



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
REGULAR CLOSED SESSION**

Tuesday, August 26, 2025

11:00 a.m.

Boardroom

375 11th Street

Oakland, CA 94607

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

ROLL CALL:

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

ANNOUNCEMENT OF CLOSED SESSION AGENDA:

1. Existing litigation pursuant to Government Code section 54956.9(d)(1):
 - a. *Adam Berchem v. East Bay Municipal Utility District*
WCAB Case No: ADJ13469512
2. Conference with Real Property Negotiators pursuant to Government Code section 54956.8 regarding terms of payment for the lease of property in Orinda formerly known as the California Shakespeare Theater. East Bay Municipal Utility District Negotiators: Andrew L. Lee, Director of Customer & Community Services; Alice E. Towey, Director of Water & Natural Resources; Matt Elawady, Manager of Real Estate Services; and Michelle L. Workman, Manager of Natural Resources. Negotiating parties: East Bay Municipal Utility District and Siesta Valley Entertainment, LLC.

(The Board will discuss Closed Session agenda items in Conference Room 8)

REGULAR BUSINESS MEETING
1:15 p.m.

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

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance
- Recognizing National Hispanic Heritage Month and EBMUD's Fuerza Latina Affinity Group

ANNOUNCEMENTS FROM CLOSED SESSION:

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

COMMITTEE REPORTS:

- Finance/Administration
- Planning
- Legislative/Human Resources

CONSENT CALENDAR: (Single motion and vote approving 8 recommendations including 1 resolution)

1. Approve the Regular Meeting Minutes of August 12, 2025.
2. File correspondence with the Board.
3. Authorize an agreement beginning on or after August 26, 2025, with Black & Veatch Corporation in an amount not to exceed \$999,780 for the planning phase of the Nutrients Master Plan Update Project.
4. Authorize an agreement beginning on or after August 26, 2025 with Luhdorff & Scalmanini Consulting Engineers in an amount not to exceed \$454,564 for preparation of the East Bay Plain Subbasin Groundwater Sustainability Plan Periodic Evaluation and Amendment and to support GSP implementation.
5. Authorize an agreement beginning on or after August 26, 2025 with TruePoint Solutions, LLC for \$666,398 for five years, with five options to renew for additional one-year periods for a total amount, including option years, not to exceed \$1,109,540 for implementation of backflow prevention system software and ongoing support.
6. Authorize a 36-month lease with Cranbrook Realty Investment Fund, LP, commencing on September 1, 2026, for a 12,517 square foot office and warehouse space (Units J & K) in the Lodi Wine & Business Center, located at One Winemaster Way, Lodi, CA, 95240 for a total cost not to exceed \$385,000.

CONSENT CALENDAR: (Continued)

7. Approve the June and July 2025 Monthly Investment Transactions Reports.
8. Approve revisions to the following District policies: Policy 1.14 – Customer Assistance Policy; Policy 4.01 – Employee Earnings and Payroll Determination; Policy 4.24 – Internal Audit; Policy 5.01 – Prohibiting Confidentiality of Settlement Agreements; Policy 6.05 – Use of Social Media; Policy 6.07 – Prevention of Workplace Harassment; Policy 6.11 – Performance Management; Policy 6.14 – Tuition Reimbursement for Employee Education; Policy 8.04 – Establishing Wastewater Capacity Fees; and Policy 9.01 – Fire Control and Fuels Management on Watershed Lands. (Resolution)

DETERMINATION AND DISCUSSION:

9. Approve the proposed Fiscal Year 2026 Financing Plan.
10. Approve revisions to Policy 6.04 – Ethics of the EBMUD Board of Directors. (Resolution)
11. Adopt a resolution to authorize a member of the East Bay Municipal Utility District Board of Directors or a senior staff member to be appointed to represent the District on the Siesta Valley Foundation Board of Directors. (Resolution)
12. General Manager's Report.

DIRECTOR COMMENTS:

13. Other Items for Future Consideration.
14. Director Comments.

ADJOURNMENT:

The next Regular Meeting of the Board of Directors will be held at 1:15 p.m. on Tuesday, September 9, 2025.

Disability Notice

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

Document Availability

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

BOARD CALENDAR

Meeting dates, times, and locations are subject to change

Date	Meeting	Time/Location	Topics
Tuesday, August 26, 2025	Finance/Administration Committee	9:30 a.m. Boardroom	- Fiscal Year 2026 Insurance Summary - Monthly Investment Transactions Report - Quarterly Financial Reports: - 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 - Proposed Fiscal Year 2026 Financing Plan - Revisions to District Policies - Revisions to Policy 6.04, Ethics of the EBMUD Board of Directors
	Board of Directors	11:00 a.m. Boardroom	Closed Session
		1:15 p.m. Boardroom	Regular Meeting
Monday, September 1, 2025	Labor Day Holiday		<i>Offices closed</i>
Tuesday, September 9, 2025	Planning Committee	TBD Boardroom	
	Legislative/Human Resources Committee	TBD Boardroom	
	Board of Directors	11:00 a.m. Boardroom	Closed Session
		1:15 p.m. Boardroom	Regular Meeting
Tuesday, September 23, 2025	Finance/Administration Committee	TBD Boardroom	
	Board of Directors	11:00 a.m. Boardroom	Closed Session
		1:15 p.m. Boardroom	Regular Meeting

2025 Board Committee Members

Finance/Administration	Lewis {Chair}, Katz, Oddie
Legislative/Human Resources	Gómez {Chair}, Oddie, Smith
Planning	Chan {Chair}, Gómez, Lewis
Sustainability	Smith {Chair}, Gómez, Katz

APPENDIX

**Closed Session and Regular Business Meetings
11:00 a.m. and 1:15 p.m.**

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

Online*

<https://ebmud.zoom.us/j/97065086667?pwd=eUdZSGh5SG82akZiRDF2UDg2b0IyUT09>

Webinar ID: 970 6508 6667

Passcode: 238500

By Phone*

Telephone: 1 669 900 6833

Webinar ID: 970 6508 6667

Passcode: 238500

International numbers available: <https://ebmud.zoom.us/u/adMXn1VnPP>

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

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

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

In person

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

Via Zoom

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

Submitting written comments or materials

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

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

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: August 21, 2025

MEMO TO: Board of Directors

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

FROM: Rischa S. Cole, Secretary of the District *RC*

SUBJECT: Planning Committee Minutes – August 12, 2025

Chair April Chan called to order the Planning Committee meeting at 9:00 a.m. in the Administration Building Boardroom. Director Valerie D. Lewis was present at roll call. Director Luz Gómez was absent (excused). Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, Director of Operations and Maintenance David A. Briggs, Manager of Regulatory Compliance David M. Woodard, Director of Engineering and Construction Serge V. Terentieff, Engineering Manager Elizabeth Z. Bialek, Director of Wastewater Amit K. Mutsuddy, and Secretary of the District Rischa S. Cole.

Public Comment. None.

Presentations/Documentation. 1) Presentation entitled, “Regulatory Compliance Semi-Annual Report: January through July 2025,” dated August 12, 2025; and 2) Presentation entitled, “Dam Safety Program Annual Report,” dated August 12, 2025.

Regulatory Compliance Semi-Annual Report – January 1, 2025 to June 30, 2025. Manager of Regulatory Compliance David M. Woodard presented the report. The Main Wastewater Treatment Plant was inspected by the San Francisco Regional Water Quality Control Board for National Pollutant Discharge Elimination System permit compliance (March 18, 2025), and by the Bay Area Air Quality Management District for compliance with the District’s Major Facility Review air permit (April 16, 2025). No violations or corrective actions were found. On June 10, 2025, a 1,000-gallon underground storage tank at the Sobrante Water Treatment Plant (WTP) was abandoned in place and a new aboveground storage tank was installed with monitoring to power the onsite generator. These actions eliminate any future environmental concerns. Staff processed 137 Trench Spoils Investigation Requests for new water service applications and Pipeline Rebuild projects. Over 12,000 tons of contaminated trench soil and slurry were directly disposed at Keller Canyon Landfill, ensuring waste material is handled properly by the contractor, and avoiding storage by the District. District stockpile sites near Briones Reservoir were relocated to a new site near Briones Dam, which avoids an environmentally sensitive area near San Pablo Creek, and improves stormwater control. The California Green Business Program certified the Adeline Maintenance Center as a green business, bringing the total number of certified District facilities to twelve. Mr. Woodard reported a coliform sample exceedance occurred at the Oakport Wet Weather Facility (WWF). The issue leading to the coliform sample exceedance was corrected and the District expects a minor fine of about \$3,000. Two unauthorized treated wastewater discharges also occurred at the site during monthly training exercises with minimal impacts resulting from the discharges. The District’s loss time injury rate as of June 30 was 1.62, below the 3.0 key performance indicator. Next, he reported on two Cal/OSHA notices of complaints at the Orinda Water Treatment Plant regarding temporary stairs (March 10) and from the City of Oakland (May 16)

concerning traffic control and worker safety signage on May 16. A Cal/OSHA inspection at the Upper San Leandro WTP in June was triggered by a serious employee injury. The District responded to the notices of complaint on March 20 and May 21, respectively, and the inspection on June 25, 2025. Mr. Woodard and General Manager Clifford C. Chan addressed Committee questions regarding the Sobrante WTP underground storage tank. Director of Wastewater Amit K. Mutsuddy addressed questions regarding wastewater discharges and effluent gate inspections. Additional questions concerned trench soils testing; accuracy of the trench soils testing database; future green business certifications; and complaints regarding capital projects. Staff was asked to provide information on facilities preparing for green business certification and on previous Oakport WWF violations. It was moved by Director Lewis, seconded by Director Chan, and carried (2-0) by voice vote to accept the report. Director Gómez was absent (excused).

Dam Safety Program Annual Report. Engineering Manager Elizabeth Z. Bialek presented the report. The District's program covers 23 dams. The California Department of Water Resources Division of Safety of Dams (DSOD) provides regulatory oversight of 18 dams with the Federal Energy Regulatory Commission (FERC) sharing jurisdiction over Pardee and Camanche due to their hydroelectric operations. Five District dams are not regulated by DSOD due to their small size. Based on this past year's dam-safety related activities and inspections, all District dams are considered safe for continued operation. Ms. Bialek reported on recent studies and improvements, including updated inundation maps for the lower Mokelumne River Dam; DSOD's approval of Briones Tower modifications; the Lafayette Tower upgrade project, scheduled for completion by fall 2027; annual spillway inspections and repairs; and a partnership with the U.C. Berkeley Center for Smart Infrastructure to study unlined spillway erodibility. Seismic evaluations and a surveillance improvements plan have been completed for Camanche and Pardee dams and facilities and the District's Dam Safety Program Guide, which is updated annually was submitted to FERC in June 2025. Local dam safety reviews were completed for Moraga, Central, Argyle No. 2, Fay Hill, and Watson reservoirs. Next, she discussed probable maximum flood studies at upcountry and local reservoirs. Staff will continue dam safety monitoring, maintenance and capital efforts; award the Lafayette Tower upgrade project; plan the retrofit for the Camanche valve house; schedule new and refresher sessions for the Dam Safety Training Program and dam emergency action plan exercises with local emergency management agencies; continue upcountry and USL-Chabot watershed flood studies and spillway evaluations; and continue upcountry and local reservoir dam safety surveillance improvement programs. Ms. Bialek responded to Committee questions about testing for debris flows after a wildfire; annual dam safety certification documentation; dam safety program information on the District's website; and DSOD facility ratings. General Manager Clifford C. Chan confirmed the District's website includes dam safety program information. Staff was asked to review and update the web page with spillway evaluation details. It was moved by Director Lewis, seconded by Director Chan, and carried (2-0) by voice vote to accept the report. Director Gómez was absent (excused).

Adjournment. Director Lewis adjourned the meeting at 9:59 a.m.

CCC:RSC

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: August 21, 2025

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager CCC

FROM: Rischa S. Cole, Secretary of the District RC

SUBJECT: Legislative/Human Resources Committee Minutes – August 12, 2025

Director Jim Oddie called to order the Legislative/Human Resources Committee meeting at 10:01 a.m. in the Administration Building Boardroom. Director Joey D. Smith was present at roll call. Chair Luz Gómez was absent (excused). Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, Special Assistant to the General Manager Derry L. Moten, Senior Human Resources Analyst Sylvia M. Johnson, Director of Human Resources Cindy R. Charan, and Secretary of the District Rischa S. Cole.

Public Comment. None.

Presentations/Documentation. 1) Presentation entitled, “Workforce Development Program Update”, dated August 12, 2025; and 2) Presentation entitled, “Board Appointed Positions”, dated August 12, 2025.

