



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

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375 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

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**Notice of Time Change**

**PLANNING COMMITTEE**

**Tuesday, March 10, 2026**

**3:00 p.m.**

**Boardroom**

**375 11<sup>th</sup> Street**

**Oakland, CA 94607**

Notice is hereby given that the Tuesday, March 10, 2026 Planning Committee meeting of the Board of Directors has been rescheduled from 9:00 a.m. to 3:00 p.m. The meeting will be held in the Administration Building Boardroom at 375 11th Street, Oakland, California.

Dated: March 5, 2026



Rischa S. Cole

Secretary of the District

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

375 - 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

**AGENDA  
Planning Committee  
Tuesday, March 10, 2026  
3:00 p.m.  
Boardroom  
375 11<sup>th</sup> Street  
Oakland, CA 94607**

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

*Committee Members: Directors Valerie D. Lewis {Chair}, Luz Gómez, and Marguerite Young*

**ROLL CALL:**

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

**DETERMINATION AND DISCUSSION:**

1. Wet Weather Consent Decree Implementation Update (Mutsuddy)
2. Regulatory Compliance Semi-Annual Report – July 1, 2025 through December 31, 2025 (Briggs)
3. Proposed Changes to Board Meeting Frequency (Chan)

**ADJOURNMENT:**

***Disability Notice***

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

***Document Availability***

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



# APPENDIX

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## Planning Committee Meeting

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

### Online\*

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

**Webinar ID:** 945 7619 4030

Passcode: 925293

### By Phone

Telephone: 1 669 900 6833

Webinar ID: 945 7619 4030

Passcode: 925293

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

\*To familiarize yourself with Zoom, please visit <https://support.zoom.us/hc/en-us/articles/201362193-Joining-a-Meeting>

**Providing public comment** - *The EBMUD Board of Directors is limited by State law to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to items that are not listed on the agenda.*

- Each speaker is allotted 3 minutes to speak; the Committee Chair has the discretion to amend this time based on the number of speakers
- The Secretary will track time and inform each speaker when the allotted time has concluded
- Comments on **non-agenda items** will be heard at the beginning of the meeting
- Comments on **agenda items** will be heard when the item is up for consideration
- The Secretary will call each speaker in the order received

### In person

- Fill out and submit a blue speaker card which is available in the meeting room

### Via Zoom

- Use the raise hand feature in Zoom to indicate you wish to make a public comment  
<https://support.zoom.us/hc/en-us/articles/205566129-Raising-your-hand-in-a-webinar>
  - If you participate by phone, press \*9 to raise your hand
- When prompted by the Secretary, please state your name, affiliation if applicable, and topic

### Submitting written comments or materials

- Email written comments or other materials for the Board of Directors to [SecOffice@ebmud.com](mailto:SecOffice@ebmud.com)
- Please indicate the meeting date and agenda item number or non-agenda item topic in the subject of the email. Contact information is optional.
- **Please email by 4 p.m. the day prior to the scheduled regular meeting;** written comments and other materials submitted to the Board of Directors will be filed in the record.

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

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## EAST BAY MUNICIPAL UTILITY DISTRICT

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DATE: March 5, 2026

MEMO TO: Board of Directors

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

FROM: Amit K. Mutsuddy, Director of Wastewater *AM*

SUBJECT: Wet Weather Consent Decree Implementation Update

### SUMMARY

This memorandum summarizes the Wet Weather Consent Decree (Consent Decree) compliance activities from January 2023 through December 2025. Since achieving interim compliance in September 2022, the District has continued implementing all Consent Decree requirements. Upcoming regulatory milestones include the December 2028 compliance demonstration for the San Antonio Creek Wet Weather Facility (WWF), a September 2030 assessment for Point Isabel and Oakport WWFs, and final compliance testing for those facilities in 2034 and 2036. This item will be presented at the March 10, 2026 Planning Committee meeting.

### DISCUSSION

Following achieving interim compliance in September 2022, the District has continued performing responsibilities and preparing for future progress assessments. The next assessment will occur in December 2028 when the San Antonio Creek WWF is required to demonstrate that it is no longer discharging during storm events up to a prescribed size. The second assessment will occur in September 2030, when the two remaining WWFs, Point Isabel and Oakport, are required to demonstrate significant reductions in discharge volumes during a prescribed event. These two facilities will be tested for overall compliance in December 2034 and December 2036, respectively.

