

MINUTES

**Tuesday, February 24, 2026
East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California**

Regular Closed Session Meeting

President Luz Gómez called to order the Regular Closed Session Meeting of the Board of Directors at 11:24 a.m. in the Administration Building Boardroom.

ROLL CALL

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

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

PUBLIC COMMENT

- Addressing the Board were the following: 1) Dustin D. Battaion, Water Treatment Supervisor commented on the proposed equity adjustments in Agenda Item 9 and asked the Board to direct staff to reconsider the request for equity adjustments for the Water Treatment Supervisor and other classifications with pending equity concerns; 2) Alison M. Brede, Water Treatment Supervisor commented on the status of the equity adjustment request for the Water Treatment Supervisor classification, referenced an October 2025 memo from Director of Human Resources Cindy R. Charan and Manager of Recruitment and Classification Vincent L. James, and asked the Board to pull and review Agenda Item 9; 3) Bryan N. Wolverson, General Pipe Supervisor commented on Agenda Item 9 and equity adjustments for the General Pipe Supervisor classification; 4) Perry J. Foreman, General Pipe Supervisor ceded his time to Dwight C. George; 5) Dwight C. George, Executive Board Member, IFPTE Local 21, commented on Agenda Item 9 and equity adjustments for members of IFPTE Local 21 and AFSCME Local 444; and 5) Eric Larsen, President, AFSCME Local 444 said the union objects to equity adjustments for the classifications listed in Agenda Item 9 and asked the Board to defer taking action on this item until the District and the unions have concluded impasse proceedings.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

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

Regular Business Meeting

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

ROLL CALL

Directors April Chan, Andy Katz, Valerie D. Lewis, Jim Oddie, Joey D. Smith, Marguerite Young, and President Luz Gómez 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 Gómez led the Pledge of Allegiance.

PRESENTATION

Director Valerie D. Lewis announced the EBMUD Women Employees' Resource Opportunity Collaboration Community, also known as WE ROCC, was founded in 2023 to promote understanding, goodwill, fellowship, and communication among women and all employees of the District. EBMUD recognizes and celebrates the many contributions of women across the District and acknowledges the leadership of women within the organization including the five female Board members and nine female Senior Management Team members. Director Lewis highlighted the events being hosted by WE ROCC in honor of Women's History Month with a kick off scheduled for Monday, March 2. On behalf of the Board, Director Lewis encouraged support of WE ROCC and Women's History Month.

ANNOUNCEMENTS FROM CLOSED SESSION

There were no announcements required from closed session.

PUBLIC COMMENT

There was no public comment.

COMMITTEE REPORTS

- Filed with the Board were the Minutes for the February 10, 2026 Planning and Legislative/Human Resources Committee Meetings.
- President Gómez reported the Board met earlier for the Mid-year Budget and Finance Workshop where staff presented an overview of the mid-year budget, updated financial projections, information on the 2026 bond issuances, discussed the District's non-Proposition 218 rates and charges with a focus on capacity charges.
- Chair Oddie reported the Finance/Administration Committee met earlier and received updates on the Monthly Investment Transactions Report and the Retirement System Fiscal Year 2025 Update, Actuarial Valuations, and Fiscal Year 2027 Contribution Rates.

CONSENT CALENDAR

- Items 1, 5, and 9 were pulled from the Consent Calendar for separate discussion.

- Motion by Director Young, seconded by Director Chan to approve the recommended actions for Items 2-4 and 6-8 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 February 10, 2026.**

Director Chan pulled the meeting minutes to request an edit to the comments she made under Director comments. Secretary of the District Rischa S. Cole explained that Board meeting minutes are summarized rather than verbatim and described the process for correcting and revising the minutes. Director Chan and Ms. Cole will review the meeting minutes, and revised draft minutes will be submitted for approval at the March 10, 2026 Board meeting.