Workforce Development Program Update. Senior Human Resources Analyst Sylvia M. Johnson provided the presentation. The District’s long-term workforce development strategy is guided by the Diversity, Equity, and Inclusion Strategic Plan, the Workforce Planning Development Strategic Plan, and the Equal Employment Opportunity Program (EEOP) Report. The strategy focuses on building and sustaining a diverse, qualified talent pool through data-driven outreach, internships, and training. Ms. Johnson discussed key drivers and District departments that support workforce development, noting all efforts complement, but do not replace recruitment. The District expanded internships, hosted high school tours of the Pipeline Training Academy, delivered career presentations, posted social media videos, and supported the workforce ad campaign. Partnerships with community-based organizations and educational institutions were expanded, job readiness was enhanced through mock interviews and intern enrichment activities, and District affinity groups supported as outreach ambassadors. Internships were reinforced with mentoring and career development, resulting in promotions and full-time employment for some participants. The District launched its first Workforce Development Month, and staff participated in job fairs and expos to target critical and hard-to-fill positions. Ms. Johnson also presented the EEOP Report for Reporting Year (RY) 2024. Federal changes ended race and gender affirmative action requirements, while Department of Labor enforcement for individuals with disabilities and protected veterans was reinstated. The District exceeded the 7 percent utilization goal for individuals with disabilities but fell slightly below the 3.2 percent goal for veterans. Staff is recommending the Board adopt the EEOP Report for RY 2024 at its meeting this afternoon. Committee members asked about specialized training for interns, compliance

changes, and outreach to Title I schools. Ms. Johnson clarified there is no specialized training specific to interns and addressed questions on outreach costs and outreach to schools outside the service area. The Committee requested information on the cost to provide high school internship program fliers to Title 1 schools and the list of school districts engaged in the program. It was moved by Director Smith, seconded by Director Oddie and carried (2-0) by voice vote to accept the report. Director Gómez was absent (excused).

Board Appointed Position Process. Director of Human Resources Cindy R. Charan provided the presentation. The Municipal Utility District (MUD) Act describes the positions appointed by the Board. Historically, the Board has appointed the General Manager, General Counsel, Secretary of the District, and individuals selected to fill officer/administrator and exempt positions as described in MUD Act Chapter 4. These include about 30 positions comprised of the Senior Management Team (SMT) and some management team members (including those positions (not to exceed 15) described in the MUD Act as requiring peculiar and exceptional qualifications). The MUD Act only requires the Board to appoint a General Manager; it provides the option for the Board to appoint a General Counsel, Secretary, and Treasurer (Director of Finance). Some Board members have expressed concerns with appointing individuals in which they were not part of the recruitment process. Ms. Charan outlined the current Board appointment process and three options for consideration and recommendation to the Board for future appointments: 1) Maintain the status quo – the Board will continue to appoint the General Manager, General Counsel, Secretary of the District, and the individuals recommended for appointment to the positions described in MUD Act Chapter 4. The General Manager will identify the positions (not to exceed 15) requiring peculiar and exceptional qualifications and recommend those positions to the Board for approval; 2) Appoint only the General Manager, General Counsel, and Secretary of the District. The General Manager will identify the positions (not to exceed 15) requiring particular and exceptional qualifications and recommend those positions to the Board for approval. The General Manager will hire SMT members and the SMT will hire individuals for the remaining positions; and 3) Appoint only the General Manager, General Counsel, and Secretary of the District. The General Manager will identify the positions (not to exceed 15) particular and exceptional qualifications and recommend those positions to the Board for approval. The General Manager will hire SMT members and introduce them to the Board. The SMT will hire individuals for the remaining positions. The Committee discussed the options and General Manager Clifford C. Chan commented on the current appointment process and shared feedback received from some Board members. Director Oddie expressed support for option three while Director Smith expressed support for option one. The Committee discussed but did not reach consensus on a recommendation to the Board and agreed to have staff present the item at a future meeting when all Committee members are present.

Adjournment. Director Oddie adjourned the meeting at 10:47 a.m.

CCC/RSC

MINUTES

**Tuesday, August 12, 2025
East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California**

Regular Closed Session Meeting

President Marguerite Young called to order the Regular Closed Session Meeting of the Board of Directors at 11:01 a.m. in the Administration Building Boardroom.

ROLL CALL

Directors April Chan, Valerie D. Lewis, Jim Oddie, Joey D. Smith and President Marguerite Young were present at roll call. Director Luz Gómez was absent (excused). Director Katz arrived in Conference Room 8 at 11:10 a.m.

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

PUBLIC COMMENT

There was no public comment.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

President Young announced the closed session agenda, and the Board convened to Administration Building Conference Room 8 for discussion.

Regular Business Meeting

ROLL CALL

President Marguerite Young called to order the Regular Meeting of the Board of Directors at 1:16 p.m. in the Administration Building Boardroom.

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

Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, and Secretary of the District Rischa S. Cole.

– Director Smith left the meeting at 1:17 p.m. and returned at 1:21 p.m.

BOARD OF DIRECTORS

President Young led the Pledge of Allegiance.

Service Award Recipients – April through June 2025

Senior Human Resources Analyst Chad R. Thigpen delivered the presentation highlighting 44 employees who have reached service award milestones ranging from five to 35 years of service. These employees were also recognized by their organizational leadership through the Employee Recognition and Service Award Program and received a service award on behalf of the District. Employees present in the Boardroom included Truck Driver II Tony Martin, Manager of Wastewater Treatment John A. Kyser, Senior Software Engineer George F. McQuary, and Senior Administrative Clerk Jenny R. Orogo. The Board congratulated staff and thanked them for their service.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

- Addressing the Board was Dennise Gibson who commented on billing and customer service related concerns.

President Young referred Ms. Gibson to Director of Customer and Community Services Andrew L. Lee for assistance.

COMMITTEE REPORTS

- Filed with the Board were the Minutes for the July 8, 2025 Planning Committee and the Legislative/Human Resources Committee Meetings.
- Director Smith reported the UMRWA Board met July 25, 2025 and approved the April 25, 2025 meeting minutes; accepted for filing the Treasurer's Report – 2nd Quarter FY 2025; approved the Phase 1 - Forest Projects Plan Implementation Report; approved the Phase 2 - MAC Forest Health and Resilience Project Report; approved the Fiscal Year 2026 Budget; and discussed legislative issues. Blue Forest Conservation hosted an informal meet and greet before the meeting and following the meeting, led a site visit to Forest Projects Plan Phase 1 project areas in the Eldorado National Forest. She reported Director Gómez also participated in the site visit.
- Chair Chan reported the Planning Committee met earlier and received updates on the Regulatory Compliance Semi-Annual Report – January 1, 2025 to June 30, 2025 and the Dam Safety Program Annual Report.
- Director Oddie reported the Legislative/Human Resources Committee met earlier and received updates on the Workforce Development Program and the Board Appointed Position Process. The Committee members present did not reach consensus on a recommendation to the Board regarding the Board Appointed Position Process and agreed to continue the discussion at a future meeting when all Committee members are present.

CONSENT CALENDAR

- Motion by Director Katz, seconded by Director Lewis, to approve the recommended actions for Items 1-16 on the Consent Calendar carried (6-0) by the following voice vote: AYES (Chan, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (Gómez).
1. **Motion No. 150-25** – Approved the Regular Meeting Minutes of July 8, 2025.
 2. The following correspondence was filed with the Board: **1)** Presentation entitled, “Service Award Recipients April – June 2025,” **2)** Presentation entitled, “Communications Update,” dated August 12, 2025; **2)** Speakers’ Bureau and Outreach Record CY25, dated August 12, 2025; and **3)** Email dated August 12, 2025 from Ivette Rivera to Office of the Secretary regarding For August 12, 2025, afternoon Board Meeting: Correspondence with attachments for Directors in attendance (with attachments).
 3. **Motion No. 151-25** – Awarded a contract beginning on or after August 12, 2025 to the lowest responsive/responsible bidder, DuBois Chemicals, Inc., for supplying hydrofluosilicic acid for water treatment for the District’s water treatment plants for two years, with three options to renew for additional one-year periods for a total cost, including option years, not to exceed \$2,231,295 under Request for Quotation No. 2518.
 4. **Motion No. 152-25** – Awarded a contract beginning on or after August 12, 2025, to the lowest responsive/responsible bidder, Gladwin Machinery Solutions, Inc., for supplying a plate roller for a total cost, after the addition of taxes, not to exceed \$175,650, under Request for Quotation No. 2515.
 5. **Motion No. 153-25** – Awarded a contract to the lowest responsive/responsible bidder, Western Water Constructors, Inc., in an amount not to exceed \$15,953,000 for the construction of the Main Wastewater Treatment Plant Oxygen Production Plant Rehabilitation, under Specification SD-428A.
 - 6.1. **Motion No. 154-25** – Awarded a contract to the lowest responsive/responsible bidder, NTK Construction, Inc., in an amount not to exceed \$3,113,000 for the construction of the Lafayette Recreation Area Wastewater Collection System Improvements Project under Specification 2166A.
 - 6.2. **Motion No. 155-25** – Authorized an agreement beginning on or after August 12, 2025 with Sherwood Design Engineers in an amount not to exceed \$545,304 for engineering services during construction and additional services for the Lafayette Reservoir Recreation Area Wastewater Collection System Improvements Project.
 7. **Motion No. 156-25** – Awarded a sole-source contract beginning on or after September 1, 2025 to Bentley Systems, Inc. to supply MicroStation software for one year for a total cost, after the addition of taxes, not to exceed \$91,667.

8. **Motion No. 157-25** – Authorized an agreement beginning on or after August 12, 2025 with Echologics, LLC for five years for a total amount not to exceed \$5,250,000 to provide automated acoustic leak detection equipment and monitoring services.
9. **Motion No. 158-25** – Authorized an agreement beginning on or after August 12, 2025 with Trojan Technologies Corp. in an amount not to exceed \$1,292,498 for the procurement and installation oversight of replacement microfiltration membrane modules at the Richmond Advanced Recycled Expansion Water Project.
10. **Motion No. 159-25** – Authorized agreements beginning on or after August 12, 2025 with ADS Corp.; Brown and Caldwell; Clear Consulting, Inc; Jacobs Engineering Group Inc.; National Plant Services, Inc.; Pipe and Plant Solutions Inc.; RH Borden and Company LLC; SewerAI Corporation; Subtronic Corporation; Total Flow, Inc.; Utility Systems Science & Software; and V&A Consulting Engineers, Inc., for two years with three options to renew for additional one-year periods for a total aggregate amount not to exceed \$11,500,000 for inflow and infiltration investigations of the regional wastewater collection system.
- 11.1. – **Motion No. 160-25** – Authorized agreements beginning on or after August 12, 2025 with
- 11.2. Ferguson Welding Service, Inc.; John Arthur Welding, Inc.; Larsson Welding; Nicole Welding, Inc.; True Welding LLC, and Woods Welding for one year in an aggregate amount not to exceed \$230,000 for welding services; and authorized additional agreements for welding services, on an as-needed basis and subject to the total aggregate amount authorized by the Board for such services on August 12, 2025, with service providers that meet District standards and offer pricing at or below the range in the proposed agreements with the service providers above to increase flexibility and ensure service provider availability. The Board of Directors will be notified of additional qualified service providers by means of the General Manager's monthly report.
- 12.1. – **Motion No. 161-25** – Ratified the payment of \$380,000 to Western Oilfields Supply Company
- 12.2. dba Rain for Rent for the rental of two temporary sodium hypochlorite storage tanks at the Oakport Wet Weather Facility through August 31, 2025; and authorized an agreement beginning on or after September 1, 2025 with Rain for Rent in an amount not to exceed \$40,000 for the continued rental of two temporary SHC storage tanks at the Oakport WWF through December 31, 2025.
13. **Motion No. 162-25** – Authorized the purchase of eight mobile column wheel lifts beginning on or after August 12, 2025 from ARI Phoenix Inc. for safely elevating heavy commercial trucks during maintenance and repair operations at the District's Heavy Equipment Shop for a total cost, after the addition of taxes, not to exceed \$110,584. This purchase will be made under State of California contracts available for use by local governments.
14. **Motion No. 163-25** – Authorized an amendment to the contract originally awarded under Board Motion No. 166-20 with AqueoUS Vets, LLC dba American Veterans Products and Services, Inc. to increase the contract amount by \$9,000,000 to a total amount not to exceed \$33,500,000 for supplying ductile iron pipe and fittings for the District's pipeline replacement program without change to the February 28, 2026 expiration date.
15. **Motion No. 164-25** – Adopted the Reporting Year 2024 Equal Employment Opportunity Program.

