



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

375 11th Street, Oakland, CA 94607

Office of the Secretary: (510) 287-0440

Notice of Time Change

**FINANCE/ADMINISTRATION
COMMITTEE**

Tuesday, April 28, 2026

9:00 a.m.

Boardroom

375 11th Street

Oakland, CA 94607

Notice is hereby given that the Tuesday, April 28, 2026 Finance/Administration Committee meeting of the Board of Directors has been rescheduled from 10:00 a.m. to 9:00 a.m. The meeting will be held in the Administration Building Boardroom at 375 11th Street, Oakland, California.

Dated: April 23, 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
Finance/Administration Committee
Tuesday, April 28, 2026
9:00 a.m.
Boardroom
375 11th Street
Oakland, CA 94607

Committee Members: Directors Jim Oddie {Chair}, Andy Katz, and Valerie D. Lewis

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

ROLL CALL:

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

DETERMINATION AND DISCUSSION:

- 1. Quarterly Financial Reports: (Skoda)
- Quarterly Payroll, Disbursement and Real Estate Summary Reports for the Water and Wastewater Systems for Quarter Ended March 31, 2026
- Quarterly Investment Report – March 31, 2026
2. Monthly Investment Transactions Report (Skoda)
3. Revisions to Policy 4.07 - Investments (Skoda)
4. Proposed Changes to Board Meeting Frequency and Change in the General Manager's Authority (Johnson)
5. Board Governance Manual Updates and Consideration of Governance Policies (Cole/McDonald)
6. Electronic Bill Presentment and Payment and Payment Processing Update (Lee)
7. Digital Accessibility at EBMUD (Leon/Moten)

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 11th Street, Oakland, California, during normal business hours, and can be viewed on our website at www.ebmud.com.



Finance/Administration Committee Meeting

*EBMUD Board committee meetings will be conducted in person and accessible via Zoom.
These meetings are live streamed on the District's website.*

Online*

<https://ebmud.zoom.us/j/92433162059?pwd=emM4YjRrQTJtK3M0NnAxTDRoVzh5Zz09>

Webinar ID: 924 3316 2059

Passcode: 282322

By Phone*

Telephone: 1 669 900 6833

Webinar ID: 924 3316 2059

Passcode: 282322

International numbers available: <https://ebmud.zoom.us/u/kdjdx0Kd06>

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

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

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

In person

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

Via Zoom

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

Submitting written comments or materials

- Email written comments or other materials for the Board of Directors to SecOffice@ebmud.com
- Please indicate the meeting date and agenda item number or non-agenda item 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.

To view the livestream of Board meetings, please visit:

<https://www.ebmud.com/about-us/board-directors/board-meetings/>

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: April 23, 2026

MEMO TO: Board of Directors

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

FROM: Sophia D. Skoda, Director of Finance *SDS*

SUBJECT: Quarterly Payroll, Disbursement and Real Estate Summary Reports for the Water and Wastewater Systems for Quarter Ended March 31, 2026

SUMMARY

File the March 31, 2026 quarterly payroll, disbursement, and real estate reports for the Water and Wastewater systems with the Board. These reports will be presented at the April 28, 2026 Finance/Administration Committee meeting.

DISCUSSION

As directed by Board Resolution Nos. 32834-94 and 32837-94, attached is a record of the payment of demands and real estate transactions. The transactions for the properties in the report were executed at fair market price.

CCC:SDS:wh

Attachment: 1. Third Fiscal Quarterly Payroll and Disbursement Summary Report
2. Real Estate Services Quarterly Report

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EAST BAY MUNICIPAL UTILITY DISTRICT
 THIRD FISCAL QUARTERLY PAYROLL AND DISBURSEMENT SUMMARY REPORT

PAYROLL SUMMARY
 (RESOLUTION NO. 32834-94)

