



**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, November 25, 2025

11:00 a.m.

Boardroom

375 11th Street

Oakland, CA 94607

*Director Jim Oddie will participate via teleconference from
Holiday Inn Express Waikiki, 2058 Kuhio Avenue, Honolulu, HI 96815*

*****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. Conference with Labor Negotiators Clifford C. Chan, General Manager; Cindy R. Charan, Director of Human Resources; Adam Smyer, Manager of Employee Relations; Vincent L. James, Manager of Recruitment and Classification; Lori L. Worden, Senior Human Resources Analyst; Andrew T. Dadko, Senior Human Resources Analyst; and Adrian J. Pringle, Senior Human Resources Analyst, pursuant to Government Code section 54957.6: American Federation of State, County and Municipal Employees, Locals 444 and 2019, and International Federation of Professional and Technical Engineers, Local 21.
2. Conference with Real Property Negotiators pursuant to Government Code section 54956.8 regarding price and terms of payment for potential purchase of conserved water available under Amador Water Agency's Amador Water System entitlement. East Bay Municipal Utility District Negotiators: Clifford C. Chan, General Manager; Jon Salmon, Assistant General Counsel; Alice E. Towey, Director of Water & Natural Resources; and Bradley M. Ledesma, Engineering Manager. Negotiating parties: East Bay Municipal Utility District and Amador Water Agency.

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

REGULAR BUSINESS MEETING

1:15 p.m.

*Director Jim Oddie will participate via teleconference from
Holiday Inn Express Waikiki, 2058 Kuhio Avenue, Honolulu, HI 96815*

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

ROLL CALL:

BOARD OF DIRECTORS:

- Pledge of Allegiance
- 2025 Board Committee Assignments

PRESENTATIONS:

- Government Finance Officers Association Fiscal Year 2024 Certificate of Achievement for Excellence in Financial Reporting
- EBMUD Art Committee Artist Exhibit - Rosesharon Oates - "Ile"

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:

- Planning
- Legislative/Human Resources
- Finance/Administration
- Sustainability

CONSENT CALENDAR: (Single motion and vote approving 13 recommendations including 1 resolution.)

1. File Correspondence with the Board.
2. Award a sole source contract beginning on or after November 25, 2025 to Contour-Sierra Aebi LLC to supply one Aebi TT211 tractor with Alamo 88-inch front mounted flail mower for a total cost, after the addition of taxes, not to exceed \$218,052.
3. Award a contract to the lowest responsive/responsible bidder, Mountain Cascade, Inc., in an amount not to exceed \$14,490,490 for construction of the Lafayette Reservoir Tower Safety Upgrade, under Specification 2175.

CONSENT CALENDAR: (Continued)

4. Award a contract beginning on or after November 25, 2025 to the lowest responsive/responsible bidder, Ricoh USA, Inc. for the purchase and one year of maintenance of a heavy-duty toner-based color production press system with inline finishing and multiple-color fifth station for the District's Print Shop for a total cost, after the addition of taxes, not to exceed \$231,919 under Request for Quotation No. 2605.
5. Authorize an agreement beginning on or after November 25, 2025 with ARUP US, Inc. for an amount not to exceed \$81,000 to provide design services for security upgrades at the Lafayette Water Treatment Plant.
6. Authorize an agreement beginning on or after November 25, 2025, with Kahua, Inc. in an amount not to exceed \$200,000 to provide managed services consultant support services for Kahua's construction management software.
7. Authorize an amendment to the agreement originally authorized under Board Motion No. 136-16, with Wells Fargo Bank, N.A. to increase the agreement amount by \$1,250,000 to a total amount not to exceed \$3,900,000 and extend the agreement term for five years with three options to renew for additional one-year periods for depository/disbursement combined banking services and lockbox services for mailed-in payment processing.
8. Take actions related to the Orinda Water Treatment Plant Disinfection and Chemical Systems Safety Improvements Projects.
 - 8.1. Authorize an amendment to the agreement originally authorized under Board Motion No. 030-22 with Arcadis U.S., Inc. to increase the agreement amount by \$4,500,000 to a total amount not to exceed \$14,500,000 and extend the agreement term to January 31, 2028 for continued as-needed construction management and inspection services for the Orinda Water Treatment Plant Disinfection and Chemical Systems Safety Improvements Projects.
 - 8.2. Authorize an amendment to the agreement originally authorized under Board Motion No. 032-22 with Stantec Consulting Services, Inc. to increase the agreement amount by \$2,644,518 to a total amount not to exceed \$6,195,766 for additional engineering services during construction for the chemical systems safety improvements portion of the Orinda Water Treatment Plant Disinfection and Chemical Systems Safety Improvements Projects.
9. Authorize additional funding for the purchase made under Board Motion No. 114-23 with ConvergeOne, Inc. for supplying Juniper Network networking hardware and support services through September 15, 2026 for a total cost, after the addition of taxes, not to exceed \$863,000. These purchases will be made under State of California contracts available for use by local governments.

CONSENT CALENDAR: (Continued)

10. Take actions related to the Water Transfer Option Agreement.
 - 10.1. Authorize an amendment to the water transfer agreement previously authorized under Board Motion No. 213-22 with Yuba Water Agency (YWA), Contra Costa Water District (CCWD), and East Bay Municipal Utility District (EBMUD), to include an option to purchase up to 25 thousand acre-feet (TAF) of transfer water from YWA each year from 2026 through 2050; and authorize expenditures for the preparation of permits and environmental analysis needed to exercise the option for potential water transfers in an amount not to exceed \$100,000.
 - 10.2. Authorize a Water Sharing Agreement between CCWD and EBMUD to share any water that is offered by YWA and purchased under the Water Transfer Option Agreement.
11. Cancel the December 23, 2025 meetings of the Board of Directors.
12. Approve the October 2025 Monthly Investment Transactions Report.
13. Adopt new Policy 6.16 – Protection of Whistleblowers and approve revisions to Policy 5.01 – Prohibiting Confidentiality of Settlement Agreements. (Resolution)

DETERMINATION AND DISCUSSION:

14. Second reading and vote to amend the EBMUD Employees’ Retirement System Ordinance No. 40 (Ordinance No. 40), Sections 4(a), 6, 21, 36, and 41 as follows: Section 4(a) to update the term of service for those elected Retirement Board members; Section 6 to update the contribution rates for Members who became members of the Retirement System prior to January 1, 2013 or have been eligible for membership prior to January 1, 2013; Section 21 updating mortality tables effective July 1, 2025 and providing correct mortality table data effective July 1, 2021; Section 36 and related sections to implement the new Health Insurance Benefit Tier; and Section 41 to update age dates for Minimum Required Distributions in line with SECURE Act 2.0. The first reading of Ordinance No. 40 occurred at the EBMUD Board of Directors meeting on November 12, 2025.
(Second Reading and Vote – Ordinance No. 378-25)
15. General Manager’s Report.

DIRECTOR COMMENTS:

16. Other Items for Future Consideration.
17. Director Comments.

ADJOURNMENT:

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

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BOARD CALENDAR

Meeting dates, times, and locations are subject to change

Date	Meeting	Time/Location	Topics
Tuesday, November 25, 2025	Finance/Administration Committee	8:30 a.m. Boardroom	<ul style="list-style-type: none"> • Monthly Investment Transactions Report • Employee Reimbursements of at Least \$100 (AB 1542) – June 30, 2025 • Fiscal Year 2025 Audited Financial Statements • External Auditor Selection Update • Annual Internal Audit Report • Strategic Insurance Program Initiative – Proposed EBMUD Captive Insurance Company • Adopt a New Policy and Approve Revisions to an Existing District Policy • Provide Direction on Policy 4.29 – Use of Artificial Intelligence • Fleet Vehicle and Equipment Telematics
	Sustainability Committee	10:15 a.m. Boardroom	<ul style="list-style-type: none"> • Calendar Year 2024 Greenhouse Gas Inventory
	Board of Directors	11:00 a.m. Boardroom	<ul style="list-style-type: none"> • Closed Session
			1:15 p.m. Boardroom
Thursday, November 27, 2025	Thanksgiving Holiday	<i>Office Closed</i>	
Friday, November 28, 2025	Day after Thanksgiving Holiday	<i>Office Closed</i>	
Tuesday, December 9, 2025	Planning Committee	TBD Boardroom	
	Legislative/Human Resources Committee	TBD Boardroom	
	Board of Directors	11:00 a.m. Boardroom	<ul style="list-style-type: none"> • Closed Session
		1:15 p.m. Boardroom	<ul style="list-style-type: none"> • Regular Meeting

2025 Board Committee Members

Finance/Administration	Lewis {Chair}, Katz, Oddie
Legislative/Human Resources	Gómez {Chair}, Oddie, Smith
Planning	Vacant {Chair}, Chan, 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: November 25, 2025

MEMO TO: Board of Directors

FROM: Marguerite Young, President 

SUBJECT: Proposed Updates to 2025 Assignments for Committees, Joint Powers Authorities, and Associations

Listed below are proposed updates to assignments for Board committees, joint powers authorities, and associations for calendar year 2025. The Board will consider approving the updates at its November 25, 2025 meeting. If approved, Director Lewis will assume the role of Planning Committee Chair effective November 25, 2025.

Planning

Director Lewis, Chair

Director Chan

Director Gómez

2nd Tuesday of the month at 9:00 a.m.

Administration Center Building

Legislative/Human Resources

Director Gómez, Chair

Director Oddie

Director Smith

2nd Tuesday of the month at 10:00 a.m.

Administration Center Building

Finance/Administration

Director Lewis, Chair

Director Katz

Director Oddie

4th Tuesday of the month at 10:00 a.m.

Administration Center Building

Sustainability

Director Smith, Chair

Director Gómez

Director Katz

4th Tuesday, quarterly, time to be determined

Administration Center Building

DSRSD/EBMUD Recycled Water Authority (DERWA)

Director Chan

Director Gómez

Director Smith, Alternate

1st Monday in Feb.;

3rd Monday in May;

*4th Monday in March, July, Sept., and Nov.
meets at 6:00 p.m.*

Contact: Florence T. Wedington

Tel: 510-287-1625

Freeport Regional Water Authority

Director Gómez

Director Oddie

Director Katz, Alternate

*2nd Thursday, quarterly at 10:00 a.m.,
location to be announced*

Retirement Board

President Young

3rd Thursday odd numbered months at 9:00 a.m.
Administration Center Building
Contact: Valerie Weekly
Tel: 510-287-0760

Upper Mokelumne River Watershed Authority

Director Smith
Director Oddie, Alternate
Director Katz, Alternate
Director Gómez, Alternate

*4th Friday of January, April, and October; and
third Friday of August, at 10:00 a.m.*
McLean Hall, Pardee Center

EBMUD/EBRPD Liaison

Director Oddie
Director Smith
Director Katz, Alternate

*Meeting dates, times, and location to be
determined*

Business Forum (Ad Hoc)

*Meeting dates, times, and location to be
determined
Board Representatives to be determined as
needed*

Oakland Chamber of Commerce

Director Oddie
Director Lewis, Alternate
President Young, Alternate

Special Districts Association of Alameda County/Special Districts Selection Committee

Director Katz
Director Lewis, Alternate

Special Districts Association of Contra Costa County

Director Smith, Member
Director Gómez, Alternate

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: November 20, 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 – November 12, 2025

Chair April Chan called to order the Planning Committee meeting at 9:00 a.m. in the Administration Building Boardroom. Directors Luz Gómez and Valerie D. Lewis were present at roll call. Staff participants included General Manager Clifford C. Chan, General Counsel Derek T. McDonald, Director of Water and Natural Resources Alice E. Towey, Senior Civil Engineer Hasan M. Abdullah, Director of Wastewater Amit K. Mutsuddy, Senior Civil Engineer Matthew R. Hoeft, Director of Engineering and Construction Serge V. Terentieff, Assistant Engineer Ellen E. Heile, and Secretary of the District Rischa S. Cole.

Public Comment. None.

Presentations/Documentation. 1) Presentation entitled, “Long-Term Water Transfer Option Agreements,” dated November 12, 2025; 2) Presentation entitled, “MWWTP Electrical Resiliency Master Plan,” dated November 12, 2025; and 3) Presentation entitled, “Orinda Water Treatment Plant Disinfection Improvements and Chemical Systems Safety Update and Agreement Amendments,” dated November 12, 2025.

Long-Term Water Transfer Option Agreements. Senior Civil Engineer Hasan M. Abdullah provided the presentation. Staff has completed negotiations on the terms of two long-term water transfer agreements with Yuba Water Agency (YWA). The first agreement, the Water Transfer Option Agreement, is a three-way agreement between EBMUD, Contra Costa Water District (CCWD), and YWA. The second agreement is a Water Sharing Agreement between EBMUD and CCWD. Mr. Abdullah outlined the Yuba Accord and its three primary elements: a Department of Water Resources long-term water purchase agreement (which includes the EBMUD/CCWD Water Transfer Option Agreement); a Conjunctive Use Agreement; and a Fisheries Agreement. The Yuba Accord’s existing Water Transfer Program is operated through several agreements between YWA, Department of Water Resources (DWR) and its member units, CCWD, and EBMUD. EBMUD’s Water Transfer Option Agreement, originally approved by the Board in 2022 expires in 2025. On October 22, 2025, the State Water Resources Control Board 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. He reviewed the three-way Water Transfer Option Agreement which provides an option for EBMUD and CCWD to purchase transfer water from YWA under the Yuba Accord. Staff recommends a long-term extension to the Water Transfer Option Agreement from 2026 to 2050, which would secure up to 25,000 acre-feet of water annually. Depending on hydrologic conditions, YWA may offer spring and summer transfer water, with deliveries made through the Freeport Regional Water Project intake. Mr. Abdullah also described the Water Sharing Agreement between EBMUD and CCWD. From 2026 to 2035, CCWD would have first priority for spring water and EBMUD would have first

priority for summer water. From 2036 through 2050, depending on sharing terms, the allocation could shift to a proportional split, with EBMUD receiving 60 percent and CCWD receiving 40 percent of both spring and summer supplies. The Board will be asked to consider approving both agreements along with a request for up to \$100,000 for required environmental and permitting work at its November 25, 2025 meeting. Mr. Abdullah responded to Committee questions on the unavailability of transfer water in 2022; how the Water Transfer Option Agreement works; and how water transfer pricing will be determined between 2030 and 2050. It was moved by Director Gómez, seconded by Director Lewis, and carried (3-0) by voice vote to accept the report.

Main Wastewater Treatment Plant (MWWTP) Electrical Resiliency Master Plan (ERMP).

Director of Wastewater Amit K. Mutsuddy provided the presentation. Staff prepared an ERMP to assess the power reliability at the MWWTP and improve resiliency to future power supply challenges. Mr. Mutsuddy reviewed the ERMP noting its focus is driven by the lack of electrical redundancy, aging and obsolete infrastructure, recurring power supply outages, complex system architecture, import/export challenges, reliance on biogas, and unknown vulnerabilities. He described existing MWWTP power sources consisting of PG&E lines and onsite generation, how power demands increase during the wet weather season and vulnerabilities in PG&E's grid connection. U.S. Environmental Protection Agency's design standards recommend that wastewater treatment plants have two independent power sources - either two separate utility substations or one substation with an onsite emergency generator - and that the utility connections be configured so a single outage cannot disrupt both lines. While the ERMP determined that the existing MWWTP power distribution architecture configuration provided sufficient redundancy and operational flexibility, vulnerabilities were identified. The ERMP recommends three major capital projects beginning design or coordination in FY 2026: a dedicated 12kV PG&E service connection planned for construction by FY 2031 at an estimated \$13.3 million; new emergency generators and diesel fuel tanks with design through FY 2030 at an estimated \$17 million; and electrical reliability improvements scheduled through FY 2032 at an estimated \$25 million. These projects will strengthen long-term power reliability and system resilience. Mr. Mutsuddy discussed ongoing improvements that have been made at the MWWTP since 2020 and highlighted next steps to complete the three projects. Senior Civil Engineer Matthew Hoeft responded to Committee questions on how PG&E is addressing system vulnerabilities described by staff. Mr. Mutsuddy addressed questions about previous outages on PG&E power lines, the District's timeline for updating power sources to the MWWTP, and communications with PG&E regarding this matter. The Committee asked staff to continue coordinating with PG&E, seek Board assistance if needed to communicate with PG&E, and to consider evaluating battery storage at the MWWTP in lieu of diesel as an alternative power source. Addressing the Committee was Eric Larsen, President, AFSCME Local 444 who commented on his experience working at the MWWTP during power outages, commended Mr. Mutsuddy for prioritizing this work, and expressed union support for this infrastructure investment. It was moved by Director Lewis, seconded by Director Gómez, and carried (3-0) by voice vote to accept the report.

Orinda Water Treatment Plant (WTP) Disinfection and Chemical Systems Safety Improvements Project (CSSIP Status Update and Agreement Amendments).

Assistant Engineer Eileen E. Heile provided the presentation and discussed amendments needed to the agreements with project consultants to complete construction of the project. 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 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. 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 manages overall safety, quality, schedule, cost, and community relations in addition to managing and directing all consultant activities. Consultants provide specialty inspection, quality assurance, construction maintenance, and engineering services during construction support. Ms. Heile reviewed the project site plan, and project complexities including differing site conditions, deteriorated facilities, and discrepancies between actual conditions and pre-construction documentation. Construction has required extensive temporary facilities, work in congested areas, and coordination with other capital projects, all while working to complete construction at an in-service treatment plant. She described the criticalness of both projects, the work being performed by the consultant teams, and reviewed cost performance. A review of both the Orinda WTP and USL WTP projects show that both continue to track below District and industry change order averages, with Orinda at 3.28 percent and USL at 4.02 percent. Major work requiring continued consultant support is in progress in the chemical building, UV structure, and grounds maintenance areas, supported by temporary chemical systems during construction. At its November 25, 2025 meeting, the Board will be asked to consider approving amendments totaling \$7.1 million to agreements with the project consultants, Stantec Consulting Services, Inc. and Arcadis U.S., Inc. The Committee thanked Ms. Heile and requested additional information on staff expertise, consultant staffing levels, and an assessment of whether the Orinda WTP project would have been separated into multiple projects based on information known about the project at this time. It was moved by Director Gómez, seconded by Director Lewis, and carried (3-0) by voice vote to accept the report.

Adjournment. Chair Chan adjourned the meeting at 10:06 a.m.

CCC:RSC

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: November 20, 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 – November 12, 2025

Chair Luz Gómez called to order the Legislative/Human Resources Committee meeting at 10:08 a.m. in the Administration Building Boardroom. Directors Jim Oddie and Joey D. Smith were present at roll call. 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 Analysts Chad R. Thigpen and Siobhan M. Tuvo, Manager of Employee Services Lisa A. Sorani, and Secretary of the District Rischa S. Cole.

Public Comment. None.

Presentations/Documentation. 1) Presentation entitled, “Follow-up to Diversity, Equity, and Inclusion Strategic Plan Update”, dated November 12, 2025 and 2) Presentation entitled, “Building the Future: Employee Benefits Strategy”, dated November 12, 2025.

Follow-up to Diversity, Equity, and Inclusion Strategic Plan (DEISP) Update. The DEISP is divided into five strategic pillars (Leadership Commitment, Workforce Diversity, Inclusive Culture, Supplier Diversity, and Social Responsibility) which guide plan implementation. During the October 14, 2025 DEISP update, the Legislative/Human Resources Committee requested additional information on the District’s Employee Recognition and Appreciation Program (ERAP). Senior Human Resources Analysts Chad R. Thigpen and Siobhan M. Tuvo and Special Assistant to the General Manager Derry L. Moten presented the update. Mr. Thigpen outlined the ERAP and its three components - service anniversary and retirement awards; employee appreciation month & local celebrations and awards; and peer recognition. Ms. Tuvo highlighted examples of employee appreciation month, local celebrations and awards events as well as the peer recognition program. In Fiscal Year (FY) 2025 employees received 6,579 e-cards and 1,865 cards through the first quarter of FY 2026. Mr. Moten discussed how staff receives DEI communications. As part of the FY 2026 update to the DEISP, the District will strengthen communication efforts to ensure all employees - regardless of work location or access to digital tools - receive timely, consistent, and accessible DEI information. He outlined planned enhancements, including establishing a structured DEI communication plan, providing quarterly updates summarizing DEI milestones and metrics, launching an Intranet dashboard to visualize progress on DEI goals, expanding engagement opportunities through surveys, focus groups, and listening sessions, and launching an “I Am DEI” campaign along with continued development of inclusive-language resources. Staff will continue improving the ERAP using input from Values Advocates and results from the 2026 Employee Experience Survey. He also reported staff is reviewing responses to a request for proposals to update service and retirement award components.

Mr. Moten addressed Committee questions and confirmed the Employee Engagement survey includes questions assessing whether employees feel appreciated. It was moved by Director Smith, seconded by Director Oddie, and carried (3-0) by voice vote to accept the report.

