

MINUTES

**Tuesday, January 13, 2026
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 11:02 a.m. in the Administration Building Boardroom.

ROLL CALL

Directors April Chan, Luz Gómez, Valerie D. Lewis, Jim Oddie, Joey D. Smith and President Marguerite Young were present at roll call. Director Andy Katz arrived at 11:08 a.m.

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

PUBLIC COMMENT

There was no public comment.

BROWN ACT BRIEFING

General Counsel Derek T. McDonald and Assistant General Counsel Lourdes M. Matthew provided the presentation. Mr. McDonald reviewed Policy 6.04 – Ethics of the EBMUD Board of Directors and highlighted revisions adopted in 2025 regarding fair and open processes involving the public; fair and equal treatment; use of confidential information received at closed session; responsible fiscal management; and the process for handling perceived policy violations. Next, Mr. McDonald and Ms. Matthew discussed significant revisions to the Brown Act enacted under Senate Bill (SB) 707, which take effect in 2026. Their review focused on new requirements to encourage and accommodate public participation at meetings including expanded outreach and translation requirements; expanded authority to address disruptions of a meeting from members of the public participating via a remote platform; rules regarding Board member remote meeting attendance; Board member social media use prohibitions which are now permanent; and expansion of open session reporting requirements for executive compensation actions. There was considerable discussion regarding the information presented. Mr. McDonald and Ms. Matthew addressed Board questions regarding Board member remote participation for “just cause” and as a disability accommodation; agenda translation requirements; the requirement for agencies to allow members of the public to post their own translated agendas at meeting locations; the rules regarding disruption of service during meetings; timelines to update internal processes to implement requirements; and Board member social media use. The Board asked staff to consider whether District documentation should recommend that members of the public who post translated agendas at meeting locations include the name of the individual or entity providing the translation. In accordance with SB 707, staff will prepare a draft policy on addressing disruption of service during meetings for Board consideration before the July 1, 2026 deadline.

- Director Chan left the meeting at 11:22 a.m. and returned at 11:23 a.m.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

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

Regular Business Meeting

ROLL CALL

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

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

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.

Election of President of the Board

President Young opened the floor for nominations for President of the Board for 2026.

- Motion by President Young, seconded by Director Oddie, to nominate Director Luz Gómez as President of the Board of Directors for 2026. Director Gómez accepted the nomination.

President Young called for additional nominations, and none came forward. President Young called for a motion to close the nominations.

- Motion by Director Lewis, seconded by Director Katz to close the nominations for President of the Board carried (7-0) by the following voice vote: AYES (Chan, Gómez, Lewis, Oddie, Smith, Young, and Katz); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 001-26 – Closed the nomination period for President of the Board of Directors for 2026.

President Young called for a motion to elect Director Gómez as President of the Board for 2026.

- Motion by Director Katz, seconded by Director Lewis, to elect Director Luz Gómez as President of the Board for 2026 carried (7-0) by the following voice vote: AYES (Chan, Gómez, Lewis, Oddie, Smith, Young and Katz); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 002-26 – Elected Director Luz Gómez as President of the Board of Directors for 2026.

President Gómez thanked the Board for their trust and began chairing the meeting.

Election of Vice-President of the Board

President Gómez opened the floor for nominations for Vice-President of the Board for 2026.

- Motion by Director Oddie, seconded by Director Young, to nominate Director Valerie D. Lewis for Vice-President of the Board of Directors for 2026. Director Lewis accepted the nomination.

President Gómez called for additional nominations, and none came forward. President Gómez called for a motion to close the nominations.

- Motion by Director Young, seconded by Director Smith to close nominations for Vice-President of the Board for 2026 carried (6-0) by the following voice vote: AYES (Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (Chan); ABSENT (None).

Motion No. 003-26 – Closed the nomination period for Vice-President of the Board of Directors for 2026.

- Motion by Director Smith, seconded by Director Oddie to elect Director Valerie D. Lewis as Vice-President of the Board carried (6-0) by the following voice vote: AYES (Katz, Lewis, Oddie, Smith, Young, Gómez); NOES (None); ABSTAIN (Chan); ABSENT (None).