	January 2026		February 2026		March 2026		QUARTERLY TOTALS	
<i>District Payments</i>	WSG	WWG	WSG	WWG	WSG	WWG	WSG	WWG
Gross Pay	\$ 31,518,050	\$ 5,662,265 *	\$ 20,321,096	\$ 3,518,541	\$ 22,159,645	\$ 3,812,510	\$ 73,998,791	\$ 12,993,316
Retirement	\$ 12,235,821	\$ 2,134,778 *	\$ 7,565,904	\$ 1,296,352	\$ 7,520,638	\$ 1,295,397	\$ 27,322,363	\$ 4,726,527
FICA	\$ 2,406,941	\$ 432,099 *	\$ 1,549,848	\$ 268,146	\$ 1,687,028	\$ 290,555	\$ 5,643,817	\$ 990,800
Kaiser	\$ 2,749,647	\$ 452,894	\$ 2,827,278	\$ 461,893	\$ 2,807,358	\$ 462,062	\$ 8,384,283	\$ 1,376,849
Sutter Health	\$ 127,361	\$ 37,519	\$ (12,781)	\$ (4,979)	\$ 125,942	\$ 37,519	\$ 240,522	\$ 70,059
Blue Cross	\$ (44,867)	\$ (6,629)	\$ 490,310	\$ 63,284	\$ 461,684	\$ 69,960	\$ 907,127	\$ 126,615
VSP	\$ (18)	\$ (18)	\$ 29,483	\$ 4,794	\$ 29,164	\$ 4,831	\$ 58,629	\$ 9,607
Delta Dental	\$ 275,665	\$ 52,804	\$ 72,027	\$ 19,037	\$ 441,320	\$ 78,857	\$ 789,012	\$ 150,698
Life Insurance	\$ (146,211)	\$ (20,318)	\$ (144,393)	\$ (20,201)	\$ 234,895	\$ 35,350	\$ (55,709)	\$ (5,169)
Long Term Disability	\$ -	\$ -	\$ -	\$ -	\$ 110,053	\$ 19,242	\$ 110,053	\$ 19,242
Unemployment Insurance	\$ -	\$ -	\$ 44,652	\$ 5,400	\$ 292	\$ 15	\$ 44,944	\$ 5,415
TOTAL	\$ 49,122,389	\$ 8,745,394	\$ 32,743,424	\$ 5,612,267	\$ 35,578,019	\$ 6,106,298	\$ 117,443,832	\$ 20,463,959

DISBURSEMENT SUMMARY
 (RESOLUTION NO. 32837-94)

	January 2026		February 2026		March 2026		QUARTERLY TOTALS	
Voucher Payments	\$ 43,583,221	\$ 5,263,608	\$ 46,129,475	\$ 5,139,127	\$ 39,461,341	\$ 5,652,793	\$ 129,174,037	\$ 16,055,528
Electronic payments	\$ 300,029	\$ 810	\$ 320,891	\$ -	\$ 1,717,554	\$ -	\$ 2,338,474	\$ 810
Peard payments	\$ 957,904	\$ -	\$ 1,123,281	\$ -	\$ 992,506	\$ -	\$ 3,073,691	\$ -
TOTAL	\$ 44,841,154	\$ 5,264,418	\$ 47,573,647	\$ 5,139,127	\$ 42,171,401	\$ 5,652,793	\$ 134,586,202	\$ 16,056,338

NOTE: * Three payroll periods in January 2026

By: *hsk*
 Sophia Skoda (Apr 10 2020 10:39:24 PDT)
 Sophia D. Skoda, Director of Finance

04/14/2026
 Date

By: *David Glasser*
 David Glasser, Controller

04/14/2026
 Date

REAL ESTATE SERVICES QUARTERLY REPORT

January – March 2026

PROPERTY PURCHASES

OWNER	LOCATION	SIZE	TYPE	PROJECT/PURPOSE	AMOUNT PAID	DATE
East Bay Municipal Utility District	Pomona Street, Crockett, CA	33,000 square feet	Purchase	Welle Pumping Plant/ Easement Access	\$76,383.00	3/26/26

PROPERTY DISPOSITIONS

APPLICANT	LOCATION	SIZE	TYPE	PURPOSE	AMOUNT RECEIVED	DATE
Butler Amusements Inc.	Oakport Property	7.1 acres	Lease	Rental Fee for Carnival 2/22/26 – 4/5/26	\$49,530.00	2/22/26
Pacific Gas and Electric Company	Oakport Property	25,000 square feet	Temporary Construction Easement	Temporary Construction Easement 2/2/26 – 4/5/26	\$15,667.00	2/2/26
Pacific Gas and Electric Company	Oakport Property	15,000 square feet	Temporary Construction Easement	Temporary Construction Easement 3/23/26 – 4/22/26	\$7,324.00	3/23/26
Old Oak Land Company	21563 E HWY 12, Clements, CA	46.3 acres	Conservation Easement	Grant of Conservation Easement/ Easement Access	\$930,000.00	3/16/26

Approved by:

Matt Elawady

Matt Elawady, Manager of Real Estate Services

4/1/2026

Date

Cc: Andrew Lee
Kevin Ma

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: April 23, 2026

MEMO TO: Board of Directors

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

FROM: Sophia D. Skoda, Director of Finance *SDS*

SUBJECT: Quarterly Investment Report – March 31, 2026

SUMMARY

In accordance with Section 53646 of the California Government Code, the Treasurer of the District submits to the General Manager, the Internal Auditor, and the Board of Directors the attached March 31, 2026 quarterly investment report. This report will be presented at the April 28, 2026 Finance/Administration Committee meeting.