Employee Benefits Strategy. Manager of Employee Services Lisa A. Sorani provided the presentation. The Human Resources (HR) Department is implementing a five-year modernization plan for Fiscal Years (FY) 2024-2028 through its HR Strategic Plan. The plan includes four guiding principles: driving HR excellence and innovation; deploying effective recruitment and retention strategies; enhancing the employee experience; and investing in workforce planning and development. It also includes four strategic priorities: recruitment and classification modernization; replacement of core HR systems and technology upgrades; development of the modernized employee benefits strategy; and employee relations process improvements. Updates on each priority will be presented to the Committee through early 2026. The Employee Benefits Strategy supports guiding principles 2 and 3 by strengthening the District's ability to attract and retain top talent while enhancing the overall employee experience. Ms. Sorani summarized why a modernized, flexible benefits strategy is important for the future, described the current state of District benefits, and outlined accomplishments made between 2023 and 2025 to expand flexible benefits, improve benefit communications, and invest in technology. She outlined pillars of a modernized, flexible benefits strategy: ongoing benchmarking, employee communication and education, and strengthened cost management and analysis. Short-term goals for 2025-2026 include streamlining administration through vendor partnerships, improving communication tools, expanding digital access, and making targeted plan improvements. Medium-term goals for 2026-2028 include adding flexible benefit options based on employee feedback while maintaining fiscal discipline. Long-term goals for 2028 and beyond include establishing ongoing processes for cost review and analysis, benchmarking, employee surveys, and benefit design. Key upcoming initiatives include launching the new Health Insurance Benefit tier and conducting a comprehensive review of the current dental plan in January 2026; issuing benefit statements to all employees in spring 2026; conducting the first employee benefits engagement survey; improving retiree self-service tools by fall 2026; and implementing a new Human Capital Management system. The Committee raised no questions. It was moved by Director Smith, seconded by Director Oddie, and carried (3-0) by voice vote to accept the report.

Adjournment. Chair Gómez adjourned the meeting at 10:38 a.m.

CCC/RSC

Title:	Purchase All-Terrain Mower	Meeting Date:	November 25, 2025
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ALTERNATIVES

Do not replace this equipment. This alternative is not recommended because of the high cost of repairs and reduced staff productivity.

Rent equipment when needed. This alternative is not recommended because sourcing this equipment is extremely difficult and it may not be available when needed.

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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 Materials and Supplies Contract Purchase All-Terrain Mower	DATE: November 18, 2025
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CONTRACTOR:	PERCENTAGE OF CONTRACT DOLLARS				
Contour-Sierra Aebi LLC Anderson, CA	Sole Source / Small Business	Availability Group	Contracting Objectives	Participation	
BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP		White Men	25%	100.0%
	Ethnicity	Gender	White Women	2%	0.0%
\$218,052 *	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			
PRIME: Contour-Sierra Aebi LLC	\$218,052	White	X		100.0%									
SUBS: None														
TOTAL	\$218,052				100.0%	0.0%	0.0%	0.0%	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:	2	1	3	6
Percent of Total Employees:	33.3%	16.7%	50.0%	
MSA Labor Market %:	46.6%	41.5%	11.9%	
MSA Labor Market Location:	Shasta			

COMMENTS

Contract Equity Participation: 100% White Men participation.
Contract Duration: NA

*Total not to exceed: \$218,052

Workforce Profile & Statement of Nondiscrimination Submitted	Good Faith Outreach Efforts Requirement Satisfied	Award Approval Recommended
NA	NA	



BOARD ACTION

Agenda Number:	3.	Meeting Date:	November 25, 2025
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TITLE **LAFAYETTE RESERVOIR TOWER SAFETY UPGRADE**

ACTION Motion: Resolution: Ordinance:

RECOMMENDED ACTION Award a contract to the lowest responsive/responsible bidder, Mountain Cascade, Inc., in an amount not to exceed \$14,490,490 for construction of the Lafayette Reservoir Tower Safety Upgrade, under Specification 2175.

SUMMARY Work includes seismically strengthening the tower by shortening it by 40 feet and constructing a lightweight operating house on the top; strengthening the outlet conduits; performing mechanical, electrical, and instrumentation upgrades, including adding remote controls for the outlet valves; and sealing areas on the face of the dam to improve the safety and operational reliability of the Lafayette Reservoir Outlet Tower.

DISCUSSION This project is required to address seismic safety concerns with the Lafayette Reservoir Tower and outlet conduits and to ensure safe operation under emergency conditions. Although the dam itself is seismically safe, the existing tower and outlet conduits are vulnerable to damage during a major earthquake, and a retrofit is required to upgrade these components. In addition, associated remote controls for the outlet valves in the tower are required to allow operation of the valves from the shore in the event of an emergency, and sealing of cracks on the face of the dam are required to maintain the safety of the dam.

The California Department of Water Resources Division of Safety of Dams (DSOD) mandated these repairs since the tower functions as the sole spillway for the dam. To ensure public safety, it is imperative that it remain operational after an earthquake. DSOD approved the design approach and provided detailed review and input as part of the 60-percent and 90-percent design submittals. DSOD’s review comments were incorporated into the District’s final design, and DSOD is in the process of completing its review of the District’s final design.

Lafayette Reservoir dam and its appurtenance structures (including the outlet tower and conduits) were constructed between 1927 and 1933. The tower was completed before the dam was completed. Ultimately the dam embankment was shorter than anticipated, leaving the tower taller than necessary. Under this project, the tower will be shortened by 40 feet to improve seismic response and to bring the tower to an appropriate height in alignment with typical reservoir operating levels. The conduits under the dam will be strengthened by replacing aged interior pipe with stronger pipe and encasing it in concrete. The dated mechanical components of the tower will be replaced for reliability, and associated remote

Originating Department: Engineering and Construction	Department Director or Manager: Serge V. Terentieff	CEP Forms? Yes	Board Action Type: Construction
Funds Available: FY2026/2027; Award #7000034; Page 124	Budget Coding: 11-562/2012193/2012210:25/7000034		Approved:
Attachment(s): Location Map; Bid Summary; P-035; P-061			

Title:	Lafayette Reservoir Tower Safety Upgrade	Meeting Date:	November 25, 2025
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controls will be installed. Finally, crack sealing on the dam will be performed to maintain the integrity of the dam face.

During project development, the District met with the community on numerous occasions, dating back to 2015, with a presentation to the Lafayette City Council in 2017. Since 2022, after completing updated, comprehensive analyses, the District met with the community 13 times and incorporated community input into the aesthetic design of the shortened tower. During this time, staff also responded to numerous technical questions and evaluated alternative concepts suggested by the community.

This project was discussed during the November 26, 2024 Infrastructure Workshop; the January 28, 2025 Fiscal Year (FY) 2026 and 2027 Biennial Budget Workshop No. 1; as part of the Dam Safety Program Annual Report during Planning Committee meetings on August 13, 2024 and August 12, 2025; and the October 28, 2025 Long-Term Infrastructure Investment Workshop.

This contract supports the District’s Long-Term Infrastructure Investment Strategic Plan goal.

BID RESULTS

Bid documents were posted on the District’s website and issued to 22 resource organizations and 16 prospective bidders. Eight (8) bids were received, ranging from \$14,490,490 to \$25,644,100. The bid summary is attached. The engineer’s estimate for this work is \$11,154,598. The contractors’ bids are higher than the engineer’s estimate due to differences between the estimated and actual costs of pipe materials, diving services, escalation rates, and subcontractor markup conditions. A significant portion of the project’s material costs are associated with steel, and reasonable risk is priced in due to uncertainties in market conditions and fluctuating tariffs.

The lowest responsive/responsible bidder, Mountain Cascade, Inc., is licensed to perform work in California, and is not on the State Department of Industrial Relations (DIR) debarment list. Mountain Cascade, Inc. and its listed subcontractors are properly registered with the State DIR.

In the past five years, Mountain Cascade, Inc. has not filed a Government Code Claim against the District nor initiated any litigation against the District.

SUSTAINABILITY

Economic

Funding for this work is available in the FY 2026/2027 adopted capital budget for the Reservoir Tower Modifications Project.

Social

Work under this contract is subject to the payment of current prevailing wages according to determinations for each craft as established by the Director of the DIR of the State of California.

The project will protect the community and ensure safe operation under emergency conditions. The top of the shortened tower will feature a new lightweight metal structure, with an aesthetic design reminiscent of the existing operating house based on extensive

Title:	Lafayette Reservoir Tower Safety Upgrade	Meeting Date:	November 25, 2025
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community input. This operating house will include equipment and safety features to facilitate efficient operations and maintenance of the tower.

Local 444 was notified of this contract on January 6, 2025 and did not raise any specific issues related to this contract.

Environmental

Two California Environmental Quality Act (CEQA) Notices of Exemption were filed with Contra Costa County Clerk. The first was filed on August 16, 2022 for the seismic retrofit to the tower and conduits, and the second was filed on December 26, 2024 for sealing of the dam face. The project is exempt from the requirements of CEQA under CEQA Guidelines Section 15301 – Existing Facilities and Section 15303 – New Construction or Conversion of Small Structures.

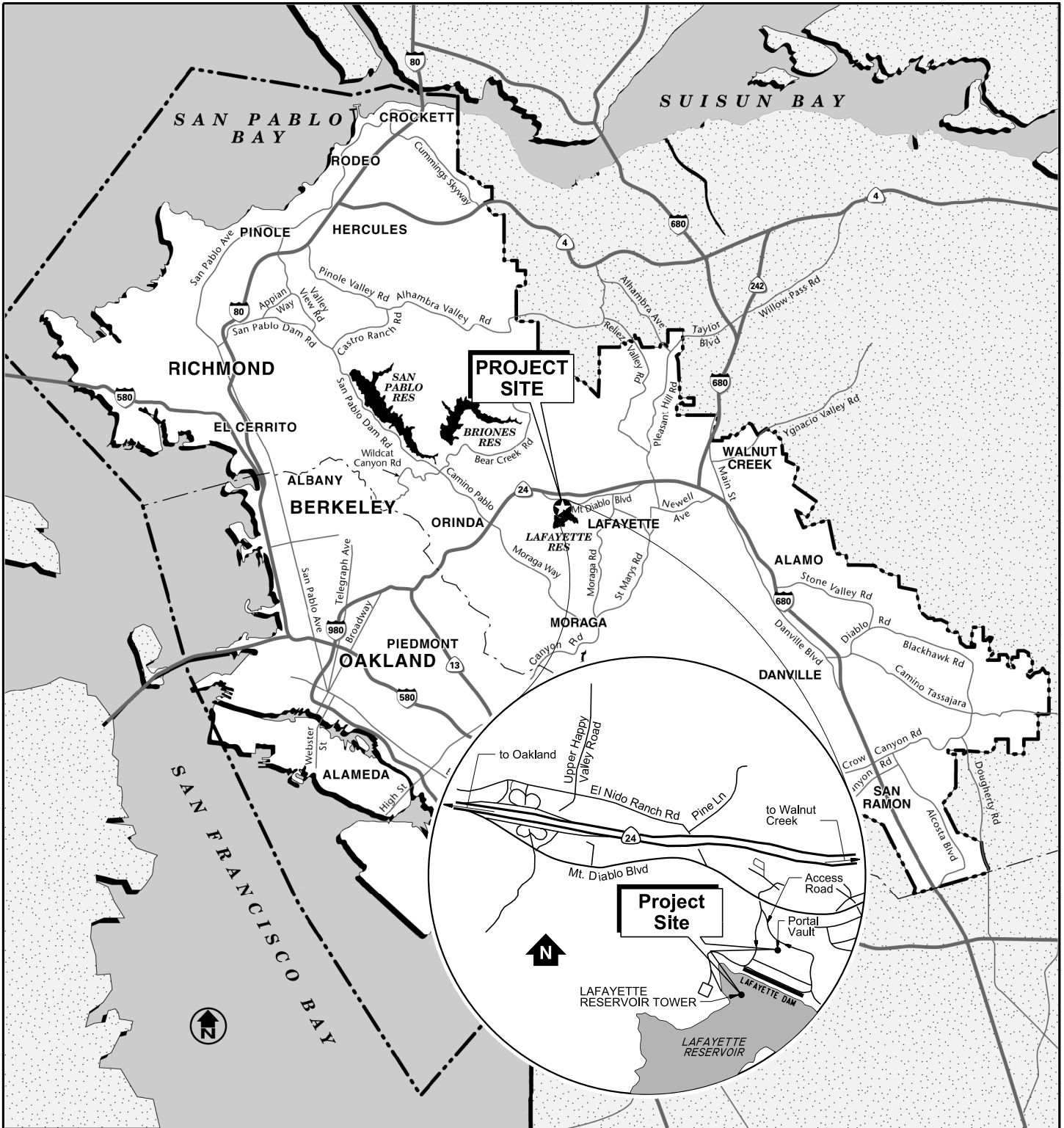
ALTERNATIVES

Do not perform the work. This alternative is not recommended because DSOD has mandated that the project proceed and the upgrades are required for public safety. These upgrades are required in order to continue operating the reservoir.

Perform the work with District forces. This alternative is not recommended because District staff do not have the necessary equipment, experience, nor expertise to complete the work required for the project.

Proceed with an alternate design. This alternative is not recommended because the District has performed numerous studies of the tower over three decades, including a recent comprehensive evaluation of past and new alternatives that considered several options to evaluate the possibility of maintaining the height of the tower. These studies concluded that shortening the tower is the most cost-effective and appropriate retrofit option and considers both constructability and risk associated with various alternatives that were considered. Analyses also have identified that the tower conduits need to be strengthened and to improve emergency response, remote control of the valves is necessary. DSOD has reviewed the District's analyses and approved the design.

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**PROJECT SITE
LOCATION MAP**

NOT TO SCALE

EAST BAY MUNICIPAL UTILITY DISTRICT

**LAFAYETTE RESERVOIR
TOWER SAFETY UPGRADE**

SPECIFICATION 2175

EAST BAY MUNICIPAL UTILITY DISTRICT

SPECIFICATION 2175

Lafayette Reservoir Tower Safety Upgrade

Bids Opened October 22, 2025

	BIDDER	TOTAL AMOUNT BID
1.	Mountain Cascade, Inc. 555 Exchange Ct. Livermore, CA 94560 (925) 373-8370	\$14,490,490
2.	DMZ Builders 1915 Mark Ct., Ste. 110 Concord, CA 94520 (925) 826-5387	\$15,984,500
3.	Shimmick Construction Company, Inc. 1 Harbor Center, Ste. 200 Suisun City, CA 94585 (707) 410-5070	\$15,987,750
4.	A&B Construction 225 3 rd St. Oakland, CA 94607 (510) 999-6000	\$18,777,777
5.	SMCI/Obayashi Joint Venture 19500 Nugget Blvd. Sonoma, CA 95370 (209) 928-1900	\$19,999,500
6.	Anvil Builders, Inc. 1550 Park Ave. Emeryville, CA 94608 (415) 285-5000	\$20,138,990
7.	Power Engineering Construction Company 1501 Viking St., Ste. 200 Alameda, CA 94501 (510) 337-3800	\$21,380,000
8.	Syblon Reid-Dutra JV 2350 Kerner Blvd., Ste. 200 San Rafael, CA 94901-5595 (415) 258-6876	\$25,644,100

Engineer's Estimate: \$11,154,598



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE SPECIFICATION NO.: 2175 Lafayette Reservoir Tower Safety Upgrade						DATE: November 3, 2025						
CONTRACTOR:						PERCENTAGE OF CONTRACT DOLLARS						
Mountain Cascade, Inc. Livermore, CA			Local Business			Availability Group		Contracting Objectives		Participation		
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP				White Men		25%		70.5%		
		Ethnicity		Gender		White Women		9%		0.1%		
\$14,490,490 *		White		Men		Ethnic Minorities		25%		5.9%		
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
PRIME:												
Mountain Cascade, Inc.		\$9,066,591	White	X		62.6%						
SUBS:												
Brand Safway Services		\$50,000	White	X		0.3%						
Bay Line Cutting & Coring Inc.		\$717,000	Hispanic	X				4.9%				
Pullman SST Inc.		\$390,650	White	X		2.7%						
D K Enterprises Inc. dba King's Roofing		\$137,635	Hispanic	X				0.9%				
Con J Franke Electric Inc.		\$315,007	White	X		2.2%						
Global Diving & Salvage, Inc.		\$564,843	Unclassified						3.9%			
Northwest Pipe Company		\$1,838,000	Publicly Held Corporation							12.7%		
Ferguson Enterprises		\$871,658	Publicly Held Corporation							6.0%		
C&C Metals, Inc.		\$294,685	White	X		2.0%						
Frank A Olsen Company		\$98,125	White	X		0.7%						
TOTAL		\$14,490,490				70.5%	0.1%	5.9%	3.9%	18.7%	0.0%	0.0%
CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)												
			White Men		White Women		Ethnic Minorities		Total Employees			
No. of Employees:			103		13		91		207			
Percent of Total Employees:			49.8%		6.3%		44.0%					
MSA Labor Market %:			24.5%		21.6%		53.9%					
MSA Labor Market Location:			Alameda									
COMMENTS												
Contract Equity Participation: 70.5% White Men, 0.1% White Women and 5.9% Ethnic Minority participation. Contract Duration: NA *Total not to exceed: \$14,490,490												
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended				
NA				YES								



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE SPECIFICATION NO.: 2175 Lafayette Reservoir Tower Safety Upgrade	DATE: November 3, 2025
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CONTRACT EQUITY PARTICIPATION (Continued from page 1)

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
SUBS:											
Charles P. Crowley Company	\$57,486	White	X		0.4%						
North America Fence & Railing, Inc.	\$13,312	White		X		0.1%					
Cell-Crete Corporation	\$52,520	White	X		0.4%						
Camblin Steel Services, Inc.	\$22,978	White	X		0.2%						
TOTAL					See page 1 for total						



AFFIRMATIVE ACTION SUMMARY (P-061)

(Completed by District)

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

Title:		Ethnic Minority Percentages From U.S. Census Data							
		B	H	A/PI	AI/AN	TOTAL			
Lafayette Reservoir Tower Safety Upgrade		National	10.5	10.7	3.7	0.7	27.3		
Spec. No.: 2175		DATE:	9 Bay Area Counties		5.5	16.2	14.2	0.4	39.9
		11/3/2025	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 %
RP	WM: LBE	Company Wide	-	88	2	0	90	43.5%	53.9%
Mountain Cascade, Inc. Desiree Arslanian 555 Exchange Court Livermore, CA 94550 925-373-8370		Manager/Prof	0	11	1	0	12	22.6%	
		Technical/Sales	0	1	0	0	1	9.1%	
		Clerical/Skilled	0	8	1	0	9	40.9%	
		Semi/Unskilled	0	68	0	0	68	56.2%	
		Bay Area	0	88	2	0	90	43.5%	
		AA Plan on File:	NA		Date of last contract with District:		10/4/2021		
		Co. Wide MSA:	Alameda		# Employees-Co. Wide:		207	Bay Area: 207	
S	WM	Company Wide	INFORMATION NOT PROVIDED						
Brand Safway Services Jacob Duncan 40728 Teal Court Benicia, CA 94510 707-745-2000		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							
S	EMM-H: SBE	Company Wide	0	28	0	0	28	100.0%	46.2%
Bay Line Cutting & Coring Inc. Daniel Arreguin 501 Cesar Chavez Street, Suite101B San Francisco, CA 94124 415-266-6119		Manager/Prof	0	9	0	0	9	100.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	19	0	0	19	100.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	28	0	0	28	0.0%	
		Co. Wide MSA:	Alameda/Contra Costa		# Employees-Co. Wide:		28	Bay Area: 28	
S	WM	Company Wide	2	64	2	0	68	82.9%	39.9%
Pullman SST Inc. Tammy Goldbeck 6400 Good Year Road Benicia, CA 94510 443-215-2539		Manager/Prof	1	6	2	0	9	100.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	1	57	0	0	58	90.6%	
		Semi/Unskilled	0	1	0	0	1	100.0%	
		Bay Area	2	64	2	0	68	82.9%	
		Co. Wide MSA:	9 Bay Area Counties		# Employees-Co. Wide:		82	Bay Area: 82	
S	EMM-H: LBE	Company Wide	0	2	0	1	3	11.5%	48.4%
D K Enterprises Inc. dba King's Roofing David King 6963 Power Inn Road Sacramento, CA 95828 (local office) 209-892-3386		Manager/Prof	0	2	0	1	3	14.3%	
		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:	California		# Employees-Co. Wide:		26	Bay Area: 0	
S	WM: LBE	Company Wide	3	21	6	0	30	37.5%	47.4%
Con J Franke Electric Inc. Shannon Martin 317 N. Grant Street Stockton, CA 95202 209-462-0717		Manager/Prof	0	3	0	0	3	25.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	3	16	6	1	26	42.6%	
		Semi/Unskilled	0	2	0	0	2	28.6%	
		Bay Area	0	5	0	0	5	41.7%	
		Co. Wide MSA:	San Joaquin		# Employees-Co. Wide:		80	Bay Area: 12	