2. The following correspondence was filed with the Board: 1) Presentation entitled, "Employees' Retirement System: Actuarial Valuations and Contribution Rates," dated February 24, 2026; 2) Presentation entitled, "Water Supply Update," dated February 24, 2026; 3) Speakers' Bureau and Outreach Record CY26, dated February 24, 2026; 4) Memo dated October 1, 2025, to Charles Whites, Local 21 President and Angela Long, Local 21 Business Representative from Director of Human Resources Cindy R. Charan and Manager of Recruitment and Classification Vincent L. James regarding Local 21 Equity Adjustment Review: Water Treatment Supervisor; and 5) Email dated February 24, 2026 from Ivette Rivera to Office of the Secretary et al., regarding Testimony/Transcripts of trial re Saji Pierce, et al., Plaintiffs, v. EAST BAY MUNICIPAL UTILITY DISTRICT, et al., Defendants (with attachments).
3. **Motion No. 032-26** – Authorized an agreement beginning on or after February 24, 2026 with Cabral Enterprizes, Inc. for three years with two options to renew for additional one-year periods for a total amount, including option years, not to exceed \$240,000 for street sweeping services.
4. **Motion No. 033-26** – Authorized the purchase of Adobe ColdFusion software license subscriptions term beginning on or after February 24, 2026, from Ablegov, Inc. for one year, with two options to renew for additional one-year periods, for a total amount not to exceed \$184,528.13. This purchase will be made under State of California contracts available for use by local governments.
5. **Authorize the purchase of telematics-related software, hardware, service, training, and support beginning on or after February 24, 2026 from Geotab USA, Inc., for three years, with two options to renew for additional one-year periods for a total amount not to exceed \$1,400,000. This purchase will be made under State of California contracts available for use by local governments.**

Director Oddie pulled the item to request an update on the meet and confer efforts with the unions. General Manager Clifford C. Chan and Manager of Maintenance and Construction/Water Operations Crystal J. Yezman reported on the meet and confer discussions with Locals 444 and 21 and the status and review process for Procedure 709 – Fleet Management which directs the use of telematics. Ms. Yezman confirmed that staff has addressed all issues raised by the unions and is ready to move forward with the contract. Ms. Yezman addressed Board questions and General Manager Chan clarified that procedures are not approved by the Board. Director Young put forth a motion to approve the contract and for staff to conduct a one-year implementation review. There was additional discussion regarding program implementation, unanticipated changes to

working conditions, continued dialogue with the unions, and how telematics data will be used. General Manager Chan said staff will provide an update on the program's implementation to the Legislative/Human Resources Committee next year.

- Motion by Director Young, seconded by Director Oddie, to approve the recommended actions for Item 5 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. 037-26 – Authorized the purchase of telematics-related software, hardware, service, training, and support beginning on or after February 24, 2026 from Geotab USA, Inc., for three years, with two options to renew for additional one-year periods for a total amount not to exceed \$1,400,000. This purchase will be made under State of California contracts available for use by local governments.

6. **Motion No. 034-26** – Authorized a one-year extension, effective as of December 10, 2025, to the option agreement with Oakport Energy Storage, LLC (OES) authorized by the Board under Resolution No. 35208-20. The extension to the option agreement will allow OES to lease approximately 1.4 acres of the District's property for the installation of one or more Battery Energy Storage Systems on a portion of the District's property, located behind the Oakport Wet Weather Facility in Oakland, California.
7. **Motion No. 035-26** – Approved the January 2026 Monthly Investment Transactions Report.
8. **Motion No. 036-26** – Authorized the Office of General Counsel to continue the employment of the law firm of GinnLaw, PC, for specialized legal services related to public works construction, public contracts and procurement, and related claims and litigation matters in an amount not to exceed \$150,000.
9. **Adopt a resolution to approve equity adjustment increases for the following fourteen confidential and non-represented classifications: Assistant to the General Manager (5.0%); Customer Support Program Administrator (5.0%); Human Resources Information Systems Analyst I (5.0%); Legal Assistant I (5.0%); Legal Assistant II (2.5%); Legal Office Administrator (5.0%); Manager of Distribution Maintenance and Construction (5.0%); Manager of Facilities Maintenance and Construction (5.0%); Manager of Fisheries and Wildlife (5.0%); Manager of Laboratory and Technical Services (5.0%); Manager of Maintenance Support (5.0%); Manager of Pipeline Construction (5.0%); Manager of Watershed and Recreation (5.0%); and Paralegal (2.5%).**