DISCUSSION

The investments held by the District as of March 31, 2026 are shown in Attachment A and totaled \$593.9 million. The portfolio is in compliance with the Board's adopted policy regarding District investments and as of March 31, 2026, had an average yield to maturity of 3.84 percent. Investments also reflect the working capital of the District's associated Joint Powers Authorities and the East Bay Municipal Utility District Employees' Retirement System.

Attachment B shows the composition and credit allocation of the District's investment portfolio. It also shows a comparison of the yield of the District's portfolio against the yield on the 90-day Treasury Bill and the Federal Funds Rate. On March 31, 2026, the Federal Funds Rate was 3.75 percent (upper bound) and the yield on the 90-day Treasury Bill was 3.61 percent. Forecasts of the projected cash balances of the Water and Wastewater systems' General Funds for the six months through September 2026 are also included. In compliance with Section 53646(b)3 of the California Government Code, this report indicates the District will meet expenditure requirements for the next six months from a combination of maturing investments and revenues from budgeted operations.

CCC:SDS:rlh

Attachment: Quarterly Investment Report


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EAST BAY MUNICIPAL UTILITY DISTRICT
Portfolio Management
Portfolio Summary
March 31, 2026

ATTACHMENT A

Description	Face Amount Shares	Market Value	Book Value	% of Portfolio	YTM @ Cost	Days To Maturity
US Treasuries	280,000,000	279,481,000	279,415,656	47.13	4.02	92
Local Government Investment Pool	104,921,928	104,921,928	104,921,928	17.69	3.80	1
Money Market Mutual Funds	93,407,477	93,407,477	93,407,477	15.75	3.58	1
LAIF	66,894,938	66,894,938	66,894,938	11.28	3.82	1
Cash	28,702,281	28,702,281	28,702,281	4.84	3.23	1
Federal Agency Issues Coupon	20,000,000	19,645,000	19,678,559	3.31	3.52	265
Total / Average	593,926,625	593,052,625	593,020,840	100.00	3.84	53


[Sophia Skoda \(Apr 15, 2026 16:42:30 PDT\)](#)
Sophia D. Skoda
Director of Finance

04/15/26
Date

*LAIF includes Retirement funds of \$13,998,088

**A portion of the balance in Wells Fargo is swept to a money market fund to increase investment earnings



EAST BAY MUNICIPAL UTILITY DISTRICT
Portfolio Management
Non-Cash Portfolio Holdings by Fund
March 31, 2026

ATTACHMENT A

Water:

Description	Face Amount Shares	Market Value	Book Value
US Treasuries	239,000,000	238,549,700	238,492,323
Local Government Investment Pool	78,822,387	78,822,387	78,822,387
Money Market Mutual Funds	74,088,403	74,088,403	74,088,403
LAIF	35,357,356	35,357,356	35,357,356
Federal Agency Issues Coupon	16,000,000	15,716,000	15,742,848
Total/Average	443,268,146	442,533,846	442,503,317

Wastewater:

Description	Face Amount Shares	Market Value	Book Value
US Treasuries	41,000,000	40,931,300	40,923,333
Local Government Investment Pool	26,099,541	26,099,541	26,099,541
Money Market Mutual Funds	19,319,074	19,319,074	19,319,074
LAIF	10,142,383	10,142,383	10,142,383
Federal Agency Issues Coupon	4,000,000	3,929,000	3,935,712
Total/Average	100,560,998	100,421,298	100,420,043



EAST BAY MUNICIPAL UTILITY DISTRICT
Portfolio Management
Non-Cash Portfolio Holdings by Fund
March 31, 2026

ATTACHMENT A

JPA:

BACWA	Face Amount Shares	Market Value	Book Value
LAIF Local Government Investment Pool	2,583,980	2,583,980	2,583,980
Total/Average	2,583,980	2,583,980	2,583,980

DERWA

LAIF Local Government Investment Pool	1,142,044	1,142,044	1,142,044
Total/Average	1,142,044	1,142,044	1,142,044

FRWA

LAIF Local Government Investment Pool	1,142,044	1,142,044	1,142,044
Total/Average	1,142,044	1,142,044	1,142,044

IICP

LAIF Local Government Investment Pool	171,879	171,879	171,879
Total/Average	171,879	171,879	171,879

UMRWA

LAIF Local Government Investment Pool	73,089	73,089	73,089
Total/Average	73,089	73,089	73,089



EAST BAY MUNICIPAL UTILITY DISTRICT
Portfolio Management
Non-Cash Portfolio Holdings by Fund
March 31, 2026

ATTACHMENT A

Other:

Employee Retirement System	Face Amount Shares	Market Value	Book Value
LAIF Local Government Investment Pool	13,998,088	13,998,088	13,998,088
Total/Average	13,998,088	13,998,088	13,998,088

FERC

LAIF Local Government Investment Pool	2,284,076	2,284,076	2,284,076
Total/Average	2,284,076	2,284,076	2,284,076

