the nation, the state and local governmental agencies;
- Comply with applicable laws regulating their conduct, including open government, conflict of interest, and financial disclosure laws;
- Fulfill all applicable training requirements, including attending two (2) hours of ethics training (AB 1234) and two (2) hours of sexual harassment prevention training and education (AB 1661) every two (2) years; and
- Work in full cooperation with other public officials, unless they are legally prohibited from doing so.

*[California Government Code Section 1360; California Government Code 53235; California Government Code Section 87200; California Government Code Section 53237; Article 20, Section 3 of the California Constitution.]*

**Fair and Open Processes Involving the Public** EBMUD Board members promote fair and open public processes. Board members, and persons elected but who have not yet assumed office as members of the Board, must comply with California's open meeting law for public agencies (the Brown Act).

#### Disclosure of Communications

- Board members shall publicly disclose any oral or written communications they have had with persons, including, but not limited to, employees, legislators, legislative staff, public officials, developers, contractors, vendors and consultants, that relate to matters at a Board meeting or Committee meeting in which the Board is performing an adjudicatory or quasi-judicial function.

- The disclosure may be made orally or in writing and may be made at the start of the meeting or may be made prior to consideration of the agenda item at the meeting.
- The Board shall make a good faith effort to comply with these Disclosure provisions of this Policy. A good faith failure to comply with these provisions shall not be construed to be a violation of this Policy.

*[California Government Code Section 54950 and following; California Government Code Section 54952.1; California Government Code Section 54959.]*

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**Fair and Equal Treatment**

EBMUD Board members promote diversity, equity, inclusion, and equality in personnel matters and in contracting, consistent with state and federal laws.

- Board members, in performance of their official duties and responsibilities, will not discriminate against or harass any person on the basis of race, color, religion, creed, sex, gender (including breastfeeding), gender identity (including transgender status), gender expression, marital or registered domestic partnership status, age for individuals forty or older, national origin, ancestry, disability (mental and physical), medical condition (cancer and genetic characteristics), genetic information, sexual orientation, military and veterans status, family or medical leave status, pregnancy (including childbirth or related medical condition), pregnancy disability leave status, or any other status protected by federal, state and/or local laws.
- Board members will immediately report any alleged violation of District Policy 6.06, Equal Employment Opportunity (EEO), to the General Manager. If a complaint is made against the General Manager, the Board member will report the violation to the General Counsel.
- Board members will not grant any special consideration, treatment, or advantage to any person or group beyond that available to every other person or group in similar circumstances.
- Board members will cooperate in achieving the equal opportunity objectives of EBMUD.

*[See, e.g., Article 1, Section 31 of the California Constitution; Age Discrimination in Employment Act of 1967; Americans with Disabilities Act Amendments Act of 2008; Fair Employment and Housing Act; Rehabilitation Act of 1973; Title VII of the Civil Rights Act of 1964; California Labor Code Section 1102. See also EBMUD’s Policy 6.06, Equal Employment Opportunity (EEO); Policy 6.08, Contract Equity Program; Policy 6.07, Prevention of Workplace Harassment; and Policy 2.02, Accommodation for Individuals with Disabilities in the Workplace.]*

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**Proper Use and Safeguarding of EBMUD Property and Resources**

EBMUD Board members exercise responsible management of District property and resources in the conduct of District business.

- Board members will safeguard EBMUD property, equipment, moneys, and assets against unauthorized use or removal, as well as from loss including criminal acts or breach of trust.
- A Board member will not ask or require an EBMUD employee to perform services for the personal benefit or profit of a Board member or employee.

- Each Board member will protect and properly use any EBMUD asset within his or her control, including information recorded on paper or in electronic form.
- Board members will maintain written records, including expense accounts, in sufficient detail to reflect accurately and completely all transactions and expenditures made on EBMUD’s behalf.
- Board members will adhere to District policies.

*[Article 16, Section 6 of the California Constitution; Penal Code Section 424. See also EBMUD Policy 7.04, Access to District Property for Tours; Policy 7.06, Pardee Conference and Lodging Facility Use; Policy 7.11, Use of District Bay Area Facilities; Policy 4.14, Reimbursement of Director Expenses; Policy 4.20, Use of District Technology Resources]*

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**Use of Confidential Information**

Board members will safeguard confidential information.

Board members will not disclose information that legally qualifies as confidential to unauthorized persons without approval of a quorum of the Board. This includes information that:

- (1) has been received for, or during, a closed session Board meeting, either in writing or as part of a discussion,
- (2) is protected from disclosure under the attorney/client or other evidentiary privilege, or
- (3) is not disclosable under the California Public Records Act.

A Board member may make a confidential inquiry or complaint to a district attorney or grand jury concerning a perceived violation of law, including disclosing facts to a district attorney or grand jury necessary to establish the alleged illegality of a District action. Prior to disclosing confidential information, however, a Board member will first bring the matter to the attention of either the President of the Board or the full Board, in a lawful and appropriate manner, to provide an opportunity to cure an alleged violation.

*[California Government Code Section 54963; California Government Code Section 1098]*

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