Motion No. 004-26 – Elected Director Valerie D. Lewis as Vice-President of the Board of Directors for 2026.

2026 Board Assignment Preferences for Committees, Joint Powers Authorities and Associations

President Gómez announced the Board received a memo requesting 2026 Committee, Joint Powers Authorities, and Association assignment preferences and asked Board members to submit their preferences to the Secretary by Friday, January 16. The Board will consider the proposed assignments at the January 27 Regular meeting.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

- Addressing the Board was former Director Frank Mellon who commented on whether the District planned to acknowledge the 100th Anniversary of Pete's Ace Hardware in Castro Valley which is being celebrated on January 14.

There was discussion on whether the District has previously recognized specific customers and whether recognizing Pete's Ace Hardware would set a precedent. Director Chan stated she would attend the January 14 event to congratulate the business. Staff will review existing guidance on proclamations and resolutions in considering recognition of Pete's Ace Hardware as a 100 year customer.

COMMITTEE REPORTS

- Filed with the Board were the Minutes for the December 9, 2025 Planning Committee and Special Finance/Administration Committee Meetings.
- Chair Lewis reported the Planning Committee met earlier and received updates on the Central Contra Costa Sanitary District, Dublin San Ramon Services District-East Bay Municipal Utility District Recycled Water Authority Wastewater Diversion Project.
- Chair Gómez reported the Legislative/Human Resources Committee met earlier and received updates on an EBMUD Administrative Code and Internal/External Recruitments.

CONSENT CALENDAR

- Agenda Items 1 and 3 were pulled from the Consent Calendar for separate discussion.
- Motion by Director Young, seconded by Director Oddie, to approve the recommended actions for Items 2 and 4-9 on the Consent Calendar carried (7-0) by the following voice vote: AYES (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

1. **Approve the Regular meeting minutes of December 9, 2025.**

Secretary of the District Rischa S. Cole announced the minutes would be amended to file questions submitted by Director Chan on December 8, 2025 regarding the EBMUD Captive Insurance Company.

- Motion by Director Young, seconded by Director Lewis, to approve the recommended actions for Item 1 carried (7-0) by the following voice vote: AYES (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 011-26 – Approved the Regular meeting minutes of December 9, 2025 *(as amended)*.

2. The following correspondence was filed with the Board: 1) Presentation entitled, “Annual Review of Ethics Policy and Changes in Governance Laws,” dated January 13, 2026; 2) Presentation entitled, “Federal Legislative Update,” dated January 13, 2026; 3) Presentation entitled, Water Supply Update,” dated January 13, 2026; and 4) Speakers’ Bureau and Outreach Record CY26, dated January 13, 2026.
3. **Award a contract beginning on or after January 13, 2026 to the lowest responsive/responsible bidder, Underground Republic Water Works, for supplying fire hydrants for three years, with two options to renew for additional one-year periods for a total cost, after the addition of taxes, including option years, not to exceed \$6,638,355 under Request for Quotation No. 2609.**

Director Chan asked about the locations of hydrants to be installed in Ward 7. General Manager Clifford C. Chan explained that hydrants are replaced as part of routine maintenance or pipeline

replacement and that specific locations are not available at this time. Staff will review available information and provide Director Chan with details on hydrant replacements in Ward 7.

- Motion by Director Katz, seconded by Director Lewis, to approve the recommended actions for Item 3 carried (7-0) by the following voice vote: AYES (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 012-26 – Awarded a contract beginning on or after January 13, 2026 to the lowest responsive/responsible bidder, Underground Republic Water Works, for supplying fire hydrants for three years, with two options to renew for additional one-year periods for a total cost, after the addition of taxes, including option years, not to exceed \$6,638,355 under Request for Quotation No. 2609.