Cash

Wells Fargo	28,702,281	28,702,281	28,702,281
Total/Average	28,702,281	28,702,281	28,702,281



EAST BAY MUNICIPAL UTILITY DISTRICT
Portfolio Management
Portfolio Details by Fund - Investments
March 31, 2026

Description	CUSIP	Settlement Date	Face Amount Shares	Market Value	Book Value	Cost Value	Moody's	S&P	YTM @ Cost	Days To Maturity
Water:										
US Treasuries										
T-Note 1.625 5/15/2026	912828R36	5/20/2025	40,000,000	39,893,600	39,880,226	39,041,807	Aaa	AA+	4.13	45
T-Note 3.625 5/15/2026	91282CHB0	5/16/2025	40,000,000	39,991,200	39,977,013	39,814,062	Aaa	AA+	4.11	45
T-Note 3.625 5/15/2026	91282CHB0	5/20/2025	40,000,000	39,991,200	39,975,195	39,801,563	Aaa	AA+	4.14	45
T-Note 2 11/15/2026	912828U24	12/16/2025	31,000,000	30,664,580	30,707,751	30,573,750	Aaa	AA+	3.54	229
T-Note 3.625 5/15/2026	91282CHB0	12/15/2023	24,000,000	23,994,720	23,984,437	23,694,960	Aaa	AA+	4.18	45
T-Note 0 5/15/2026	912833LZ1	1/22/2025	16,000,000	15,928,320	15,918,674	15,136,139	Aaa	AA+	4.28	45
T-Note 3.5 9/30/2026	91282CLP4	9/19/2025	16,000,000	15,978,080	15,985,095	15,969,375	Aaa	AA+	3.69	183
T-Note 4.625 11/15/2026	91282CJK8	1/5/2024	16,000,000	16,081,600	16,044,003	16,200,800	Aaa	AA+	4.15	229
T-Note 4.875 5/31/2026	91282CKS9	6/13/2025	16,000,000	16,026,400	16,019,929	16,115,000	Aaa	AA+	4.11	61
Subtotal/Average			239,000,000	238,549,700	238,492,323	236,347,456				
CAMP CA Asset Mgmt Program										
CAMP LGIP	CAMP6035	5/9/2014	78,822,387	78,822,387	78,822,387	78,822,387	NR	AAA	3.80	1
Subtotal/Average			78,822,387	78,822,387	78,822,387	78,822,387				
Money Market Mutual Funds										
Federated MM	GOFXX	12/16/2021	26,858,050	26,858,050	26,858,050	26,858,050	Aaa	AAA	3.58	1
Morgan Stanley MM	MVRXX	12/17/2021	23,647,268	23,647,268	23,647,268	23,647,268	Aaa	AAA	3.57	1
State Street MM	GVMXX	10/20/2022	23,583,086	23,583,086	23,583,086	23,583,086	Aaa	AAA	3.60	1
Subtotal/Average			74,088,403	74,088,403	74,088,403	74,088,403				
LAIF Local Government Investment Pool										
LAIF LGIP	LGIP1001	6/30/2011	35,357,356	35,357,356	35,357,356	35,357,356	NR	NR	3.82	1
Subtotal/Average			35,357,356	35,357,356	35,357,356	35,357,356				
Federal Agency Issues Coupon										
FHLB 1.25 12/21/2026	3130AQF65	1/6/2026	16,000,000	15,716,000	15,742,848	15,661,335	Aaa	AA+	3.52	265
Subtotal/Average			16,000,000	15,716,000	15,742,848	15,661,335				
Total/Average			443,268,146	442,533,846	442,503,317	440,276,938				



EAST BAY MUNICIPAL UTILITY DISTRICT
Portfolio Management
Portfolio Details by Fund - Investments
March 31, 2026

