



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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA
Planning Committee
Wednesday, November 12, 2025
9:00 a.m.
Boardroom
375 11th Street
Oakland, CA 94607**

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

Committee Members: Directors April Chan {Chair}, Luz Gómez, and Valerie D. Lewis

ROLL CALL:

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

DETERMINATION AND DISCUSSION:

1. Long-Term Water Transfer Option and Sharing Agreements (Towey)
2. Wastewater Electrical Resiliency Master Plan (Mutsuddy)
3. Orinda Water Treatment Plant Disinfection and Chemical Systems Safety Improvements (Terentieff)
Project Status Update and Agreement Amendments

ADJOURNMENT:

Disability Notice

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

Document Availability

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



APPENDIX

Planning Committee Meeting

*EBMUD Board committee meetings will be conducted in person and via Zoom.
These meetings are recorded and live-streamed.*

Online*

<https://ebmud.zoom.us/j/94576194030?pwd=dWZlc3hNU3JNUVBQYmNKWjJSNVZQdz09>

Webinar ID: 945 7619 4030

Passcode: 925293

By Phone

Telephone: 1 669 900 6833

Webinar ID: 945 7619 4030

Passcode: 925293

International numbers available: <https://ebmud.zoom.us/u/kdmpbwlg2>

*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 Committee Chair 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 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 observe the Planning Committee Meeting,
please visit: <https://www.ebmud.com/about-us/board-directors/board-meetings/>

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: November 6, 2025

MEMO TO: Board of Directors

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

FROM: Alice E. Towey, Director of Water and Natural Resources *AET*

SUBJECT: Long-Term Water Transfer Option and Sharing Agreements

SUMMARY

As discussed with the Board at the February 25, 2025 Long-Term Water Supply Workshop, the District would have a need for water in the third year of a drought. Water transfers are an important component of the supplemental supply strategy to meet the need for water. Staff have been developing long-term water transfers including a partnership with Yuba Water Agency (YWA). Staff has completed negotiations on the terms of two long-term water transfer agreements with YWA. The first agreement, the Water Transfers Option Agreement, is a three-way agreement between the District, the Contra Costa Water District (CCWD), and YWA. The second agreement is a Water Sharing Agreement between the District and CCWD. The Water Transfers Option Agreement will provide an option for the District to purchase up to 25 thousand acre-feet (TAF) of transfer water from YWA each year from 2026 through 2050 and the Water Sharing Agreement includes water allocation terms between the District and CCWD. The details of the two agreements will be presented at the November 12, 2025 Planning Committee meeting.

DISCUSSION

The Yuba Accord, implemented by YWA since 2008, is a comprehensive multi-agency agreement that represents a successful example of integrated water management and cooperative river stewardship. The Yuba Accord increases instream flow requirements for the lower Yuba River, integrates the conjunctive use of surface water and groundwater, benefits fisheries management, and enables regional water transfers for water supply reliability.

The Yuba Accord's Water Transfer Program includes a maximum transfer of 200,000 acre-feet per year from all sources, including reservoir storage releases and groundwater substitution that does not impair the groundwater basin on a long-term basis. The existing Water Transfer Program is operated through a number of agreements between YWA, Department of Water Resources (DWR) and its member units, CCWD, and EBMUD. EBMUD's water transfer option agreement, which was first approved by the Board in January 2022 and extended by the Board in November 2022, expires in 2025.

Long-Term Water Transfer Option and Sharing Agreements

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EBMUD's Water Management Program 2040 and recent Urban Water Management Plan identified a need for water during multi-year droughts. Water transfers are an important component of the District's water supply strategy. In 2014, the State Water Resources Control Board (SWRCB) approved adding a point of re-diversion at EBMUD's Freeport Regional Water Authority's intake on the Sacramento River to enable the diversion of Yuba Accord transfer water to EBMUD. On October 22, 2025, the SWRCB issued a draft order approving YWA's petition for extending Yuba Accord's Water Transfer Program through 2050, which would also allow EBMUD to purchase transfer water from YWA.

In preparation for future droughts, EBMUD, CCWD, and YWA negotiated the terms for a 25-year Water Transfer Option Agreement from 2026 through 2050. This Water Transfer Option Agreement amends the previous option agreement and extends the terms through December 31, 2050, and allows EBMUD to purchase water that is stored in YWA's New Bullards Bar Reservoir. Under this long-term agreement, YWA may offer 15 TAF or more spring water and 10 TAF or more summer water to CCWD and EBMUD to the extent that water is available under the Yuba Accord for an out-of-basin transfer. For EBMUD's purchase, YWA would release the transfer water from storage in YWA's New Bullards Bar Reservoir to the lower Yuba River. Once the released transfer water has flowed through the lower Yuba River providing environmental and fisheries benefits, the transfer water would be re-diverted at EBMUD's Freeport Regional Water Authority intake on the Sacramento River.