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:		Ethnic Minority Percentages From U.S. Census Data														
		B	H	A/PI	AI/AN	TOTAL										
Lafayette Reservoir Tower Safety Upgrade		National	10.5	10.7	3.7	0.7	27.3									
Spec. No.: 2175	DATE:	11/3/2025	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 %							
S	Unclassified: LBE	Company Wide	10	20	12	0	42	19.0%	27.3%							
Global Diving & Salvage, Inc. Wesley Smalls 1280 Terminal Street Sacramento, CA 95691 <i>(local office)</i> 206-623-0621		Manager/Prof	3	3	2	0	8	19.0%								
		Technical/Sales	0	0	0	0	0	0.0%								
		Clerical/Skilled	3	16	8	0	27	18.8%								
		Semi/Unskilled	4	1	2	0	7	20.6%								
		Bay Area	0	0	0	0	0	0.0%		39.9%						
		Co. Wide MSA: USA	# Employees-Co. Wide: 221				Bay Area: 0									
S	PHC	Company Wide	43	530	31	11	615	51.1%	27.3%							
Northwest Pipe Company Megan Kendrick 201 NE Park Plaza Drive, Suite 100 Vancouver, WA 98684 360-397-6250		Manager/Prof	7	88	12	2	109	30.2%								
		Technical/Sales	2	25	1	3	31	38.8%								
		Clerical/Skilled	18	165	9	1	193	58.7%								
		Semi/Unskilled	16	252	9	5	282	65.1%								
		Bay Area	0	0	0	0	0	0.0%		39.9%						
		Co. Wide MSA: USA	# Employees-Co. Wide: 1,203				Bay Area: 0									
S	PHC	Company Wide	3,474	5,721	823	202	10,220	32.3%	27.3%							
Ferguson Enterprises Charlotte Murch 751 Lakefront Commons Newport News, VA 23606 757-989-2870		Manager/Prof	492	803	170	46	1,511	17.2%								
		Technical/Sales	517	1,449	218	50	2,234	24.2%								
		Clerical/Skilled	606	970	140	21	1,737	39.6%								
		Semi/Unskilled	1,859	2,499	295	85	4,738	51.5%								
		Bay Area	49	169	52	5	275	71.8%		39.9%						
		Co. Wide MSA: USA	# Employees-Co. Wide: 31,610				Bay Area: 383									
S	WM	Company Wide	0	9	10	0	19	46.3%	42.4%							
C&C Metals, Inc. Mike Applegate 1402 East Davis Street Conroe, TX 77301 936-760-5640		Manager/Prof	0	1	10	0	11	73.3%								
		Technical/Sales	0	0	0	0	0	0.0%								
		Clerical/Skilled	0	0	0	0	0	0.0%								
		Semi/Unskilled	0	8	0	0	8	33.3%								
		Bay Area	0	0	0	0	0	0.0%		39.9%						
		Co. Wide MSA: Texas	# Employees-Co. Wide: 41				Bay Area: 0									
S	Unclassified: LBE	Company Wide	0	2	0	0	2	10.5%	53.9%							
Frank A Olsen Company Josh Nelson 286 Rickenbacker Circle Livermore, CA 94551 925-961-8888		Manager/Prof	0	0	0	0	0	0.0%								
		Technical/Sales	0	2	0	0	2	28.6%								
		Clerical/Skilled	0	0	0	0	0	0.0%								
		Semi/Unskilled	0	0	0	0	0	0.0%								
		Bay Area	0	2	0	0	2	10.5%		39.9%						
		Co. Wide MSA: Alameda	# Employees-Co. Wide: 19				Bay Area: 19									
S	WM: SBE	Company Wide	INFORMATION NOT PROVIDED													
Charles P. Crowley Company JT Blancett 15861 Business Center Drive Irwindale, CA 91706 626-856-5656		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)

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		11/3/2025	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 %	
S	WW: L/SBE	Company Wide		INFORMATION NOT PROVIDED					
North America Fence & Railing, Inc.		Manager/Prof							
Sean Johnson		Technical/Sales							
515 23rd Avenue		Clerical/Skilled							
Oakland, CA 94606		Semi/Unskilled							
510-778-5895		Bay Area							
		Co. Wide MSA:							
S	WM: LBE	Company Wide		INFORMATION NOT PROVIDED					
Cell-Crete Corporation		Manager/Prof							
Kaushal Das		Technical/Sales							
995 Zephyr Avenue		Clerical/Skilled							
Hayward, CA 94544		Semi/Unskilled							
510-471-7275		Bay Area							
		Co. Wide MSA:							
S	WM	Company Wide		INFORMATION NOT PROVIDED					
Camblin Steel Services, Inc.		Manager/Prof							
Kyle Hensman		Technical/Sales							
548 Gibson Drive, Suite 150		Clerical/Skilled							
Roseville, CA 95678		Semi/Unskilled							
96-644-1300		Bay Area							
		Co. Wide MSA:							
P	WM: LBE	Company Wide	2	19	10	0	31	59.6%	39.9%
DMZ Builders		Manager/Prof	0	2	8	0	10	43.5%	
Richard Zito		Technical/Sales	0	0	0	0	0	0.0%	
1915 Mark Court, Suite 110		Clerical/Skilled	2	17	2	0	21	72.4%	
Concord, CA 94520		Semi/Unskilled	0	0	0	0	0	0.0%	
925-826-5387		Bay Area	1	13	10	0	24	57.1%	39.9%
		Co. Wide MSA:	9 Bay Area Counties		# Employees-Co. Wide: 52		Bay Area: 42		
P	WM	Company Wide	121	479	48	11	659	47.5%	48.4%
Shimmick Construction Company, Inc.		Manager/Prof	15	53	31	1	100	29.9%	
Michael Elfering		Technical/Sales	3	4	0	0	7	58.3%	
1 Harbor Center, Suite 200		Clerical/Skilled	33	241	11	3	288	54.1%	
Suisun City, CA 94585		Semi/Unskilled	70	181	6	7	264	51.9%	
208-761-9676		Bay Area	11	87	18	3	119	54.1%	39.9%
		Co. Wide MSA:	California		# Employees-Co. Wide: 1,388		Bay Area: 220		

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AFFIRMATIVE ACTION SUMMARY (P-061)

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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	WM: LBE	Company Wide	1	112	8	0	121	80.1%	39.9%
A & B Construction Andrew Jordan 225 3rd St. Oakland, CA 94607 510-999-6000		Manager/Prof	0	3	2	0	5	38.5%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	1	32	6	0	39	65.0%	
		Semi/Unskilled	0	77	0	0	77	98.7%	
		Bay Area	1	112	8	0	121	80.1%	39.9%
		Co. Wide MSA:	9 Bay Area Counties		# Employees-Co. Wide:		151	Bay Area:	151
P	EMM-H	Company Wide	11	38	86	2	137	50.0%	27.3%
SMCI/Obayashi Joint Venture Tanya Benton 19500 Nugget Blvd. Sonora, CA 95370 209-928-1900 ext 3		Manager/Prof	1	7	72	0	80	62.5%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	9	31	14	2	56	40.9%	
		Semi/Unskilled	1	0	0	0	1	11.1%	
		Bay Area	4	33	81	0	118	66.7%	39.9%
		Co. Wide MSA:	USA		# Employees-Co. Wide:		274	Bay Area:	177
P	WM: LBE	Company Wide	16	107	21	3	147	51.8%	53.9%
Anvil Builders, Inc. Maria Zavala 1550 Park Ave. Emeryville, CA 94608 415-285-5000 ext. 224		Manager/Prof	2	14	17	1	34	33.3%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	14	93	4	2	113	63.5%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	16	107	21	3	147	51.8%	39.9%
		Co. Wide MSA:	Alameda		# Employees-Co. Wide:		284	Bay Area:	284
P	WM: L/SBE	Company Wide	3	47	2	0	52	47.7%	48.4%
Power Engineering Construction Company A Sam Abrams 1501 Viking St., Suite 200 Alameda, CA 94501 510-337-3800 ext. 210		Manager/Prof	0	0	1	0	1	6.3%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	3	46	1	0	50	55.6%	
		Semi/Unskilled	0	1	0	0	1	33.3%	
		Bay Area	3	35	1	0	39	42.4%	39.9%
		Co. Wide MSA:	California		# Employees-Co. Wide:		109	Bay Area:	92
P	WM	Company Wide	16	73	12	7	108	25.5%	48.4%
Syblon Reid-Dutra JV Patty Dutra Bruce 2350 Kerner Blvd., Suite 200 San Rafael, CA 94901-5595 415-258-4796		Manager/Prof	1	7	8	2	18	13.7%	
		Technical/Sales	0	1	1	0	2	33.3%	
		Clerical/Skilled	10	44	0	4	58	40.0%	
		Semi/Unskilled	5	21	3	1	30	50.0%	
		Bay Area	13	44	12	5	74	24.2%	39.9%
		Co. Wide MSA:	California		# Employees-Co. Wide:		423	Bay Area:	306

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)

Title:	Purchase Color Production Press System	Meeting Date:	November 25, 2025
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ALTERNATIVES

Continue using existing equipment. This alternative is not recommended because the present Canon ImagePress C800 experiences frequent repairs with hard-to-find parts, causing delays in projects.

Do not replace the equipment and outsource all related projects. This alternative is not recommended because the District would under-utilize the current two-person staff and routinely spend approximately \$365,000 annually in outsourcing expenditures.

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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 Materials and Supplies Contract - RFQ No. 2605 Purchase Color Production Press System	DATE: November 18, 2025
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CONTRACTOR:	PERCENTAGE OF CONTRACT DOLLARS		
Ricoh USA, Inc. Exton, PA	Availability Group	Contracting Objectives	Participation
BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP		White Men
	Ethnicity	Gender	White Women
	-	-	Ethnic Minorities
\$231,919 *		25%	0.0%
		2%	0.0%
		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	
PRIME: Ricoh USA, Inc.	\$231,919	PHC								100.0%		
SUBS: None												
TOTAL	\$231,919				0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%	

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)

	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	4,927	2,145	4,528	11,600
Percent of Total Employees:	42.5%	18.5%	39.0%	
MSA Labor Market %:	46.4%	40.2%	13.4%	
MSA Labor Market Location:	Pennsylvania			

COMMENTS

Contract Equity Participation: Zero Contract Equity participation. Firm is a publicly held corporation.
Contract Duration: One year.

*Total not to exceed: \$231,919

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: Purchase Color Production Press System			Ethnic Minority Percentages From U.S. Census Data							
				B	H	A/PI	AI/AN			
Materials and Supplies Contract - RFQ No. 2605			DATE: 11/18/2025	National		10.5	10.7	3.7	0.7	27.3
				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	PHC	Company Wide	2,177	1,459	681	45	4,362	37.6%	13.4%	
Ricoh USA, Inc. Gramt Lawson 300 Eagleview Blvd., Suite 200 Exton, PA 19341 503-603-8315			Manager/Prof	365	301	241	15	922	25.8%	
			Technical/Sales	168	88	49	7	312	22.4%	
			Clerical/Skilled	1,540	918	379	22	2,859	45.6%	
			Semi/Unskilled	104	152	12	1	269	76.0%	
			Bay Area	0	0	0	0	0	0.0%	
AA Plan on File: NA			Date of last contract with District: NA							
Co. Wide MSA: Pennsylvania			# Employees-Co. Wide: 11,600		Bay Area: 0					
P	WM	Company Wide	101	324	199	15	639	25.8%	27.3%	
Pacific Office Automation, Inc. Charles Malloy 14747 NW Greenbrier Pkwy Beaverton, OR 97006 925-398-4209			Manager/Prof	0	2	1	0	3	5.1%	
			Technical/Sales	31	92	61	3	187	21.0%	
			Clerical/Skilled	56	188	113	9	366	28.9%	
			Semi/Unskilled	14	42	24	3	83	32.3%	
			Bay Area	11	26	26	0	63	51.6%	
Co. Wide MSA: USA			# Employees-Co. Wide: 2,475		Bay Area: 122					

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:	November 25, 2025
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TITLE **LAFAYETTE WATER TREATMENT PLANT SECURITY DESIGN SERVICES**

ACTION Motion: Resolution: Ordinance:

RECOMMENDED ACTION Authorize an agreement beginning on or after November 25, 2025 with ARUP US, Inc. (ARUP) for an amount not to exceed \$81,000 to provide design services for security upgrades at the Lafayette Water Treatment Plant (WTP).

SUMMARY ARUP will provide design services for the security upgrades at the Lafayette WTP. This work is being planned as part of the Lafayette Center Reliability Project, under Specification 2201, which is currently scheduled for construction starting in Fiscal Year (FY) 2028.

DISCUSSION

The scope of planned security improvements at Lafayette WTP includes new card readers, door contacts, controllers, a camera system, and integration with the existing security system at the Lafayette WTP.


As part of this agreement, ARUP will provide specialized security design services including project management, site verification, 30 percent through 100 percent design deliverables, and bid phase support. The District plans to enter into a separate agreement for engineering services during construction, after completion of the design services.

The agreement contains modified indemnification and limitation of liability provisions. The General Manager has reviewed these provisions with input from Risk Management and the Office of General Counsel and recommends the Board authorize the agreement.

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

This project supports the District’s Long-Term Infrastructure Investment Strategic Plan goal.

CONSULTANT SELECTION A direct award was approved for ARUP to provide security design services. ARUP is best suited to meet the requirements for consistency in designing the security systems across District facilities.

Originating Department: Engineering and Construction	Department Director or Manager: Serge V. Terentieff	CEP Forms? Yes	Board Action Type: Professional Services
Funds Available: FY2026; Award #7000033; Page 78	Budget Coding: 11-551-3100076-52310		Approved: 
Attachment(s): P-035; P-061			

Title:	Lafayette Water Treatment Plant Security Design Services	Meeting Date:	November 25, 2025
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SUSTAINABILITY

Economic

Funding for this purpose is available in the FY 2026 adopted capital budget for Pumping Plant Rehabilitation.

Social

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

This agreement will improve worker and plant safety and security at the Lafayette WTP with upgraded security systems including card readers, door contacts, controllers, and cameras.

ALTERNATIVES

Select a different consultant to do the work. This alternative is not recommended because ARUP is uniquely qualified to provide consistency in the design of security systems across the District’s facilities.

Perform the work with District forces. This alternative is not recommended because District staff do not have the expertise to complete this design work.

Do not proceed with the work. This alternative is not recommended because the project is needed to improve the safety and security of the Lafayette WTP.

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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 Lafayette Water Treatment Plant Security Design						DATE: November 12, 2025							
CONTRACTOR:				PERCENTAGE OF CONTRACT DOLLARS									
ARUP US, Inc. Oakland, CA				Direct Award / Local Business				Availability Group		Contracting Objectives		Participation	
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP		White Men		25%		100.0%					
		Ethnicity	Gender	White Women		6%		0.0%					
\$81,000 *		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: ARUP US, Inc.		\$81,000	White	X		100.0%							
SUBS: None													
TOTAL		\$81,000				100.0%	0.0%	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:		514		284		507		1,305					
Percent of Total Employees:		39.4%		21.8%		38.9%							
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: \$81,000													
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended					
NA				NA									



BOARD ACTION

Agenda Number:	6.	Meeting Date:	November 25, 2025
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TITLE **MANAGED SERVICES CONSULTANT SUPPORT SERVICES FOR KAHUA CONSTRUCTION MANAGEMENT SOFTWARE**

ACTION Motion: Resolution: Ordinance:

RECOMMENDED ACTION Authorize an agreement beginning on or after November 25, 2025, with Kahua, Inc. (Kahua) in an amount not to exceed \$200,000 to provide managed services consultant (MSC) support services for Kahua’s construction management software.


SUMMARY This agreement will provide MSC support services for the continued operation of Kahua, the District’s construction management information system (CMIS). The Kahua MSC will provide end-user training for the CMIS, coordinate feature rollouts, document District-specific processes and workflows, and recommend additional improvements based on District user feedback.

DISCUSSION The District’s CMIS, implemented in 2022, plays a critical role in managing construction of capital improvement projects. To ensure continued success and full realization of the system’s benefits, the District requires ongoing support that extends beyond basic maintenance. The agreement will provide ongoing end-user training, facilitate and communicate the rollout of new features, and document all processes and workflows within the system.

An MSC from Kahua will provide expertise and targeted support services to District staff and end-users, helping to maintain user engagement and expand adoption of the CMIS platform and its features. In addition to coordinating enhancements and ensuring a smooth rollout of new functionalities, the MSC will work closely with staff to implement process improvements, monitor tool usage, and provide tailored documentation. This engagement is expected to strengthen operational continuity and enhance the overall efficiency and utility of the CMIS platform.

This work supports the District’s Long-Term Financial Stability Strategic Plan goal.

CONSULTANT SELECTION A direct award was approved for Kahua, the exclusive vendor of the Kahua construction management software, the District’s CMIS. The MSC service is proprietary and tailored specifically to clients using the Kahua platform. No third-party providers offer equivalent services or access to proprietary roadmap and integration tools.

Originating Department: Engineering and Construction	Department Director or Manager: Serge V. Terentieff	CEP Forms? Yes	Board Action Type: Professional Services
Funds Available: FY2026/2027	Budget Coding: 11.570.0000.8894000.52310.000000		Approved: 
Attachment(s): P-035; P-061			

Title:	Managed Services Consultant Support Services for Kahua Construction Management Software	Meeting Date:	November 25, 2025
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SUSTAINABILITY

Economic

Funding for this purpose is available in the Fiscal Year 2026/2027 adopted operating budget. This engagement supports long-term operational efficiency and return on investment by increasing platform adoption and system effectiveness.

Social

This type of work is not performed by District forces and consequently union notification was not required.

ALTERNATIVES

Do not authorize this agreement. This alternative is not recommended because without dedicated vendor-supported consulting, end-user support and training, the rollout of critical new features may be delayed or improperly implemented, reducing overall platform effectiveness.

Solicit services from a third-party. This alternative is not recommended because Kahua is the exclusive vendor for the CMIS platform, and the MSC role is proprietary. A third-party would lack access to internal tools, release roadmaps, and support frameworks specific to Kahua’s platform, resulting in reduced effectiveness and requiring additional onboarding and coordination, resulting in additional cost.

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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 Kahua Managed Services Consultant for Construction Management Information System						DATE: November 17, 2025						
CONTRACTOR: Kahua, Inc. Alpharetta, GA				Direct Award		PERCENTAGE OF CONTRACT DOLLARS						
BID/PROPOSER'S PRICE: \$200,000 *		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
PRIME: Kahua, Inc.		\$200,000	White	X		100.0%						
SUBS:												
TOTAL		\$200,000				100.0%	0.0%	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:			116		46		45		207			
Percent of Total Employees:			56.0%		22.2%		21.7%					
MSA Labor Market %:			35.9%		30.0%		34.2%					
MSA Labor Market Location:			Georgia									
COMMENTS												
Contract Equity Participation: 100% White Men participation. Contract Duration: NA *Total contract not to exceed: \$200,000												
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended				
NA				NA								



BOARD ACTION

Agenda Number:	7.	Meeting Date:	November 25, 2025
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TITLE	AMEND AGREEMENT FOR DEPOSITORY/DISBURSEMENT BANK SERVICES AND LOCKBOX SERVICES FOR MAILED-IN PAYMENT PROCESSING
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ACTION	<input checked="" type="checkbox"/> Motion:	<input type="checkbox"/> Resolution:	<input type="checkbox"/> Ordinance:
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RECOMMENDED ACTION	Authorize an amendment to the agreement originally authorized under Board Motion No. 136-16, with Wells Fargo Bank, N.A. (Wells Fargo) to increase the agreement amount by \$1,250,000 to a total amount not to exceed \$3,900,000 and extend the agreement term for five years with three options to renew for additional one-year periods for depository/disbursement combined banking services and lockbox services for mailed-in payment processing.
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SUMMARY In July 2016, under Motion No. 136-16 the Board authorized the original agreement for depository/disbursement combined banking services for seven years with one option to renew for an additional two-year period for a total amount not to exceed \$1,350,000. In April 2021, under Motion No. 067-21 the Board authorized an amendment to increase the agreement by \$1,300,000 for a total amount not to exceed \$2,650,000 to implement lockbox services to collect and process payments. The District’s agreement with Wells Fargo will expire on February 16, 2026. The District has received a high level of service from Wells Fargo over the term of the agreement.

The District’s commercial bank is integrated into its Enterprise Resource Planning (ERP) system, Elsie, and is a key service provider for bill payment collections, purchase cards, liquidity investment accounts, electronic payment management and payroll. Wells Fargo continues to be an effective partner providing safe and secure systems and solutions to the District’s banking needs. An extension provides business continuity and stability as the District moves forward with its pension, payroll, and Human Resources Information System projects. Continuation with the current commercial bank also avoids the need for a complex multi-year transition period that entails high costs and risks. Instead, staff time and resources can continue to be devoted to the District’s system improvements.