Description	CUSIP	Settlement Date	Face Amount Shares	Market Value	Book Value	Cost Value	Moody's	S&P	YTM @ Cost	Days To Maturity
Wastewater:										
US Treasuries										
T-Note 0 5/15/2026	912833LZ1	1/22/2025	4,000,000	3,982,080	3,979,669	3,784,035	Aaa	AA+	4.28	45
T-Note 2 11/15/2026	912828U24	12/16/2025	4,000,000	3,956,720	3,962,290	3,945,000	Aaa	AA+	3.54	229
T-Note 3.5 9/30/2026	91282CLP4	9/19/2025	4,000,000	3,994,520	3,996,274	3,992,344	Aaa	AA+	3.69	183
T-Note 4.625 11/15/2026	91282CJK8	1/5/2024	4,000,000	4,020,400	4,011,001	4,050,200	Aaa	AA+	4.15	229
T-Note 4.875 5/31/2026	91282CKS9	6/13/2025	4,000,000	4,006,600	4,004,982	4,028,750	Aaa	AA+	4.11	61
T-Note 1.625 5/15/2026	912828R36	6/30/2022	5,000,000	4,986,700	4,991,081	4,719,531	Aaa	AA+	3.18	45
T-Note 1.625 5/15/2026	912828R36	5/20/2025	5,000,000	4,986,700	4,985,028	4,880,226	Aaa	AA+	4.13	45
T-Note 3.625 5/15/2026	91282CHB0	5/20/2025	5,000,000	4,998,900	4,996,899	4,975,195	Aaa	AA+	4.14	45
T-Note 3.625 5/15/2026	91282CHB0	12/15/2023	6,000,000	5,998,680	5,996,109	5,923,740	Aaa	AA+	4.18	45
Subtotal/Average			41,000,000	40,931,300	40,923,333	40,299,021				
CAMP CA Asset Mgmt Program										
CAMP LGIP	CAMP6035	8/19/2016	26,099,541	26,099,541	26,099,541	26,099,541	NR	AAA	3.80	1
Subtotal/Average			26,099,541	26,099,541	26,099,541	26,099,541				
Money Market Mutual Funds										
State Street MM	GVMXX	10/20/2022	7,763,661	7,763,661	7,763,661	7,763,661	Aaa	AAA	3.60	1
Morgan Stanley MM	MVRXX	12/17/2021	7,197,302	7,197,302	7,197,302	7,197,302	Aaa	AAA	3.57	1
Federated MM	GOFXX	12/16/2021	4,358,111	4,358,111	4,358,111	4,358,111	Aaa	AAA	3.58	1
Subtotal/Average			19,319,074	19,319,074	19,319,074	19,319,074				
LAIF Local Government Investment Pool										
LAIF LGIP	LGIP1001	6/30/2011	10,142,383	10,142,383	10,142,383	10,142,383	NR	NR	3.82	1
Subtotal/Average			10,142,383	10,142,383	10,142,383	10,142,383				
Federal Agency Issues Coupon										
FHLB 1.25 12/21/2026	3130AQF65	1/6/2026	4,000,000	3,929,000	3,935,712	3,915,334	Aaa	AA+	3.52	265
Subtotal/Average			4,000,000	3,929,000	3,935,712	3,915,334				
Total/Average			100,560,998	100,421,298	100,420,043	99,775,353				



EAST BAY MUNICIPAL UTILITY DISTRICT
Portfolio Management
Portfolio Details by Fund - Investments
March 31, 2026

Description	CUSIP	Settlement Date	Face Amount Shares	Market Value	Book Value	Cost Value	Moodys	S&P	YTM @ Cost	Days To Maturity
JPA:										
BACWA										
LAIF LGIP	LGIP1001	6/30/2011	2,583,980	2,583,980	2,583,980	2,583,980	NR	NR	3.82	1
Subtotal/Average			2,583,980	2,583,980	2,583,980	2,583,980				
DERWA										
LAIF LGIP	LGIP1001	2/1/2017	1,142,044	1,142,044	1,142,044	1,142,044	NR	NR	3.82	1
Subtotal/Average			1,142,044	1,142,044	1,142,044	1,142,044				
FRWA										
LAIF LGIP	LGIP1001	6/30/2011	1,142,044	1,142,044	1,142,044	1,142,044	NR	NR	3.82	1
Subtotal/Average			1,142,044	1,142,044	1,142,044	1,142,044				
IICP										
LAIF LGIP	LGIP1001	6/30/2011	171,879	171,879	171,879	171,879	NR	NR	3.82	1
Subtotal/Average			171,879	171,879	171,879	171,879				
UMRWA										
LAIF LGIP	LGIP1001	6/30/2011	73,089	73,089	73,089	73,089	NR	NR	3.82	1
Subtotal/Average			73,089	73,089	73,089	73,089				



EAST BAY MUNICIPAL UTILITY DISTRICT
Portfolio Management
Portfolio Details by Fund - Investments
March 31, 2026