16. **Motion No. 165-25** – Authorized the Office of General Counsel to continue the employment of the law firm of Complex Appellate Litigation Group LLP, for services of special counsel related to providing representation in the appeal of the *Pierce, et al. v. East Bay Municipal Utility District, et al.*, matter.

DETERMINATION AND DISCUSSION

17. **Adopt updated performance criteria for the upcoming performance evaluations of the General Manager and the General Counsel.**

General Manager Clifford C. Chan highlighted the feedback received on proposed updates to the performance criteria for the General Manager and the General Counsel reviewed by the Board at its July 8, 2025 meeting. Based on the Board's feedback, staff finalized the performance criteria which is being presented for Board consideration. For the General Manager, the proposed performance criteria include nine core competency areas that reflect the complexity and breadth of executive leadership at EBMUD. For the General Counsel, the proposed performance criteria include eight core competency areas that reflect legal and executive leadership. President Young discussed the current performance evaluation process for the General Manager and General Counsel, noting the Board's request for more formal criteria and alignment with the Senior Management Team evaluation process. If the Board adopts the updated criteria, on September 9, performance evaluations will be conducted during closed session and at the Board meeting, an Ad Hoc Committee will be appointed to negotiate amendments to the employment agreements. During the September 23 closed session, the Board will provide direction to the Ad Hoc Committee on proposed amendments to the employment agreements and at its October 14 meeting, the Board will consider approving any amendments to the General Manager's and General Counsel's employment agreements. The Board discussed the criteria for both positions and Director Lewis clarified her previous request to include performance criteria for the General Counsel consistent with District goals regarding diversity efforts in internal hiring and selecting external counsel. General Manager Clifford C. Chan noted these areas are already broadly covered in criteria measuring leadership competencies, meeting the five pillars in the Diversity, Equity, and Inclusion (DEI) Strategic Plan, and achieving District priorities. There was additional discussion, and staff was directed to include DEI metrics in the General Counsel's performance evaluation criteria. President Young clarified the General Manager and General Counsel will provide self-evaluations to the Board prior to the September 9 closed session.

- Motion by Director Oddie, seconded by Director Smith, to approve the recommended actions for Item 17 with the requested updates to the General Counsel's performance evaluation criteria carried (6-0) by the following voice vote: AYES (Chan, Katz, Lewis, Oddie, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (Gómez).

Motion No. 166-25 – Adopted updated performance criteria for the upcoming performance evaluations of the General Manager and the General Counsel.

18. **General Manager's Report.**

Communications Update.

Public Affairs Manager Kelly A. Zito presented an overview of Fiscal Year (FY) 2025 communications activities and outlined FY 2026 plans, both aligned with the District's Strategic Communications Plan. The communications vision centers on two goals: raising awareness of EBMUD as a vital, innovative community partner and unifying communications across the District. Public Affairs manages media relations, messaging, crisis communications, publications (print, digital, video), internal communications, exhibits, community and local government outreach, and the District's Education Program. Priorities for FY 2025 centered around budget and rates, capital projects, onboarding new Board members, workforce development, new community partnerships, wildfire preparedness, the golden mussel and boat launch closures, the residential non-payment policy, Federal Energy Regulatory Commission re-licensing, and EBMUD imposters. Press and media engagement reached about 137 million people with an estimated \$900,000 in earned media value. Social media also saw strong growth, with more than 1,000 posts, 640,000 impressions, 53,000 video views, and a 16 percent increase in followers. Partnerships expanded with fire agencies, local sports teams, and conservation and industry partners. Key initiatives included videos highlighting clean energy, new content, refreshed branding, a new Administration Building exhibit, and digital flipbook-style publications. A multi-channel workforce campaign boosted job applications and careers page traffic, exceeding industry click-through benchmarks. Outreach was expanded to increase awareness of the District through meetings and engagement with the community, local governments, neighborhood groups, and other business associations. Public Affairs also managed sponsorships, supported capital and maintenance project communications, provided communication support for Board members, participated in festivals, and expanded partnerships for the Customer Assistance Program. Education Program efforts included transportation support for water and wastewater field trips for Title I school students; school assemblies; teacher trainings; Water Wednesday webinars; Water Walks; and upcountry initiatives through the Salmon in the Classroom program and other regional partnerships. The second Community Water Academy was held in the spring for 30 participants. EBMUD partnered with Oakland students and the Grammy Award-winning Alphabet Rockers to produce "H2Flow," a song and video about water and environmental stewardship. The video has been viewed over 180,000 times and featured on news outlets, social media, at an Oakland Roots game, and in classrooms. Staff also collaborated to increase District messaging with the Oakland Ballers, Oakland Roots, Oakland Zoo, and the Lindsay Wildlife Museum. For FY 2026, priorities will focus on emergency preparedness; infrastructure investment and the value of water; water quality and the "Drink Tap" campaign; incorporating customer opinion survey results into future communications plans; strengthening partnerships; and addressing emerging issues. Efforts will continue on workforce development; expanding the Education Program; capital project outreach; wildfire coalition work; ward events for Board members; expanding partnerships with community-based organizations; and participating in public events. The Board will receive an annual communications update. Board members thanked staff, expressed appreciation for their work, and discussed the information presented. Staff was asked to continue messaging on key District topics, even when public engagement may be low; increase outreach to other special districts; expand education outreach to include college students and adults; collaborate with groups that support protection of the San Francisco Bay; work more closely with agencies such as East Bay Regional Park District and the Oakland Zoo to highlight natural resources protection; explore opportunities to collaborate with local social media

influencers; provide metrics to assess if communication platforms are reaching a broad audience; discuss outreach efforts to the Latino community in next year's update; and consider providing a semiannual communications update to the Board.

Monthly Report – July 2025

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

DIRECTOR COMMENTS

19. Other Items for Future Consideration.

None.

20. Director Comments.

- Director Chan reported attending the Alameda County Mayors Conference in San Leandro on July 9.
- Director Katz reported touring the Main Wastewater Treatment Plant in Oakland with the Mayor of Berkeley and Director Oddie on July 15. Director Katz also reported engaging in conversations with state legislators about the cap-and-trade program which included discussions about funding for workforce transitions related to climate. Director Katz acknowledged the recent passing of AC Transit Board member Christian (Chris) Peebles and highlighted Director Peebles' years of service, advocacy for the use of hydrogen, and support for transit equity.
- Director Lewis reported visiting Flint, Michigan and said that our work with water is important and makes a difference in our customers' lives.
- Director Oddie reported attending the Alameda County Mayors Conference in San Leandro on July 9; touring the Main Wastewater Treatment Plant in Oakland with the Mayor of Berkeley and Director Katz on July 15; touring Pump Station H in Oakland on August 8; and attending the Oakland Chinatown Lions Club Health Fair on August 9.
- Director Smith reported attending the Contra Costa Special Districts Association/ Alameda County Special District Association joint meeting in Pleasanton on July 9; the West County Forum in San Pablo on July 10; the North Richmond Musical Festival on July 12; Thrive Thursday in Richmond on July 17; and the UMRWA Board meeting at the Mokelumne Watershed headquarters on July 25. Director Smith acknowledged the following staff for their work and assistance: Senior Customer Service Representative Aunquise M. Morris, Ranger/Naturalist I Quindy E. Sammler, Senior Administrative Clerk Lorna B. Barfield, Manager of Watershed and Recreation Charles C. Beckman, Administrative Clerk Kaci N. Crowley, Director of Water and Natural Resources Alice E. Towey, and Manager of Natural Resources Michelle L. Workman. Director Smith also announced UMRWA is celebrating its 25th anniversary.

- President Young reporting attending the Clean Water Action Fund's Annual Making Waves event with General Manager Clifford C. Chan on July 24. The District provided a private tour for two of the Main Wastewater Treatment Plant and lunch for the auction. President Young also reported attending the Cal Shakes Community Review meeting in Orinda on August 6 and plans to attend the Alameda Labor Council's Unionist of the Year dinner in Oakland on August 22 and the Oakland Ballers game in Oakland on August 23.

ADJOURNMENT

President Young adjourned the Regular Meeting at 2:40 p.m.

SUBMITTED BY:

Rischa S. Cole, Secretary of the District

APPROVED: August 26, 2025

Marguerite Young, President of the Board

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BOARD ACTION

Agenda Number:	3.	Meeting Date:	August 26, 2025
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TITLE	AGREEMENT FOR NUTRIENTS MASTER PLAN UPDATE
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ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:
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RECOMMENDED ACTION	Authorize an agreement beginning on or after August 26, 2025, with Black & Veatch Corporation in an amount not to exceed \$999,780 for the planning phase of the Nutrients Master Plan Update Project.
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SUMMARY	This agreement will provide engineering services for the planning phase of the Nutrients Master Plan Update Project. The project will recommend near- and long-term solutions to support compliance with the third Nutrients Watershed Permit when the new discharge limits go into effect in 2035. The scope includes a timeline and cost analysis of nutrient removal technology alternatives and configurations, recommendations for capital projects, preliminary design criteria for recommended capital projects, and guidance for pilot testing activities. This project was discussed at the November 26, 2024 Infrastructure Workshop.
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DISCUSSION	The third Nutrients Watershed Permit was adopted in July 2024 by the San Francisco Regional Water Quality Control Board (SFRWQCB) and went into effect on October 1, 2024. In it, the SFRWQCB mandates major wastewater dischargers, including the District, to substantially reduce nitrogen discharged into San Francisco Bay by 2035. The District's current wastewater treatment system is not designed for nitrogen removal. Despite innovative pilot tests, discharged nitrogen levels remain above thresholds mandated by the third Nutrients Watershed Permit. Capital improvements to modify and/or expand the existing secondary treatment system are required for compliance with the Nutrients Watershed Permit. The project includes an evaluation of nitrogen removal improvement alternatives available for the Main Wastewater Treatment Plant (MWWTP), and will consider space constraints, performance benefits, and cost efficiency. Near-term solutions will consider economic, societal, and environmental impacts and future capital planning. A phased implementation roadmap will be developed to outline the timing and sequencing of capital projects needed before 2035. This project supports the District's Long-Term Infrastructure Investment Strategic Plan goal. The services contracted for in the agreement cannot be satisfactorily performed under the District civil service and therefore contracting out is proper.
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Originating Department: Wastewater	Department Director or Manager: Amit K. Mutsuddy	CEP Forms? Yes	Board Action Type: Professional Services
Funds Available: FY2026/2027; Award#7000335; Page 173	Budget Coding: 21-926-3100113-52310	Approved: 	
Attachment(s): P-035; P-061			

Title:	Agreement for Nutrients Master Plan Update	Meeting Date:	August 26, 2025
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**CONSULTANT
SELECTION**

A request for proposals was posted on the District's website and sent to 31 firms, including five minority-owned firms, with expertise in wastewater treatment plant nutrient removal planning and design. Five firms submitted proposals, and a short-list of three firms was established. Black & Veatch Corporation was selected, after review of proposals and oral interviews, based on its extensive experience with complex and comprehensive nutrient planning at facilities of similar size and type to the District.

SUSTAINABILITY**Economic**

Funding for this purpose is available in the Fiscal Year 2026/2027 adopted capital budget for Nutrients.

Social

Locals 21 and 2019 were notified of this agreement on January 17, 2025, and did not raise any specific issues related to this agreement.

Environmental

This project will ensure that the MWWTP reduces nitrogen in effluent to help protect San Francisco Bay from future harmful algal blooms.

ALTERNATIVES

Select a different consultant to perform the work. This alternative is not recommended because Black & Veatch Corporation has the most qualified team and best approach for the Nutrients Master Plan Update Project.

Delay or do not proceed with the project. This alternative is not recommended because the MWWTP has not yet demonstrated the ability to reliably and completely comply with the Nutrients Watershed Permit limits.

Complete the work with District forces. This alternative is not recommended because District staff do not have the specialized technical expertise necessary to perform the tasks identified.