#### Consent Decree Required Actions

The Consent Decree required the District to construct two capital projects – the Pump Station Q Force Main Flow Reversal Project and the Urban Runoff Diversion Project. Both have been completed and must remain operational. Additionally, the District shall continue implementing the Regional Private Sewer Lateral (PSL) Program and an inflow investigation program of the regional wastewater collection system, which is owned, operated, and maintained by the District's seven wastewater Satellite agencies: the cities of Alameda, Albany, Berkeley, Emeryville, Oakland, and Piedmont, plus Stege Sanitary District which serves El Cerrito, Kensington, and Richmond Annex. Lastly, the District shall continue to annually update and

calibrate the hydrologic and hydraulic flow model to assess progress towards discharge reductions at the WWFs.

The following is a summary of accomplishments from January 2023 to December 2025:

- Both capital projects were constructed within schedule and have remained operational.
- The Regional PSL Program removes sources of inflow and infiltration (I&I) on private property – stormwater and groundwater that improperly enter the wastewater collection system. To date, nearly 70,000 parcels have been certified as leak-free.
- The inflow investigation program identifies specific sources of I&I entering the wastewater collection system. To date, over 780 sources have been identified, which contribute almost 40 million gallons per day during peak flows.
- The 11th iteration of the update and calibration of the hydrologic and hydraulic model of the District's interceptor system, followed by assessing model-determined discharges from the WWFs under a prescribed storm event, have been completed with results provided to the regulators.

## **NEXT STEPS**

The District will continue to meet its obligations under the Consent Decree and prepare for upcoming progress and compliance evaluations. This includes ongoing implementation of the Regional PSL Program and the regional inflow investigation program to reduce I&I from private property and other sources. The District will also continue annual updates and calibration of the flow model and evaluate potential refinements to better account for highly variable weather conditions.

CCC:AKM:cad

Attachment: Wet Weather Consent Decree Implementation Update

**WET WEATHER CONSENT DECREE IMPLEMENTATION UPDATE  
Activities January 2023 through December 2025**

**WET WEATHER CONSENT DECREE IMPLEMENTATION**

Since September 2014, the District and its seven wastewater Satellite agencies (the cities of Alameda, Albany, Berkeley, Emeryville, Oakland and Piedmont, plus Stege Sanitary District which serves El Cerrito, Kensington, and Richmond Annex) have been implementing inflow and infiltration (I&I) reduction efforts under the Wet Weather Consent Decree (Consent Decree) with the United States Environmental Protection Agency. The Consent Decree requires the elimination of most discharges from the District's three wet weather facilities (WWFs) by 2036 through a number of requirements designed to reduce I&I.

The objectives of the Consent Decree are achieved through an asset management-based approach which requires the parties directly responsible for infrastructure to implement corrective measures to prevent the improper entry of stormwater and groundwater. Private property owners are responsible for private sewer laterals (PSLs), the Satellites are responsible for their publicly-owned sanitary sewer systems, and the District is responsible for its interceptor system.

Compliance with the Consent Decree is determined using a hydrologic and hydraulic flow model of the District's interceptor system which is updated and calibrated annually. The Consent Decree also requires that the calibration ensures that the model is volumetrically conservative – it must have at least the same amount of volume going to and from the WWFs. A prescribed storm is then applied to the calibrated model to assess I&I reduction systemwide as well as determining the reduction in discharge volume from each of the WWFs. Key metrics on Consent Decree performance are calculated and reported to the regulators annually. These metrics are also utilized at two check-ins to assess progress in reductions and a final review for each WWF to determine compliance. The first progress check-in occurred in September 2022, where I&I reductions exceeded expectations and interim compliance was achieved. San Antonio Creek WWF will be the first facility to be assessed for achieving compliance, in December 2028. Then, the next check-in will occur in September 2030 to confirm acceptable progress towards discharge reductions for Point Isabel WWF and Oakport WWF. Finally, Point Isabel WWF and Oakport WWF will be assessed for achieving compliance in December 2034 and December 2036, respectively.

The Consent Decree also requires the District to implement a regional inflow investigation program and the Regional PSL Program, and to complete two capital improvement programs.

