

MINUTES

**Tuesday, November 25, 2025
East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California**

Regular Closed Session Meeting

President Marguerite Young called to order the Regular Closed Session Meeting of the Board of Directors at 11:09 a.m. in the Administration Building Boardroom.

ROLL CALL

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

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

PUBLIC COMMENT

- Addressing the Board were the following: 1) Eric Larsen, President, AFSCME Local 444 commented on the equity adjustment process and the work performed by District Paving Rakers and Maintenance Specialists; and 2) Michael Morgan, Chief Steward, AFSCME Local 444 commented on the equity adjustment process and comparators used for some of the Local 444 classifications under consideration.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

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

Regular Business Meeting

ROLL CALL

President Marguerite Young called to order the Regular Meeting of the Board of Directors at 1:15 p.m. in the Administration Building Boardroom.

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

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

BOARD OF DIRECTORS

President Young led the Pledge of Allegiance.

2025 Board Committee Assignments

President Young announced the updated 2025 assignments for Board Committees were included in the agenda materials. If approved, Director Valerie D. Lewis will assume the role of Planning Committee Chair effective November 25, 2025. Director Chan requested a roll call vote.

Motion by Director Gómez, seconded by Director Smith, to approve the updated 2025 assignments for Board Committees carried (4-1) by the following roll call vote: AYES (Gómez, Katz, Smith, and Young); NOES (Chan); ABSTAIN (None); ABSENT (Lewis and Oddie).

Motion No. 234-25 – Approved the following 2025 Board Committee assignments.

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

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

Director Katz, Alternate
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

PRESENTATIONS

**Government Finance Officers Association (GFOA) Fiscal Year 2024 Certificate of Achievement for
Excellence in Financial Reporting**

General Manager Clifford C. Chan announced that for the 20th consecutive year, the District has received the GFOA Certificate of Achievement for Excellence in Financial Reporting award for its Annual Comprehensive Financial Report (ACFR). The report is evaluated by an impartial panel of judges to ensure it meets the high standards of the program which includes, demonstrating the spirit of transparency and full disclosure to clearly communicate its financial story and motivate potential users and user groups

to read the report. The Certificate of Achievement is the highest form of recognition in the area of governmental accounting and financial reporting, and its attainment represents a significant accomplishment by the District and its management. Director Katz, Finance/Administration Committee member, presented the award to the following staff representing the team responsible for final production of the report: Winsun Hsieh, Accounting Systems Supervisor; Yenny Coburn, Accountant III; Matt Houck, Accountant III; Johnny Wong, Accountant I; and Controller David Glasser.

EBMUD Art Committee Artist Exhibit - Rosesharon Oates - "Ile"

President Young announced the District's Art Committee was established in 1993 and hosts six to seven exhibitions per year, featuring works by local emerging to mid-career artists. EBMUD has the unique opportunity to showcase works by these artists in the 2nd floor art gallery. President introduced Oakland-based artist Rosesharon Oates, whose exhibition "Ile" is currently on display in the gallery through December 17th. Rosesharon thanked the Board and shared information about the current exhibit, mediums used, and shared what motivates and inspires her work. The Board thanked Rosesharon and the Art Committee for their work.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

- Addressing the Board were the following: 1) Billy Trice Jr., EBMUD customer commented on water rates and charges and expressed concerns about customer hardships from the recent rate increase; and 2) Donnell Ragsdell, Invoice Maps representative introduced the company. Mr. Ragsdell was advised to provide contact information to the Secretary of the District.

COMMITTEE REPORTS

- Filed with the Board were the Minutes for the November 11, 2025 Planning and Legislative/Human Resources Committee meetings.
- Chair Smith reported the Sustainability Committee met earlier and received updates on the Calendar Year 2024 Greenhouse Gas Inventory.

President Young announced that due to remote participation issues, the Finance/Administration Committee meeting scheduled for 8:30 a.m. was canceled. A Special Finance/Administration Committee meeting is scheduled for Monday, December 1.