EBMUD and CCWD would share the allocation of transfer water in accordance with the Water Sharing Agreement between CCWD and EBMUD. Through 2035, CCWD would have first priority to purchase up to 15 TAF in the spring, and EBMUD would have first priority to purchase the first 10 TAF in the summer. Either prospective buyer would have the right to purchase water offered by YWA and declined by the other buyer. Summer water is considered to be more reliable than spring water. Spring water may be available on short notice and its availability is unpredictable and depends on the actual conditions of each year including hydrology and other factors. There are also potentially less buyers for spring water.

Between the years 2026 and 2035, if less than 40 percent of the total amount of transfer water offered by YWA has been made available to CCWD, CCWD may request a modification of the terms in the Water Sharing Agreement. If requested by CCWD, the potential modification beginning in 2036 is that EBMUD would have first priority to 60 percent of spring and summer water and CCWD would have first priority to 40 percent of spring and summer water.

The price of the transfer water is set for the first five years based on water year type ranging from wet year to consecutive dry years, with summer water costs ranging from \$94 per acre-foot in wet years to \$656 per acre-foot in consecutive dry years during the period between 2026 and 2030. The water price for spring and summer water is based on the prices set forth in the YWA-DWR Water Purchase Agreement, plus a 10 percent surcharge for spring water and 25 percent surcharge for summer water. The surcharge is reasonable since the YWA-DWR pricing is for annual water sales of a much larger volume of water. Pricing after 2030 is subject to change, based on changes to the YWA-DWR Water Purchase Agreement. However, the same pricing

formula (i.e., a 10% surcharge for spring water and a 25% surcharge for summer water) will be used.

Staff completed negotiating the terms for the following two long-term agreements that would allow the District to take transfer water from YWA:

- 1) Amended and Restated Water Transfer Option Agreement between CCWD, EBMUD, and YWA for an option to purchase up to 25 TAF of transfer water from YWA each year from 2026 through 2050.
- 2) Water Sharing Agreement between CCWD and EBMUD to share any water that is offered by YWA and purchased under the Water Transfer Option Agreement from 2026 through 2050.

NEXT STEPS

At its November 25, 2025 meeting, the Board will be asked to consider authorizing approval of the Long-Term Water Transfer Option Agreement and Water Sharing Agreement. As part of this request, staff will also seek approval of expenditures not to exceed \$100,000 for preparation of permits and environmental analysis needed for the potential water transfer.


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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: November 6, 2025

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager 

FROM: Amit K. Mutsuddy, Director of Wastewater 

SUBJECT: Wastewater Electrical Resiliency Master Plan

SUMMARY

Staff has prepared an Electrical Resiliency Master Plan (ERMP) to assess the power reliability at the Main Wastewater Treatment Plant (MWWTP) and improve resiliency to future power supply challenges. The ERMP identifies power supply vulnerabilities and recommends capital improvements to reduce those vulnerabilities. Those improvements have been added to the Wastewater System's 10-year capital improvement program (CIP). The ERMP will be discussed at the November 12, 2025 Planning Committee meeting.

DISCUSSION

To address the reliability of the power supply to the MWWTP, staff completed the ERMP, a comprehensive vulnerability assessment of the MWWTP power supply and electrical distribution system. The ERMP includes review of the power distribution architecture, power demand data, power outage history, the consequences of power supply and distribution system equipment failure, and recommendations for improvements.

The review of historical power demand indicates the existing power supply to the MWWTP is insufficient to reliably meet peak demand. The U. S. Environmental Protection Agency's (EPA) current design standards for wastewater treatment plants recommend separate and independent sources of electric power from either two separate utility substations or from a single substation and an onsite emergency generator. The EPA's design standards also recommend that the two utility grid connections are not configured or located where a single power outage occurrence could disrupt both lines.