Hydrologic and Hydraulic Flow Model Output Ratio Results

The output ratio is the ratio between the discharge volumes from a WWF for a Fiscal Year (FY) versus discharge volumes that occurred during the baseline year (FY 2011) under a prescribed storm event. The Consent Decree establishes both benchmarks and exceedance factors for each WWF to assess compliance at the prescribed review periods. For check-ins, benchmarks are compared against the average of the preceding three output ratios for each WWF. For compliance

tests, the FY output ratio must equal zero, thereby demonstrating no discharge volume from the facility. At the time of review, if a WWF is not meeting established benchmarks, the Consent Decree requires supplemental data gathering to determine steps needed to achieve compliance.

Under the Consent Decree, progress is evaluated using the flow model, which would be expected to show reasonably consistent reductions in I&I as rehabilitation work accumulates over time. In practice, however, measured effectiveness has varied considerably because the model must distinguish between improvements resulting from rehabilitation efforts and the effects of extreme and highly variable weather conditions. Over the 11 years of assessments, these conditions have included two of the driest seasons on record (FY 2020 and FY 2021), two of the wettest (FY 2017 and FY 2023), and several years marked by significant intra-seasonal variability, including short periods of unusually intense rainfall.

Over the evaluation periods, the annual modeling results have demonstrated that the previous season's climatological conditions can carry over to the next season, if not further, and adversely affect the assessment. Additionally, the conservative volumetric requirement may result in the model overpredicting the amount of I&I generated, thereby potentially limiting the estimated effectiveness of implemented rehabilitation.

The current year's assessment is below expectations due to several considerations. First, some of the publicly-owned sanitary sewer systems are roughly 6 percent behind their Consent Decree requirements. Second, while compliance with the PSL ordinance remains high, the number of properties meeting the triggers of the ordinance remain behind the projections resulting in less private infrastructure rehabilitated. The initial projections were based on a 30-year review of property transactions at the onset of the program. As the predominant trigger for certification is at point-of-sale, the fluctuations in the real estate market conditions have directly impacted the program's ability to meet projections. Third, the climatological conditions have challenged the model's ability to separate impacts due to rehabilitation implemented and impacts due to excessive or negligible precipitation.

For the current three year review period, FY 2023 was exceptionally wet which resulted in the model predicting excessive I&I volumes; FY 2024 was near average on cumulative precipitation; and FY 2025 was also had average cumulative precipitation, though had periods of elevated precipitation that likely affected the model's ability to assess rehabilitation effectiveness versus impacts from climatological conditions. As a result, a comparison of three-year average output ratios for each WWF versus a target value developed by linearly interpolating between the Consent Decree established benchmarks, shows all three WWFs are at risk of not achieving compliance at the next review periods as each of the WWF's three-year average output ratio is greater than the interpolated FY 2025 target output ratio, as indicated in Table 1.

**Table 1 – Wet Weather Facility Output Ratios from Flow Model Results**

WWF	Output Ratios				Consent Decree Benchmarks		
	FY 2023	FY 2024	FY 2025	Three-Year Average	FY 2025 Target <sup>1</sup>	2030	Final Compliance
Point Isabel	72%	55%	60%	62%	40%	18%	0% by 2034
Oakport	79%	72%	66%	72%	52%	31%	0% by 2036
San Antonio Creek	69%	49%	62%	60%	22%	-- <sup>2</sup>	0% by 2028

<sup>1</sup> Interpolated target

<sup>2</sup> The compliance date for SAC WWF precedes 2030.

While the output ratios are currently not meeting expectations, a review of systemwide performance demonstrates a significant reduction in I&I volumes handled during the prescribed storm event. For FY 2025, over 75 million gallons of stormwater and groundwater were determined to have been removed from the regional wastewater collection system.

#### Regional Inflow Investigation Program

The objective of the regional inflow investigation program is to identify sources of I&I which are not being addressed by rehabilitation performed by the Satellites or private property owners via the PSL programs. The sources of I&I identified by the District are reported to both the regulators and the Satellites, followed by appropriate repair or replacement by the party responsible. The Consent Decree requires the District to implement this program for its duration.

Staff utilized several investigation tools, such as flow monitoring, smoke testing, video inspection of sewer mains and maintenance holes, and some wet weather-specific tools such as flow isolation studies, untethered video inspection of sewer mains, and closed-circuit television inspection of sewer systems. Identified sources include cross-connections with the stormwater systems, connections with abandoned pipes, connections from privately-owned area drains collecting stormwater, and offset joints allowing groundwater into the sewer system. To date, over 780 sources have been identified, which contribute almost 40 million gallons per day during peak flows.