General Manager Clifford C. Chan provided historical perspective on equity adjustments discussed during the most recent contract negotiations for represented and non-represented classifications. He highlighted the equity adjustments approved for confidential and non-represented classifications during the contract negotiations in 2022 and the classification studies and compensation reviews conducted in 2025 for the current requests. He noted the status of equity adjustments currently in the impasse process. Manager of Recruitment and Classification Vincent L. James reviewed the process and four criteria (recruitment and retention factors; external labor market competitiveness; internal pay equity and classification alignment; and changes in job scope, responsibilities, and requirements) used to evaluate equity adjustments for managers and non-represented classifications, which is the same evaluation process used for represented staff. There was considerable Board discussion. Mr. James and General Manager Chan

responded to Board questions about the number of equity proposals requested and prioritized for review for non-represented positions; the number of employees affected by the equity adjustments; the timing to address equity proposals for non-represented classifications; information on the rationale and analysis for the proposed equity adjustments; and length of time equity proposals have been pending for represented, non-represented, and confidential classifications. General Manager Chan provided additional detail on how equity proposals for non-represented and confidential classifications were addressed during the recent contract negotiations and confirmed if equity adjustments are approved, the employees will receive cost of living adjustments and retroactive pay back to April 2025.

- Addressing the Board were the following: 1) Eric Larsen, President, AFSCME Local 444 commented the union objects to the equity adjustments and retroactive pay and asked the Board to defer the item until impasse proceedings with the unions are completed; 2) John E. Halseth Jr. Water Distribution Plumber III and Member Relations Secretary, AFSCME Local 444 commented on the process and status of equity adjustments for Local 444 classifications, recruitment and retention, and the proposed equity adjustments for managers. He asked the Board to scrutinize the equity adjustment requests for managers; and 3) Tony G. Martin, Truck Driver III commented on equity adjustments.

General Counsel Derek T. McDonald pointed out that the classifications in the Office of General Counsel (OGC) are not managers and that staff in those classifications had been seeking classification reviews and compensation studies for several years which were completed in May 2025. He also commented on the unions' requests for the Board to deny retroactive pay noting the OGC classifications are not represented by a union and staff has been waiting for this item to be considered by the Board.

- Addressing the Board was Eric Larsen who clarified the union was not objecting to equity adjustments for the non-managerial positions.

There was additional Board discussion about which equity adjustments to approve, the timing to request equity adjustments for these classifications, and the equity adjustment evaluation process. Staff provided clarification on which classifications are managers or non-represented. President Gómez acknowledged the remarks made by Board members and Director Young restated the recommended action for the Board to consider approving equity adjustment increases for the Assistant to the General Manager; Customer Support Program Administrator; Human Resources Information Systems Analyst I; Legal Assistant I; Legal Assistant II; Legal Office Administrator; and Paralegal, and to defer taking action on equity adjustments for the manager positions until after the internal impasse process for the represented positions under consideration is concluded with the Board. General Manager Chan provided the most recent status of the internal impasse process for Local 444 and IFPTE Local 21. President Gómez requested a roll call vote.

- Motion by Director Young, seconded by Director Chan, to approve equity adjustment increases for the Assistant to the General Manager; Customer Support Program Administrator; Human Resources Information Systems Analyst I; Legal Assistant I; Legal Assistant II; Legal Office Administrator; and Paralegal and to defer taking action on equity adjustments for the manager positions until after the internal impasse process for the represented positions under consideration is concluded with the Board carried (7-0) by the following roll call vote: AYES (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35476-26 – Authorizing Equity Adjustment Increases For The Following Confidential And Non-Represented Classifications: Assistant To The General Manager; Customer Support Program Administrator; Human Resources Information Systems Analyst I; Legal Assistant I; Legal Assistant II; Legal Office Administrator; And Paralegal.

DETERMINATION AND DISCUSSION

- 10.1. – **Adopt the Actuarial Valuations of the Employees’ Retirement System as of June 30, 2025**
10.2. **prepared by the Retirement System’s actuary and set Retirement System Contribution Rates for Fiscal Year (FY) 2027 based on the actuarially determined contribution rates in the valuations.**