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE Professional Services Agreement Agreement for Nutrients Master Plan Update						DATE: July 11, 2025					
CONTRACTOR: Black & Veatch Corporation Walnut Creek, CA			Local Business		PERCENTAGE OF CONTRACT DOLLARS						
					Availability Group		Contracting Objectives		Participation		
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP			White Men		25%		100.0%		
		Ethnicity		Gender	White Women		6%		0.0%		
\$999,780 *		White		Men	Ethnic Minorities		25%		0.0%		
CONTRACT EQUITY PARTICIPATION											
COMPANY NAME		ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION					
				M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit
PRIME: Black & Veatch Corporation		\$999,780	White	X		100.0%					
SUBS: None											
TOTAL		\$999,780				100.0%	0.0%	0.0%	0.0%	0.0%	0.0%
CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)											
		White Men		White Women		Ethnic Minorities		Total Employees			
No. of Employees:		4,110		1,521		3,749		9,380			
Percent of Total Employees:		43.8%		16.2%		40.0%					
MSA Labor Market %:		39.0%		33.7%		27.3%					
MSA Labor Market Location:		USA									
COMMENTS											
Contract Equity Participation - 100% White Men participation. Contract Duration: NA *Total not to exceed: \$999,780											
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended			
NA				YES							



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: Agreement for Nutrients Master Plan Update		Ethnic Minority Percentages From U.S. Census Data							
			B	H	A/PI	AI/AN	TOTAL		
		National	10.5	10.7	3.7	0.7	27.3		
Professional Services Agreement		DATE: 7/11/2025	9 Bay Area Counties		5.5	16.2	14.2	0.4	39.9
			Alameda/CC Counties		10.7	15.6	15.4	0.5	46.2
R=Recmmd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees							
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	WM: LBE	Company Wide	706	2,026	742	0	3,474	37.0%	27.3%
Black & Veatch Corporation Sarah Statlander 2999 Oak Rd., Suite 490 Walnut Creek, CA 94597 (local office) 913-458-7510		Manager/Prof	240	477	669	20	1,406	24.0%	
		Technical/Sales	61	115	47	4	227	28.7%	
		Clerical/Skilled	283	996	24	35	1,338	66.6%	
		Semi/Unskilled	122	438	2	9	571	79.5%	
				Bay Area	1	20	35	0	56
		AA Plan on File: NA		Date of last contract with District: 10/11/2022					
		Co. Wide MSA: USA		# Employees-Co. Wide: 9,380		Bay Area: 102			
P	WM: LBE	Company Wide	639	1,154	1,793	43	3,629	29.0%	27.3%
AECOM Technical Services, Inc. Carrie Fordyce 300 Lakeside Dr., Suite 400 Oakland, CA 94612 (local office) 609-970-4019		Manager/Prof	535	1,027	1,721	38	3,321	28.8%	
		Technical/Sales	76	92	46	5	219	29.1%	
		Clerical/Skilled	28	35	26	0	89	46.1%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
				Bay Area	12	32	139	2	185
		Co. Wide MSA: USA		# Employees-Co. Wide: 12,493		Bay Area: 406			
P	WM: LBE	Company Wide	50	181	185	5	421	29.5%	27.3%
Carollo Engineers, Inc. Carol Blake 2795 Mitchell Dr. Walnut Creek, CA 94598 602-474-4034		Manager/Prof	35	130	163	0	328	26.4%	
		Technical/Sales	6	26	13	4	0	28.2%	
		Clerical/Skilled	9	25	9	1	44	36.1%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
				Bay Area	3	11	32	0	46
		Co. Wide MSA: USA		# Employees-Co. Wide: 1,428		Bay Area: 138			
P	WM: LBE	Company Wide	87	192	184	4	467	22.1%	27.3%
Hazen and Sawyer Glenys Herrera 2300 Clayton Rd., Suite 1250 Concord, CA 94520 (local office) 212-539-7209		Manager/Prof	81	172	182	4	439	21.9%	
		Technical/Sales	2	5	1	0	8	19.5%	
		Clerical/Skilled	4	15	1	0	20	29.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
				Bay Area	1	3	13	0	17
		Co. Wide MSA: USA		# Employees-Co. Wide: 2,113		Bay Area: 42			
P	WM: LBE	Company Wide	193	265	208	4	670	32.7%	27.3%
Jacobs Engineering Group Inc. Trisha Blaschko 2101 Webster St., Suite 1410 Oakland, CA 94612 (local office) 214-638-0142		Manager/Prof	123	184	175	2	484	30.2%	
		Technical/Sales	29	34	18	1	0	39.6%	
		Clerical/Skilled	41	47	15	1	104	43.7%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
				Bay Area	9	33	78	0	120
		Co. Wide MSA: USA		# Employees-Co. Wide: 2,048		Bay Area: 262			

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)



BOARD ACTION

Agenda Number:	4.	Meeting Date:	August 26, 2025
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TITLE **EAST BAY PLAIN SUBBASIN GROUNDWATER SUSTAINABILITY PLAN PERIODIC EVALUATION, AMENDMENT AND IMPLEMENTATION SUPPORT**

ACTION ☒ Motion: ☐ Resolution: ☐ Ordinance:

RECOMMENDED ACTION Authorize an agreement beginning on or after August 26, 2025 with Luhdorff & Scalmanini Consulting Engineers (LSCE) in an amount not to exceed \$454,564 for preparation of the East Bay Plain (EBP) Subbasin Groundwater Sustainability Plan (GSP) Periodic Evaluation and Amendment and to support GSP implementation.

SUMMARY This agreement will allow EBMUD and the City of Hayward (Hayward) to prepare the required EBP Subbasin GSP Periodic Evaluation and Amendment. The scope of work also includes addressing the recommended corrective actions on the 2022 EBP Subbasin GSP from the Department of Water Resources (DWR), incorporating GSP implementation updates, and performing technical analyses. The agreement also includes services to support the installation of shallow monitoring wells near creeks, which are required as part of GSP implementation to fill data gaps. The agreement will be jointly funded by EBMUD (\$332,532) and Hayward (\$122,032). EBMUD will fully fund the \$105,900 task related to installing shallow monitoring wells since they are all located within EBMUD's service area. The remaining tasks, totaling \$348,664, will be 65 percent funded by EBMUD and 35 percent funded by Hayward.

DISCUSSION As Groundwater Sustainability Agencies (GSAs) for the EBP Subbasin, EBMUD and Hayward completed a single GSP for the East Bay Plain Subbasin in January 2022 that was adopted by EBMUD's Board under Resolution No. 35259-21. The GSP was approved by DWR in July 2023 with nine recommended corrective actions. The GSAs are implementing the GSP to comply with the Sustainable Groundwater Management Act (SGMA), which includes preparing a periodic evaluation at least once every five years and, if necessary, amending the GSP. The GSAs have determined that the 2022 GSP will need to be amended to address DWR's corrective actions related to updating certain sustainable management criteria, which are the metrics that guide groundwater basin sustainability.

In addition to preparing the GSP Periodic Evaluation and Amendment, which is due to DWR by January 31, 2027, the scope of work in this professional services agreement includes addressing DWR's recommended corrective actions, re-evaluating the number of representative monitoring wells needed, updating the EBP Subbasin groundwater model, and incorporating GSP implementation updates. An additional task includes preparing construction specifications for shallow monitoring wells and overseeing a well drilling contractor to be

Originating Department: Water and Natural Resources	Department Director or Manager: Alice E. Towey	CEP Forms? Yes	Board Action Type: Professional Services
Funds Available: FY 2026/2027; Award #7000314; Page 130	Budget Coding: 11.455.2011940.52310	Approved: 	
Attachment(s): P-035; P-061			

Title:	East Bay Plain Subbasin Groundwater Sustainability Plan Periodic Evaluation, Amendment and Implementation Support	Meeting Date:	August 26, 2025
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obtained later under a separate EBMUD contract. The shallow wells are needed as part of GSP implementation to fill data gaps near creeks within EBMUD's service area.

EBMUD and Hayward worked under a cooperating agreement to prepare the 2022 EBP Subbasin GSP and have been implementing the GSP under an implementation agreement executed in November 2022. The implementation agreement has been amended to include the scope of work in this professional services agreement.

This work supports EBMUD's Long-Term Water Supply Strategic Plan goal.

The services contracted for in the agreement cannot be satisfactorily performed under EBMUD civil service, and therefore, contracting out is proper.

**CONSULTANT
SELECTION**

A request for proposals was posted on EBMUD's website and sent to nine firms with expertise in groundwater management and GSP development and implementation. Three firms submitted proposals, and all three firms were interviewed. LSCE was selected by EBMUD and Hayward staff based on having the best approach to address the scope of work and the team's expertise and familiarity with the EBP Subbasin.

SUSTAINABILITY**Economic**

Funding for this work is available in the Fiscal Year 2026/2027 adopted capital budget for SGMA Compliance.

Social

Locals 21 and 2019 were notified of this agreement on April 10, 2025 and did not raise any specific issues related to this agreement.

Environmental

The work that will be performed is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15262 – Feasibility and Planning Studies. Water Code Section 10728.6 also exempts preparation and adoption of groundwater sustainability plans. Any well construction that is pursued by EBMUD at a later date to implement provisions of the plan, would be subject to CEQA.

ALTERNATIVE

Select a different consultant to perform the work. This alternative is not recommended because LSCE was determined to be the best qualified team.



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE Professional Services Agreement East Bay Plain Subbasin Groundwater Sustainability Plan Periodic Evaluation, Amendment and Implementation Support					DATE: August 12, 2025							
CONTRACTOR: Luhdorff & Scalmanini, Consulting Engineers Woodland, CA					PERCENTAGE OF CONTRACT DOLLARS							
					Availability Group		Contracting Objectives		Participation			
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP			White Men		25%		94.5%			
		Ethnicity	Gender		White Women		6%		5.5%			
\$454,564 *		White		Men		Ethnic Minorities		25%		0.0%		
CONTRACT EQUITY PARTICIPATION												
COMPANY NAME		ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
				M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIMES: Luhdorff & Scalmanini, Consulting Engineers		\$339,564	White	X		74.7%						
SUBS: Geosyntec Consultants		\$90,000	White	X		19.8%						
Environmental Science Associates		\$25,000	White		X		5.5%					
TOTAL		\$454,564				94.5%	5.5%	0.0%	0.0%	0.0%	0.0%	0.0%
CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)												
		White Men		White Women		Ethnic Minorities		Total Employees				
No. of Employees:		27		18		12		57				
Percent of Total Employees:		47.4%		31.6%		21.1%						
MSA Labor Market %:		39.0%		33.7%		27.3%						
MSA Labor Market Location:		USA										
COMMENTS												
Contract Equity Participation: 94.5% White Men and 5.5% White Women participation. Contract Duration: NA *Total not to exceed: \$454,564												
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended				
NA				NA								



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: East Bay Plain Subbasin Groundwater Sustainability Plan Periodic Evaluation, Amendment and Implementation Support			Ethnic Minority Percentages From U.S. Census Data						
				B	H	A/PI	AI/AN	TOTAL	
			National	10.5	10.7	3.7	0.7	27.3	
Professional Services Agreement		DATE: 8/12/2025	9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9	
			Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2	
R=Recmmd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees							
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	WM	Company Wide	0	4	5	0	9	15.8%	27.3%
Luhdorff & Scalmanini, Consulting Engineers Traci Gemmell 500 1st St. Woodland, CA 530-661-0109		Manager/Prof	0	4	3	0	7	15.6%	
		Technical/Sales	0	0	2	0	2	50.0%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	1	0	1	25.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		12/8/2020		
		Co. Wide MSA:	USA		# Employees-Co. Wide:		57	Bay Area:	4
S	WM: LBE	Company Wide	1	5	21	0	27	37.0%	53.9%
Geosyntec Consultants Savi Moonilal 1111 Broadway, 6th Floor Oakland, CA 94607 561-922-1098		Manager/Prof	1	5	18	0	24	38.7%	
		Technical/Sales	0	0	1	0	1	33.3%	
		Clerical/Skilled	0	0	2	0	2	25.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	1	5	21	0	27	37.0%	39.9%
		Co. Wide MSA:	Alameda		# Employees-Co. Wide:		73	Bay Area:	73
S	WW	Company Wide	23	88	80	3	194	29.5%	27.3%
Environmental Science Associates Annette Bonilla 575 Market Street, Suite 3700 San Francisco, CA 94105 415-896-5900		Manager/Prof	12	63	56	3	134	24.5%	
		Technical/Sales	1	4	7	0	12	48.0%	
		Clerical/Skilled	10	21	17	0	48	55.2%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	9	40	44	2	95	33.0%	39.9%
		Co. Wide MSA:	USA		# Employees-Co. Wide:		658	Bay Area:	288
P	Unclassified	Company Wide	2	10	37	1	50	41.3%	27.3%
EKI Environment & Water, Inc. Anona Dutton 2001 Junipero Serra Blvd, Suite 300 Daly City, CA 94104 650-292-9100		Manager/Prof	1	7	28	0	36	35.6%	
		Technical/Sales	0	0	1	0	1	33.3%	
		Clerical/Skilled	1	3	8	1	13	76.5%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	1	7	20	0	28	36.8%	39.9%
		Co. Wide MSA:	USA		# Employees-Co. Wide:		121	Bay Area:	76
P	WW: LBE	Company Wide	2	6	10	0	18	23.7%	27.3%
Larry Walker Associates, Inc. Marceline Lee 2246 Sixth St. Berkeley, CA 94710 530-753-6400 x244		Manager/Prof	1	6	10	0	17	24.6%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	1	0	0	0	1	14.3%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	2	3	0	5	29.4%	39.9%
		Co. Wide MSA:	USA		# Employees-Co. Wide:		76	Bay Area:	17