#### Regional PSL Program

Since 2011, the District has operated the Regional PSL Program which includes all Satellites except for the City of Berkeley, which implements its own program. Through the end of 2025, almost 70,000 compliance certificates were issued to property owners who demonstrated that their PSL was free of leaks. Those certificates represent approximately 750 miles of pipe length. Overall compliance remains greater than 95 percent for properties that are required to demonstrate that they are in a leak-free condition.

Consent Decree Capital Projects

The District has completed the construction of, and is currently operating, two Consent Decree-required capital projects. The Urban Runoff Diversion Project (URDP), which consists of a small pump and force main, conveys flows from Alameda County Flood Control and Water Conservation District's Ettie Street stormwater facility during dry weather conditions to the Main Wastewater Treatment Plant (MWWTP) for treatment. The URDP removes pollutants from captured waters in the stormwater system which would otherwise have been discharged to San Francisco Bay without treatment. The URDP has conveyed over 870 million gallons of dry weather urban runoff since its inception in 2017.

The second capital project, Pump Station Q Force Main/Gravity Interceptor Reverse Flow Project, was completed in December 2019, becoming operational nine months ahead of schedule. This project provides additional conveyance capacity to deliver flows to the MWWTP resulting in reduced discharge volumes from Point Isabel WWF. This project provides for the largest single reduction in discharge volumes for all work required under the Consent Decree.

## EAST BAY MUNICIPAL UTILITY DISTRICT

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DATE: March 5, 2026

MEMO TO: Board of Directors

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

FROM: David A. Briggs, Director of Operations and Maintenance *DB*

SUBJECT: Regulatory Compliance Semi-Annual Report – July 1, 2025 through December 31, 2025

### SUMMARY

The attached Regulatory Compliance Semi-Annual Report provides the status of the District's efforts to meet the objectives of and to comply with environmental, health, and safety regulations in accordance with District Policy 7.05 – Sustainability and Resilience, Policy 7.09 – Workplace Safety and Health, and Policy 7.13 – Security. This report will be presented at the March 10, 2026 Planning Committee meeting.

### DISCUSSION

In addition to maintaining compliance, many proactive initiatives were completed during this reporting period, including emergency management training for the Board of Directors on December 9, 2025 and for the Emergency Operations Team on December 17-19, 2025; security improvements at South Area Service Center; and completion of an ergonomic assessment of the Meter Reader/Mechanic's job classification. Other notable safety, environmental or health-related compliance issues are outlined in the attachment.

CCC:DAB:sd

Attachment: Regulatory Compliance Semi-Annual Report – July 1, 2025 through December 31, 2025

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**REGULATORY COMPLIANCE SEMI-ANNUAL REPORT**  
**July 1, 2025 through December 31, 2025**

This report outlines the status of the District's efforts to meet the objectives of and comply with environmental, health, and safety regulations in accordance with District Policy 7.05 – Sustainability and Resilience, Policy 7.09 – Workplace Safety and Health, and Policy 7.13 – Security during the reporting period.

## **ENVIRONMENTAL COMPLIANCE**

Main Wastewater Treatment Plant (MWWTP) National Pollutant Discharge Elimination System (NPDES) Permit Renewal. Staff completed the permit application to renew the NPDES permit to discharge treated wastewater to San Francisco Bay and worked cooperatively with the San Francisco Regional Water Quality Control Board during the renewal process. The Tentative Order was issued for public comment on December 9, 2025, and public comment closed on January 8, 2026.

California Accidental Release Prevention Program Level Determination for Upper San Leandro Water Treatment Plant. Staff worked with the California Environmental Protection Agency (CalEPA) and the Alameda County Department of Environmental Health (ACDEH) to resolve ACDEH's classification of the facility as either Level 1 or 2. On May 4, 2023, ACDEH upgraded the facility from Level 1 to 2 even though no relevant changes occurred at the facility or to regulations. The program level is important because regulatory requirements for Level 2 are much higher than Level 1. The matter was appealed to CalEPA and on November 20, 2025, CalEPA concluded that the District's methodology and calculations were correct, implying the facility was correctly designated as Level 1. Despite this determination, ACDEH requested that CalEPA be more explicit about appropriate classification. The parties await CalEPA's response.