Wells Fargo has proposed modest fee increases for this extension. In addition, the existing banking agreement allows the District to maintain favorable earnings rates on deposits. Staff recommends extending the agreement for banking services with Wells Fargo. If approved staff plans to issue a request for proposals (RFP) before the extension expires in February 2034. Once the extension is authorized, staff will finalize an amendment to the agreement with Wells Fargo.

Originating Department: Finance	Department Director or Manager: Sophia D. Skoda	CEP Forms? Yes	Board Action Type: Professional Services
Funds Available: FY 2026/2027	Budget Coding: 11.218.1935.0000000.52410.000000		Approved: 
Attachment(s): P-035; P-061			

Title:	Amend Agreement for Depository/Disbursement Bank Services and Lockbox Services for Mailed-In Payment Processing	Meeting Date:	November 25, 2025
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DISCUSSION

Wells Fargo has been the District’s commercial banking provider since 2005. The District’s commercial bank serves as the central hub for nearly all financial operations. Each day, the District receives between \$1.5 million and \$5 million in customer payments, disburses \$4 million to \$40 million weekly to contractors and vendors, and processes employee payroll and retiree pension payments. The District’s purchase card program and financial reporting systems are also integrated with the bank. Close collaboration with Wells Fargo ensures that these critical financial activities remain safe, secure, and efficient.

Bank Integrations for Upcoming Systems Projects

District staff are currently engaged in several projects that will affect the District’s financial systems, including the implementation of a new Human Resources Information System, Payroll System, and the PensionGold pension administration platform. Each of these initiatives requires significant coordination with the District’s banking functions. Given the scope and timing of these efforts, it is not advisable to transition to a new commercial bank. Maintaining the existing banking relationship will allow staff to focus on successful project implementation and ensure continuity of financial operations.

Payment Processing Improvements

Significant progress has been made, in collaboration with Wells Fargo, to enhance incoming and outgoing payment processes. On the receivables side, the District implemented a lockbox service through Wells Fargo to handle customer payments. The service has reduced the need to purchase and maintain expensive equipment and strengthened business continuity by enabling payments to be received and processed offsite.

On the payables side, the District expanded the use of electronic vendor payments, supported by new security measures. The implementation of Wells Fargo’s Account Validation Service allows staff to verify payee information prior to issuing payments, reducing the risk of fraud. Transitioning to electronic payments has also improved operational efficiency by lowering the cost of each transaction and reducing staff time associated with printing and mailing checks. The benefits of these services continue to grow as more vendors enroll in the District’s electronic payment platform.

Ongoing Service Enhancements

Wells Fargo has developed a deep understanding of District operations and continues to work collaboratively with staff to enhance and streamline banking processes. One current initiative focuses on improving the District’s bank account structure. Staff is streamlining Payroll, Payables, and Receivables by establishing dedicated accounts for each, which will strengthen internal controls by improving transaction tracking and reconciliation, while enhancing security by limiting the use and exposure of the District’s main account information.

Favorable Earnings Rates on Deposits

The District’s agreement with Wells Fargo provides favorable opportunities to earn credits and interest income on funds held on deposit. Through Wells Fargo’s Earnings Credit Program, the District earns credits up to an amount that offsets all monthly account charges. As a long-

Title:	Amend Agreement for Depository/Disbursement Bank Services and Lockbox Services for Mailed-In Payment Processing	Meeting Date:	November 25, 2025
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standing customer, the District receives an earnings rate equal to the 90-day Treasury Bill. The proposed extension will keep the District on an indexed rate above the standard bank rate.

In addition, a money market fund sweep feature, implemented in the past few years, automatically transfers unused balances into a daily money market fund, where they earn a market return—currently around 4.1 percent. Since the program’s inception in January 2023, these yields have generated more than \$6 million in interest income. Together, these features provide tangible financial benefits and allow the District to dedicate more resources to operations and capital improvements.

Finally, the establishment of a Wells Fargo Safekeeping Account in 2022 allowed the District to expand its money market fund holdings and directly link them with its main banking accounts. This provides for increased transparency and same-day transfers, which have been beneficial for day-to-day money management and investment income generation.

Banking and Lockbox Fees

The District’s banking fees have remained largely unchanged since 2016, aside from an increase in 2021 associated with the implementation of lockbox services, the establishment of an offsite location for the receipt and processing of mailed customer payments. Wells Fargo has proposed an average increase to its banking fees of approximately seven percent over the agreement period, which is modest relative to inflation. Additionally, Wells Fargo has offered a six-month fee holiday to begin the new agreement. Considering the long-term stability of fees, the value of integrated banking services, and the overall performance of the District’s banking relationship, staff finds the proposed increase reasonable.

These services support the District’s Long-Term Financial Stability Strategic Plan goal.

CONSULTANT SELECTION

In 2016, Wells Fargo was selected to continue providing banking services to the District following a competitive RFP process. Requests were sent to 25 potential proposers, four banks responded and three were invited for interviews based on meeting the basic requirements. The selection was based on the following criteria: charges for services, public sector experience and resources, strength and stability of bank, and location and convenience of bank offices; and to a lesser degree the assigned relationship manager and team, service enhancements, Contract Equity Program and other factors.

The agreement contains requirements that the District indemnify the consultant in select circumstances. The General Manager has reviewed these provisions with input from Risk Management and the Office of General Counsel and recommends the Board authorize these services. Once the extension is authorized, staff will finalize an amendment to the agreement with Wells Fargo.

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.

Title:	Amend Agreement for Depository/Disbursement Bank Services and Lockbox Services for Mailed-In Payment Processing	Meeting Date:	November 25, 2025
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ALTERNATIVE

Undertake an RFP process. This alternative is not recommended at this time because transitioning to a new commercial bank would add financial and operational risks as the District implements major updates to its human resources, payroll, and pension systems. In addition, the proposed extension allows for the continuation of favorable earnings rates on deposits and modest fee increases compared with inflation.

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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 - Amendment Amend Agreement for Depository/Disbursement Bank Services and Lockbox Services for Mailed-In Payment Processing	DATE: <p style="text-align: center;">November 13, 2025</p>
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CONTRACTOR: Wells Fargo Bank, N.A. San Francisco, CA	PERCENTAGE OF CONTRACT DOLLARS		
	Availability Group	Contracting Objectives	Participation
BID/PROPOSER'S PRICE:	FIRM'S OWNERSHIP		
	White Men	25%	0.0%
	White Women	6%	0.0%
\$1,250,000 *	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
PRIME: Wells Fargo Bank, N.A.	\$1,250,000	Publicly Held Corporation								100.0%	
SUBS: None											
TOTAL	\$1,250,000				0.0%	0.0%	0.0%	0.0%	100.0%	0.0%	0.0%

CONTRACTOR'S WORKFORCE PROFILE (From P-025 Form)				
	White Men	White Women	Ethnic Minorities	Total Employees
No. of Employees:	44,817	42,737	81,810	169,364
Percent of Total Employees:	26.5%	25.2%	48.3%	
MSA Labor Market %:	39.0%	33.7%	27.3%	
MSA Labor Market Location:	USA			

COMMENTS

Contract Equity Participation: Zero Contract Equity participation since firm is a Publicly Held Corporation.

Contract Duration: Extend the agreement term for five years with options to renew for additional three one-year periods.

*Total contract amount: \$3,900,000 = \$1,350,000 (Original) + \$1,300,000 (Amendment) + \$1,250,000 (Amendment 2)

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:		Ethnic Minority Percentages From U.S. Census Data							
			B	H	A/PI	AI/AN	TOTAL		
Amend Agreement for Depository/Disbursement Bank Services and Lockbox Services for Mailed-In Payment Processing		National	10.5	10.7	3.7	0.7	27.3		
		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		
Professional Services Agreement - Amendment		DATE:	11/13/2025						
R=Recmmnd 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	PHC	Company Wide	22,438	30,336	22,464	859	76,097	44.9%	27.3%
Wells Fargo Bank, N.A. Laura Davis 420 Montgomery Street San Francisco, CA 94104 704-287-0683		Manager/Prof	13,138	16,146	18,482	485	48,251	42.8%	
		Technical/Sales	458	893	864	28	2,243	18.9%	
		Clerical/Skilled	8,676	13,232	3,080	343	25,331	57.3%	
		Semi/Unskilled	166	65	38	3	272	69.9%	
		Bay Area	0	0	0	0	0	0.0%	
		AA Plan on File:	NA		Date of last contract with District:		NA		
		Co. Wide MSA:	USA		# Employees-Co. Wide:		##### Bay Area: 0		
P	PHC	Company Wide	795	2,773	3,697	105	7,370	56.1%	27.3%
MUFG Union Bank, N.A. Donald Raught 700 L Street, Suite 400 Sacramento, CA 95814 916-321-3192		Manager/Prof	445	1,121	2,420	25	4,011	48.6%	
		Technical/Sales	20	88	108	7	223	45.6%	
		Clerical/Skilled	329	1,559	1,160	73	3,121	71.2%	
		Semi/Unskilled	1	5	9	0	15	83.3%	
		Bay Area	30	48	220	8	306	48.8%	
		Co. Wide MSA:	USA		# Employees-Co. Wide:		13,148 Bay Area: 627		
P	PHC	Company Wide	859	2,820	3,697	105	7,481	5.5%	27.3%
JPMorgan Chase Bank, N.A. Neil Pack 1111 Polaris Parkway Columbus, OH 43240 415-315-8838		Manager/Prof	445	1,121	2,420	25	4,011	6.4%	
		Technical/Sales	20	88	108	7	223	0.9%	
		Clerical/Skilled	329	1,559	1,160	73	3,121	6.7%	
		Semi/Unskilled	65	52	9	0	126	68.1%	
		Bay Area	136	662	1047	4	1,849	64.7%	
		Co. Wide MSA:	USA		# Employees-Co. Wide:		136,057 Bay Area: 2,857		

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:	8.1.	Meeting Date:	November 25, 2025
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TITLE **AMEND AGREEMENT FOR CONSTRUCTION MANAGEMENT AND INSPECTION SERVICES FOR ORINDA WATER TREATMENT PLANT DISINFECTION AND CHEMICAL SYSTEMS SAFETY IMPROVEMENTS PROJECTS**

ACTION Motion: Resolution: Ordinance:

RECOMMENDED ACTION Authorize an amendment to the agreement originally authorized under Board Motion No. 030-22 with Arcadis U.S., Inc. (Arcadis) to increase the agreement amount by \$4,500,000 to a total amount not to exceed \$14,500,000 and extend the agreement term to January 31, 2028 for continued as-needed construction management (CM) and inspection services for the Orinda Water Treatment Plant (WTP) Disinfection and Chemical Systems Safety Improvements Projects (DCSSIP).

SUMMARY This amendment will continue to supplement in-house CM and inspection services necessary to oversee construction of the DCSSIP on an as-needed basis.

DISCUSSION

The Board authorized an agreement under Motion No. 031-22 in an amount not to exceed \$10,000,000 for as-needed construction management and inspection services for DCSSIP. This amendment will allow continued supplemental construction management and specialty inspection services including subject matter expertise in environmental compliance, 3rd party construction scheduling, 3rd party cost estimating, structural resident engineering, quality assurance program management, and specialized inspection in areas such as deep excavation, structural concrete, trenchless pipeline installations, building systems, and coatings.


This item was discussed during the January 26, 2021 Fiscal Years 2022 and 2023 Budget Workshop No. 1 and at the Planning Committee meetings on October 12, 2021, December 13, 2022, and November 12, 2025.

This amendment supports the District’s Long-Term Infrastructure Investment Strategic Plan goal.

CONSULTANT SELECTION

In September 2021, a request for proposals was posted on the District’s website and sent to qualified firms. Two firms submitted proposals. Arcadis was selected based on their qualifications, experience, and approach to performing the services.

Work under this agreement is subject to the payment of current prevailing wages according to determinations for each craft as established by the Director of the Department of Industrial Relations (DIR) of the State of California. The consultant, Arcadis, is licensed to perform work

Originating Department: Engineering and Construction	Department Director or Manager: Serge V. Terentieff	CEP Forms? Yes	Board Action Type: Professional Services
Funds Available: FY2026/2027; Award #7000090; Vol. 2, Page 161	Budget Coding: 11.576.2012253.52310		Approved: 
Attachment(s): P-035; P-061			

Title:	Amend Agreement for Construction Management and Inspection Services for the Orinda Water Treatment Plant Disinfection and Chemical Systems Safety Improvements Projects	Meeting Date:	November 25, 2025
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in California, and is not on the State DIR debarment list. Arcadis and its listed subcontractors are properly registered with the State DIR.

SUSTAINABILITY

Economic

Funding for this purpose is available in the FY 2026/2027 adopted capital budget for Treatment Plant Upgrades.

Social

Locals 2019 and 21 were notified of this amendment on October 2, 2025. Local 2019 issues were discussed at a meeting on October 7, 2025. Local 2019 questioned the need for consultant support and staffing needs assessment. Local 2019 questions and concerns were addressed, explaining the project’s scale and technical demands. Local 21 did not raise any specific issues related to this amendment.

Despite the District’s continued engagement and detailed explanations, Local 2019 expressed their concerns at the October 28, 2025 Board meeting and maintains opposition to this amendment. Local 2019 issues were again discussed at meetings on November 10 and 17, 2025.

ALTERNATIVES

Perform the work with District staff. This alternative is not recommended because District staff cannot accommodate peak workload that is expected to occur intermittently and for limited durations through completion of the DCSSIP. Intermittent peaks are best addressed by consultant staff that can be released when peaks have passed. Arcadis also provides significant expertise with construction of similar deep excavation structures and ultraviolet disinfection systems for municipal drinking water including specialized structural, scheduling, and cost estimating expertise which District staff do not have.

Do not perform the work. This alternative is not recommended because CM and inspection services are needed to ensure the successful completion of the DCSSIP. Proceeding with the contract amendments is essential to ensure adequate staffing, maintain project continuity, prevent delays and claims, and avoid treatment plant disruptions and community impacts.

I:\Sec\2025 Board Related Items\11252025 Board Agenda Items\ECD – Construction Management and Inspection for Orinda WTP Disinfection and CSSIP.docx



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 - Amendment Engineering Services During Construction for the Orinda Water Treatment Plant Disinfection and Chemical Safety Improvements Projects						DATE: October 21, 2025						
CONTRACTOR:						PERCENTAGE OF CONTRACT DOLLARS						
Stantec Consulting Services, Inc. Walnut Creek, CA			Local Business / Direct Award			Availability Group		Contracting Objectives		Participation		
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP				White Men		25%		99.4%		
		Ethnicity		Gender		White Women		6%		0.6%		
\$2,644,518 *		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
PRIME: Stantec Consulting Services, Inc.		\$2,505,438	White	X		94.7%						
SUBS: Fiberglass Structural Engineering		\$116,300	White	X		4.4%						
Potter Fire Protection, Inc.		\$16,100	White		X		0.6%					
Jensen Hughes		\$6,680	White	X		0.3%						
TOTAL		\$2,644,518				99.4%	0.6%	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:			105		112		132		349			
Percent of Total Employees:			30.1%		32.1%		37.8%					
MSA Labor Market %:			32.3%		27.8%		39.9%					
MSA Labor Market Location:			9 Bay Area Counties									
COMMENTS												
Contract Equity Participation - 99.4% White Men and 0.6% White Women participation. Contract Duration: Amended duration extended to January 31, 2028. *Total not to exceed: \$6,195,766 = \$3,551,248 (Original) + \$2,644,518 (Amendment)												
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended				
NA				NA								



BOARD ACTION

Agenda Number:	8.2.	Meeting Date:	November 25, 2025
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TITLE **AMEND AGREEMENT FOR ENGINEERING SERVICES DURING CONSTRUCTION FOR THE ORINDA WATER TREATMENT PLANT DISINFECTION AND CHEMICAL SYSTEMS SAFETY IMPROVEMENTS PROJECTS**

ACTION Motion: Resolution: Ordinance:

RECOMMENDED ACTION Authorize an amendment to the agreement originally authorized under Board Motion No. 032-22 with Stantec Consulting Services, Inc. (Stantec) to increase the agreement amount by \$2,644,518 to a total amount not to exceed \$6,195,766 for additional engineering services during construction (ESDC) for the chemical systems safety improvements portion of the Orinda Water Treatment Plant (WTP) Disinfection and Chemical Systems Safety Improvements Projects (DCSSIP).


SUMMARY This amendment will provide additional ESDC for the chemical systems safety improvements portion of the Orinda WTP DCSSIP under Specification 2139.

DISCUSSION Additional project support is required by Stantec at Orinda WTP due to contract delays, differing site conditions, more challenging outage conditions, poor as-built conditions, deteriorating equipment that needed to be replaced under Specification 2139, and required additional engineering support. This amendment will allow continued project management services, engineering site support, construction submittal and shop drawing review, responses to requests for information, design clarifications and change orders, updates for record drawings and 3D design models, system testing and startup services, and operations and maintenance documentation and training.

An agreement for ESDC for the CSSIP portion of the DCSSIP was originally authorized under Board Motion No. 031-22 for a total amount not to exceed \$3,551,248. CSSIP was originally envisioned to be constructed under one construction contract for all WTPs. However, CSSIP was separated into three construction contracts and combined with other work at the various WTPs to reduce the impacts to plant operations and implement lessons learned between each construction contract.

This item was discussed during the January 26, 2021 Fiscal Years 2022 and 2023 Budget Workshop No. 1; Planning Committee meetings on September 14, 2021, October 12, 2021, and November 12, 2025; and the May 13, 2025 Board meeting.

This amendment supports the District’s Long-Term Infrastructure Investment and Water Quality and Environmental Protection Strategic Plan goals.

Originating Department: Engineering and Construction	Department Director or Manager: Serge V. Terentieff	CEP Forms? Yes	Board Action Type: Professional Services
Funds Available: FY2026/2027; Award #7000090; Vol. 2, Page 161	Budget Coding: 11.576.2012253.52310		Approved: 
Attachment(s): P-035;P-061			

Title:	Engineering Services During Construction for the Orinda Water Treatment Plant Disinfection and Chemical Systems Safety Improvements Projects	Meeting Date:	November 25, 2025
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CONSULTANT SELECTION

In 2017, Stantec performed the initial design for the chemical systems safety improvements portion of the Orinda WTP DCSSIP. As the Engineer of Record for the design, Stantec is the most cost-effective option to provide ESDC services and will provide continuity with personnel that are already familiar with the work and have the required expertise in chemical systems safety. The consultant, Stantec, is licensed to perform work in California, and is not on the State DIR debarment list. Stantec and its listed subcontractors are properly registered with the State DIR.

SUSTAINABILITY

Economic

Funding for this purpose is available in the FY 2026/2027 adopted capital budget for Treatment Plant Upgrades.

Social

Locals 2019 and 21 were notified of this amendment on October 1, 2025. Local 2019 issues were discussed at a meeting on October 7, 2025. Local 2019 raised concerns about the planning, costs, change orders, and contracting out this work, and felt that the performance of the consultant had not met the typical standard of care. The District stated that it was enforcing contract provisions. In addition, the District shared that the change orders are below the District average and well within industry guidelines, indicating a reasonable standard of care. Local 21 did not raise any specific issues related to this amendment.

Despite the District’s continued engagement and detailed explanations, Local 2019 expressed their concerns at the October 28, 2025 Board meeting and maintains its opposition to this contract amendment. Local 2019 concerns were discussed at meetings on November 10 and 17, 2025.

ALTERNATIVES

Select another consultant to do the work. This alternative is not recommended because it would delay the project schedule, costing the District millions of dollars in delay claims and potentially transfer liability of the design from the Engineer of Record.

Perform the work with District forces. This alternative is not recommended because staff has limited expertise in chemical systems safety and are working on other high-priority infrastructure improvement projects.

Do not perform the work. This alternative is not recommended because this work is required to maintain consistency of design intent and providing ESDC is necessary to ensure the successful completion of the DCSSIP. Proceeding with the contract amendments is essential to ensure adequate staffing, maintain project continuity, prevent delays and claims, and avoid treatment plant disruptions and community impacts.