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: B=Black, H=Hispanic, A/PI=Asian/Pacific Islander, and AI/AN=American Indian/Alaskan Native)



BOARD ACTION

Agenda Number:	5.	Meeting Date:	August 26, 2025
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TITLE	BACKFLOW PREVENTION SYSTEM
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ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:
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RECOMMENDED ACTION	Authorize an agreement beginning on or after August 26, 2025 with TruePoint Solutions, LLC (TruePoint) for \$666,398 for five years, with five options to renew for additional one-year periods for a total amount, including option years, not to exceed \$1,109,540 for implementation of backflow prevention system software and ongoing support.
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SUMMARY	TruePoint's software will be used to manage activities and records in support of the District's Backflow Testing and Cross-Connection Control programs as mandated by the State Water Resources Control Board's (SWRCB's) Division of Drinking Water.
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DISCUSSION	This agreement will allow the District to replace its aging and unsupported Backflow Prevention System with a modern system that will streamline business processes related to inspection, testing, and reporting on backflow prevention devices. The software replaces many existing paper-based processes with more efficient electronic communications and allows District inspectors to file reports from the field and streamline submission to the SWRCB. This project supports the Water Quality and Environmental Protection Strategic Plan goal.
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CONSULTANT SELECTION	A request for proposals was posted on the District's website and sent to 29 potential proposers. Six firms submitted proposals. TruePoint was selected based on their product's configurable features and expertise with California regulations.
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SUSTAINABILITY	Economic The Fiscal Year 2026/2027 adopted operating budget includes funding for the first two years of this multi-year agreement. Funding for the additional years will be considered as part of the associated budget development process. Social This type of work is not performed by District forces and consequently union notification was not required.
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Originating Department: Maintenance and Construction	Department Director or Manager: Crystal J. Yezman	CEP Forms? Yes	Board Action Type: Professional Services
Funds Available: FY2026/2027	Budget Coding: 11.754.8572500.52430		Approved: 
Attachment(s): P-035; P-061			

Title:	Backflow Prevention System	Meeting Date:	August 26, 2025
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Environmental

The software will assist District compliance with regulations and will help protect the District's potable water supply from contamination. The new system will also greatly reduce the use of paper.

ALTERNATIVES

Do not procure new software. This alternative is not recommended because the existing software cannot be supported in the future.

Develop in-house software. This alternative is not recommended because developing in-house software is not sustainable or economical.

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CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE Professional Services Agreement Backflow Prevention System						DATE: August 18, 2025						
CONTRACTOR: TruePoint Solutions, LLC Southlake, TX					PERCENTAGE OF CONTRACT DOLLARS							
BID/PROPOSER'S PRICE: \$666,398 *					FIRM'S OWNERSHIP		White Men		25%		100.0%	
					Ethnicity	Gender	White Women		6%		0.0%	
					White	Men	Ethnic Minorities		25%		0.0%	
CONTRACT EQUITY PARTICIPATION												
COMPANY NAME		ESTIMATED AMOUNT	ETHNICITY	GENDER		CONTRACTING PARTICIPATION						
				M	W	White-Men	White-Women	Ethnic Minorities	Unclassified	Publicly Held Corp.	Gov't/Non Profit	Foreign
PRIMES: TruePoint Solutions, LLC		\$666,398	White	X		100.0%						
SUBS: None												
TOTAL		\$666,398				100.0%	0.0%	0.0%	0.0%	0.0%	0.0%	
CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)												
		White Men		White Women		Ethnic Minorities		Total Employees				
No. of Employees:		8		5		48		61				
Percent of Total Employees:		13.1%		8.2%		78.7%						
MSA Labor Market %:		31.5%		26.1%		42.4%						
MSA Labor Market Location:		Texas										
COMMENTS												
Contract Equity Participation: 100% White Men participation. Contract Duration: Five years, with five options to renew for additional one-year periods. *Total not to exceed: \$1,109,540												
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended				
NA				NA								



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: Backflow Prevention System		Ethnic Minority Percentages From U.S. Census Data							
			B	H	A/PI	AI/AN	TOTAL		
		National	10.5	10.7	3.7	0.7	27.3		
Professional Services Agreement		DATE: 8/18/2025	9 Bay Area Counties		5.5	16.2	14.2	0.4	39.9
			Alameda/CC Counties		10.7	15.6	15.4	0.5	46.2
R=Recmmd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees							
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
RP	WM	Company Wide	3	3	5	1	12	19.7%	42.4%
TruePoint Solutions, LLC Nick Lukes 950 E State Highway, Suite 105 Southlake, TX, 76092 317-679-8978		Manager/Prof	1	1	1	1	4	12.1%	
		Technical/Sales	2	2	4	0	8	28.6%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
		AA Plan on File:	NA		Date of last contract with District:		NA		
		Co. Wide MSA:	Texas		# Employees-Co. Wide:		61 Bay Area: 0		
P	EMW-A/PI	Company Wide	0	-	15	0	15	57.7%	31.3%
NJBSOft, LLC Pranam Joshi 202 E. Earll Dr., Suite 110 Phoenix, AZ 85012 602-759-1905		Manager/Prof	0	0	12	0	12	60.0%	
		Technical/Sales	0	0	3	0	3	100.0%	
		Clerical/Skilled	0	0	0	0	0	0.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	0	0	0	0	0.0%	39.9%
		Co. Wide MSA:	Arizona		# Employees-Co. Wide:		26 Bay Area: 0		
P	WM: LBE	Company Wide	INFORMATION NOT PROVIDED						
SwiftComply Amesia Harris 6701 Koll Center Pkwy, Suite 250 Pleasanton, CA 94566 832-331-3359		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: B=Black, H=Hispanic, A/PI=Asian/Pacific Islander, and AI/AN=American Indian/Alaskan Native)



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

This summarizes information provided by the contractor(s)' P-025 Form regarding their workforce.

Title: Backflow Prevention System		Ethnic Minority Percentages From U.S. Census Data						
			B	H	A/PI	AI/AN	TOTAL	
		National	10.5	10.7	3.7	0.7	27.3	
Professional Services Agreement		9 Bay Area Counties	5.5	16.2	14.2	0.4	39.9	
DATE: 8/18/2025		Alameda/CC Counties	10.7	15.6	15.4	0.5	46.2	
R=Recmmd P=Prime S=Sub	Composition of Ownership	Number of Ethnic Minority Employees						
Company Name, Owner/Contact Person, Address, and Phone Number		B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
P	EMM-A/PI	Company Wide	0	0	9	0	9	100.0%
Truwave Software LLC Navajeevan Pandia 170 St. Amour Pl. Johns Creek, GA 30097 770-329-3029		Manager/Prof	0	0	9	0	9	100.0%
		Technical/Sales	0	0	0	0	0	0.0%
		Clerical/Skilled	0	0	0	0	0	0.0%
		Semi/Unskilled	0	0	0	0	0	0.0%
		Bay Area	0	0	0	0	0	0.0%
		Co. Wide MSA: Georgia	# Employees-Co. Wide: 9				Bay Area: 0	
P	WM	Company Wide	32	15	0	0	47	52.2%
VEPO CrossConnex, LLC Tom Moore 2417 Jericho Turnpike, PMB 414 Garden City Park, NY 11040 877-860-8376		Manager/Prof	5	0	0	0	5	27.8%
		Technical/Sales	25	15	0	0	40	57.1%
		Clerical/Skilled	2	0	0	0	2	100.0%
		Semi/Unskilled	0	0	0	0	0	0.0%
		Bay Area	0	0	0	0	0	0.0%
		Co. Wide MSA: New York	# Employees-Co. Wide: 90				Bay Area: 0	
P	WM	Company Wide	0	0	6	0	6	60.0%
WebSoft Developers, Inc. Manoj Desai 2020 Research Park Dr., Suite 140 Davis, CA 95616 530-759-8754 ext. 210		Manager/Prof	0	0	5	0	5	62.5%
		Technical/Sales	0	0	1	0	0	100.0%
		Clerical/Skilled	0	0	0	0	0	0.0%
		Semi/Unskilled	0	0	0	0	0	0.0%
		Bay Area	0	0	0	0	0	0.0%
		Co. Wide MSA: Sacramento	# Employees-Co. Wide: 10				Bay Area: 0	

WM=White Male, WW=White Women, EM=Ethnic Minority (Ethnicities: **B**=Black, **H**=Hispanic, **A/PI**=Asian/Pacific Islander, and **AI/AN**=American Indian/Alaskan Native)

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BOARD ACTION

Agenda Number:	6.	Meeting Date:	August 26, 2025
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TITLE	RENEWAL OF LEASE FOR OFFICE AND WAREHOUSE SPACE IN LODI
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ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:
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RECOMMENDED ACTION	Authorize a 36-month lease with Cranbrook Realty Investment Fund, LP (Landlord), commencing on September 1, 2026, for a 12,517 square foot office and warehouse space (Units J & K) in the Lodi Wine & Business Center (LWBC), located at One Winemaster Way, Lodi, CA, 95240 for a total cost not to exceed \$385,000.
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SUMMARY	The office space houses a portion of staff from the District's Fisheries & Wildlife Division in the Natural Resource Department, the Hydrography unit in the Operations and Maintenance Department, and a portion of staff from Public Affairs in the Office of the General Manager. The District has been leasing space in LWBC since 1999. The office and warehouse space houses 20 staff with room in the warehouse to store three boats, motors, nets and stream gauge measuring equipment.
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DISCUSSION	The LWBC is a multi-tenant mixed use development with a total of 334,900 square feet of office and light industrial space. The property is located off Highway 12 and Highway 99 with convenient access to the lower Mokelumne River. The base rent at the commencement of the lease is \$7,340 per month with an annual three percent increase on the anniversary of the commencement date. In addition to the monthly base rent, the Landlord required the District to enter into a full Triple Net Lease ("NNN"). The NNN lease makes the District responsible for its percentage share, based on the space leased in relation to the entirety of the LWBC, which includes LWBC's common area maintenance expenses (including utility costs), property taxes, and insurance. The District's year one NNN expense will be \$3,054 per month and will adjust annually based on the LWBC's actual costs. The base rent represents a rental rate of \$0.59/square foot/month for Units J and K, while the NNN expense represents an additional \$0.24/square foot/month. The total monthly cost to the District will be \$10,394.15 or \$0.83/square foot/month. The Landlord insisted that the Lease be converted to a NNN lease to mirror the obligations of the other tenants at the LWBC. However, District staff were able to negotiate tenant improvements (TI) to be completed as consideration for the change and the District's long-term tenancy. The TIs include installing new energy efficient windows in the office space; upgrading the kitchen to include new plumbing, a new dishwasher, new counterspace, and new paint; installing an eye washing station in the warehouse space and related plumbing, and
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Originating Department: Customer and Community Services	Department Director or Manager: Andrew L. Lee	CEP Forms? N/A	Board Action Type: Real Estate
Funds Available: FY2026/2027	Budget Coding: 11-115-1937-8871200-53160-4008712	Approved: 	
Attachment(s): Location Map of Lodi Office and Warehouse Space			

Title:	Renewal of Lease for Office and Warehouse Space in Lodi	Meeting Date:	August 26, 2025
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sealing various small cracks in and around the office space. The total TI cost was estimated at \$60,000 and will be covered by the Landlord.

District staff searched for alternative developments to relocate but were unable to find any suitable space. The Lodi market has limited available rental units, and due to the need for both office and warehouse space, along with the need for proximity to the Mokelumne River, spaces in other nearby towns and cities did not meet the District's requirements. Ultimately, after searching the market, it was determined that while converting to an NNN lease increased the cost of the space, the total rental cost was in line with other spaces that were available but were not ideal sizes or locations, or did not have office and warehouse space together.

The lease contains a requirement that the District indemnify the Landlord in select circumstances. The General Manager has reviewed this clause with input from Risk Management and the Office of General Counsel and recommends Board authorization of the lease.

SUSTAINABILITY**Economic**

The FY 2026/2027 adopted operating budget includes funding for the first two years of this multi-year lease. Funding for the additional year will be considered as part of the associated budget development process.

The proposed lease aligns with prevailing market rates for the area. The total rental cost over the life of the lease is \$385,000.

Social

The office and warehouse space provides a suitable and safe location for District staff to work.

Environmental

The building's proximity to the lower Mokelumne River reduces the distance staff would have to tow a boat and equipment and lowers travel time.