Green Business Program Certification. The District continued to pursue Green Business Program certifications for multiple facilities. A total of twelve District facilities are currently certified as green businesses. The District is a proud partner of the California Green Business Program, a network of local programs operated by counties and cities throughout the state. Green businesses exceed all environmental regulations, and implement specific practices to reduce waste, save water, conserve energy, and protect human health.

Lancha Plana Retention Pond. The Lancha Plana Pond is a low-pH mining-influenced water retention pond of about a half-acre in size on the shore of Camanche Reservoir. At the direction of the Central Valley Regional Water Quality Control Board, Lancha Plana Pond embankment continues to be monitored by District personnel during the wet season from November through April. Inspections by staff from November to December 2025 show the embankment remains stable and functioning as designed. The pond has not spilled this season and remains between 40 and 50 percent capacity.

Adeline Maintenance Shops. In November 2025, staff submitted an updated Conceptual Site Model and Low Threat Closure Evaluation Report for the Adeline Maintenance Center site to the ACDEH. The report demonstrates that pre-existing environmental concerns related to subsurface

soil, groundwater, and soil vapor have been adequately characterized and addressed. The District requested final case closure for the site and awaits ACDEH's decision.

### **Non-Compliance Issues**

Recycled Water Release into Wildcat Creek in North Richmond. Approximately 15,300 gallons of chlorinated recycled water were discharged to Wildcat Creek on July 31, 2025, from a leaking distribution pipe in North Richmond. California Department of Fish and Wildlife, San Francisco Regional Water Quality Control Board, and Contra Costa County Public Works were involved in the investigation. The leak, which appeared to have been occurring for some time, traveled underground into a storm drain that discharged into Wildcat Creek. The District performed extensive creek inspections and determined there were no biological impacts. The North Richmond Recycled Water Plant was taken offline for over a week to dewater the distribution pipe, allowing District crews to repair and return the pipe to service. No enforcement action has been taken, and none is expected due to the absence of biological or environmental impacts in the creek.

Notice of Violation for Late Testing on Gasoline Dispensing Facility. The Bay Area Air Quality Management District issued a Notice of Violation on August 1, 2025, to the Main Wastewater Treatment Plant for past due annual testing on the gasoline dispensing facility equipment. The cause of the delay was an oversight in scheduling the testing by the contractor during a capital project. Future compliance testing will be better coordinated between contractors and District staff. No enforcement action was taken but it is likely that a small fine (less than \$1,000) may be issued in the future for this violation.

pH Violation at the Richmond Advanced Recycled Expansion (RARE) Water Treatment Plant at the Chevron Refinery. West County Wastewater (WCW) District issued a Notice of Violation on October 15, 2025, for discharging wastewater outside of the permit limits for pH. The violation occurred on September 25, 2025. An operator was draining an acid tank to the waste equalization tank, which lowered the pH below the permit limit of 5.0 for approximately five minutes. The operator quickly recognized the problem and brought the pH back into compliance. Additional training for staff was conducted to optimize input into the waste equalization tank to prevent future pH violations and design changes are being studied for implementation in the future. This violation caused no negative environmental impacts or impacts at the WCW facility. No enforcement action was taken for this violation, and none is expected.

### **WORKPLACE HEALTH AND SAFETY**

Lost-Time Injury Rate (LTIR). As of December 31, 2025, the District's LTIR was 1.73, which is lower than the 2.8 rate recorded on June 30, 2025. The District's KPI goal is 2.5. The LTIR reflects the number of work-related injuries or illnesses resulting in days away from work per 100 employees.

Required Safety Practices (RSPs). The District maintains 52 RSPs, providing regulatory guidance for operational activities. RSP 3100 – Asbestos was updated to incorporate significant regulatory changes to the asbestos standard. RSP 1700 – Lockout/Tagout (LOTO) was updated

to clarify the transfer of responsibility for a LOTO and how to safely utilize a single point of isolation during confined space entries.

Local and Joint Safety Committees. The District has 23 Local Safety Committees (LSCs) as well as a Joint Safety Committee (JSC). A total of 44 LSC meetings were held during this reporting period. LSCs provide a formal means for employees to participate in the District's Safety Program to discuss issues or concerns and to be involved with the resolution. The JSC met quarterly and provided an opportunity for Local 444 leadership to discuss safety concerns not resolved at the LSC level directly with Management.

Training. Staff delivered more than 6,500 employee hours of training and is on track to meet the Fiscal Year 2026 training goal. Staff is focused on developing e-learning modules to enhance learning efficiency and have developed training modules in Injury and Illness Prevention Plan, Heat Illness Prevention, and Workplace Violence, with additional courses currently in development.