Principal Management Analyst Steven Goodman-Leibof provided the presentation. He stated the valuations prepared by the Retirement System’s actuary and previously adopted by the Retirement Board on January 29, 2026 provide funding requirements for the pension and Health Insurance Benefit (HIB) plans. The actuarially determined contribution rates for FY 2027 are based on the FY 2025 actuarial valuation. The recommended employer pension contribution rates for FY 2027 decreased compared to FY 2026 primarily due to strong investment performance, while employer HIB contribution rates increased primarily due to enhanced benefits established during labor negotiations. Overall, the combined employer contribution rate is slightly lower than the prior year. Employee contribution rates for 1955/1980 plan members are set in the Memorandum of Understanding with the unions at 8.66 percent of payroll. The employee HIB contribution rate is set to rise incrementally to 0.40 percent effective January 1, 2026, to 0.70 percent effective January 1, 2027, and to 1.00 percent effective January 1, 2028. Contribution rates for 2013 California Public Employees’ Pension Reform Act (PEPRA) employees are calculated based on PEPRA requirements. During the previous valuation period, the pension plan employee rate was adjusted from 9.41 percent to 10.08 percent. The total normal cost for the 2013 Tier has not deviated more than 1 percent, resulting in the same employee contribution rate in FY 2027 of 10.08 percent. Like the 1955/1980 Plan, the 2013 PEPRA members will see the same increases to the HIB contributions at the same rates. Staff is recommending that the Board adopt the actuarial valuations and set FY 2027 contribution rates based on the actuarially determined contribution rates in the valuations.

- Motion by Director Oddie, seconded by Director Young, to approve the recommended actions for Items 10.1.–10.2. 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).

Resolution No. 35477-26 – Adopting The Actuarial Valuations Of The East Bay Municipal Utility District Employees’ Retirement System And Setting The Pension And Health Insurance Benefit Employer Contribution And 2013 Tier Employee Contribution Rates For Fiscal Year 2027.

11. **General Manager’s Report.**

Water Supply Update

Manager of Maintenance and Construction/Water Operations Roberto C. Cortez presented the update on Water Year 2026 and the following data as of February 18, 2026,: gross water production; current reservoir storage levels; the District’s total system storage (612,570 acre-feet,

representing 79% of system capacity); precipitation in the East Bay (15.4 inches or 84% of average) and in the Mokelumne (31.76 inches or 102% of average); and snow conditions at Caples Lake, including snow depth (85 inches) and snow water content (12.4 inches). He reviewed snowpack levels and snow water equivalent in the Sierras as of February 19, 2026, the seasonal precipitation outlook for February 2026, projected Mokelumne precipitation for Rainfall Year 2026, and 2026 end of season total system storage projections.

General Manager Clifford C. Chan announced that the Speakers' Bureau and Outreach Record CY26 had been provided at Board places.

DIRECTOR COMMENTS

12. Other Items for Future Consideration.

None.


13. Director Comments.

- Director Chan reported attending the San Leandro Lunar New Year event on February 13 and plans to attend the EBMUD APEA Annual Lunar New Year Luncheon in Oakland on February 25. Director Chan reported the Ward 7 event will be on April 7 starting at 8:30 a.m.
- Director Katz reported attending the Alameda County Mayors Conference in Berkeley on February 11.
- Director Lewis reported attending the Alameda County Mayors Conference in Berkeley on February 11; the Oakland NAACP Founder's Day event in Oakland on February 12 where former Director Bill Patterson was recognized; and attending the Rotary Club of Oakland #3 Black History Month luncheon in Oakland on February 19.
- Director Oddie reported on plans to participate in the Oakland Chinatown Improvement Council's Lunar New Year Parade on February 28.
- Director Smith reported attending the EBMUD Black Employee Network's AAQGO Quilting Workshop in Oakland on February 18 and plans to attend the EBMUD APEA Annual Lunar New Year Luncheon in Oakland and the EBMUD Water Wednesday webinar on February 25.
- Director Young reported attending the SupplyBank.org and the Clinton Foundation DiaperTime event along with President Gómez and General Manager Chan in Oakland on February 23 and plans to present at the Moraga Town Council on February 25.
- President Gómez reported attending the East Bay Leadership Council East Bay Leadership Series event in Concord on February 12; presenting at the Danville San Ramon Rotary Club on February 17; meeting with Customer Services staff in Oakland on February 17 and February 18; attending a Chinese New Year event in San Ramon on February 22; and attending the SupplyBank.org and the Clinton Foundation DiaperTime event in Oakland on February 23. President Gómez thanked Director of Customer and Community Services and the Customer Services staff for the meetings.

ADJOURNMENT


President Gómez adjourned the Regular Meeting at 2:54 p.m.

SUBMITTED BY:



Rischa S. Cole, Secretary of the District

APPROVED: March 10, 2026



Luz Gómez, President of the Board