CONSENT CALENDAR

- Agenda Item 9 was pulled from the Consent Calendar.
 - Motion by Director Smith, seconded by Director Katz, to approve the recommended actions for Items 1-8, and 10-13 on the Consent Calendar carried (5-0) by the following roll call vote: AYES (Chan, Gómez, Katz, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (Lewis and Oddie).
1. The following correspondence was filed with the Board: **1)** Presentation entitled, “Amendment to EBMUD Retirement System Ordinance (No. 40) – Second Reading,” dated November 25, 2025; **2)** Speakers’ Bureau and Outreach Record CY25, dated November 25, 2025; **3)** Notarized Affidavit of Posting dated December 4, 2025 regarding the Notice of Intent and Pre-Application Document with the Federal Energy Regulatory Commission for the Lower Mokelumne River Hydroelectric Project (FERC Project No. P-2916) including notice; **4)** Amador Ledger Proof of Publication Notice of Filing of Notice of Intent and Pre-Application Document with the Federal Energy Regulatory Commission for the Lower Mokelumne River Hydroelectric Project (FERC Project No. P-2916) (Ad ID Y554 published October 3, 2025); **5)** Calaveras Enterprise Proof of Publication Notice of Filing of Notice of Intent and Pre-Application Document with the Federal Energy Regulatory Commission for the Lower Mokelumne River Hydroelectric Project (FERC Project No. P-2916) (published October 9, 2025); **6)** Lodi-News Sentinel Proof of Publication Notice of Filing of Notice of Intent and Pre-Application Document with the Federal Energy Regulatory Commission for the Lower Mokelumne River Hydroelectric Project (FERC Project No. P-2916) (Ad ID LNS-a6-100925 published October 9, 2025); **7)** Oakland Tribune Proof of Publication Notice of Filing of Notice of Intent and Pre-Application Document with the Federal Energy Regulatory Commission for the Lower Mokelumne River Hydroelectric Project (FERC Project No. P-2916) (Legal No. 0006925375 published October 10, 2025); and **8)** Public Statement from Board President Marguerite Young dated November 25, 2025.
 2. **Motion No. 235-25** – Awarded 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. **Motion No. 236-25** – Awarded 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.
 4. **Motion No. 237-25** – Awarded 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. **Motion No. 238-25** – Authorized 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. **Motion No. 239-25** – Authorized 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. **Motion No. 240-25** – Authorized 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.
 - 8.1. **Motion No. 241-25** – Authorized 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. **Motion No. 242-25** – Authorized 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.**
- General Manager Clifford C. Chan announced this item was pulled from the agenda.
- 10.1. **Motion No. 243-25** – Authorized 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 of transfer water from YWA each year from 2026 through 2050; and authorized 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. **Motion No. 244-25** – Authorized 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. **Motion No. 245-25** – Canceled the December 23, 2025 meetings of the Board of Directors.
 12. **Motion No. 246-25** – Approved the October 2025 Monthly Investment Transactions Report.

13. **Resolution No. 35470-25 – Adopting New Policy 6.16, Protection Of Whistleblowers And Revised Policy 5.01, Prohibiting Confidentiality Of Settlement Agreements.**

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.**

Human Resource Administrator Valerie Weekly announced this is the second reading of the ordinance to amend Ordinance No. 40. The first reading was conducted at the November 12, 2025 Regular Board meeting. Amendments to Sections 4(a), 6, 21, 36, and 41 are needed to implement changes agreed upon during labor negotiations, Internal Revenue Service changes, and recommendations by the Retirement Board. The proposed amendments reflect necessary technical and administrative changes to support accurate benefit calculations, consistent governance, and the implementation of new retiree benefit provisions. She reviewed the amendments and noted the proposed changes had been reviewed by the Retirement Board over the past several months. If adopted, the ordinance amendments (or a summary of the amendments) will be published for two consecutive weeks in a newspaper of general circulation within the District. The ordinance amendments shall become effective and in full force at 12:01 a.m. on the thirty-first day after its passage, December 25, 2025.

- Motion by Director Katz, seconded by Director Chan, to approve the recommended actions for Item 14 carried (5-0) by the following voice vote: AYES (Chan, Gómez, Katz, Smith, and Young); NOES (None); ABSTAIN (None); ABSENT (Lewis and Oddie).

Ordinance No. 378-25 – 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. (*Second Reading and Vote*)

15. **General Manager's Report.**

General Manager Clifford C. Chan noted the Speakers' Bureau and Outreach Record CY25 had been provided at Board places.

DIRECTOR COMMENTS

16. Other Items for Future Consideration.

None.


17. Director Comments.

- Director Gómez reported attending the funeral services for former EBMUD Director Bill Patterson in Oakland on November 21; and the Contra Costa Special District Association meeting in Martinez on November 17.
- Director Katz reported attending COP30 in Belém, Brazil from November 10–21.
- Director Smith reported attending the funeral services for former EBMUD Director Bill Patterson in Oakland on November 21.
- President Young reported attending the funeral services for former EBMUD Director Bill Patterson in Oakland on November 21. President Young read a statement related to concerns raised earlier this year regarding her handling of the AAPI Heritage Month announcement during the April 22nd Board meeting, and her departure from the dais during public comment at the May 13th Board meeting. President Young apologized to Director Chan and the AAPI community. Director Chan commented she will provide a written response to President Young’s comments.
- Directors Chan, Lewis and Oddie had no reports.

ADJOURNMENT

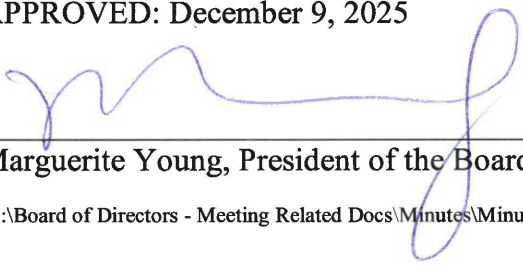
President Young adjourned the Regular Meeting at 1:54 p.m.

SUBMITTED BY:



Rischa S. Cole, Secretary of the District

APPROVED: December 9, 2025



Marguerite Young, President of the Board