Jobsite Inspections and Facility Audits. A total of 50 job site inspections were conducted, including pipeline installations, main breaks, hazardous materials handling, equipment maintenance, and construction support. Of these, 42 were satisfactory and 8 required improvements. Additionally, a total of 6 facility audits were performed during the period. The inspections and audits supported operational safety and environmental compliance across multiple field crews, projects and facilities.

Ergonomic Program. As part of ongoing efforts to reduce musculoskeletal injuries, staff conducted 65 ergonomic assessments across the District. These assessments included office workstation evaluations, vehicle-related evaluations, and field-based task evaluations. In addition, an evaluation for the Meter Readers/Mechanics was completed which identified specific tasks and activities that posed risk and made recommendations to lower those risks. Building on this study, a pilot Industrial Athlete initiative started for Meter Readers/Mechanics focusing on changes to lower the risk of injury.

Damage Information Reporting Tool (DIRT) Investigations. Staff conducted 11 DIRT investigations after underground utilities were damaged. Two involved mismarked utilities, one involved correctly marked utilities, and eight incidents involved unmarked utilities. The findings from these investigations provided valuable insights, helping field crews during excavations to improve safe work practices around both marked and unmarked underground utilities.

Annual No Lost Time Injury Celebrations. Two Operations and Maintenance Department sections were recognized for achieving one year with no lost time injuries and one division for achieving four years with no lost time injuries. This achievement reflects each team's strong commitment to safe work practices and incident prevention.

- Facilities (Org 736) achieved one year of no lost time on September 1, 2025.
- Equipment Support (Org 755) achieved one year no lost time on October 21, 2025.
- Water Treatment (Org 778) achieved four years no lost time on October 24, 2025.

Industrial Hygiene Program. A total of 30 Personal Exposure Monitoring Surveys were conducted to assess potential airborne contaminants (e.g., asbestos, dust, heavy metals, welding fumes, etc.) for District employees performing a variety of work tasks. Five Negative Exposure Assessments for Asbestos were conducted to verify adequacy of asbestos work practices, and 10 Building Materials Surveys were completed to identify hazardous building materials.

### **Cal/OSHA Inspections and Citations**

Inspection at Lafayette Aqueduct. On April 1, 2025, Cal/OSHA issued one general citation and notification of penalty with three items, following an inspection of the Lafayette Aqueduct near the Lafayette Water Treatment Plant on October 17, 2024. The three citation items alleged failure to ensure employees were not exposed to asbestos and lead, and for failure to adequately implement confined space procedures. The District appealed the citation and met with Cal/OSHA on September 10, 2025 to review inspection findings. In January 2026, the District and Cal/OSHA settled the case where the regulator withdrew the item on confined space and combined the items on failure to ensure employees were not exposed to asbestos and lead. The employees were working in a wet environment which does not support the creation of dust and the space was ventilated throughout the task which significantly minimized any potential exposure.

Inspection at Administration Building. On October 15, 2025, a Cal/OSHA inspector visited the Administration Building after receiving an injury report from the District due to an employee sustaining an ankle fracture. The incident occurred while the employee was descending the stairs in the main lobby on October 7, 2025. Cal/OSHA issued a Notice of No Violation after inspection on November 5, 2025.

Inspection at South Area Service Center Jobsite. On October 23, 2025, a Cal/OSHA inspector visited a jobsite after receiving a serious injury report from the District due to an employee cutting their finger while operating a saw. The crew was installing a 36-inch gate valve on October 21, 2025 when the injury occurred. On December 23, 2025, the District submitted an abatement plan to Cal/OSHA which outlined the improvement of tool safety training. On January 9, 2026, Cal/OSHA issued two serious citations and notice of penalty related to training deficiencies and failure of the operator to secure the work piece while operating the saw. On January 21, 2026, the District met with Cal/OSHA at an informal conference where one of the citations and associated penalty were withdrawn after additional evidence was submitted.

### **SECURITY AND EMERGENCY PREPAREDNESS**

Workplace Violence Investigations. The security office received 11 complaints related to workplace violence. Three cases met the criteria for formal workplace violence investigation by staff. Of the three, one of those cases was substantiated. The remaining cases were returned to the work group or Office of Diversity and Inclusion for follow up.