CONTRACT EQUITY PROGRAM SUMMARY (P-035)

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

TITLE <i>Professional Services Agreement - Amendment</i> Construction Management and Inspection Services for the Orinda Water Treatment Plant Disinfection and Chemical Systems Safety Improvements Projects						DATE: October 23, 2025						
CONTRACTOR:				PERCENTAGE OF CONTRACT DOLLARS								
Arcadis U.S., Inc. San Francisco, CA				Availability Group			Contracting Objectives		Participation			
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP		White Men			25%		65.2%			
		Ethnicity	Gender	White Women			6%		2.0%			
\$4,500,000 *		White	Men	Ethnic Minorities			25%		10.2%			
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
PRIME:												
Arcadis U.S., Inc.		\$1,246,500	White	X		27.7%						
SUBS:												
Tanner-Pacific, Inc.		\$765,000	White	X		17.0%						
Joe Hill Consulting and Engineering Corporation		\$45,000	White	X		1.0%						
Fugro USA Land, Inc.		\$225,000	White	X		5.0%						
Bay Area Coating Consultants, Inc.		\$90,000	White	X		2.0%						
Saylor Consulting Group		\$45,000	White		X		1.0%					
Applied Technology & Science		\$45,000	White		X		1.0%					
Terra Solutions and Services, Inc.		\$58,500	Native	X				1.3%				
Consor, Inc.		\$450,000	Unclassified						10.0%			
Katz and Associates		\$495,000	Unclassified						11.0%			
EarthCam, Inc.		\$72,000	Unclassified						1.6%			
Panorama Environmental, Inc		\$81,000	Native		X			1.8%				
PRO-TEC Safety Consultants Inc		\$265,500	Hispanic	X				5.9%				
ISI Insection Services, Inc.		\$54,000	Asian		X			1.2%				
Jacobs Associates dba Delve Underground		\$202,500	White	X		4.5%						
RDH Building Science		\$360,000	White	X		8.0%						
TOTAL		\$4,500,000				65.2%	2.0%	10.2%	22.6%	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:			2,839		1,777		2,006		6,622			
Percent of Total Employees:			42.9%		26.8%		30.3%					
MSA Labor Market %:			39.0%		33.7%		27.3%					
MSA Labor Market Location:			USA									
COMMENTS												
Contract Equity Participation - 65.2% White Men, 2% White Women, and 10.2% Ethnic Minority participation. Contract Duration: Amended duration extended to June 30, 2027. *Total not to exceed: \$14,500,000 = \$10,000,000 (Original) + \$4,500,000 (Amendment)												
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: Construction Management and Inspection Services for the Orinda Water Treatment Plant Disinfection and Chemical Systems Safety Improvements Projects		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 - Amendment		DATE: 10/23/2025	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	298	630	908	28	1,864	28.1%	27.3%
Arcadis U.S., Inc. Maddy Heikkila 100 Montgomery Street, Suite 300 San Francisco, CA 94104 877-871-2722			Manager/Prof	231	504	851	17	1,603	27.9%	
			Technical/Sales	42	88	38	3	171	30.5%	
			Clerical/Skilled	25	37	19	8	89	28.2%	
			Semi/Unskilled	0	1	0	0	1	0.0%	
			Bay Area	7	23	46	0	76	44.7%	
Co. Wide MSA: USA			# Employees-Co. Wide: 6,622		Bay Area: 170					
RP	WM: SBE		Company Wide	3	12	6	0	21	34.4%	48.4%
Tanner Pacific, Inc. William Tanner 1406 Radio Road Redwood City, CA 94065 925-766-1800			Manager/Prof	1	6	4	0	11	29.7%	
			Technical/Sales	2	5	1	0	8	0.0%	
			Clerical/Skilled	0	1	1	0	2	33.3%	
			Semi/Unskilled	0	0	0	0	0	0.0%	
			Bay Area	0	0	0	0	0	0.0%	
Co. Wide MSA: California			# Employees-Co. Wide: 61		Bay Area: 0					
S	WM: SBE		Company Wide	1	3	5	0	9	40.9%	39.9%
Joe Hill Consulting and Engineering Corporation Joe Hill 1693 Pol Street, Unit 208 San Francisco, CA 94109 415-335-7168			Manager/Prof	1	3	5	0	9	40.9%	
			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	1	3	5	0	9	40.9%	
Co. Wide MSA: 9 Bay Area Counties			# Employees-Co. Wide: 22		Bay Area: 22					
S	WM: LBE		Company Wide	113	114	111	2	340	32.0%	27.3%
Fugro USA Land, Inc. Osman El Menchawi 1777 Bothelo Street, Suite 262 Walnut Creek, CA 94596 925-949-7142			Manager/Prof	25	48	84	1	158	27.7%	
			Technical/Sales	60	41	18	1	120	34.6%	
			Clerical/Skilled	25	24	9	0	58	43.3%	
			Semi/Unskilled	3	1	0	0	4	36.4%	
			Bay Area	1	3	8	0	12	27.9%	
Co. Wide MSA: USA			# Employees-Co. Wide: 1,063		Bay Area: 43					
S	WM: SBE		Company Wide	0	3	6	2	11	57.9%	27.3%
Bay Area Coating Consultants, Inc. Ed Darrimon 5401 Powell Road Denair, CA 95316 209-669-3666			Manager/Prof	0	3	6	2	11	57.9%	
			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	3	6	2	11	57.9%	
Co. Wide MSA: USA			# Employees-Co. Wide: 19		Bay Area: 19					
S	WW: SBE		Company Wide	0	0	6	0	6	31.6%	48.3%
Saylor Consulting Group Natalie Saylor 505 Montgomery Street, 11th Floor San Francisco, CA 94111 415-399-9990			Manager/Prof	0	0	5	0	5	31.3%	
			Technical/Sales	0	0	0	0	0	0.0%	
			Clerical/Skilled	0	0	1	0	1	33.3%	
			Semi/Unskilled	0	0	0	0	0	0.0%	
			Bay Area	0	0	6	0	6	31.6%	
Co. Wide MSA: San Francisco			# Employees-Co. Wide: 19		Bay Area: 19					

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: Construction Management (CM) and Inspection Services for the Orinda Water Treatment Plant Disinfection and Chemical Safety Systems Improvement Project Professional Services Agreement - Amendment		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	
R=Recmmd P=Prime S=Sub Composition of Ownership		DATE: 10/23/2025	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
Company Name, Owner/Contact Person, Address, and Phone Number			B	H	A/PI	AI/AN	TOTAL	PERCENT	MSA %
S	WW: SBE	Company Wide	1	1	3	0	5	14.7%	48.3%
Applied Technology & Science Dr. Elahe Ensanni 5 Third Street, Suite 1010 San Francisco, CA 94111 415-777-4287		Manager/Prof	1	1	3	0	5	15.6%	
		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	1	1	3	0	5	14.7%	
		Co. Wide MSA: San Francisco	# Employees-Co. Wide: 34				Bay Area: 34		
S	EMM-AI	Company Wide	0	11	1	0	12	54.5%	27.3%
Terra Solutions and Services, Inc. Bradford Kordic 447-160 Lassen Avenue Herlong, CA 96113 925-250-5603		Manager/Prof	0	5	0	0	5	50.0%	
		Technical/Sales	0	1	1	0	2	100.0%	
		Clerical/Skilled	0	4	0	0	4	50.0%	
		Semi/Unskilled	0	1	0	0	1	50.0%	
		Bay Area	0	2	0	0	2	100.0%	
		Co. Wide MSA: USA	# Employees-Co. Wide: 22				Bay Area: 2		
S	Unclassified	Company Wide	1	9	28	0	38	32.2%	39.9%
Consor, Inc. Leslie Sowles 1663 Mission Street, Suite 425 San Francisco, CA 94103 503-866-9173		Manager/Prof	1	3	22	0	26	33.8%	
		Technical/Sales	0	3	2	0	5	17.9%	
		Clerical/Skilled	0	3	4	0	7	53.8%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	1	4	19	0	24	47.1%	
		Co. Wide MSA: 9 Bay Area Counties	# Employees-Co. Wide: 118				Bay Area: 51		
S	Unclassified	Company Wide	0	1	0	0	1	5.6%	48.4%
Katz and Associates Katie Roeder 351 California Street, Suite 1100 San Francisco, CA 94104 (local office) 858-541-7800		Manager/Prof	0	1	0	0	1	7.1%	
		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: California	# Employees-Co. Wide: 18				Bay Area: 2		
S	Unclassified	Company Wide	NO INFORMATION PROVIDED						
EarthCam, Inc. 650 E Crescent Avenue Upper Saddle River, NJ 510-355-0123		Manager/Prof							
		Technical/Sales							
		Clerical/Skilled							
		Semi/Unskilled							
		Bay Area							
		Co. Wide MSA:							
S	EMW-AI/AN: SBE	Company Wide	1	5	5	0	11	26.2%	39.9%
Panorama Environmental, Inc Susanne Heim 717 Market Street, Suite 400 San Francisco, CA 94103 650-373-1200		Manager/Prof	1	4	5	0	10	25.0%	
		Technical/Sales	0	0	0	0	0	0.0%	
		Clerical/Skilled	0	1	0	0	1	0.0%	
		Semi/Unskilled	0	0	0	0	0	0.0%	
		Bay Area	0	5	4	0	9	40.9%	
		Co. Wide MSA: 9 Bay Area Counties	# Employees-Co. Wide: 42				Bay Area: 22		

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: Construction Management and Inspection Services for the Orinda Water Treatment Plant Disinfection and Chemical Systems Safety Improvements Projects		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 - Amendment		DATE: 10/23/2025	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 %	
S	EMM-H	Company Wide	0	4	0	0	4	100.0%	48.3%	
PRO-TEC Safety Consultants, Inc. Ralph Morales 249 Onondaga Avenue San Francisco, CA 94112 415-294-1438		Manager/Prof	0	3	0	0	3	100.0%		
		Technical/Sales	0	1	0	0	1	0.0%		
		Clerical/Skilled	0	0	0	0	0	0.0%		
		Semi/Unskilled	0	0	0	0	0	0.0%		
		Bay Area	0	4	0	0	4	133.3%	39.9%	
		Co. Wide MSA: San Francisco	# Employees-Co. Wide: 4				Bay Area: 3			
S	EMW-A/PI: L/SBE	Company Wide	8	9	9	0	26	45.6%	53.9%	
ISI Inspection Services, Inc. Leslie Sakai 1798 University Avenue Berkeley, CA 94703 510-900-2100		Manager/Prof	0	2	3	0	5	45.5%		
		Technical/Sales	0	0	1	0	1	100.0%		
		Clerical/Skilled	8	6	5	0	19	43.2%		
		Semi/Unskilled	0	1	0	0	1	100.0%		
		Bay Area	8	6	9	0	23	48.9%	39.9%	
		Co. Wide MSA: Alameda	# Employees-Co. Wide: 57				Bay Area: 47			
S	WM: LBE	Company Wide	7	9	43	0	59	24.3%	38.5%	
Jacobs Associates dba Delve Underground Emily de Robillard 2999 Oak Road, Suite 710 Walnut Creek, CA 94587 925-705-4137		Manager/Prof	6	9	36	0	51	22.2%		
		Technical/Sales	0	0	2	0	2	50.0%		
		Clerical/Skilled	1	0	5	0	6	66.7%		
		Semi/Unskilled	0	0	0	0	0	0.0%		
		Bay Area	5	9	43	0	57	100.0%	39.9%	
		Co. Wide MSA: Contra Costa	# Employees-Co. Wide: 243				Bay Area: 57			
S	WM: LBE	Company Wide	3	10	16	1	30	21.9%	27.3%	
RDH Building Science Inc. Ashley McManigal 1901 Harrison Street #1210 Oakland, CA 94612 207-474-3818		Manager/Prof	0	8	15	1	24	20.0%		
		Technical/Sales	0	0	0	0	0	0.0%		
		Clerical/Skilled	3	2	1	0	6	35.3%		
		Semi/Unskilled	0	0	0	0	0	0.0%		
		Bay Area	1	1	9	1	12	33.3%	39.9%	
		Co. Wide MSA: USA	# Employees-Co. Wide: 137				Bay Area: 36			
P	PHC: LBE	Company Wide	94	171	156	4	425	31.1%	27.3%	
Jacobs Project Management Co. Nathan Sickels 155 Grand Avenue, Suite 800 Oakland, CA 94612 (Local office) 612-760-8774		Manager/Prof	75	144	140	4	363	30.9%		
		Technical/Sales	14	17	11	0	0	30.4%		
		Clerical/Skilled	5	10	5	0	20	37.7%		
		Semi/Unskilled	0	0	0	0	0	0.0%		
		Bay Area	4	7	36	0	47	49.0%	39.9%	
		Co. Wide MSA: USA	# Employees-Co. Wide: 1,367				Bay Area: 96			

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)



Agenda Number: 9.

Meeting Date: November 25, 2025

TITLE **ADDITIONAL FUNDS TO PURCHASE NETWORK SWITCHES AND EQUIPMENT REPLACEMENT**

ACTION Motion: Resolution: Ordinance:

RECOMMENDED ACTION Authorize additional funding for the purchase made under Board Motion No. 114-23 with ConvergeOne, Inc. for supplying Juniper Network networking hardware and support services through September 15, 2026 for a total cost, after the addition of taxes, not to exceed \$863,000. These purchases will be made under State of California contracts available for use by local governments.


SUMMARY This action is for additional funds to purchase and deliver Juniper Networks networking hardware, licensing and support for additional wireless service availability at District facilities.

DISCUSSION The District is replacing end-of-life network equipment (routers and switches) used to connect computers and phones with the Juniper Networks’ switching platform and Wi-Fi access points utilizing the Juniper Mist Cloud services. In addition, the District is adding wireless service and network switches to District locations where equipment was not installed. This purchase will provide additional network switches, licensing, and hardware/software support.

This action supports the District’s Long-Term Infrastructure Investment Strategic Plan goal.

VENDOR SELECTION Public Contract Code, Section 10298, allows agencies such as EBMUD to purchase directly through State of California contracts or through State-authorized participating agreements without pursuing separate competitive bidding. The State of California, Department of General Services, holds contracts for Network Switches and Equipment under California State Contract Addendum 7-17-70-40-05 with ConvergeOne, Inc., as the authorized reseller to furnish the District with the required Juniper EX Series cloud-ready network switches and the subscription for the Wired Assurance, Virtual Network Assistant, licensing, and Juniper Care Services.

SUSTAINABILITY **Economic**
Funding for this purpose is available in the Fiscal Year 2026/2027 adopted capital budget for Information Technology.

Originating Department: Information Systems	Department Director or Manager: Orlando W. Leon	CEP Forms? Yes	Board Action Type: Materials and Supplies
Funds Available: FY 2026/2027; Award #7100012; Page 68	Budget Coding: 11.252.0000.3100141.52470.000000		Approved: 
Attachment(s): P-035; P-061			

Title: Additional Funds to Purchase Network Switches and Equipment Replacement

Meeting Date: November 25, 2025

ALTERNATIVES

Do not authorize additional funds. This alternative is not recommended because the existing network switches have reached the end of their product lifecycle and may potentially create cybersecurity risks to the District.

Replace equipment on an as-needed basis. This alternative is not recommended because it involves replacing a large number of devices, and discounts will not be available for equipment purchased individually.

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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 Materials and Supplies Contract Additional Funds to Purchase Network Switches and Equipment Replacement						DATE: November 18, 2025						
CONTRACTOR: ConvergeOne, Inc. Bloomington, MN 55437				State Contract		PERCENTAGE OF CONTRACT DOLLARS						
BID/PROPOSER'S PRICE:		FIRM'S OWNERSHIP		White Men		25%		100.0%				
\$413,000 *		Ethnicity White	Gender Men	White Women		6%		0.0%				
				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
PRIME: ConvergeOne, Inc.		\$413,000	White	X		100.0%						
SUBS: None												
TOTAL		\$413,000				100.0%	0.0%	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:		1,279		506		438		2,223				
Percent of Total Employees:		57.5%		22.8%		19.7%						
MSA Labor Market %:		39.0%		33.7%		27.3%						
MSA Labor Market Location:		USA										
COMMENTS												
Contract Equity Participation: 100% White Men participation. Contract Duration: July 11, 2023 through September 15, 2026.												
*Total not to exceed: \$863,000 = \$450,000 (Original) + \$413,000 (Amendment)												
Workforce Profile & Statement of Nondiscrimination Submitted				Good Faith Outreach Efforts Requirement Satisfied				Award Approval Recommended				
NA				NA								

Title:	Water Transfer Option Agreements	Meeting Date:	November 25, 2025
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year long-term Water Transfer Option Agreement from 2026 through 2050. This agreement amends the previous option agreement and extends the term through December 31, 2050, and allows EBMUD to purchase water that is stored in YWA’s New Bullards Bar Reservoir when available under the Yuba Accord. 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 Facility intake on the Sacramento River.

Under this Water Transfer Option Agreement, YWA would offer up to 15 TAF of spring water and 10 TAF of summer water to CCWD and EBMUD to the extent that water is available under the Yuba Accord for an out-of-basin transfer. 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 prospective buyer.

If between the years 2026 and 2035, less than 40 percent of the total amount of transfer water during this period made available by YWA pursuant to the Water Transfer Option Agreement has been made available to CCWD, CCWD may request a modification of the sharing 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 each year.

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-Department of Water Resources (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.

Under the terms of the Water Transfer Option Agreement, EBMUD will be responsible for up to \$100,000 for the following expenses: (1) reimbursements to YWA for administrative expenses and permit application fees, and (2) USBR fees for reviewing and approving the WAC. EBMUD must obtain a WAC from USBR to transport the transfer water from the Freeport Regional Water Facility through the Folsom South Canal (FSC) to the EBMUD service area. Without USBR approval, EBMUD would not be able to convey YWA water through FSC.

This transfer supports the District’s Long-Term Water Supply Strategic Plan goal.

Title:	Water Transfer Option Agreements	Meeting Date:	November 25, 2025
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SUSTAINABILITY

Economic

The FY 2026 adopted operating budget does not include funding for this unplanned expense. The fiscal impact associated with this action will be absorbed within the existing budget appropriation.

Social

In the event dry conditions prevail in any year between 2026 and 2050 and EBMUD's Central Valley Project (CVP) allocation is inadequate, this transfer could be a critical component of EBMUD's supplemental water supply and assist in promoting reliable water supplies and minimizing rationing for customers throughout the service area.

Environmental

YWA prepared an Addendum to the California Environmental Quality Act (CEQA) Environmental Impact Report (EIR) for the Yuba Accord Project that was certified in 2007. The Addendum examined the impacts of extending the existing CCWD and EBMUD transfer agreement and temporarily extending the addition of CCWD's Delta Intakes as authorized points of diversion for Yuba Accord transfer water, and it concluded that the minor revisions would not result in new significant impacts not analyzed in the EIR. EBMUD has reviewed the Addendum and the 2007 EIR.

EBMUD has concluded that entering into the Water Transfer Option Agreement and the Water Sharing Agreement is not a project under CEQA because the agreements do not commit EBMUD to any action that has the possibility of resulting in either a direct physical change in the environment or an indirect physical change in the environment. These agreements do not commit EBMUD to a definite course of action regarding the purchase and diversion of transfer water, and prior to committing to taking transfer water, EBMUD would comply with CEQA and any other applicable laws.

Each proposed transfer will benefit the Mokelumne fisheries and wildlife since up to 20 percent of supplemental water supplies purchased by EBMUD will be allocated to in-stream flows in the Mokelumne River pursuant to the gainsharing provision in the 1998 Joint Settlement Agreement between EBMUD, U.S. Fish and Wildlife Service, and California Department of Fish and Wildlife.

ALTERNATIVES

Do not amend the Water Transfer Option Agreement. This alternative is not recommended because EBMUD will need to purchase supplemental water supplies when dry conditions prevail between the years 2026 through 2050.

Do not enter into the Water Sharing Agreement. This alternative is not recommended because this agreement provides the terms of how the transfer water will be shared between EBMUD and CCWD, which staff believes is reasonable.