4. **Motion No. 005-26** – Awarded a contract beginning on or after January 13, 2026 to the lowest responsive/responsible bidder, Lhoist North America of Arizona Inc., for supplying bulk liquid lime for the Pardee Chemical Plant for two years, with three options to renew for additional one-year periods for a total cost, after the addition of taxes, including option years, not to exceed \$5,000,077 under Request for Quotation No. 2611.
5. **Motion No. 006-26** – Authorized an agreement beginning on or after January 13, 2026 with S.R. Bray, LLC dba Power Plus in an amount not to exceed \$104,500 for the rental, installation and maintenance of a portable generator at Arroyo Pumping Plant in the Town of Moraga.
6. **Motion No. 007-26** – Authorized an agreement beginning on or after January 13, 2026, with Solid Solutions Construction Services, Inc., in an amount not to exceed \$299,418 for the replacement of the Camanche Powerhouse roof.
7. **Motion No. 008-26** – Authorized an amendment to the contract originally awarded under Board Motion No. 017-24 with Carbon Supply Inc. to increase the agreement amount by \$1,409,389 to a total amount not to exceed \$1,979,140 and to add two additional one-year renewal options resulting in a maximum contract period of five years, for supplying activated carbon for the Main Wastewater Treatment Plant.
8. **Motion No. 009-26** – Authorized the purchase of Microsoft products, including Microsoft Office 365, Enterprise Mobility and Security, Endpoint Operating Systems, other Microsoft productivity software, and management software beginning on or after January 13, 2026, from SHI International Corp., for three years for a total amount not to exceed \$4,085,569.26. This purchase will be made under State of California contracts available for use by local governments.
9. **Motion No. 010-26** – Authorized the Office of General Counsel to continue the employment of the firm of Barboza & Associates for specialized investigative services and mediation and facilitation services relating to Equal Employment Opportunity workplace investigations in an additional amount not to exceed \$75,000.

DETERMINATION AND DISCUSSION

10. Legislative Update.

Manager of Legislative Affairs Kathy Viatella introduced Eric Sapirstein of ENS Resources, Inc. who presented a federal legislative update. Mr. Sapirstein discussed the District's House and Senate Congressional delegations in the 119th Congress, highlighting the delegate's key committee assignments. He recapped key activities that occurred in Washington D.C. in 2025 including Presidential executive orders that impact the environment and water; reconciliation efforts, reorganizations in federal agencies and reductions in force; and the federal budget. The 2026 federal outlook includes monitoring reconciliation efforts and the Fiscal Year 2027 budget process; reauthorization of the Water Infrastructure Improvements for the Nation Act; the Water Resources Development Act; PFAS liability issues; the Low Income Household Water Assistance Program, Clean Water and Safe Drinking Water Acts; and federal permitting reforms. He concluded with midterm election dynamics and explained how the District's 2026 policy priorities were developed consistent with the 2026 federal outlook. Mr. Sapirstein responded to Board questions regarding the current administration's ability to impact the District's water rights. Next, Ms. Viatella reviewed the District's federal priorities for the 2026 legislative year. For 2026, staff is proposing three federal priorities, consistent with the priorities the Board approved for the First Session in 2025. The following federal priorities have been reviewed and updated for the Second Session based on known congressional areas of interest at this time and are consistent with EBMUD's mission: 1) Water Supply Reliability and Natural Resources Protection – Defend and protect EBMUD's water supply interests and the Mokelumne River fishery; 2) Water Quality – Monitor the development of relevant water quality and pollution prevention-related legislation and policies at the federal level, and work to ensure EBMUD's interests are effectively communicated, including through appropriate national associations; and 3) Federal Funding Assistance – Advance EBMUD's funding needs through relevant programmatic funding opportunities and congressionally directed spending, if available. Ms. Viatella and Mr. Sapirstein responded to Board questions regarding the federal priorities and Ms. Viatella concluded with an update on recent federal legislative activities.

- Motion by Director Smith, seconded by Director Young, to approve the recommended actions for Item 10 carried (7-0) by the following voice vote: AYES (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Motion No. 013-26 – Approved the following federal priorities for 2026: 1) Water Supply Reliability and Natural Resources Protection – Defend and protect EBMUD's water supply interests and the Mokelumne River fishery; 2) Water Quality – Monitor the development of relevant water quality and pollution prevention-related legislation and policies at the federal level, and work to ensure EBMUD's interests are effectively communicated, including through appropriate national associations; and 3) Federal Funding Assistance – Advance EBMUD's funding needs through relevant programmatic funding opportunities and congressionally directed spending, if available.

