

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) Peeples and highlighted Director Peeples' 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