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**Monthly Investment Transactions Report
October 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 (Nov 12, 2025 11:00:42 PST)
Approved by: Sophia D. Skoda, Finance Director

11/12/2025

Date



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Transactions Summary
October 2025

Portfolio	Beginning Balance*	Monthly Net Transaction Activity	Monthly Interest Activity	Ending Balance
001 - Water System Consolidated	478,350,260	12,000,000	916,308	491,266,568
007 - Wastewater Consolidated	119,995,245	(12,000,000)	306,660	108,301,905
049 - Ferc Partnership	2,235,755	-	24,422	2,260,178
009 - BACWA	2,529,312	-	27,631	2,556,943
015 - DERWA	1,117,881	-	12,214	1,130,095
002 - FRWA	1,117,881	-	12,214	1,130,095
014 - IICP	168,241	-	1,839	170,080
010 - UMRWA	71,544	-	781	72,325
003 - Employees Retirement	19,825,127	(13,083,000)	139,119	6,881,246
099 - Wells Fargo**	32,330,296	33,312,125	143,088	65,785,509
Total	657,741,542	20,229,125	1,584,277	679,554,944

* 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

11/06/2025
 Date

Kevin Ma
 Reviewed by: Kevin Ma, Accounting Supervisor

11/06/2025
 Date

David Glasser
 Approved by: David Glasser, Controller

11/07/2025
 Date



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
October 2025

Portfolio	Buys	Deposits	Matured	Calls	Sales	Withdrawals	Non-Investment Transactions*	Net Transaction Activity
001 - Water System Consolidated	-	12,000,000	-	-	-	-	-	12,000,000
007 - Wastewater Consolidated	-	-	-	-	-	(12,000,000)	-	(12,000,000)
049 - Ferc Partnership	-	-	-	-	-	-	-	-
009 - BACWA	-	-	-	-	-	-	-	-
015 - DERWA	-	-	-	-	-	-	-	-
002 - FRWA	-	-	-	-	-	-	-	-
014 - IICP	-	-	-	-	-	-	-	-
010 - UMRWA	-	-	-	-	-	-	-	-
003 - Employees Retirement	-	15,434,000	-	-	-	(28,517,000)	-	(13,083,000)
Investment Activity Total	-	27,434,000	-	-	-	(40,517,000)	-	(13,083,000)
099 - Wells Fargo	-	(27,434,000)	-	-	-	40,517,000	20,229,125	33,312,125
Total	-	-	-	-	-	-	20,229,125	20,229,125

*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

11/07/2025

Date

Approved by: Robert L. Hannay, Treasury Manager

11/10/2025

Date



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
October 2025

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

No Transactions this Period



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
October 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	10/1/2025	10/1/2025	N/A	4,000,000	4,000,000	-	4,000,000
001 - Water System Consolidated	Money Market Mutual Funds	Morgan Stanley MM	MVRXX	10/1/2025	10/1/2025	N/A	4,000,000	4,000,000	-	4,000,000
001 - Water System Consolidated	Money Market Mutual Funds	State Street MM	GVMXX	10/1/2025	10/1/2025	N/A	4,000,000	4,000,000	-	4,000,000
					Total		12,000,000			
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	10/24/2025	10/24/2025	N/A	5,897,000	5,897,000	-	5,897,000
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	10/23/2025	10/23/2025	N/A	3,588,000	3,588,000	-	3,588,000
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	10/10/2025	10/10/2025	N/A	5,949,000	5,949,000	-	5,949,000
					Total		15,434,000			
099 - Wells Fargo	Cash	WELLS FARGO Cash	CASH2017	10/31/2025	10/31/2025	N/A	33,455,213	33,455,213	-	33,455,213
					Total		48,889,213			

68,606,213 60,889,213 - 60,889,213



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
October 2025

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

No Transactions this Period



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
October 2025

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

No Transactions this Period



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
October 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
 October 2025

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
Withdrawals										
007 - Wastewater Consolidated	Local Government Investment Pool	CAMP LGIP	CAMP6035	10/1/2025	10/1/2025	N/A	4,000,000	4,000,000	-	4,000,000
007 - Wastewater Consolidated	Money Market Mutual Funds	Morgan Stanley MM	MVRXX	10/1/2025	10/1/2025	N/A	4,000,000	4,000,000	-	4,000,000
007 - Wastewater Consolidated	Money Market Mutual Funds	State Street MM	GVMXX	10/1/2025	10/1/2025	N/A	4,000,000	4,000,000	-	4,000,000
					Total		12,000,000			
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	10/31/2025	10/31/2025	N/A	14,316,000	14,316,000	-	14,316,000
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	10/1/2025	10/1/2025	N/A	14,201,000	14,201,000	-	14,201,000
					Total		28,517,000			

40,517,000 40,517,000 - 40,517,000



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Interest Activity
October 2025

Portfolio	Total Interest Received	Interest Transferred to Wells Fargo*	Net Interest Activity (Reinvested)**
001 - Water System Consolidated	1,025,234	(108,925)	916,308
007 - Wastewater Consolidated	306,660	-	306,660
049 - Ferc Partnership	24,422	-	24,422
009 - BACWA	35,595	(7,964)	27,631
015 - DERWA	18,945	(6,731)	12,214
002 - FRWA	21,573	(9,359)	12,214
014 - IICP	5,263	(3,424)	1,839
010 - UMRWA	7,466	(6,685)	781
003 - Employees Retirement	139,119	-	139,119
Interest Transactions Total	1,584,277	(143,088)	1,441,189
099 - Wells Fargo	-	143,088	143,088
Total	1,584,277	-	1,584,277

*Coupon and other interest received; reinvestment unavailable.

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

Sherry Sarcos
 Prepared by: Sherry Sarcos, Accounting Technician

11/06/2025
 Date

Kevin Ma
 Reviewed by: Kevin Ma, Accounting Supervisor

11/06/2025
 Date

David Glasser
 Approved by: David Glasser, Controller

11/07/2025
 Date

Title:	Adopt A New Policy and Approve Revisions to an Existing District Policy	Meeting Date:	November 25, 2025
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SUSTAINABILITY

Social

Policies 5.01 and 6.16 advance the goal of social responsibility by promoting ethics, accountability, protection from retaliation, organizational integrity and public transparency in litigation matters in a manner that does not disadvantage District ratepayers.

ALTERNATIVE

Do not adopt or 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\11252025 Board Agenda Items\FIN\FIN - Adopt a New Policy and Approve Revisions to an Existing District Policy 112525.docx



Policy 5.01R

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

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.

[In litigation involving multiple parties, the General Counsel may direct that disclosure of a settlement agreement with any individual party may be delayed until the conclusion of the litigation as to all parties, including any appeals and retrials, if the General Counsel determines that disclosure of the settlement may disadvantage the District in litigation as to the parties remaining in the litigation. The General Counsel may include a delayed disclosure term to that effect in the agreement with the settling party.](#)

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, November 25, 2025](#)
 Public Records Act Government Sections 6254 *et seq.*
 Evidence Code Section 1152
 Code of Civil Procedure 1001



Policy 5.01

EFFECTIVE 25 NOV 25

SUPERSEDES 26 AUG 25

PROHIBITING CONFIDENTIALITY OF SETTLEMENT AGREEMENTS

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In litigation involving multiple parties, the General Counsel may direct that disclosure of a settlement agreement with any individual party may be delayed until the conclusion of the litigation as to all parties, including any appeals and retrials, if the General Counsel determines that disclosure of the settlement may disadvantage the District in litigation as to the parties remaining in the litigation. The General Counsel may include a delayed disclosure term to that effect in the agreement with the settling party.

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Authority

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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, November 25, 2025
Public Records Act Government Sections 6254 *et seq.*
Evidence Code Section 1152
Code of Civil Procedure 1001



Policy 6.16

EFFECTIVE 25 NOV 25

SUPERSEDES NEW

PROTECTION OF WHISTLEBLOWERS

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

Maintain a work environment that encourages and promotes reporting of improper activities and prevents discrimination, harassment, or retaliation against those who report improper activities in the workplace.

Purpose This policy describes the roles and responsibilities of the Board of Directors and the General Manager in protecting District whistleblowers.

Improper Activities For the purposes of this policy, “improper activities” include, but are not limited to: violation of state or federal statute; violation of or noncompliance with a local, state, or federal rule or regulation, unsafe working conditions or practices, gross waste of District funds, abuse of authority or unethical conduct, actions that pose a substantial danger to public health or safety, use of District resources for personal gain, or conflicts of interest involving District employees or Board members.

Role of the General Manager The General Manager has primary responsibility for ensuring compliance with the District’s personnel policies and procedures, ensuring District employees do not engage in improper activities, investigating allegations of improper activities, and taking appropriate corrective and disciplinary actions.

Role of the Board of Directors 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 disclose improper activities within their knowledge to the General Manager to the extent allowed by law, unless the Board determines or has reason to suspect the General Manager is not fulfilling compliance responsibilities or is involved with in improper activities.

Board members are prohibited from using or attempting to use the authority of their position to intimidate, threaten, coerce, command, or influence anyone from bringing any information regarding improper activities to the General Manager. Board members are also prohibited from interfering or taking any action that could obstruct the General Manager from fulfilling the responsibility to investigate improper activities.

Notification The District will establish a process (i.e., hotline) through which any individual, including but not limited to employees, ratepayers, vendors, and other stakeholders can notify the District of activities which they perceive as improper and/or unlawful without fear of reprisal. The process shall allow for anonymous notification. The notification process will be administered by the District’s Internal Auditor.

**Claims Against the
General Manager or
General Counsel**

The Board will be notified if, in the initial intake interview for any formal complaint that the General Manager or General Counsel has engaged in an improper activity, the complainant has alleged a prima facia case of an improper activity.

**Prohibition on
Retaliation**

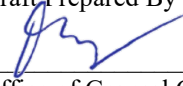
There shall be no discrimination, harassment, or retaliation against those who report improper activities in the workplace. For the purposes of this Policy, the terms “discrimination,” “harassment” and “retaliation” shall be as defined in Policy 6.07, “Prevention of Workplace Harassment.” This Policy shall not be construed to create a private right of action against the District for any person beyond that allowed by applicable law.

Authority

Resolution No. XXXXX-25, November 25, 2025

References

Labor Code Section 1102.5 et seq.
Government Code Sections 53298 & 53298.5
Policy 6.06, EBMUD Equal Employment Opportunity (EEO)



RESOLUTION NO. _____

ADOPTING NEW POLICY 6.16, PROTECTION OF WHISTLEBLOWERS AND REVISED POLICY 5.01, PROHIBITING CONFIDENTIALITY OF SETTLEMENT AGREEMENTS

Introduced by Director _____ ; Seconded by Director _____

WHEREAS, it is the intention and desire of the Board of Directors of the East Bay Municipal Utility District to create and adopt a New Policy 6.16, entitled "Protection of Whistleblowers" to foster an environment of transparency and provide District employees with the opportunity and confidence to report improper conduct without fear of discrimination, harassment, or retaliation; and

WHEREAS, it is the desire and intention of the Board of Directors to update and revise Policy 5.01, entitled "Prohibiting Confidentiality of Settlement Agreements";

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the East Bay Municipal Utility District that New Policy 6.16, regarding Protection of Whistleblowers, attached hereto as Exhibit A, and Revised Policy 5.01, regarding Prohibiting Confidentiality of Settlement Agreements, attached hereto as Exhibit B, are hereby adopted.

ADOPTED this 25th day of November, 2025 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

President

ATTEST:

Secretary

APPROVED AS TO FORM AND PROCEDURE:

General Counsel



Policy 6.16

EFFECTIVE 25 NOV 25

SUPERSEDES NEW

PROTECTION OF WHISTLEBLOWERS

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

Maintain a work environment that encourages and promotes reporting of improper activities and prevents discrimination, harassment, or retaliation against those who report improper activities in the workplace.

Purpose This policy describes the roles and responsibilities of the Board of Directors and the General Manager in protecting District whistleblowers.

Improper Activities For the purposes of this policy, "improper activities" include, but are not limited to: violation of state or federal statute; violation of or noncompliance with a local, state, or federal rule or regulation, unsafe working conditions or practices, gross waste of District funds, abuse of authority or unethical conduct, actions that pose a substantial danger to public health or safety, use of District resources for personal gain, or conflicts of interest involving District employees or Board members.

Role of the General Manager The General Manager has primary responsibility for ensuring compliance with the District's personnel policies and procedures, ensuring District employees do not engage in improper activities, investigating allegations of improper activities, and taking appropriate corrective and disciplinary actions.

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Notification The District will establish a process (i.e., hotline) through which any individual, including but not limited to employees, ratepayers, vendors, and other stakeholders can notify the District of activities which they perceive as improper and/or unlawful without fear of reprisal. The process shall allow for anonymous notification. The notification process will be administered by the District's Internal Auditor.

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Authority

Resolution No. XXXXX-25, November 25, 2025

References

Labor Code Section 1102.5 et seq.
Government Code Sections 53298 & 53298.5
Policy 6.06, EBMUD Equal Employment Opportunity (EEO)



Policy 5.01R

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

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

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.

[In litigation involving multiple parties, the General Counsel may direct that disclosure of a settlement agreement with any individual party may be delayed until the conclusion of the litigation as to all parties, including any appeals and retrials, if the General Counsel determines that disclosure of the settlement may disadvantage the District in litigation as to the parties remaining in the litigation. The General Counsel may include a delayed disclosure term to that effect in the agreement with the settling party.](#)

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, November 25, 2025](#)
Public Records Act Government Sections 6254 *et seq.*
Evidence Code Section 1152
Code of Civil Procedure 1001



Policy 5.01

EFFECTIVE 25 NOV 25

SUPERSEDES 26 AUG 25

PROHIBITING CONFIDENTIALITY OF SETTLEMENT AGREEMENTS

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Public Records Act Government Sections 6254 *et seq.*
Evidence Code Section 1152
Code of Civil Procedure 1001

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Title:	Ordinance Amending Sections 4(a), 6, 21, 36, and 41 of Ordinance No. 40	Meeting Date:	November 25, 2025
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DISCUSSION

1. Amending Section 4(a) to extend the terms of Retirement Board members elected by the Members and the retiree representative from two years to four years. At its September 18, 2025 meeting, the Retirement Board voted to recommend that the Board of Directors amend Ordinance No. 40 accordingly. Extending the term provides a more practical and sustainable onboarding period for newly elected members, allowing sufficient time to complete required training and gain experience in their roles. The proposed amendment also introduces staggered terms to ensure continuity and avoid all terms expiring simultaneously.
2. Amending Section 6 relates to the employee contribution rate of members who became members of the Retirement System prior to January 1, 2013 or members who were eligible for membership prior to January 1, 2013, to more accurately reflect the current pension contribution rate for members in this pension tier from 8.75 percent to 8.66 percent of compensation and accurately denotes the remaining .09 percent as a contribution toward the HIB.
3. Section 21(g) describes the optional benefits that retirees may elect at time of retirement to leave a benefit to a beneficiary. Ordinance No. 40 must be updated when District actuaries make a change to the mortality tables used for the optional benefit calculations per Internal Revenue Service guidelines. At the November 21, 2024 Retirement Board meeting, District actuaries presented the results of their experience study and suggested a change to the mortality tables. The Retirement Board approved these changes to take effect July 1, 2025.
4. Additionally in Section 21, the 2021, 2023, and 2024 versions of Ordinance No. 40 contained an error with respect to one section of the mortality table data in section 21(g)(a)(ii), which was also incorrect in Ordinance No. 372-21 approved by the Board of Directors on May 25, 2021. Approval of this ordinance will also approve the retroactive mortality table change. No errors in benefit calculations were created due to the error in the Retirement Ordinance. The Retirement Board had duly authorized the change, and staff implemented the change correctly.
5. Amendments to Section 36 and related sections codify the HIB changes agreed upon as part of the labor negotiations concluded in July 2025. Pursuant to the agreements with the unions, a new tier of the HIB was created for those active members who retire on or after July 28, 2025. The change discontinues the practice of having a different value for single retirees versus married retirees; the new benefit will be the same value whether the member is married or single. The value of the benefit is now tied to an escalator which is the annual change to the value of the Kaiser Senior Advantage Low – couple coverage. There is also a minimum and maximum change and a carryover that can be applied. The Retirement Board is also expected to adopt a Retirement Board Rule that details the steps to be taken each year to administer the new HIB, that will include multiple tiers of review and a memo to the Retirement Board to confirm the value of the benefit each year.
6. The final change is related to Internal Revenue Service compliance from the SECURE Act 2.0. This change increases the age of a first Required Minimum Distribution from Deferred Compensation and Pension plans from age 72, to 73 in 2023 and then to age 75 in 2033.

Title:	Ordinance Amending Sections 4(a), 6, 21, 36, and 41 of Ordinance No. 40	Meeting Date:	November 25, 2025
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If approved by the Board, in accordance with the Municipal Utility District Act, the amendments (or a summary of the amendments) must be published once a week for two successive weeks in a local newspaper of general circulation published within the District. The ordinance amendments shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its passage.

SUSTAINABILITY**Economic**

The only action with economic impact is the new HIB Tier in Section 36. This benefit was already considered, negotiated, and authorized by the Board of Directors on July 8, 2025. The action ensures that the governing document, the Retirement Ordinance, has been updated to incorporate the details of this new benefit.

ALTERNATIVE

Do not approve the amendments to Ordinance No. 40. This alternative is not recommended as the amendments are required by law or binds the District by contract.

I:\SEC\2025 Board Related Items\11252025 Board Agenda Items\HRD-Ordinance Amending Sections 4(a), 6, 21, 36, and 41 of Ordinance No. 40.docx

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ORDINANCE NO. _____

AN ORDINANCE TO AMEND RETIREMENT ORDINANCE NO. 40, WHICH IS THE EAST BAY MUNICIPAL UTILITY DISTRICT EMPLOYEES' RETIREMENT SYSTEM ORDINANCE, TO: (1) AMEND THE TERM OF SERVICE FOR MEMBERS ELECTED TO THE RETIREMENT BOARD FROM TWO YEARS TO FOUR YEARS; (2) AMEND THE EMPLOYEE CONTRIBUTION RATE FOR MEMBERS IN THE 1980 PLAN; (3) AMEND THE MORTALITY TABLE FOR SERVICE RETIREMENT BENEFICIARIES IN SECTION 21; (4) IMPLEMENT THE NEW HEALTH INSURANCE BENEFIT TIER; AND (5) AMEND THE MINIMUM REQUIRED DISTRIBUTION PROVISIONS PURSUANT TO THE SECURE ACT 2.0

Introduced by Director _____ ; Seconded by Director _____

BE IT ENACTED by the Board of Directors of the East Bay Municipal Utility District that Ordinance No. 40, which is entitled "AN ORDINANCE ESTABLISHING A RETIREMENT SYSTEM FOR EMPLOYEES OF EAST BAY MUNICIPAL UTILITY DISTRICT, PROVIDING FOR THE PAYMENT OF RETIREMENT ALLOWANCES TO MEMBERS OF THE RETIREMENT SYSTEM, FOR THE PAYMENT OF DEATH BENEFITS AND SURVIVORSHIP BENEFITS, AND FOR THE COST OF LIVING ADJUSTMENTS, PRESCRIBING THE CONDITIONS UNDER WHICH SAID ALLOWANCES AND BENEFITS SHALL BE PAID, DETERMINING RATES OF CONTRIBUTION AND THE AMOUNTS OF RETIREMENT ALLOWANCES, DEATH BENEFITS AND SURVIVORSHIP BENEFITS, AND THE PERCENTAGE OF COST OF LIVING ADJUSTMENTS, AND PROVIDING FOR THE ADMINISTRATION OF SAID RETIREMENT SYSTEM," as amended from time to time, is further amended as follows:

1. Amend Section 4(a) to increase the term of two Retirement Board members elected by the Members and the retiree representative elected by retirees and who are elected after January 1, 2026 from two years to four years as follows:

There is hereby created and established a Retirement Board which shall, under the provisions of this Ordinance, administer the Retirement System and the Retirement Fund.

The Retirement Board shall consist of three members appointed by the Board of Directors of the District and two members elected by and from the membership of the Retirement System; provided however that a non-voting Retired Member chosen by an election process held among Retired Members shall be a representative to the Retirement Board and shall serve a period of two years, or if elected after January 1, 2026, shall serve a period of four years, except that in order to stagger the elections of the two elected Retirement Board members and the non-voting Retired Member, the non-voting Retired Member elected in the calendar year 2026 shall initially serve a

term for a period of three years; thereafter the non-voting Retired Member shall serve a period of four years. The two members so elected by and from the membership shall serve a period of two years, or, if elected after January 1, 2026, shall serve a period of four years. The remaining three members shall serve until their successors are appointed. Vacancies in the case of the elected members shall be filled by special election. Other vacancies shall be filled by appointment of the Board of Directors of the District.

2. Amend Section 6(d) as follows:

The rates of Retirement Contributions for Members, hired before January 1, 2013 and for those who are not otherwise subject to Section 42 of this Ordinance, and those Members making the election provided in Sections 15(g) and 15(h), shall be 8.66% of Members' Compensation.

The Board of Directors reserves the right to increase or otherwise adjust the rates of contribution prescribed in this Subsection in such amounts and in such manner as it may from time to time find appropriate; provided, however, that the rates in effect on and after December 15, 2003 shall not be increased or adjusted except pursuant to the terms of a negotiated collective bargaining agreement or memorandum of understanding with employee bargaining units.

3. Amend Section 21(g) as follows:

(g) For purposes of this Section, the term "actuarial equivalent" means two or more optional forms of distribution that have the same present value as determined using the actuarial assumptions approved from time to time by the Retirement Board upon the recommendation of the Retirement System's actuary for determining System liabilities and incorporated into this section.

The actuarial assumptions are the following:

(1) Rate of Return: 6.75% effective July 1, 2023; and

(2) Mortality Table effective July 1, 2025:

(A) Service Retirement:

(i) Member: Pub-2010 General Healthy Retiree Amount- Weighted Above-Median Mortality Tables (separate tables for males and females) with rates increased by 5% for males, projected 30 years (from 2010) with the two- dimensional mortality improvement Scale MP-2021 weighted 75% male and 25% female; and

(ii) Beneficiary: Pub-2010 General Healthy Retiree Amount- Weighted Above-Median Mortality Tables with rates increased by 5% for males, projected 30 years (from 2010) with the two- dimensional

mortality improvement Scale MP-2021, weighted 25% male and 75% female; and

(B) Disability Retirement:

(i) Member: Pub-2010 Non-Safety Disabled Retiree Amount-Weighted Mortality Tables with rates increased by 5% for males, projected 30 years (from 2010) with the two-dimensional mortality improvement Scale MP-2021, weighted 75% male and 25% female; and

(ii) Beneficiary: Pub-2010 General Healthy Retiree Weighted Above-Median Mortality Tables, with rates increased by 5% for males and females, projected 30 years (from 2010) with the two-dimensional mortality improvement Scale MP-2021, weighted 25% male and 75% female.