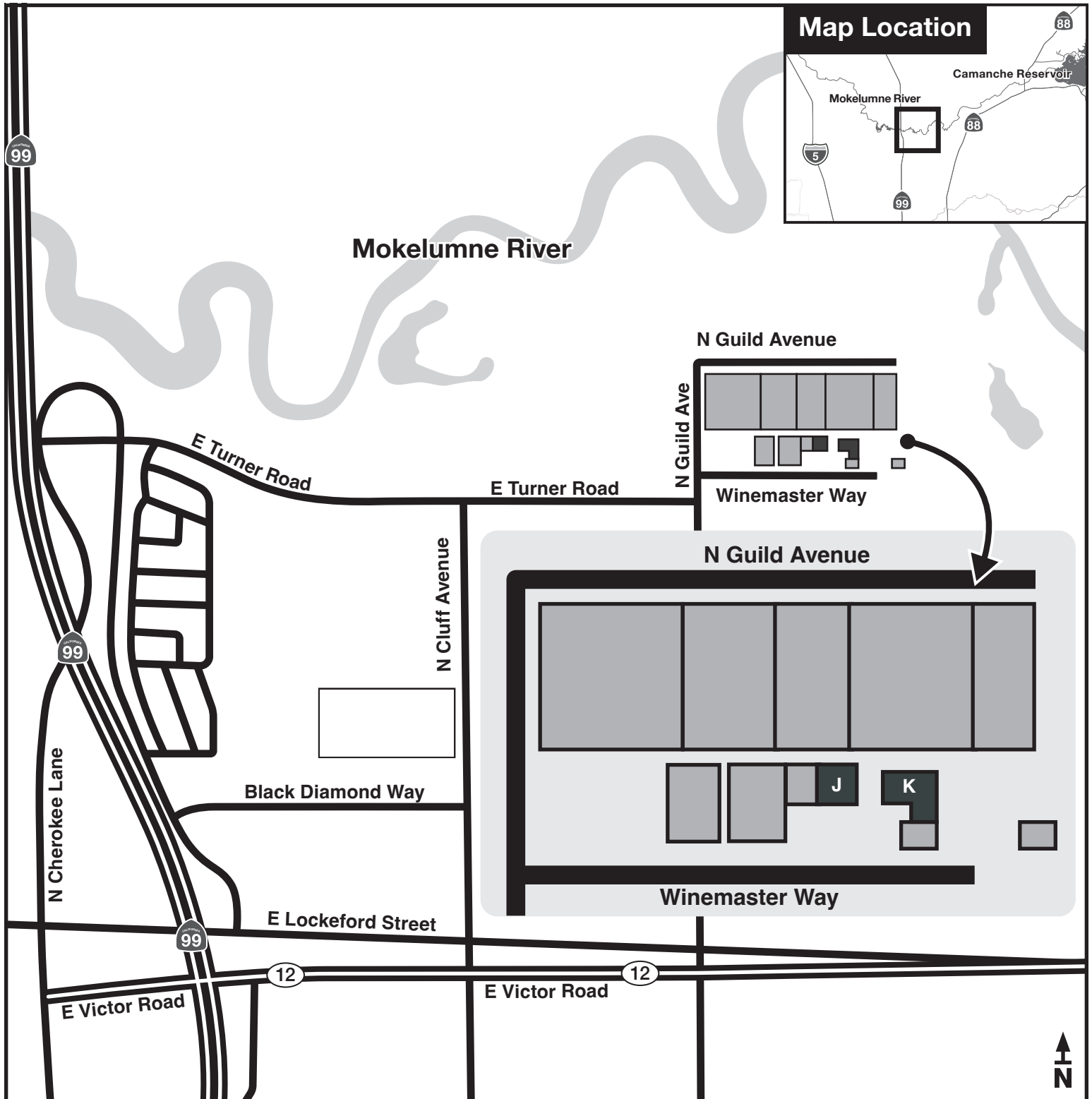
The lease renewal is exempt from the California Environmental Quality Act (CEQA) under CEQA Guidelines Section 15301 – Existing Facilities, because it involves continued occupation of the space and will involve only interior alterations.

ALTERNATIVES

Do not authorize this lease. This alternative is not recommended because District staff working upcountry require office space near the lower Mokelumne River and there were no other suitable spaces on the market.

Acquire an alternative office location. This alternative is not recommended because there were no other suitable locations available.

Location Map of Lodi Office and Warehouse Space Lease 1 Winemaster Way PROP-177



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BOARD ACTION

Agenda Number:	7.	Meeting Date:	August 26, 2025
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TITLE	MONTHLY INVESTMENT TRANSACTIONS REPORTS
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ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:
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RECOMMENDED ACTION	Approve the June and July 2025 Monthly Investment Transactions Reports.
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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 June and July 2025 reports are being brought to the Board for consideration. These reports were presented at the August 26, 2025 Finance/Administration Committee meeting.
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DISCUSSION	Pursuant to Policy 4.07, staff generates 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. 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.
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Originating Department: Finance	Department Director or Manager: Sophia D. Skoda	CEP Forms? N/A	Board Action Type: Financial
Funds Available: N/A	Budget Coding: N/A		Approved: 
Attachment(s): June and July 2025 Monthly Investment Transactions Report			

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

* 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)
Investment Activity Total	20,000,000	131,281,000	(20,000,000)	-	-	(133,722,000)	-	(2,441,000)
099 - Wells Fargo	(20,000,000)	(131,281,000)	20,000,000	-	-	133,722,000	(32,215,286)	(29,774,286)
Total	-	-	-	-	-	-	(32,215,286)	(32,215,286)

*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
Buys										
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
					Total		16,000,000			
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
					Total		4,000,000			

20,000,000	20,143,750	34,631	20,178,381
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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
Deposits										
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
					Total		78,000,000			
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
					Total		42,000,000			
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
					Total		11,281,000			
							131,281,000	131,281,000	-	131,281,000



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
Matured										
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
					Total		16,000,000			
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
					Total		4,000,000			

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

- - - -



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
Withdrawals										
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
					Total		96,000,000			
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
					Total		24,000,000			
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	6/30/2025	6/30/2025	N/A	13,722,000	13,722,000	-	13,722,000
					Total		13,722,000			
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
					Total		28,944,085			
							162,666,085	162,666,085	-	162,666,085



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)	-
Interest Transactions Total	1,745,794	(830,201)	915,594
099 - Wells Fargo	-	830,201	830,201
Total	1,745,794	-	1,745,794

*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



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Interest Activity
June 2025

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
Interest Received (Transferred to Wells Fargo)										
001 - Water System Consolidated	Federal Agency Issues Coupon	FHLB 0.5 6/13/2025	3130AJKW8	6/13/2025	6/13/2025	6/13/2025	-	-	40,000	40,000
001 - Water System Consolidated	US Treasuries	T-Note 4.25 12/31/2025	91282CJS1	6/30/2025	6/30/2025	12/31/2025	-	-	340,000	340,000
							Total			380,000
007 - Wastewater Consolidated	Cash	WELLS FARGO Cash	CASH2017	6/2/2025	6/2/2025	N/A	-	-	227,313	227,313
007 - Wastewater Consolidated	Federal Agency Issues Coupon	FHLB 0.5 6/13/2025	3130AJKW8	6/13/2025	6/13/2025	6/13/2025	-	-	10,000	10,000
007 - Wastewater Consolidated	US Treasuries	T-Note 4.25 12/31/2025	91282CJS1	6/30/2025	6/30/2025	12/31/2025	-	-	85,000	85,000
							Total			322,313
003 - Employees Retirement	Cash	WELLS FARGO Cash	CASH2017	6/2/2025	6/2/2025	N/A	-	-	43,969	43,969
							Total			43,969
002 - FRWA	Cash	WELLS FARGO Cash	CASH2017	6/2/2025	6/2/2025	N/A	-	-	22,326	22,326
							Total			22,326
009 - BACWA	Cash	WELLS FARGO Cash	CASH2017	6/2/2025	6/2/2025	N/A	-	-	9,907	9,907
							Total			9,907
010 - UMRWA	Cash	WELLS FARGO Cash	CASH2017	6/2/2025	6/2/2025	N/A	-	-	6,071	6,071
							Total			6,071
014 - IICP	Cash	WELLS FARGO Cash	CASH2017	6/2/2025	6/2/2025	N/A	-	-	7,236	7,236
							Total			7,236
015 - DERWA	Cash	WELLS FARGO Cash	CASH2017	6/2/2025	6/2/2025	N/A	-	-	38,380	38,380
							Total			38,380
							-	-	830,201	830,201



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Interest Activity
June 2025

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
Interest Received (Reinvested)										
001 - Water System Consolidated	Local Government Investment Pool	CAMP LGIP	CAMP6035	6/30/2025	6/30/2025	N/A	-	-	221,421	221,421
001 - Water System Consolidated	Money Market Mutual Funds	Federated MM	GOFXX	6/2/2025	6/2/2025	N/A	-	-	159,446	159,446
001 - Water System Consolidated	Money Market Mutual Funds	Morgan Stanley MM	MVRXX	6/2/2025	6/2/2025	N/A	-	-	163,467	163,467
001 - Water System Consolidated	Money Market Mutual Funds	State Street MM	GVMXX	6/2/2025	6/2/2025	N/A	-	-	170,391	170,391
							Total			714,724
007 - Wastewater Consolidated	Local Government Investment Pool	CAMP LGIP	CAMP6035	6/30/2025	6/30/2025	N/A	-	-	93,248	93,248
007 - Wastewater Consolidated	Money Market Mutual Funds	Federated MM	GOFXX	6/2/2025	6/2/2025	N/A	-	-	31,922	31,922
007 - Wastewater Consolidated	Money Market Mutual Funds	Morgan Stanley MM	MVRXX	6/2/2025	6/2/2025	N/A	-	-	35,998	35,998
007 - Wastewater Consolidated	Money Market Mutual Funds	State Street MM	GVMXX	6/2/2025	6/2/2025	N/A	-	-	39,701	39,701
							Total			200,869

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
Total	665,368,698	(1,076,958)	1,232,506	665,524,245

* 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)
Investment Activity Total	-	11,284,000	-	-	-	(64,138,000)	-	(52,854,000)
099 - Wells Fargo	-	(11,284,000)	-	-	-	64,138,000	(1,076,958)	51,777,042
Total	-	-	-	-	-	-	(1,076,958)	(1,076,958)

*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

08/07/2025

Date

Approved by: Robert L. Hannay, Treasury Manager

08/07/2025

Date



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
Buys										

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
Deposits										
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
					Total		11,284,000			
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
					Total		51,903,174			

63,187,174	63,187,174	-	63,187,174
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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

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



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
Withdrawals										
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
					Total		40,000,000			
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
					Total		10,000,000			
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	7/31/2025	7/31/2025	N/A	14,138,000	14,138,000	-	14,138,000
					Total		14,138,000			
							64,138,000	64,138,000	-	64,138,000



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
Interest Transactions Total	1,232,506	(126,132)	1,106,374
099 - Wells Fargo	-	126,132	126,132
Total	1,232,506	-	1,232,506

*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
Interest Received (Transferred to Wells Fargo)										
007 - Wastewater Consolidated	Cash	WELLS FARGO Cash	CASH2017	7/1/2025	7/1/2025	N/A	-	-	69,189	69,189
							Total	-		69,189
003 - Employees Retirement	Cash	WELLS FARGO Cash	CASH2017	7/1/2025	7/1/2025	N/A	-	-	19,781	19,781
							Total	-		19,781
002 - FRWA	Cash	WELLS FARGO Cash	CASH2017	7/1/2025	7/1/2025	N/A	-	-	11,504	11,504
							Total	-		11,504
009 - BACWA	Cash	WELLS FARGO Cash	CASH2017	7/1/2025	7/1/2025	N/A	-	-	4,678	4,678
							Total	-		4,678
010 - UMRWA	Cash	WELLS FARGO Cash	CASH2017	7/1/2025	7/1/2025	N/A	-	-	2,954	2,954
							Total	-		2,954
014 - IICP	Cash	WELLS FARGO Cash	CASH2017	7/1/2025	7/1/2025	N/A	-	-	3,433	3,433
							Total	-		3,433
015 - DERWA	Cash	WELLS FARGO Cash	CASH2017	7/1/2025	7/1/2025	N/A	-	-	14,593	14,593
							Total	-		14,593
							-	-	126,132	126,132

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
Interest Received (Reinvested)										
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
							Total			636,059
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
							Total			244,927
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	7/15/2025	7/15/2025	N/A	-	-	146,888	146,888
							Total			146,888
002 - FRWA	LAIF	LAIF LGIP	LGIP1001	7/15/2025	7/15/2025	N/A	-	-	12,121	12,121
							Total			12,121
009 - BACWA	LAIF	LAIF LGIP	LGIP1001	7/15/2025	7/15/2025	N/A	-	-	27,422	27,422
							Total			27,422
010 - UMRWA	LAIF	LAIF LGIP	LGIP1001	7/15/2025	7/15/2025	N/A	-	-	777	777
							Total			777
014 - IICP	LAIF	LAIF LGIP	LGIP1001	7/15/2025	7/15/2025	N/A	-	-	1,822	1,822
							Total			1,822
015 - DERWA	LAIF	LAIF LGIP	LGIP1001	7/15/2025	7/15/2025	N/A	-	-	12,121	12,121
							Total			12,121
049 - Ferc Partnership	LAIF	LAIF LGIP	LGIP1001	7/15/2025	7/15/2025	N/A	-	-	24,238	24,238
							Total			24,238
									1,106,374	1,106,374



BOARD ACTION

Agenda Number:	8.	Meeting Date:	August 26, 2025
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TITLE	REVISIONS TO DISTRICT POLICIES
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ACTION	☐ Motion:	☒ Resolution:	☐ Ordinance:
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RECOMMENDED
ACTION

Approve revisions to the following District policies:

- Policy 1.14 – Customer Assistance
- Policy 4.01 – Employee Earnings and Payroll Determination
- Policy 4.24 – Internal Audit
- Policy 5.01 – Prohibiting Confidentiality of Settlement Agreements
- Policy 6.05 – Use of Social Media
- Policy 6.07 – Prevention of Workplace Harassment
- Policy 6.11 – Performance Management
- Policy 6.14 – Tuition Reimbursement for Employee Education
- Policy 8.04 – Establishing Wastewater Capacity Fees
- Policy 9.01 – Fire Control and Fuels Management on Watershed Lands

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 any organizational, regulatory, or other changes have occurred that necessitate their modification. Proposed policy modifications are being brought to the Board for consideration and approval. These revisions were reviewed at the August 26, 2025 Finance/Administration Committee meeting.