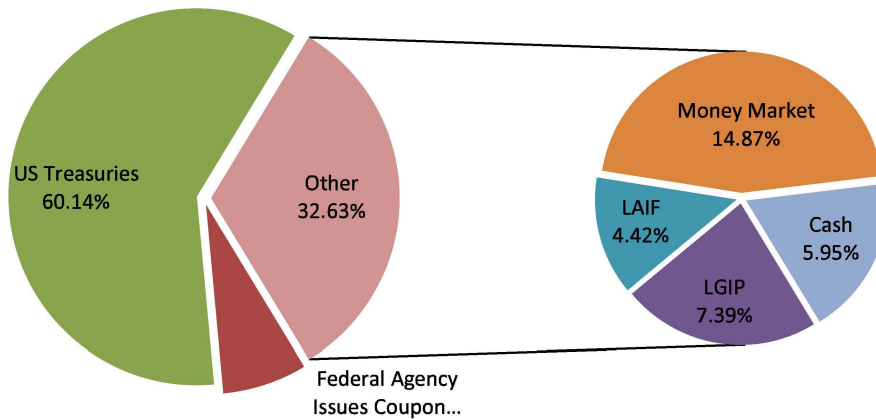
Description	CUSIP	Settlement Date	Face Amount Shares	Market Value	Book Value	Cost Value	Moody's	S&P	YTM @ Cost	Days To Maturity
Other:										
Employee Retirement System										
LAIF LGIP	LGIP1005	6/30/2011	13,998,088	13,998,088	13,998,088	13,998,088	NR	NR	3.82	1
Subtotal/Average			13,998,088	13,998,088	13,998,088	13,998,088				
FERC										
LAIF LGIP	LGIP1001	6/30/2011	2,284,076	2,284,076	2,284,076	2,284,076	NR	NR	3.82	1
Subtotal/Average			2,284,076	2,284,076	2,284,076	2,284,076				
Cash										
WELLS FARGO Cash	CASH2017	4/1/2017	28,702,281	28,702,281	28,702,281	28,702,281	NR	NR	3.23	1
Subtotal/Average			28,702,281	28,702,281	28,702,281	28,702,281				



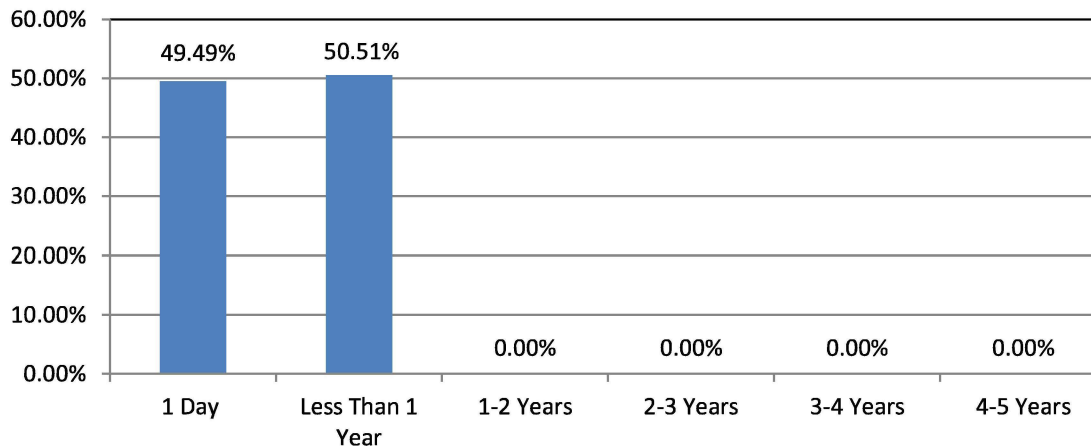
EAST BAY MUNICIPAL UTILITY DISTRICT
Investment Portfolio
Yield and Composition - by Asset Class
March 31, 2026