11. **Consider and approve an increase to the Board of Directors' salary by an amount not to exceed five percent annually effective February 1, 2026.**

General Manager Clifford C. Chan reported that the Municipal Utility District Act allows the Board to consider increasing their salaries by not more than five percent for each calendar year following the operative date of the last adjustment. The Board last approved an increase to its monthly salary on January 9, 2024 by five percent. The Board did not approve a salary increase in January 2025. He highlighted the following options for Board consideration: A) approve a 5 percent increase for 2025 and an additional 5 percent increase for 2026, resulting in a compounded total increase of 10.25 percent; B) approve a 5 percent increase for 2026, forgoing any increase for 2025; C) approve a 3.4 percent increase for 2025 and an additional 3.7 percent increase in 2026, resulting in a compounded total increase of 7.23 percent; or D) approve a different increase, no greater than 5 percent each calendar year. General Manager Chan noted that any approved increase would take effect prospectively, as the Board would not receive any retroactive pay. Director Young proposed option C, which reflects the general salary increases received by staff in 2024 and 2025. Director Chan requested a roll call vote.

– Director Chan left the meeting at 2:31 p.m. and returned at 2:33 p.m.

- Motion by Director Young, seconded by Director Katz, to approve the recommended actions for Item 11 – Option C carried (5-1) by the following roll call vote: AYES (Gómez, Katz, Lewis, Smith, and Young); NOES (Chan); ABSTAIN (Oddie); ABSENT (None).

Motion No. 014-26 – Approved an increase to the Board of Directors' salary of 3.4 percent for 2025 and an additional 3.7 percent in 2026, for a total increase of 7.23 percent (compounded) effective February 1, 2026.

12. **General Manager's Report.**

Water Supply Update

Manager of Water Operations Roberto C. Cortez presented the update on Water Year 2025, which ended September 30, 2025, and the following data as of January 7, 2026: gross water production; precipitation in the East Bay (12.12 inches) and in the Mokelumne (24.96 inches); snow conditions at Caples Lake, including snow depth of 53.0 inches and snow water content of 11.1 inches; and the District's total system storage (637,160 acre-feet, representing 114% of average and 83% of capacity). He reviewed snowpack levels and snow water equivalent in the Sierras as of January 7 and the seasonal precipitation outlook across the states for January through March 2026. Mr. Cortez responded to Board questions regarding water supply conditions and projections.

Monthly Report – December 2025 and 2025 Interdepartmental Committees Annual Reports

General Manager Clifford C. Chan announced the Monthly Report and Committees Annual Reports were provided in the agenda materials. He noted that billed consumption and revenue reported in the Monthly Report is less than last year and that staff will continue monitoring expenses. He also announced the Board will receive information this week on the Community Water Academy which will start in April 2026. General Manager Chan also noted that the Speakers' Bureau and Outreach Record CY26 had been provided at Board places.

DIRECTOR COMMENTS

13. **Other Items for Future Consideration.**

None.

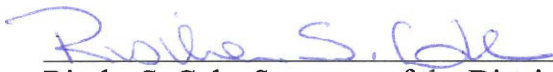
14. **Director Comments.**

- Director Gómez reported attending the Alameda County Mayors Conference in Dublin on December 12; presenting at the Pleasant Hill City Council meeting on December 15; and plans to present at the American Association of University of Women meeting in San Ramon on January 15.
- Director Katz reported attended the City of El Cerrito State of the City Address and receiving commendation on behalf of the District on December 16; and presenting at the League of Women Voters of Berkeley-Albany-Emeryville meeting.
- Director Oddie reported attending the West Oakland Neighbors meeting on November 20.
- Director Young reported attending the Siesta Valley Foundation open house at the Siesta Valley Bowl (former California Shakespeare Theater site) in Orinda on December 13; and plans to participate in the Foundation's first Board meeting and present an EBMUD update at the Sons of Retirement Lamorinda meeting in Moraga on January 14.
- Directors Chan, Lewis, and Smith had no reports.

ADJOURNMENT

President Gómez adjourned the Regular Business Meeting at 2:52 p.m.

SUBMITTED BY:



Rischa S. Cole, Secretary of the District

APPROVED: January 27, 2026



Luz Gómez, President of the Board