DISCUSSION

Policy 1.14 – Customer Assistance 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.

Policy 4.01 – Employee Earnings and Payroll Determination was modified to incorporate compliance with applicable Memorandums of Understanding, state and federal laws.

Policy 4.24 – Internal Audit was modified to delineate the scope of Internal Audit responsibilities and clarify the circumstances under which investigations may be initiated.

Policy 5.01 – Prohibiting Confidentiality of Settlement Agreements was modified to specify that only nonprivileged communications between the District and adverse party may be subject to public disclosure.

Originating Department: Internal Audit	Department Director or Manager: Barry N. Gardin	CEP Forms? N/A	Board Action Type: Policies
Funds Available: N/A	Budget Coding: N/A		Approved: 
Attachment(s): Policies 1.14, 4.01, 4.24, 5.01, 6.05, 6.07, 6.11, 6.14, 8.04, 9.01; Resolution			

Title:	Revisions to District Policies	Meeting Date:	August 26, 2025
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Policy 6.05 – Use of Social Media 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.

Policy 6.07 – Prevention of Workplace Harassment 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 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.

Policy 6.11 – Performance Management was modified to add career and professional development as part of the performance management process.

Policy 6.14 – Tuition Reimbursement for Employee Education was modified to more accurately reflect allowable expenses and clarify the purpose.

Policy 8.04 – Establishing Wastewater Capacity Fees was modified to include clarifying language, update the description of the wastewater capacity fee credits and limitations, and revise terminology.

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

SUSTAINABILITY**Economic**

Policies 1.14, 4.01, 4.24, and 8.04 advance the goal of economic sustainability by promoting reliable water and wastewater services at fair and reasonable rates, establishing fair and reasonable District employee salary rates, promoting efficient use of resources, compliance with laws, fostering transparency and accountability, and establishing fees to recover the cost to provide capacity in the wastewater facilities.

Social

Policies 5.01, 6.05, 6.07, 6.11, and 6.14 advance the goal of social responsibility by promoting transparency and accountability to the public, prescribing appropriate use of social media as an official channel for public communication, establishing a workplace that is free from any form of harassment, providing guidance on performance planning and the appraisal process, and promoting employee development.

Environmental

Policy 9.01 advances the goal of environmental stewardship by promoting responsible management of District-owned watersheds and collaboration with stakeholders to minimize wildland fires by protecting ecosystems and water quality.

Title:	Revisions to District Policies	Meeting Date:	August 26, 2025
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ALTERNATIVE

Do not update these policies. This alternative is not recommended because it would leave in place policies that do not reflect current operating practices and are not consistent with Board directives.

I:\Sec\2025 Board Related Items\082625 Board Agenda Items\FIN\FIN - Revisions to District Policies 082625.docx

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Policy 1.14R

EFFECTIVE [26 AUG 25](#)

~~24 JAN 23~~

SUPERSEDES [24 JAN 23](#)

~~23 JUN 20~~

CUSTOMER ASSISTANCE **POLICY**

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. ~~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~~y(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~~ informing ~~conducting community outreach to inform~~ customers ~~about~~ of ~~CAP's~~ its benefits; ~~offer~~ offering multi-lingual resources; ~~distributing~~ the ~~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.

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](#)

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

SUPERSEDES

24 JAN 23

CUSTOMER ASSISTANCE

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.

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.

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.

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.

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

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 4.01R

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

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

EMPLOYEE EARNINGS AND PAYROLL DETERMINATION

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

Establish salary rates for District employees on a monthly basis.

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.
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: $\text{Hourly Rate} = \frac{\text{Employee's monthly rate} \times 12 \text{ months}}{52 \text{ weeks} \times 40 \text{ hours/week}}$ For purposes of calculating pay, the hourly rate for an employee is determined by the above formula.
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 <u>are</u> 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 ~~s of absences as being~~ (with or without pay), <u>and compliance with applicable Memorandums of Understanding, state and federal laws.</u> 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.
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 <u>As amended by Resolution No. XXXXX-25, August 26, 2025</u>
Reference	Electronic Timesheet System (ETS) User Guide



Policy 4.01

EFFECTIVE 26 AUG 25

SUPERSEDES 24 SEP 13

EMPLOYEE EARNINGS AND PAYROLL DETERMINATION

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

Establish salary rates for District employees on a monthly basis.

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.
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: $\text{Hourly Rate} = \frac{\text{Employee's monthly rate} \times 12 \text{ months}}{52 \text{ weeks} \times 40 \text{ hours/week}}$ For purposes of calculating pay, the hourly rate for an employee is determined by the above formula.
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. 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.
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
Reference	Electronic Timesheet System (ETS) User Guide



Policy 4.24R

EFFECTIVE [26 AUG 25](#)
[24 SEP 13](#)
SUPERSEDES [24 SEP 13](#)
[09 OCT 07](#)

INTERNAL AUDIT

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.~~

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.

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.

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.

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.

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



Policy 4.24

EFFECTIVE 26 AUG 25

SUPERSEDES 24 SEP 13

INTERNAL AUDIT

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Authorization and Independence

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- 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.

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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



Policy 5.01R

EFFECTIVE [26 AUG 25](#)

~~22 NOV 22~~

SUPERSEDES [22 NOV 22](#)

~~27 NOV 12~~

PROHIBITING CONFIDENTIALITY OF SETTLEMENT AGREEMENTS

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.

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



Policy 5.01

EFFECTIVE 26 AUG 25

SUPERSEDES 22 NOV 22

PROHIBITING CONFIDENTIALITY OF SETTLEMENT AGREEMENTS

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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



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.

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.

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.

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.~~

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.

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

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 .

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:
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- 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 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.

**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.

**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.

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.

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,⁷ 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.](#)

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.](#)

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~~ [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.

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~~r~~ 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 actions up to and including termination.

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.

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](#).

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



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. ~~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.
-

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.

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/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.

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.

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.

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.
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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 6.11

EFFECTIVE 26 AUG 25

SUPERSEDES 24 JAN 23

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, 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.

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.

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](#)

References

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



Policy 6.14

EFFECTIVE 26 AUG 25

TUITION REIMBURSEMENT FOR EMPLOYEE EDUCATION

SUPERSEDES 22 NOV 22

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.

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

References

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



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~~ 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.

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](#)

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.

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

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

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 9.01R

EFFECTIVE [26 AUG 25](#)

~~26 SEP 23~~

SUPERSEDES [26 SEP 23](#)

~~22 NOV 22~~

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](#).

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

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

- 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](#)

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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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

- 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

Reference

Policy 7.10 – Source Water Quality


Office of General Counsel

RESOLUTION NO. _____

ADOPTING REVISED POLICY 1.14, CUSTOMER ASSISTANCE POLICY; REVISED POLICY 4.01, EMPLOYEE EARNINGS AND PAYROLL DETERMINATION; REVISED POLICY 4.24, INTERNAL AUDIT; REVISED POLICY 5.01, PROHIBITING CONFIDENTIALITY OF SETTLEMENT AGREEMENTS; REVISED POLICY 6.05, USE OF SOCIAL MEDIA; REVISED POLICY 6.07, PREVENTION OF WORKPLACE HARASSMENT; REVISED POLICY 6.11, PERFORMANCE MANAGEMENT; REVISED POLICY 6.14, TUITION REIMBURSEMENT FOR EMPLOYEE EDUCATION; REVISED POLICY 8.04, ESTABLISHING WASTEWATER CAPACITY FEES; AND REVISED POLICY 9.01, FIRE CONTROL AND FUELS MANAGEMENT ON WATERSHED LANDS

Introduced by Director

; Seconded by Director

WHEREAS, it is the desire and intention of the Board of Directors of the East Bay Municipal Utility District (District) to update and revise Policy 1.14, entitled "Customer Assistance Policy"; Policy 4.01, entitled "Employee Earnings and Payroll Determination"; Policy 4.24, entitled "Internal Audit"; Policy 5.01, entitled "Prohibiting Confidentiality of Settlement Agreements"; Policy 6.05, entitled "Use of Social Media"; Policy 6.07, entitled "Prevention of Workplace Harassment"; Policy 6.11, entitled "Performance Management"; Policy 6.14, entitled "Tuition Reimbursement for Employee Education"; Policy 8.04, entitled "Establishing Wastewater Capacity Fees"; and Policy 9.01, entitled "Fire Control and Fuels Management on Watershed Lands"; and

WHEREAS, Policy 1.14, Policy 4.01, Policy 4.24, Policy 5.01, Policy 6.05, Policy 6.07, Policy 6.11, Policy 6.14, Policy 8.04, and Policy 9.01 have so been updated and revised, and the revisions are reflected in Exhibits A through J attached hereto;

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the East Bay Municipal Utility District that Revised Policy 1.14, Revised Policy 4.01, Revised Policy 4.24, Revised Policy 5.01, Revised Policy 6.05, Revised Policy 6.07, Revised Policy 6.11, Revised Policy 6.14,

Revised Policy 8.04, and Revised Policy 9.01, attached hereto as Exhibits A through J, are hereby adopted.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

President

Secretary

APPROVED AS TO FORM AND PROCEDURE:

General Counsel

{00109324}



Policy 1.14R

EFFECTIVE [26 AUG 25](#)
~~24 JAN 23~~
SUPERSEDES [24 JAN 23](#)
~~23 JUN 20~~

CUSTOMER ASSISTANCE POLICY

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. ~~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 assistancerelief 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 vulnerableeligible 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 assistancerelief 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.

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](#)

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 POLICY

SUPERSEDES

24 JAN 23

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.

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.

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.

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.

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

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 4.01R

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

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

EMPLOYEE EARNINGS AND PAYROLL DETERMINATION

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

Establish salary rates for District employees on a monthly basis.

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.

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:

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

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

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 ~~s 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.

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

Reference

Electronic Timesheet System (ETS) User Guide



Policy 4.01

EFFECTIVE 26 AUG 25

SUPERSEDES 24 SEP 13

EMPLOYEE EARNINGS AND PAYROLL DETERMINATION

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

Establish salary rates for District employees on a monthly basis.

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.
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: $\text{Hourly Rate} = \frac{\text{Employee's monthly rate} \times 12 \text{ months}}{52 \text{ weeks} \times 40 \text{ hours/week}}$ For purposes of calculating pay, the hourly rate for an employee is determined by the above formula.
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. 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.
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
Reference	Electronic Timesheet System (ETS) User Guide



Policy 4.24R

EFFECTIVE [26 AUG 25](#)
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SUPERSEDES [24 SEP 13](#)
[09 OCT 07](#)

INTERNAL AUDIT

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.~~

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.

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.

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.

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.

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



Policy 4.24

EFFECTIVE 26 AUG 25

SUPERSEDES 24 SEP 13

INTERNAL AUDIT

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Amended by Resolution No. XXXXX-25, August 26, 2025



Policy 5.01R

EFFECTIVE [26 AUG 25](#)

~~22 NOV 22~~

SUPERSEDES [22 NOV 22](#)

~~27 NOV 12~~

PROHIBITING CONFIDENTIALITY OF SETTLEMENT AGREEMENTS

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.