The MWWTP has multiple sources of electrical power supply, including two Pacific Gas & Electric (PG&E) utility grid connections, three onsite engine generators, and an onsite turbine. However, none of those sources can meet the peak electricity demand for the MWWTP on its own. The two PG&E utility grid connections are insufficient because they share the same utility poles in their final approach to the MWWTP and converge to a single duct bank and vault within the MWWTP. Various hazards, such as fires or short circuits in the vault could damage both

circuits. Furthermore, the MWWTP power supply and quality could be impacted by other customers with large electrical demands on the PG&E lines. The ERMP recommends replacing one of the utility grid connections with a new, dedicated 12 kilovolt (kV) service connection to the MWWTP capable of supplying the plant's full peak demand. This new connection would follow a different alignment, constructed at a location that does not have the same vulnerabilities. Coordination with PG&E has begun for this project.

The two onsite power cogeneration options (the three engine generators and one turbine) are not considered fully reliable either. They are fueled by biogas produced onsite, which could stop being produced during an extended power outage. In addition, because of routine and unplanned maintenance, not all units are available at any given time. The engine generators can be alternatively fueled with diesel, so given typical maintenance outage frequencies, at least two are available at any one time. Therefore, the reliable onsite power generation is considered to be two engines. The second capital project recommended by the ERMP is for new diesel-fueled emergency generators providing six megawatts of emergency generator capacity to ensure a supplemental, reliable power supply. Design for this project is planned to begin later in Fiscal Year (FY) 2026.

The ERMP determined that the existing MWWTP power distribution architecture configuration provided sufficient redundancy and operational flexibility. However, vulnerabilities were identified at locations within the MWWTP. Several junction boxes for medium voltage distribution cables are located below ground, exposing them to groundwater and inhibiting preventative maintenance. In addition, several onsite substations lack redundant transformers, requiring the substations and the connected treatment process equipment to be taken offline to perform preventative maintenance. The third project recommended by the ERMP is to relocate distribution cables above ground and add redundant transformers. Design for this project is planned to begin later in FY 2026.

Staff continues to improve power reliability at the MWWTP independent of the ERMP. These improvements include adding an emergency generator to the Power Generation Station (PGS) to start onsite power generation equipment when grid power supply is unavailable. Voltage regulators were added to the PGS engines to improve the engines' ability to maintain steady voltage output when utility power is lost. Power control programming is continually enhanced to provide more data to staff in the event of power loss, and staff conduct ongoing training and testing of equipment through simulated power outages. Together these improvements have enhanced power reliability in the event of a PG&E power outage.

NEXT STEPS

The ERMP is recommending three major capital projects with coordination or design planned to begin in FY 2026. The first, a dedicated 12kV PG&E service connection, is in the planning phase and is expected to be constructed by FY 2031 for an estimated cost of \$13.3 million. The design for the second project, the emergency generators and new diesel fuel tanks, will begin in FY 2026 and is expected to be completed in FY 2030 for an estimated cost of \$17 million. The electrical reliability improvements will begin in FY 2026 and is expected to be completed in FY 2032 for an estimated cost of \$25 million.


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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: November 6, 2025

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager 

FROM: Serge V. Terentieff, Director of Engineering and Construction 
for SVT

SUBJECT: Orinda Water Treatment Plant Disinfection and Chemical Systems Safety Improvements Project Update and Agreement Amendments

SUMMARY

This memorandum provides a high-level update on the status of the Orinda Water Treatment Plant (WTP) Disinfection and Chemical Systems Safety Improvements Project (Project) and the need for amendments to agreements to complete construction of the Project. An amendment of \$2.6 million is required for additional engineering services during construction (ESDC) for the Chemical Systems Safety Improvements Project (CSSIP) portion, and an amendment of \$4.5 million is required for additional as-needed construction management (CM) and inspection services. A more detailed construction update was provided to the Board in memorandum dated November 6, 2025. A Project status update and discussion of the two agreement amendments will be presented at the November 12, 2025 Planning Committee meeting.

DISCUSSION

Project Background

The Project relocates disinfection from the District's raw water aqueducts to the end of the treatment process to improve reliability and reduce disinfection by-products. It includes a new ultraviolet (UV) disinfection and chlorine contact basin (CCB) facility, as well as extensive safety and reliability upgrades to the plant's chemical systems. Together, these improvements will enhance disinfection reliability, provide a multi-barrier treatment process, and significantly improve chemical system safety.

Design for the CSSIP began in 2017 and was completed in 2021; UV disinfection design followed from 2018 to 2021. Construction was awarded to Flatiron West, Inc. in January 2022, with support agreements to Arcadis U.S., Inc. (CM/inspection), Carollo Engineers, Inc. (ESDC for disinfection), and Stantec Consulting Services, Inc. (ESDC for CSSIP). The complexities and challenges associated with construction of the Project were discussed at the October 22, 2025 District Facilities Tour. The Orinda WTP Disinfection Improvements and CSSIP were

also discussed during the January 26, 2021 Fiscal Years 2022 and 2023 Budget Workshop No. 1, and the October 28, 2025 Long-Term Infrastructure Investment Workshop.