ATTACHMENT B-1

Portfolio Holding Distribution by Asset Class



Portfolio Holdings Distribution by Maturity Range



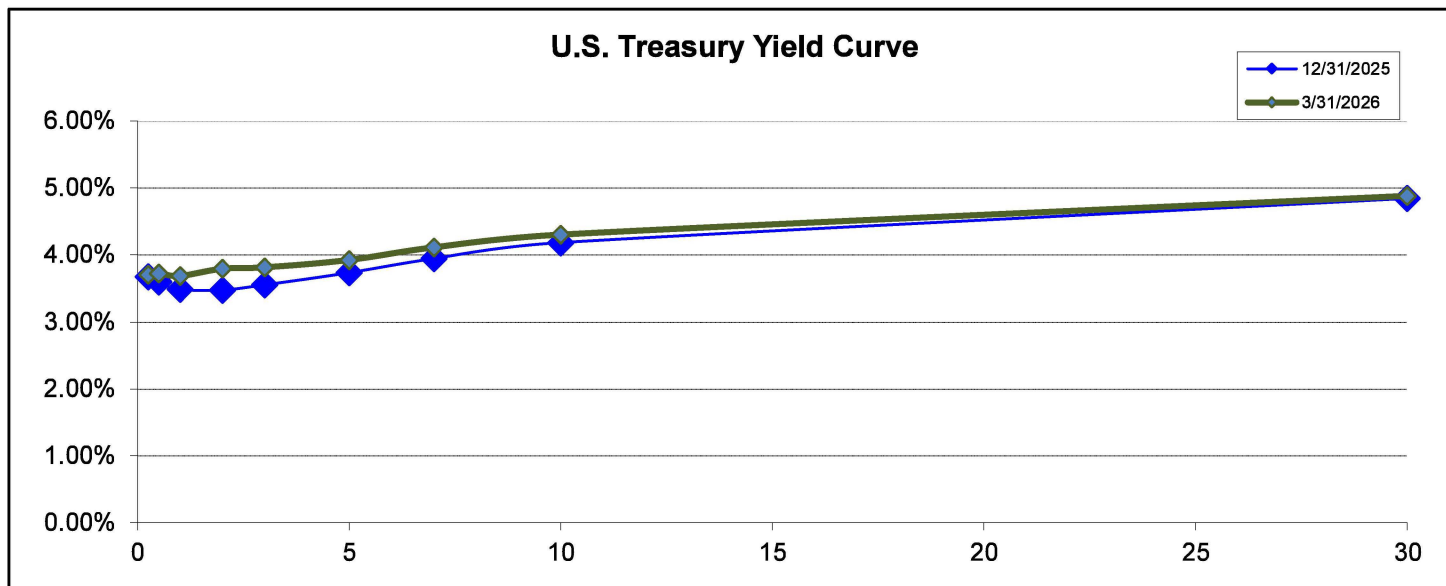
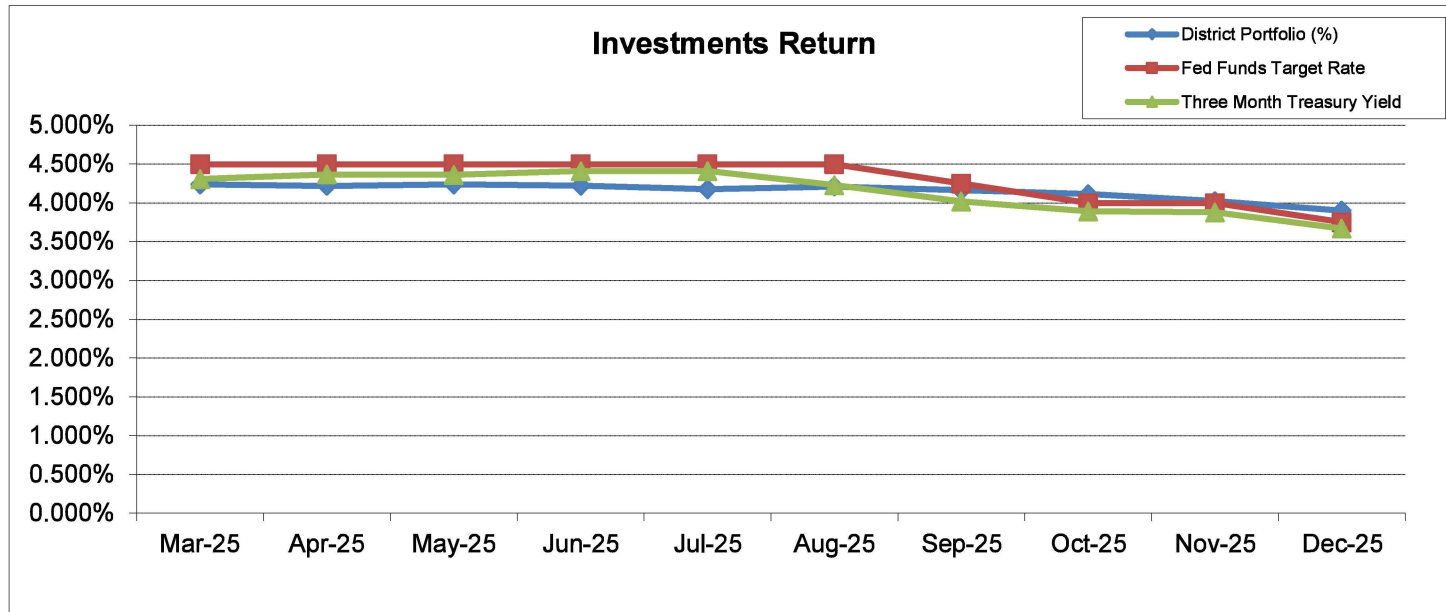
Ratings & Amounts

<u>U.S. Treasuries</u>		
T-Bills	AA+	-
T-Notes	AA+	280,000,000
<u>Agency Bonds</u>		
FAMC	AA+	-
FFCB	AA+	-
FHLB	AA+	20,000,000
FHLMC	AA+	-
FNMA	AA+	-
<u>Municipal Bonds</u>		
Municipal	AAA category	-
Municipal	AA category	-
<u>Corporate Bonds</u>		
Corporate	AAA category	-
Corporate	AA+ category	-
Corporate	AA- category	-
<u>Overnight Liquidity</u>		
LGIP	AAA	104,921,928
MMF	AAA	93,407,477
LAIF	N/A	66,894,938
Cash	N/A	28,702,281
		\$ 593,926,625