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



Policy 5.01

EFFECTIVE 26 AUG 25

SUPERSEDES 22 NOV 22

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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.

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.

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.

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.~~

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.

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

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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.
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 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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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	<u>Applicant</u> An individual who has completed an employment application and met minimum qualifications for a specific, available position at the District. <u>Complaint</u> An oral or written allegation of discrimination, harassment, and/or retaliation. <u>Employee</u> 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. <u>Equal Employment Opportunity (EEO) Discrimination</u> 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,⁷ 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.](#)

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.](#)

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~~ [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.

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~~r~~ 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 actions up to and including termination.

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.

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](#).

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



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	<u>Applicant</u> An individual who has completed an employment application and met minimum qualifications for a specific, available position at the District. <u>Complaint</u> An oral or written allegation of discrimination, harassment, and/or retaliation. <u>Employee</u> 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. <u>Equal Employment Opportunity (EEO) Discrimination</u> 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. ~~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.
-

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.

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/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.

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.

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.

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.
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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 6.11

EFFECTIVE 26 AUG 25

SUPERSEDES 24 JAN 23

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, 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.

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.

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](#)

References

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



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.

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

References

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



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.

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](#)

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.

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

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

References

EBMUD Wastewater Control Ordinance, section 2(d)
Government Code Section 66013 [limitations on capacity fees]
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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

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](#).

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

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

- 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](#)

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.

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

- 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

Reference

Policy 7.10 – Source Water Quality



BOARD ACTION

Agenda Number:	9.	Meeting Date:	August 26, 2025
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TITLE	PROPOSED FISCAL YEAR 2026 FINANCING PLAN
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ACTION	☒ Motion:	☐ Resolution:	☐ Ordinance:
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RECOMMENDED ACTION	Approve the proposed Fiscal Year 2026 Financing Plan.
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SUMMARY	The proposed Fiscal Year 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. This item was discussed at the August 26, 2025 Finance/Administration Committee meeting.
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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 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
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Originating Department: Finance	Department Director or Manager: Sophia D. Skoda	CEP Forms? N/A	Board Action Type: Financial
Funds Available: N/A	Budget Coding: N/A		Approved: 
Attachment(s): Proposed Fiscal Year 2026 Financing Plan			

Title:	Proposed Fiscal Year 2026 Financing Plan	Meeting Date:	August 26, 2025
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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 goals. The FY 2026 Financing Plan was presented at the August 26, 2025 Finance/Administration Committee meeting.

SUSTAINABILITY**Economic**

The FY 2026 Financing Plan supports the adopted Budget by providing the funding necessary to implement the CIP. The FY 2026 Financing Plan also includes potential refunding bonds to refinance outstanding bonds to reduce debt service costs and risk.

Social

The District's financings are structured to spread out the cost of a portion of the District's capital expenses over time and lessen the near-term impact to ratepayers.

Environmental

The District plans to issue the new money bonds labeled as Green Bonds to fund qualified projects in accordance with the District's Guidance for Issuing Green Bonds.

ALTERNATIVE

Do not approve the FY 2026 Financing Plan. This alternative is not recommended because the FY 2026 Financing Plan represents a sound, cost-effective approach to managing the District's debt portfolio and secures necessary capital funding for the current fiscal year.

I:\Sec\2025 Board Related Items\082625 Board Agenda Items\FIN - FY 2026 Financing Plan.docx

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.

Water System FY 2025 Debt Activity	
Date	Debt Activity
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

Wastewater System FY 2025 Debt Activity	
Date	Debt Activity
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.

Water System FY 2026 Debt Activity	
Activity Type	Debt Activity
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

Wastewater System FY 2026 Debt Activity	
Activity Type	Debt Activity
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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BOARD ACTION

Agenda Number:	10.	Meeting Date:	August 26, 2025
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TITLE	REVISIONS TO POLICY 6.04 – ETHICS OF THE EBMUD BOARD OF DIRECTORS
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ACTION	☐ Motion:	☒ Resolution:	☐ Ordinance:
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RECOMMENDED ACTION	Approve revisions to Policy 6.04 – Ethics of the EBMUD Board of Directors.
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SUMMARY	In conjunction with the development of the Board of Directors Governance Manual, edits were made to Policy 6.04, Ethics of the EBMUD Board of Directors, at the request of Board members and to move certain sections of the Policy into the Governance Manual and other District policies. Revisions to Policy 6.04 were reviewed at the August 26, 2025 Finance/Administration Committee meeting and are presented to the Board for consideration and approval.
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DISCUSSION	The Board will be asked to approve revisions to Policy 6.04, including the following modifications: <i>Fair and Open Processes Involving the Public</i> 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. <i>Fair and Equal Treatment</i> 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. <i>Use of Confidential Information</i> 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. <i>Board Member – General Manager Relationship</i> This section has been deleted from Policy 6.04 and incorporated into the Board Governance Manual.
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Originating Department: Office of General Counsel	Department Director or Manager: Derek McDonald	CEP Forms? N/A	Board Action Type: Policies
Funds Available: N/A	Budget Coding: N/A		Approved: 
Attachment(s): Policy 6.04; Resolution			

Title:	Revisions to Policy 6.04 – Ethics of the EBMUD Board of Directors	Meeting Date:	August 26, 2025
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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.

SUSTAINABILITY

Economic

Policy 6.04 includes provisions that are intended to promote responsible fiscal management of the District by the Board.

Social

The intent of Policy 6.04 is to ensure that all business conducted by the Board is conducted under fair and open processes and complies with District policies and state law.

ALTERNATIVE

Do not update Policy 6.04. This alternative is not recommended because it would leave in place a policy that does not reflect updated governance practices and is not consistent with Board directives.



Policy 6.04^R

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. <i>[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.]</i>
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.]

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.]

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]

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]

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 recommendation 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.

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. 35461-25, August 26, 2025

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

SUPERSEDES

26 SEP 23

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, 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.]

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.]

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]

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]

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.]

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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, 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.)

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 review the staff recommendation 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.]

**Candidate's
Statement**

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

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- 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.

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

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:

ATTEST:

President

Secretary

APPROVED AS TO FORM AND PROCEDURE:

General Counsel

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Policy 6.04^R

EFFECTIVE [26 SEP 23](#)

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

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[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 recommendation 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.]~~

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Policy 6.04R

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26 SEP 23

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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]

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]

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, 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.)

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 review the staff recommendation 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.]

**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.

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

References

References are stated in each section above.



BOARD ACTION

Agenda Number:	11.	Meeting Date:	August 26, 2025
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TITLE	SIESTA VALLEY FOUNDATION BOARD REPRESENTATION
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ACTION	☐ Motion:	☒ Resolution:	☐ Ordinance:
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RECOMMENDED ACTION	Adopt a resolution to authorize a member of the East Bay Municipal Utility District Board of Directors or a senior staff member to be appointed to represent the District on the Siesta Valley Foundation (SVF) Board of Directors.
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SUMMARY	EBMUD initiated a selection process for an entity to take over management and operation of EBMUD property previously run by California Shakespeare Theater (Cal Shakes). Following the selection process, EBMUD is negotiating a lease agreement with a newly formed entity called SVF. If acceptable terms can be reached, the lease agreement will be brought to the EBMUD Board for consideration at a future meeting. To complete its lease agreement, SVF needs to establish a new nonprofit foundation and one seat on the foundation's Board will be an EBMUD representative. This seat must be filled to enable the formation of the Foundation's Board. The proposed resolution would authorize the Board to make EBMUD's initial appointment to the SVF Board.
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DISCUSSION	EBMUD issued a request for proposals on March 19, 2025 for an entity to take on management and operations of the performing arts center on EBMUD watershed lands formerly known as Cal Shakes. Four proposals were received. On August 6, 2025, the District convened a group of local community leaders, including representatives from the City of Orinda and Town of Moraga, to meet with SVF and gain additional information on their proposal. Currently, EBMUD staff is negotiating the lease agreement with SVF; if mutually acceptable terms can be reached, the agreement will be brought to the Board for consideration. As part of its proposal, SVF plans to establish a 501(c)(3)nonprofit foundation to sign the lease and oversee educational, environmental, and community programming. The foundation's bylaws will require that EBMUD have a permanent seat on its seven-member board of directors. This would allow EBMUD to directly monitor SVF as it carries out its lease obligations and ensure alignment with EBMUD values and land stewardship principles. To complete the paperwork necessary to establish the foundation, SVF must form a Board of Directors that can then adopt bylaws and a code of conduct. It is therefore important that EBMUD select its representative to sit on the SVF Board in a timely manner.
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Originating Department: Natural Resources	Department Director or Manager: Michelle L. Workman	CEP Forms? N/A	Board Action Type: Administrative
Funds Available: N/A	Budget Coding: N/A		
Attachment(s): Resolution			

Title:	Siesta Valley Foundation Board Representation	Meeting Date:	August 26, 2025
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If adopted, this resolution would authorize an EBMUD Board member or senior staff to represent the District on the SVF board. The resolution also would make a finding that, under the anticipated lease agreement, SVF's services are necessary to the public interest to protect, conserve, and restore the former Cal Shakes property as a park and natural lands for public purposes.

The EBMUD Board may revisit EBMUD's representative to the SVF Board at any time, and the appointee serves at the pleasure of the EBMUD Board. The EBMUD Board may appoint a different Board member or senior staff to serve as EBMUD's representative in the future.

SUSTAINABILITY**Economic**

There are no fiscal impacts associated with these actions. Authorization of the lease agreement will be brought to the Board for consideration at a later date.

Social

This resolution supports EBMUD's participation on the SVF board, which will provide a greater opportunity to ensure that SVF actions align with EBMUD values and further enhance community outreach.

Environmental

Authorizing a representative to be appointed to the SVF Board supports the management and operation of the Cal Shakes property in a manner that is consistent with EBMUD's watershed environmental practices.

ALTERNATIVE

Delay or do not proceed with the authorization and appointment. This alternative is not recommended because SVF needs to establish its foundation so that it can enter into an agreement with EBMUD to manage and operate the property.



RESOLUTION NO. _____

APPOINT _____ TO REPRESENT THE EAST BAY
MUNICIPAL UTILITY DISTRICT ON THE BOARD OF DIRECTORS OF
THE SIESTA VALLEY FOUNDATION

Introduced by Director _____ ; Seconded by Director _____

WHEREAS, the East Bay Municipal Utility District (EBMUD) initiated a selection process for an entity to take over management and operation of the EBMUD property in Orinda, California, previously run by the California Shakespeare Theater (Property); and

WHEREAS, Siesta Valley Entertainment, LLC (SVE), submitted a responsive proposal for a lease of the Property under which the Siesta Valley Foundation (SVF) will manage the property in accordance with its existing use as an entertainment venue while expanding its cultural impact, maintaining its environmental integrity, and serving the diverse communities of the East Bay; and

WHEREAS, the EBMUD Board of Directors (Board) will consider entering into a lease of the Property with SVF, a 501(c)(3) nonprofit organization, with a volunteer, uncompensated board of directors; and

WHEREAS, pursuant to SVE's proposal for the lease and management of the Property, one of the primary purposes of SVF will be the conservation, preservation, or restoration of park and natural lands for public benefit, and the Board finds that SVF's services under the contemplated lease agreement will be necessary to the public interest to protect, conserve, improve, or restore park and natural lands for public purposes; and

WHEREAS, SVF's bylaws provide that one seat on SVF's board shall be designated for an individual who is either an EBMUD Board member or an EBMUD staff member, as appointed by the EBMUD Board; and

WHEREAS, it is in the interests of EBMUD that an EBMUD representative serve as a volunteer on the SVF board in order to represent EBMUD's interests in the management of the Property and to help ensure SVF's activities on the Property are consistent with public values and land stewardship principles;

NOW, THEREFORE, BE IT RESOLVED THAT the East Bay Municipal Utility District Board of Directors hereby appoints _____ to represent the East Bay Municipal Utility District on the Board of Directors of the Siesta Valley Foundation.

BE IT FURTHER RESOLVED THAT the person appointed as EBMUD's representative pursuant to this Resolution shall serve on the SVF board until (1) the EBMUD representative voluntarily resigns from the SVF board, (2) the EBMUD Board rescinds the appointment of the EBMUD representative, or (3) the EBMUD representative ends service on the EBMUD Board or terminates employment from EBMUD.

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

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

President

Secretary

APPROVED AS TO FORM AND PROCEDURE

General Counsel

ITEM 12

GENERAL
MANAGER'S REPORT

WILL BE PROVIDED
AS AN ORAL REPORT

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