Project Scope Overview and Status Update

The Project includes construction of a new underground UV/CCB facility, a maintenance and UV electrical (MAUVE) building, a new grounds maintenance building, electrical and standby power facilities, effluent piping connections, and comprehensive chemical system upgrades. Construction is 69 percent complete and approximately 3.5 years into the 5-year schedule. The 65-foot-deep UV/CCB structure is nearing completion, with upcoming work focusing on the MAUVE building, UV systems installation, and chemical feed system completion. Disinfection work is roughly 4 months behind schedule with other delays mitigated by working extensive overtime. CSSIP work is 75 percent complete but roughly 12 months behind schedule due to differing site conditions, inaccurate as-builts, poor existing infrastructure, and material delays. These issues required additional support from Project consultants to help maintain progress on critical path work and avoid larger risks and delays.

Project Team

Due to the Project's size, complexity, and 5-year duration, the Project team consists of over 20 individuals representing a mix of District staff and consultant support. The District is managing the overall safety, quality, schedule, cost, and community relations. Consultant support includes Arcadis U.S. Inc. who is providing specialty inspection, quality assurance, and CM support. ESDC consultant services are provided by both Carollo Engineers, Inc. and Stantec Consulting Services, Inc., the design engineers of record. The District manages and directs all consultant activities.

Summary of Required Agreement Amendments

Amendment for ESDC Agreement (CSSIP)

An amendment of \$2.6 million to Stantec Consulting Services, Inc.'s agreement is needed to provide continued ESDC support through completion of the CSSIP portion of the Project. Additional services are required due to delays, changed outage conditions, poor as-builts, deteriorated existing chemical storage equipment, and unforeseen design changes. The increase in Stantec Consulting Services Inc.'s scope and budget includes additional project management, field engineering support, submittal reviews, requests for information (RFIs), change order responses, record drawings, and startup and training support.

Complexities driving this need include:

- Maintaining continuous operations through installation of temporary and permanent chemical systems due to delays in project completion
- Design changes resulting from inaccurate as-builts
- Additional RFIs and submittals
- Extended construction duration from delays and changed conditions

Amendment for On-Call CM and Inspection Services

An amendment of \$4.5 million to Arcadis U.S. Inc.'s agreement is needed to provide additional CM and specialized inspection services, including environmental compliance, scheduling, cost estimating, resident engineering, and quality assurance. Additional support is required for:

- Extended work hours and overtime from schedule delays
- Increased demands for quality control and coordination
- Unanticipated safety and environmental issues requiring specialized oversight
- Technical assistance to resolve potential construction claims related to safety or environmental events

Union Questions and Concerns

The District has had extensive communications and meetings with Locals 2019 and 21 regarding the two consultant agreements. Both unions were first notified of the CM/inspection agreement in September 2021, with Local 2019's questions resolved and Local 21 raising no issues. When notified of the agreement amendment in October 2025, Local 2019 questioned the need for additional consultant support; the District addressed these concerns, explaining the project's scale and technical demands. Local 21 raised no objections.

Local 2019 expressed concerns regarding project planning, costs, and consultant performance. The District responded that agreement provisions were being enforced, consultant staffing had been adjusted to improve performance, and that project change orders remained below both District and industry averages. Staff has been providing regular updates to Local 2019 on changes to the ESDC agreement's budget, scope, and schedule. Staff has met with Local 2019 on 10 separate occasions from September 2021 through October 2025.

Despite the District's continued engagement and detailed explanations during the 2025 meetings, Local 2019 is opposed to both agreement amendments. The District reiterated the necessity of retaining the consultant support due to the Project's complexity, size, and specialized nature. Proceeding with the agreement amendments is essential to ensure adequate staffing, maintain project continuity, and prevent delays and claims.

NEXT STEPS

At its November 25, 2025 meeting, the Board will be asked to consider authorizing the following amendments:

- \$2.6 million to Stantec Consulting Services, Inc. for continued ESDC for CSSIP
- \$4.5 million to Arcadis U.S., Inc. for continued on-call CM and inspection services

These amendments account for two percent of the original \$341 million Project budget and will ensure that additional services are provided to maintain project safety, quality, and schedule through completion.

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