A thorough examination of workplace assignments was conducted involving the contracted security company with the goal of becoming more efficient through the enhanced use of technology. One security guard was replaced with security camera trailers resulting in better

coverage and less cost than a full-time security guard. Three security camera trailers were placed at the North Area Service Center and one was placed at Casteneda Service Center. New cameras and alarm monitoring were installed at the South Area Service Center.

Emergency Preparedness. The Emergency Operation Team (EOT) staff received advanced emergency management training in December (Incident Command System – 300). The three-day course was attended by 38 members of the EOT. This training will help to ensure the District is ready to respond to and manage District emergencies.

The Federal Energy Regulatory Commission Dam inspections and security assessment were completed during this timeframe and received federal approval with no required modifications or changes for the security assessment/emergency preparedness portion.

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## EAST BAY MUNICIPAL UTILITY DISTRICT

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DATE: March 5, 2026  
TO: Board of Directors  
FROM: Clifford C. Chan, General Manager *CCC*  
SUBJECT: Proposed Changes to Board Meeting Frequency

### SUMMARY

The Board currently holds 22 regular meetings each year, with committee meetings and workshops also conducted on Board meeting days. Staff is proposing to reduce the number of regular meetings from 22 to 18 per year. The intent of the proposal is to continue meeting the governance and policy needs of the District while creating a more sustainable cadence for Board members and staff. This proposal would preserve the Board's ability to act in a timely manner, ensure transparency and public access, and maintain high-quality deliberation, while also recognizing Board and staff workload demands, and the value of periodic breaks during the year. To ensure timely agreements can move forward without delay, staff is also proposing an increase to the General Manager's authority to authorize professional services and general services agreements. This item will be discussed at the March 10, 2026 Planning Committee meeting.

### DISCUSSION

The Board currently holds 22 regular meetings per year on the 2<sup>nd</sup> and 4<sup>th</sup> Tuesday each month, with only one meeting scheduled on the 2<sup>nd</sup> Tuesday in July and December. The Planning and Legislative/Human Resources Committee meetings are held at the first Board meeting of the month, and the Finance/Administration Committee meeting is held at the second Board meeting of the month. The Sustainability Committee typically meets twice a year at the second Board meeting of the month. Workshops (e.g., Budget, Long-Term Water Supply, Long-Term Infrastructure Investment) are conducted throughout the year when the Board convenes at the second meeting of the month.

Under the proposed schedule, one regular Board meeting would be held in June, August, September, and November. This would result in 18 regular Board meetings annually. During these months, the three committee meetings (Planning, Legislative/Human Resources, and Finance/Administration) and the Board meeting would be held during the first meeting of the month. In July and December, as has been past practice, only the Planning and Legislative/Human Resources Committee meetings will be held. Sustainability Committee meetings are scheduled as needed.

This proposal is intended to support strong governance, thoughtful deliberation, and organizational sustainability while maintaining the District's ability to conduct business effectively and transparently. The proposed change also recognizes Board and staff workload demands, and the value of periodic breaks during the year. This proposal does not limit the Board's ability to meet when necessary, and special meetings may still be called, as needed (e.g., during election years, if timing requires additional Board action, during contract negotiations, or for emergencies and other unforeseen issues). The District and Board would retain full flexibility to respond as circumstances require.

As part of this proposal, staff is recommending increasing the General Manager's authority to approve professional services and general services agreements from \$80,000 to \$250,000. The threshold was last adjusted from \$70,000 to \$80,000 in 2018 under Resolution No. 35098-18. Inflation, increased regulatory requirements, and the growing complexity of District operations have significantly reduced the practical usefulness of this authority threshold. Increasing the approval threshold would:

- Ensure time-sensitive agreements can move forward without delay
- Improve operational efficiency
- Align the General Manager's authority level more closely with current market conditions

Transparency will continue to be maintained. All agreements approved under the General Manager's authority will continue to be reported in the General Manager's monthly report to the Board.

## **NEXT STEPS**

Staff is seeking feedback on the proposed changes to the Board meeting schedule and increasing the General Manager's authority to approve professional services and general services agreements. Staff will incorporate the Committee's feedback and prepare a revised Board meeting calendar reflecting the new schedule and a resolution outlining the increase in the General Manager's approval authority for Board consideration. If the Committee does not recommend changes to the Board meeting schedule or an increase in the General Manager's approval authority, the Board will continue meeting based on the current meeting schedule.

CCC:jmj