(3) Mortality table effective July 1, 2021

(A) Service Retirement:

(i) Member: Headcount-Weighted RP-2014 Healthy Annuitant Mortality Table projected 20 years with the two-dimensional improvement scale MP-2015, set forward two years for males weighted 75% and set forward one year for females and weighted 25%; and

(ii) Beneficiary: Pub-2010 Contingent Survivor Amount -Weighted Above-Median Mortality Tables with rates increased by 5% for males and females, projected generationally with the two-dimensional improvement scale MP-2020, set forward two years for males and weighted 25% and set forward one year for females weighted 75%; and

4. Amend Section 36 as follows:

(a) The Retirement Board is authorized to administer a Health Insurance Benefit through the account described in Subsection (j) of this section.

(b) The Health Insurance Benefit may be used for the payment of sickness, accident, hospitalization, and medical expense to the extent permitted under the Internal Revenue Code ("Code") and as authorized by the Retirement Board.

(c) The following individuals are eligible to receive a Health Insurance Benefit in an amount determined pursuant to Subsection (c)(1), (c)(2), or (c)(3), as applicable:

(1) A Member is eligible to receive a Health Insurance Benefit of \$550.00 per month if the Member: (i) became a Member on or before June 30, 1996, (ii) has at least five (5) full years of Continuous Service with the District or its equivalent, (iii) retires for service or for disability from the District before July 28, 2025, (iv) did not

make an election to remain a Member pursuant to Section 12(b)(2), and (v) has a spouse, or a registered domestic partner, who is not otherwise eligible to receive a Health Insurance Benefit under Section 36.

(a) A Member who is subject to Section (c)(1) who (I) retires for service or disability on or after July 28, 2025, or (II) who terminated District employment and made an election to remain a Member pursuant to Section 12(b)(2) on or after July 28, 2025, shall be eligible to receive the maximum Health Insurance Benefit provided in Section (f).

(2) A surviving spouse of a Member described in Subsection (c)(1)(i)-(iii) is eligible to receive a Health Insurance Benefit of \$450 per month, provided that the spouse is eligible for benefits under Section 20. A surviving spouse of a Member described in Section (c)(1)(a) shall be eligible to receive the maximum Health Insurance Benefit provided in Section (f).

(3) A Member is eligible to receive a Health Insurance Benefit of \$450.00 per month if the Member: (i) became a Member on or before June 30, 1996, (ii) has at least five (5) full years of Continuous Service with the District or its equivalent, (iii) retires for service or for disability from the District before July 28, 2025, (iv) did not make an election to remain a Member pursuant to Section 12(b)(2), and (v) is either (I) unmarried without a registered domestic partner, or (II) has a spouse, or a registered domestic partner, who is a Member eligible to receive a Health Insurance Benefit under Section 36.

(a) A Member who is subject to Section (c)(3) who (a) retires for service or disability on or after July 28, 2025, or (b) who terminated District employment and made an election to remain a Member pursuant to Section 12(b)(2) on or after July 28, 2025, shall be eligible to receive the maximum Health Insurance Benefit provided in Section (f).

(d) A Health Insurance Benefit shall be payable in an amount determined under Subsections (d)(1), (d)(2) and (d)(3) with respect to a Member who either (i) became a Member on or after July 1, 1996 and retires for service or for disability, (ii) made an election to remain a Member pursuant to Section 12(b)(2) and who retired on or before January 1, 1999; or (iii) made an election to remain a Member pursuant to Section 12(b)(2) and who retires after January 1, 1999 but before July 28, 2025:

(1) If such Member has a spouse, or a registered domestic partner, who is not otherwise eligible to receive a Health Insurance Benefit under Section 36:

(i) the Member is eligible to receive a Health Insurance Benefit equal to a percentage (specified in Subsection (d)(3)) of \$550.00; and

(ii) the Member's surviving spouse is eligible to receive a Health Insurance Benefit equal to a percentage (specified in Subsection (d)(3)) of \$450.00, provided that the spouse is eligible for benefits under Section 20.

(2) Such Member is eligible to receive a Health Insurance Benefit equal to a percentage (specified in Subsection (d)(3)) of \$450.00, if the Member is either (i) unmarried without a registered domestic partner, or (ii) has a spouse, or a registered domestic partner, who is a Member eligible to receive a Health Insurance Benefit under Section 36.

(3) The individuals described in Subsections (d)(1) and (d)(2) shall receive the corresponding Health Insurance Benefit specified in those Subsections, multiplied by the applicable percentage below based upon the number of years of the Member's Continuous Service with the District:

<u>Number of years of Continuous Service</u>	<u>Percent of Maximum Health Insurance Benefit</u>
Less than five (5) years	No benefit (0%)
Five (5) years to less than ten (10) years	No more than twenty-five percent (25%)
Ten (10) years to less than fifteen years (15)	No more than fifty percent (50%)
Fifteen (15) years to less than twenty (20) years	No more than seventy-five percent (75%)
Twenty (20) years or more	No more than one hundred percent (100%)

(4) Effective January 1, 2026, an individual who is subject to this Section (d) who (i) is not subject to Section 42 and retires for service or disability on or after July 28, 2025, or (ii) who is not subject to Section 42 and terminated District employment and made an election to remain a Member pursuant to Section 12(b)(2) on or after July 28, 2025 shall be eligible for a percentage (as set forth in this Section (d)(3), above) of the maximum Health Insurance Benefit set forth in Section (f).

(e) Effective on or after July 28, 2025, a Member who is subject to Section 42 of this Retirement Ordinance and who either (i) retires for service or for disability on or after July 28, 2025, or (ii) who terminated District employment and made an election to remain a Member pursuant to Section 12(b)(2) on or after July 28, 2025 shall be eligible for a percent of the maximum Health Insurance Benefits based on the number of years of Continuous Service as defined in Section 2(j) as follows:

Number of years of Continuous Service	Percent of Maximum Health Insurance Benefit
Less than five (5) years	No benefit (0%)

Five (5) years to less than ten (10) years	No more than twenty-five percent (25%)
Ten (10) years to less than fifteen years (15)	No more than fifty percent (50%)
Fifteen (15) or more years	No more than one hundred percent (100%)

The maximum Health Insurance Benefit that shall apply prior to January 1, 2026 shall be the amount set forth in Section (d)(1) and (d)(2). On or After January 1, 2026, the maximum Health Insurance Benefit shall be the amount set forth in Section (f).

(f) Effective January 1, 2026 the maximum Health Insurance Benefit for a Member who (i) retires for service or disability on or after July 28, 2025, or (ii) who terminated District employment and made an election to remain a Member pursuant to Section 12(b)(2) on or after July 28, 2025 shall be as follows:

(1) The maximum Health Insurance Benefit amount shall be equivalent to the monthly premium amount charged pursuant to the District Kaiser Senior Advantage Low Plan (plan ID: 7002-0002) tier level couple coverage, both Medicare eligible (Kaiser Senior Advantage Low couple Medicare) (the “Applicable Kaiser Plan”), as of January 1, 2026. Such monthly premium amount shall be adjusted annually, effective every January 1, by the Health Insurance Benefit Adjustment Factor (“HIB Adjustment Factor”) described in Section (f)(2).

(2) The HIB Adjustment Factor is the Kaiser Index (as defined in Subsection (f)(2)(i)) plus the Carryforward Balance (as defined in Subsection (f)(2)(ii)). If the Kaiser Index plus the Carryforward Balance is greater than 3 percent, the HIB Adjustment Factor will be 3 percent (3%); if the result is less than 0 percent, then the HIB Adjustment Factor will be 0 percent (0%). Any Carryforward Balance remaining will be carried forward and applied in future years in accordance with policies and procedures established by the Retirement Board.

(i) The Kaiser Index is the annual percentage change in the monthly premiums for the Applicable Kaiser Plan.

(ii) The Carryforward Balance is the change in the Kaiser Index that is not fully applied to the HIB Adjustment Factor in each year, which could be a positive or negative number, plus any remaining Carryforward Balance from previous years.

(3) Effective January 1, 2026, the maximum Health Insurance Benefit reimbursement amount shall be no less than \$605 per month for those who retire for service or disability on or after July 28, 2025 or for those who terminate District employment and made an election to remain a Member pursuant to Section 12(b)(2) on or after July 28, 2025. The Board of Directors of the District, however, may in the exercise of its sole discretion increase or decrease the amount of the Health

Insurance Benefit, provided that any decrease may not reduce the Health Insurance Benefit below the amounts set forth in the first sentence of this subsection. Other than as provided in the first sentence of this subsection, no individual, including a Member, Retired Member, spouse, domestic partner, or dependent, shall possess any vested right, contract right, or other right to the Health Insurance Benefit.

(g) Effective July 28, 2025, in addition to Retirement Contributions set forth in Section 6 and Section 42(d)(5), the District shall withhold the applicable Health Insurance Benefit Contribution Percentage as shown below from each Employee's Compensation (as set forth in Section 2(k)), and shall contribute, such amount towards the Health Insurance Benefit:

Effective Date	Health Insurance Benefit Contribution Percentage
January 1, 2026	0.40%
January 1, 2027	0.70%
January 1, 2028	1.0%

(1) With respect to a Member who is subject to Section 42 of this Retirement Ordinance, for purposes of determining Compensation under this Subsection (g), the limits described in Section 42(d)(3) shall not apply.

(2) Changes to the normal cost rate as provided under Section 42(d)(5) shall not affect the determination of the amount of the Employee's Compensation used in calculating the Health Insurance Benefit Employee Contribution under this Subsection (g).

(3) Amounts withheld under this Subsection (g) are in addition to the portion of the District's contribution to the Retirement System allocated to the 401(h) account to be used solely for the Health Insurance Benefit under Subsection (m)(4).

(h) As of July 1, 1999, eligible Retired Members (but not Surviving Spouses) may use the Health Insurance Benefit for the payment of health insurance premiums or similar coverage costs incurred by the Retired Member's current spouse or current registered domestic partner during the Retired Member's lifetime, provided that the provision of such benefits is permitted under the Code and is pursuant to regulations promulgated by the Retirement Board.

(i) Individuals shall receive a Health Insurance Benefit only to the extent that they incur expenses described in Subsection (b) or, in the case of eligible Retired Members, as described in Subsection (h), and only if they provide substantiation in a form satisfactory to the Retirement Board.

(j) Amounts payable as Health Insurance Benefits shall not be included in the calculation of benefits payable under Section 20 or Section 21(b) or Section 33(a), but shall be included in "total gross income" used in determining eligibility for low-income adjustments provided by Section 35.

(k) The Retirement Board shall adopt rules governing administration of the Health Insurance Benefit, including provisions for the schedule and methods of payment of the Health Insurance Benefit. The Retirement Board shall annually review the costs, funding, and administration of the Health Insurance Benefit.

(l) All Health Insurance Benefit payments shall comply with all applicable federal laws, including Section 401(h) of the Code. To the extent there is any conflict between this section and Section 401(h) of the Code or regulations issued thereunder, the Code & Regulations shall govern.

(m) The Health Insurance Benefit shall be paid solely from a Section 401(h) account hereby established pursuant to Code Section 401(h) and any regulations issued under that section.

(1) No health benefits provided under the 401(h) account shall discriminate in favor of highly compensated employees.

(2) The 401(h) account shall be a separate account to be used solely for providing the Health Insurance Benefit and shall be established and maintained by the Board to reflect the amounts contributed for the payment of the Health Insurance Benefit. The 401(h) account shall be for record keeping purposes only. Amounts credited to the 401(h) account may be invested with other Retirement System funds set aside for retirement purposes, without identification of which investments are allocable to each account. Earnings on each account, however, shall be allocated to each in a reasonable manner.

(3) Contributions to the 401(h) account shall be made by the District solely to pay to or reimburse Retired Members or Surviving Spouses for health insurance premiums or similar coverage costs. Contributions shall be reasonable, ascertainable, necessary, and appropriate. Insurance Benefits provided under the Retirement System are subordinate to the retirement benefits provided under the Retirement System. The aggregate actual contributions for retiree Health Insurance Benefits, when added to the actual contributions for any life insurance provided under the Retirement System, are limited to twenty-five percent of the total actual contributions made to the Retirement System (other than contributions to fund past service credit) after the later of the adoption or effective date of the amendment first adding Health Insurance Benefits to the Retirement System in accordance with Section 401(h) of the Internal Revenue Code.

(4) The District must, at the time it makes a contribution to the Retirement System designate that portion of the contribution allocable to the 401(h) account to be used solely for the Health Insurance Benefit.

(5) Prior to the satisfaction of all liabilities under the Retirement System to provide for health benefits, no part of the 401(h) account shall be used for or diverted to any purpose other than providing health benefits, except that amounts credited to the 401(h) account may be used to pay for necessary and appropriate administrative

expenses related to the Health Insurance Benefit.

(6) Any amounts contributed to the 401(h) account and which remain in the 401(h) account after the satisfaction of all liabilities for health benefits (including but not limited to benefits payable in the future for existing members) shall be returned to the District.

(7) This section does not require separate accounts for key employees because no member of the Retirement System is a key employee under the applicable definitions in the Code.

(8) Assets attributable to any forfeiture of benefits payable under the 401(h) account shall be used to reduce the District's contributions to pay for health benefits provided under the 401(h) account.

(n) Except for individuals eligible to receive the maximum Health Insurance Benefit in accordance with Section (f), the maximum Health Insurance Benefit provided for in the above Sections (c) and (d) shall not be less than: (i) in the case of individuals described in Subsection (c)(1), \$550.00 per month, (ii) in the case of individuals described in Subsections (c)(2) and (c)(3), \$450.00 per month, or (iii) in the case of individuals to whom Subsection (d) applies, the applicable amount under that Subsection. The Board of Directors of the District, however, may in the exercise of its sole discretion increase or decrease the amount of the Health Insurance Benefit, provided that any decrease may not reduce the Health Insurance Benefit below the amounts set forth in the first sentence of this subsection. Other than as provided in the first sentence of this subsection, no individual, including a Member, Retired Member, spouse, domestic partner, or dependent, shall possess any vested right, contract right, or other right to the Health Insurance Benefit.

(o) The Board of Directors of the District expressly reserves its rights under Section 6(d) to adjust the rates of Retirement Contributions for those Members described in Section 6(d) to fund the Health Insurance Benefit.

(p) Effective July 15, 2024, for purposes of determining eligibility for and the amount of any benefit provided under Section 36, the period of service as a Director shall not be combined with service as an Employee. Eligibility for and the amount of the Health Insurance Benefit to be provided under Section 36 for service as a Director will be determined using only the Member's Continuous Service credited during the period of service as a Director. Eligibility for and the amount of the Health Insurance Benefit to be provided under Section 36 for service as an Employee will be determined using only the Member's Continuous Service credited as an Employee. A Member may qualify independently for two separate Health Insurance Benefits, one based on the period of Continuous Service as an Employee and one based on the period of Continuous Service as a Director, however, the combined amount for each period shall not exceed one-hundred percent (100%) of the HIB set forth in Section 36(d).

(q) If a Member terminates Service with the District before becoming eligible for a Health Insurance Benefit under this Section 36, the amount of any contributions made under

Subsection (g) shall be forfeited. Notwithstanding the foregoing, the District shall pay to such Member an amount equal to the amount of the Member's forfeited contributions from the District's general fund after termination of service. In no event will such payment to the Member be made from assets of the Retirement System or the 401(h) account.

5. Section 41 shall be amended as follows:

(a) A Member's entire interest in the Retirement System must be distributed, or begin to be distributed, to the Member no later than the Member's Required Beginning Date. The term "Required Beginning Date" means April 1 of the calendar year following the latter of:

- (1) the calendar year in which the Member attains the Applicable Age, as defined in subsection (c), below; or
- (2) the calendar year in which the Member retires.

(b) Any other provision of the Plan to the contrary notwithstanding, all distributions will be made in compliance with a reasonable and good faith interpretation of Code Section 401(a)(9), including the incidental death benefit requirement in Code Section 401(a)(9)(G) and Sections 1.401(a)(9)-1 through 1.401(a)(9)-9 of the Treasury regulations, as applicable to a governmental plan within the meaning of Section 414(d) of the Code.

(c) For purposes of this Section 41, the "Applicable Age" means:

- (1) Age 70 ½ if the Member attained age 70 ½ before January 1, 2020;
- (2) Age 72 if the Member attained age 70 ½ on or after January 1, 2020 and age 72 before January 1, 2023;
- (3) Age 73 if the Member attains age 72 on or after January 1, 2023 and age 73 before January 1, 2033; or
- (4) Age 75 if the Member attains age 73 on or after January 1, 2033.

The Retirement Board may promulgate such rules and regulations as it determines are necessary or advisable to ensure compliance with the requirements of this Section and a reasonable and good faith interpretation of Code Section 401(a)(9).

This Ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its passage.

President

I HEREBY CERTIFY that the foregoing Ordinance was duly and regularly introduced at a regular meeting of EAST BAY MUNICIPAL UTILITY DISTRICT held on November 12, 2025, at the offices of said District, 375 - 11th Street, Oakland, California, and thereupon, after being read, further action was scheduled for the regular meeting of said Board of Directors held at the same place on November 25, 2025, at which time the same was finally adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Secretary

APPROVED AS TO FORM AND PROCEDURE:

General Counsel

ORDINANCE NO. _____

AN ORDINANCE TO AMEND RETIREMENT ORDINANCE NO. 40, WHICH IS THE EAST BAY MUNICIPAL UTILITY DISTRICT EMPLOYEES' RETIREMENT SYSTEM ORDINANCE, TO: (1) AMEND THE TERM OF SERVICE FOR ELECTED MEMBERS OF THE RETIREMENT BOARD FROM TWO YEARS TO FOUR YEARS; (2) AMEND THE EMPLOYEE CONTRIBUTION RATE FOR MEMBERS IN THE 1980 PLAN; (3) AMEND THE MORTALITY TABLE FOR SERVICE RETIREMENT BENEFICIARIES IN SECTION 21; (4) IMPLEMENT THE NEW HEALTH INSURANCE BENEFIT TIER; AND (5) AMEND THE MINIMUM REQUIRED DISTRIBUTION PROVISIONS PURSUANT TO THE SECURE ACT 2.0

Introduced by Director

; Seconded by Director

BE IT ENACTED by the Board of Directors of the East Bay Municipal Utility District that Ordinance No. 40, which is entitled "AN ORDINANCE ESTABLISHING A RETIREMENT SYSTEM FOR EMPLOYEES OF EAST BAY MUNICIPAL UTILITY DISTRICT, PROVIDING FOR THE PAYMENT OF RETIREMENT ALLOWANCES TO MEMBERS OF THE RETIREMENT SYSTEM, FOR THE PAYMENT OF DEATH BENEFITS AND SURVIVORSHIP BENEFITS, AND FOR THE COST OF LIVING ADJUSTMENTS, PRESCRIBING THE CONDITIONS UNDER WHICH SAID ALLOWANCES AND BENEFITS SHALL BE PAID, DETERMINING RATES OF CONTRIBUTION AND THE AMOUNTS OF RETIREMENT ALLOWANCES, DEATH BENEFITS AND SURVIVORSHIP BENEFITS, AND THE PERCENTAGE OF COST OF LIVING ADJUSTMENTS, AND PROVIDING FOR THE ADMINISTRATION OF SAID RETIREMENT SYSTEM," as amended from time to time, is further amended as follows:

1. Amend Section 4(a) to increase the term of two Retirement Board members elected by the Members and the retiree representative elected by retirees and who are elected after January 1, 2026 from two years to four years as follows:

There is hereby created and established a Retirement Board which shall, under the provisions of this Ordinance, administer the Retirement System and the Retirement Fund.

The Retirement Board shall consist of three members appointed by the Board of Directors of the District and two members elected by and from the membership of the Retirement System; provided however that a non-voting Retired Member chosen by an election process held among Retired Members shall be a representative to the Retirement Board and shall serve a period of two years, **or if elected after January 1, 2026, shall serve a period of four years, except that in order to stagger the elections of the two elected Retirement Board members and the non-voting Retired Member, the non-voting Retired Member elected in the calendar year 2026 shall initially serve a term for a period of three years; thereafter the non-voting Retired Member shall serve a period of four years.** The two members so elected by and from the membership shall serve a period of two years, **or, if elected**

after January 1, 2026, shall serve a period of four years. ~~and~~ The remaining three members shall serve until their successors are appointed. Vacancies in the case of the elected members shall be filled by special election. Other vacancies shall be filled by appointment of the Board of Directors of the District.

2. Amend Section 6(d) as follows:

The rates of Retirement Contributions for Members, hired before January 1, 2013 and for those who are not otherwise subject to Section 42 of this Ordinance, and those Members making the election provided in Sections 15(g) and 15(h), shall be 8.66% of Members' Compensation. ~~applied to Members' Compensation at the rates set forth below commencing on the designated effective dates:~~

Effective Date	Rate of Member Retirement Contributions
April 22, 2013	7.33%
April 21, 2014	7.83%
April 20, 2015	8.33%
April 18, 2016	8.75%

The Board of Directors reserves the right to increase or otherwise adjust the rates of contribution prescribed in this Subsection in such amounts and in such manner as it may from time to time find appropriate; provided, however, that the rates in effect on and after December 15, 2003 shall not be increased or adjusted except pursuant to the terms of a negotiated collective bargaining agreement or memorandum of understanding with employee bargaining units.

3. Amend Section 21(g) as follows:

(g) For purposes of this Section, the term “actuarial equivalent” means two or more optional forms of distribution that have the same present value as determined using the actuarial assumptions approved from time to time by the Retirement Board upon the recommendation of the Retirement System’s actuary for determining System liabilities and incorporated into this section.

The actuarial assumptions are the following:

- (1) Rate of Return: 6.75% effective July 1, 2023; and
- (2) Mortality Table effective July 1, 2025:

(A) Service Retirement:

- (i) Member: Pub-2010 General Healthy Retiree Amount- Weighted Above-Median Mortality Tables (separate tables for males and females) with rates increased by 5% for males, projected 25-30 years

(from 2010) with the two- dimensional mortality improvement Scale MP-~~2020~~2021 weighted 75% male and 25% female; and

(ii) Beneficiary: Pub-2010 General Healthy Retiree Amount-Weighted Above-Median Mortality Tables with rates increased by 5% for males, projected ~~25~~ 30 years (from 2010) with the two- dimensional mortality improvement Scale MP-~~2020~~2021, weighted ~~75~~25% male and ~~25~~75% female; and

(B) Disability Retirement:

(i) Member: Pub-2010 Non-Safety Disabled Retiree Amount-Weighted Mortality Tables with rates increased by 5% for males, projected ~~25~~ 30 years (from 2010) with the two- dimensional mortality improvement Scale MP-~~2020~~2021, weighted 75% male and 25% female; and

(ii) Beneficiary: Pub-2010 General Healthy Retiree Contingent Survivor Amount-Weighted Above-Median Mortality Tables, with rates increased by 5% for males and females, projected ~~25~~ 30 years (from 2010) with the two- dimensional mortality improvement Scale MP-~~2020~~2021, weighted 25% male and 75% female.

(3) Mortality table effective July 1, 2021

(A) Service Retirement:

(i) Member: Headcount-Weighted RP-2014 Healthy Annuitant Mortality Table projected 20 years with the two-dimensional improvement scale MP-2015, set forward two years for males weighted 75% and set forward one year for females and weighted 25%; and

(ii) Beneficiary: Pub-2010 Contingent Survivor Amount - Weighted Above-Median Mortality Tables with rates increased by 5% for males and females, projected generationally with the two-dimensional improvement scale MP-2020, set forward two years for males and weighted 25% and set forward one year for females weighted 75%; and

4. Amend Section 36 as follows:

(a) The Retirement Board is authorized to administer a Health Insurance Benefit through the account described in Subsection (j) of this section.

(b) The Health Insurance Benefit may be used for the payment of sickness, accident, hospitalization, and medical expense to the extent permitted under the Internal Revenue Code ("Code") and as authorized by the Retirement Board.

(c) The following individuals are eligible to receive a Health Insurance Benefit in an amount determined pursuant to Subsection (c)(1), (c)(2), or (c)(3), as applicable:

(1) A Member is eligible to receive a Health Insurance Benefit of \$550.00 per month if the Member: (i) became a Member on or before June 30, 1996, (ii) has at least five (5) full years of Continuous Service with the District or its equivalent, (iii) retires for service or for disability from the District **before July 28, 2025**, (iv) did not make an election to remain a Member pursuant to Section 12(b)(2), and (v) has a spouse, or a registered domestic partner, who is not otherwise eligible to receive a Health Insurance Benefit under Section 36.

(a) A Member who is subject to Section (c)(1) who (I) retires for service or disability on or after July 28, 2025, or (II) who terminated District employment and made an election to remain a Member pursuant to Section 12(b)(2) on or after July 28, 2025, shall be eligible to receive the maximum Health Insurance Benefit provided in Section (f).

(2) A surviving spouse of a Member described in Subsection (c)(1)(i)-(iii) is eligible to receive a Health Insurance Benefit of \$450 per month, provided that the spouse is eligible for benefits under Section 20. **A surviving spouse of a Member described in Section (c)(1)(a) shall be eligible to receive the maximum Health Insurance Benefit provided in Section (f).**

(3) A Member is eligible to receive a Health Insurance Benefit of \$450.00 per month if the Member: (i) became a Member on or before June 30, 1996, (ii) has at least five (5) full years of Continuous Service with the District or its equivalent, (iii) retires for service or for disability from the District **before July 28, 2025**, (iv) did not make an election to remain a Member pursuant to Section 12(b)(2), and (v) is either (I) unmarried without a registered domestic partner, or (II) has a spouse, or a registered domestic partner, who is a Member eligible to receive a Health Insurance Benefit under Section 36.

(a) A Member who subject to Section (c)(3) who (a) retires for service or disability on or after July 28, 2025, or (b) who terminated District employment and made an election to remain a Member pursuant to Section 12(b)(2) on or after July 28, 2025, shall be eligible to receive the maximum Health Insurance Benefit provided in Section (f).

(d) A Health Insurance Benefit shall be payable in an amount determined under Subsections (d)(1), (d)(2) and (d)(3) with respect to a Member who either (i) became a Member on or after July 1, 1996 and retires for service or for disability, (ii) made an election to remain a Member pursuant to Section 12(b)(2) and who retired on or before January 1, 1999; or (iii) made an election to remain a Member pursuant to Section 12(b)(2) and who retires after January 1, 1999 **but before July 28, 2025**:

(1) If such Member has a spouse, or a registered domestic partner, who is not otherwise eligible to receive a Health Insurance Benefit under Section 36:

- (i) the Member is eligible to receive a Health Insurance Benefit equal to a percentage (specified in Subsection (d)(3)) of \$550.00; and
- (ii) the Member's surviving spouse is eligible to receive a Health Insurance Benefit equal to a percentage (specified in Subsection (d)(3)) of \$450.00, provided that the spouse is eligible for benefits under Section 20.

(2) Such Member is eligible to receive a Health Insurance Benefit equal to a percentage (specified in Subsection (d)(3)) of \$450.00, if the Member is either (i) unmarried without a registered domestic partner, or (ii) has a spouse, or a registered domestic partner, who is a Member eligible to receive a Health Insurance Benefit under Section 36.

(3) The individuals described in Subsections (d)(1) and (d)(2) shall receive the corresponding Health Insurance Benefit specified in those Subsections, multiplied by the applicable percentage below based upon the number of years of the Member's Continuous Service with the District:

<u>Number of years of Continuous Service</u>	<u>Percent of Maximum Health Insurance Benefit</u>
Less than five (5) years	No benefit (0%)
Five (5) years to less than ten (10) years	No more than twenty-five percent (25%)
Ten (10) years to less than fifteen years (15)	No more than fifty percent (50%)
Fifteen (15) years to less than twenty (20) years	No more than seventy-five percent (75%)
Twenty (20) years or more	No more than one hundred percent (100%)

(4) Effective January 1, 2026, an individual who is subject to this Section (d) who (i) is not subject to Section 42 and retires for service or disability on or after July 28, 2025, or (ii) who is not subject to Section 42 and terminated District employment and made an election to remain a Member pursuant to Section 12(b)(2) on or after July 28, 2025 shall be eligible for a percentage (as set forth in this Section (d)(3), above) of the maximum Health Insurance Benefit set forth in Section (f).

(e) Effective on or after July 28, 2025, a Member who is subject to Section 42 of this Retirement Ordinance and who either (i) retires for service or for disability on or after July 28, 2025, or (ii) who terminated District employment and made an election to remain a Member pursuant to Section 12(b)(2) on or after July 28, 2025 shall be eligible for a percent of the maximum Health Insurance Benefits based on the number of years of Continuous Service as defined in Section 2(j) as follows:

<u>Number of years of Continuous Service</u>	<u>Percent of Maximum Health Insurance Benefit</u>
<u>Less than five (5) years</u>	<u>No benefit (0%)</u>
<u>Five (5) years to less than ten (10) years</u>	<u>No more than twenty-five percent (25%)</u>
<u>Ten (10) years to less than fifteen years (15)</u>	<u>No more than fifty percent (50%)</u>
<u>Fifteen (15) or more years</u>	<u>No more than one hundred percent (100%)</u>

The maximum Health Insurance Benefit that shall apply prior to January 1, 2026 shall be the amount set forth in Section (d)(1) and (d)(2). On or After January 1, 2026, the maximum Health Insurance Benefit shall be the amount set forth in Section (f).

(f) Effective January 1, 2026 the maximum Health Insurance Benefit for a Member who (i) retires for service or disability on or after July 28, 2025, or (ii) who terminated District employment and made an election to remain a Member pursuant to Section 12(b)(2) on or after July 28, 2025 shall be as follows:

(1) The maximum Health Insurance Benefit amount shall be equivalent to the monthly premium amount charged pursuant to the District Kaiser Senior Advantage Low Plan (plan ID: 7002-0002) tier level couple coverage, both Medicare eligible (Kaiser Senior Advantage Low couple Medicare) (the “Applicable Kaiser Plan”), as of January 1, 2026. Such monthly premium amount shall be adjusted annually, effective every January 1, by the Health Insurance Benefit Adjustment Factor (“HIB Adjustment Factor”) described in Section (f)(2).

(2) The HIB Adjustment Factor is the Kaiser Index (as defined in Subsection (f)(2)(i)) plus the Carryforward Balance (as defined in Subsection (f)(2)(ii)). If the Kaiser Index plus the Carryforward Balance is greater than 3 percent, the HIB Adjustment Factor will be 3 percent (3%); if the result is less than 0 percent, then the HIB Adjustment Factor will be 0 percent (0%). Any Carryforward Balance remaining will be carried forward and applied in future years in accordance with policies and procedures established by the Retirement Board.

(i) The Kaiser Index is the annual percentage change in the monthly premiums for the Applicable Kaiser Plan.

(ii) The Carryforward Balance is the change in the Kaiser Index that is not fully applied to the HIB Adjustment Factor in each year, which could be a positive or negative number, plus any remaining Carryforward Balance from previous years.

(3) Effective January 1, 2026, the maximum Health Insurance Benefit reimbursement amount shall be no less than \$605 per month for those who retire for service or disability on or after July 28, 2025 or for those who terminate District employment and made an election to remain a Member pursuant to Section 12(b)(2) on or after July 28, 2025. The Board of Directors of the District, however, may in the exercise of its sole discretion increase or decrease the amount of the Health Insurance Benefit, provided that any decrease may not reduce the Health Insurance Benefit below the amounts set forth in the first sentence of this subsection. Other than as provided in the first sentence of this subsection, no individual, including a Member, Retired Member, spouse, domestic partner, or dependent, shall possess any vested right, contract right, or other right to the Health Insurance Benefit.

(g) Effective July 28, 2025, in addition to Retirement Contributions set forth in Section 6 and Section 42(d)(5), the District shall withhold the applicable Health Insurance Benefit Contribution Percentage as shown below from each Employee's Compensation (as set forth in Section 2(k)), and shall contribute, such amount towards the Health Insurance Benefit:

<u>Effective Date</u>	<u>Health Insurance Benefit Contribution Percentage</u>
<u>January 1, 2026</u>	<u>0.40%</u>
<u>January 1, 2027</u>	<u>0.70%</u>
<u>January 1, 2028</u>	<u>1.0%</u>

(1) With respect to a Member who is subject to Section 42 of this Retirement Ordinance, for purposes of determining Compensation under this Subsection (g), the limits described in Section 42(d)(3) shall not apply.

(2) Changes to the normal cost rate as provided under Section 42(d)(5) shall not affect the determination of the amount of the Employee's Compensation used in calculating the Health Insurance Benefit Employee Contribution under this Subsection (g).

(3) Amounts withheld under this Subsection (g) are in addition to the portion of the District's contribution to the Retirement System allocated to the 401(h) account to be used solely for the Health Insurance Benefit under Subsection (m)(4).

(e)(h) As of July 1, 1999, eligible Retired Members (but not Surviving Spouses) may use the Health Insurance Benefit for the payment of health insurance premiums or similar coverage costs incurred by the Retired Member's current spouse or current registered domestic partner during the Retired Member's lifetime, provided that the provision of such benefits is permitted under the Code and is pursuant to regulations promulgated by the Retirement Board.

~~(f)~~(i) Individuals shall receive a Health Insurance Benefit only to the extent that they incur expenses described in Subsection (b) or, in the case of eligible Retired Members, as described in Subsection (~~h~~e), and only if they provide substantiation in a form satisfactory to the Retirement Board.

~~(g)~~(j) Amounts payable as Health Insurance Benefits shall not be included in the calculation of benefits payable under Section 20 or Section 21(b) or Section 33(a), but shall be included in "total gross income" used in determining eligibility for low-income adjustments provided by Section 35.

~~(h)~~(k) The Retirement Board shall adopt rules governing administration of the Health Insurance Benefit, including provisions for the schedule and methods of payment of the Health Insurance Benefit. The Retirement Board shall annually review the costs, funding, and administration of the Health Insurance Benefit.

~~(i)~~(l) All Health Insurance Benefit payments shall comply with all applicable federal laws, including Section 401(h) of the Code. To the extent there is any conflict between this section and Section 401(h) of the Code or regulations issued thereunder, the Code & Regulations shall govern.

~~(j)~~(m) The Health Insurance Benefit shall be paid solely from a Section 401(h) account hereby established pursuant to Code Section 401(h) and any regulations issued under that section.

(1) No health benefits provided under the 401(h) account shall discriminate in favor of highly compensated employees.

(2) The 401(h) account shall be a separate account to be used solely for providing the Health Insurance Benefit and shall be established and maintained by the Board to reflect the amounts contributed for the payment of the Health Insurance Benefit. The 401(h) account shall be for record keeping purposes only. Amounts credited to the 401(h) account may be invested with other Retirement System funds set aside for retirement purposes, without identification of which investments are allocable to each account. Earnings on each account, however, shall be allocated to each in a reasonable manner.

(3) Contributions to the 401(h) account shall be made by the District solely to pay to or reimburse Retired Members or Surviving Spouses for health insurance premiums or similar coverage costs. Contributions shall be reasonable, ascertainable, necessary, and appropriate. Insurance Benefits provided under the Retirement System are subordinate to the retirement benefits provided under the Retirement System. The aggregate actual contributions for retiree Health Insurance Benefits, when added to the actual contributions for any life insurance provided under the Retirement System, are limited to twenty-five percent of the total actual contributions made to the Retirement System (other than contributions to fund past service credit) after the later of the adoption or effective date of the amendment first adding Health Insurance

Benefits to the Retirement System in accordance with Section 401(h) of the Internal Revenue Code.

(4) The District must, at the time it makes a contribution to the ~~401(h) account~~ **Retirement System** designate that portion of the contribution allocable to the 401(h) account to be used solely for the Health Insurance Benefit.

(5) Prior to the satisfaction of all liabilities under the Retirement System to provide for health benefits, no part of the 401(h) account shall be used for or diverted to any purpose other than providing health benefits, except that amounts credited to the 401(h) account may be used to pay for necessary and appropriate administrative expenses related to the Health Insurance Benefit.

(6) Any amounts contributed to the 401(h) account and which remain in the 401(h) account after the satisfaction of all liabilities for health benefits (including but not limited to benefits payable in the future for existing members) shall be returned to the District.

(7) This section does not require separate accounts for key employees because no member of the Retirement System is a key employee under the applicable definitions in the Code.

(8) Assets attributable to any forfeiture of benefits payable under the 401(h) account shall be used to reduce the District's contributions to pay for health benefits provided under the 401(h) account.

~~(k)~~**(n)** **Except for individuals eligible to receive the maximum Health Insurance Benefit in accordance with Section (f), the maximum Health Insurance Benefit provided by this section for in the above Sections (c) and (d)** shall not be less than: (i) in the case of individuals described in Subsection (c)(1), \$550.00 per month, (ii) in the case of individuals described in Subsections (c)(2) and (c)(3), \$450.00 per month, or (iii) in the case of individuals to whom Subsection (d) applies, the applicable amount under that Subsection. The Board of Directors of the District, however, may in the exercise of its sole discretion increase or decrease the amount of the Health Insurance Benefit, provided that any decrease may not reduce the Health Insurance Benefit below the amounts set forth in the first sentence of this subsection. Other than as provided in the first sentence of this subsection, no individual, including a Member, Retired Member, spouse, domestic partner, or dependent, shall possess any vested right, contract right, or other right to the Health Insurance Benefit.

~~(j)~~**(o)** The Board of Directors of the District expressly reserves its rights under Section 6(d) to adjust the rates of Retirement Contributions for those Members described in Section 6(d) to fund the Health Insurance Benefit.

~~(m)~~**(p)** Effective July 15, 2024, for purposes of determining eligibility for and the amount of any benefit provided under Section 36, the period of service as a Director shall not be combined with service as an Employee. Eligibility for and the amount of the Health Insurance Benefit to be provided under Section 36 for service as a Director will be determined using

only the Member's Continuous Service credited during the period of service as a Director. Eligibility for and the amount of the Health Insurance Benefit to be provided under Section 36 for service as an Employee will be determined using only the Member's Continuous Service credited as an Employee. A Member may qualify independently for two separate Health Insurance Benefits, one based on the period of Continuous Service as an Employee and one based on the period of Continuous Service as a Director, however, the combined amount for each period shall not exceed one-hundred percent (100%) of the HIB set forth in Section 36(d).

~~(n)~~**(q) If a Member terminates Service with the District before becoming eligible for a Health Insurance Benefit under this Section 36, the amount of any contributions made under Subsection (g) shall be forfeited. Notwithstanding the foregoing, the District shall pay to such Member an amount equal to the amount of the Member's forfeited contributions from the District's general fund after termination of service. In no event will such payment to the Member be made from assets of the Retirement System or the 401(h) account.**

5. Section 41 shall be amended as follows:

(a) A Member's entire interest in the Retirement System must be distributed, or begin to be distributed, to the Member no later than the Member's Required Beginning Date. The term "Required Beginning Date" means April 1 of the calendar year following the latter of:

- (1) the calendar year in which the ~~Participant~~ **Member** attains ~~age 72 (or age 70 ½ if the Member reached age 70 ½ before January 1, 2020)~~ **the Applicable Age, as defined in subsection (c), below;** or
- (2) the calendar year in which the ~~Participant~~ **Member** retires.

(b) Any other provision of the Plan to the contrary notwithstanding, all distributions will be made in compliance with a reasonable and good faith interpretation of Code Section 401(a)(9), including the incidental death benefit requirement in Code Section 401(a)(9)(G) and Sections 1.401(a)(9)-1 through 1.401(a)(9)-9 of the Treasury regulations, as applicable to a governmental plan within the meaning of Section 414(d) of the Code.

(c) For purposes of this Section 41, the "Applicable Age" means:

- (1) **Age 70 ½ if the Member attained age 70 ½ before January 1, 2020;**
- (2) **Age 72 if the Member attained age 70 ½ on or after January 1, 2020 and age 72 before January 1, 2023;**
- (3) **Age 73 if the Member attains age 72 on or after January 1, 2023 and age 73 before January 1, 2033; or**
- (4) **Age 75 if the Member attains age 73 on or after January 1, 2033.**

The Retirement Board may promulgate such rules and regulations as it determines are necessary or advisable to ensure compliance with the requirements of this Section and a reasonable and good faith interpretation of Code Section 401(a)(9).

This Ordinance shall become effective and in full force and effect at 12:01 a.m. on the thirty-first day after its passage.

President

I HEREBY CERTIFY that the foregoing Ordinance was duly and regularly introduced at a regular meeting of EAST BAY MUNICIPAL UTILITY DISTRICT held on November 12, 2025, at the offices of said District, 375 - 11th Street, Oakland, California, and thereupon, after being read, further action was scheduled for the regular meeting of said Board of Directors held at the same place on November 25, 2025, at which time the same was finally adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

ATTEST:

Secretary

APPROVED AS TO FORM AND PROCEDURE:

General Counsel

ITEM 15

GENERAL MANAGER'S
REPORT

WILL BE PROVIDED
AS AN ORAL REPORT

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