EAST BAY MUNICIPAL UTILITY DISTRICT
Investment Portfolio
Yield and Composition of Investment Portfolio
March 31, 2026

ATTACHMENT B-2





EAST BAY MUNICIPAL UTILITY DISTRICT
Investment Portfolio
Yield and Composition of Investment Portfolio
March 31, 2026

ATTACHMENT B-3

Projected Cash Flow (in \$Millions)

Water System

Month End	Matured Investments	Projected			Matured Reinvested
		Receipts	Disbursements	Cash & Investments	
Mar-26				418.8	
Apr-26	0.0	60.1	93.2	385.7	0.0
May-26	176.0	62.8	244.8	203.7	176.0
Jun-26	0.0	98.5	92.0	210.2	0.0
Jul-26	0.0	86.5	96.6	200.1	0.0
Aug-26	0.0	90.4	96.0	194.5	0.0
Sep-26	16.0	89.1	96.0	187.6	16.0

Wastewater System

Month End	Matured Investments	Projected			Matured Reinvested
		Receipts	Disbursements	Cash & Investments	
Mar-26				111.8	
Apr-26	0.0	11.2	20.4	102.6	0.0
May-26	29.0	11.2	43.8	70.0	29.0
Jun-26	0.0	11.2	20.4	60.8	0.0
Jul-26	0.0	12.3	18.2	54.9	0.0
Aug-26	0.0	12.3	18.2	49.0	0.0
Sep-26	4.0	12.3	18.2	43.1	4.0

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: April 23, 2026

MEMO TO: Board of Directors

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

FROM: Sophia D. Skoda, Director of Finance *SDS*

SUBJECT: Monthly Investment Transactions Report

SUMMARY

In accordance with Policy 4.07 – Investments, staff prepares a monthly transactions report for the Finance/Administration Committee to review and for the Board to consider each month. The Committee will review the March 2026 report at the April 28, 2026 Finance/Administration Committee meeting.

DISCUSSION

Pursuant to Policy 4.07, staff prepares a monthly report of investment transactions (buys, sales, deposits, withdrawals) as well as transactions that occur as a feature of the securities held (interest, calls, maturities). Information on portfolio performance, balances, and other factors is presented in the quarterly investment report.

In March 2026, the portfolio decreased from \$595.4 million to \$593.9 million. Net transactions decreased the total by \$3.0 million. Interest received added \$1.5 million to the portfolio. Deposits into short-term liquidity funds totaled \$11.0 million, and \$20.0 million in securities matured. The District did not make any withdrawals and did not purchase any securities. No securities were called or sold. Net transactions at the District's commercial bank resulted in an increase of approximately \$6.0 million.

NEXT STEPS

This item will be brought to the Board for consideration at its April 28, 2026 meeting.

CCC:SDS:rlh

Attachment: March 2026 Monthly Investment Transactions Report

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Monthly Investment Transactions Report
March 2026

This report is presented to the Board pursuant to Government Code Section 53607 and in accordance with the District's Investment Policy 4.07.

The attached report details transactions in the District's portfolio as follows:

- **Monthly Investment Transactions Summary** **Page 1**
- **Monthly Investment Activity** **Page 2**
 - Buys Page 3
 - Deposits Page 4
 - Matured Page 5
 - Calls Page 6
 - Sales Page 7
 - Withdrawals Page 8
- **Monthly Interest Activity** **Page 9**
 - Interest Received (Transferred to Wells Fargo) Page 10
 - Interest Received (Reinvested) Page 11


Sophia Skoda (Apr 14, 2026 16:19:07 PDT)
Approved by: Sophia D. Skoda, Finance Director

04/14/2026

Date

SDS:KM:SLS



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Transactions Summary
March 2026

Portfolio	Beginning Balance*	Monthly Net Transaction Activity	Monthly Interest Activity	Ending Balance
001 - Water System Consolidated	458,810,752	(16,000,000)	457,395	443,268,146
007 - Wastewater Consolidated	104,423,838	(4,000,000)	137,160	100,560,998
049 - Ferc Partnership	2,284,076	-	-	2,284,076
009 - BACWA	2,583,980	-	-	2,583,980
015 - DERWA	1,142,044	-	-	1,142,044
002 - FRWA	1,142,044	-	-	1,142,044
014 - IICP	171,879	-	-	171,879
010 - UMRWA	73,089	-	-	73,089
003 - Employees Retirement	2,982,088	11,016,000	-	13,998,088
099 - Wells Fargo**	21,797,576	5,991,291	913,414	28,702,281
Total	595,411,365	(2,992,709)	1,507,969	593,926,625

* Portfolio balance presented at face value.

**Wells Fargo's month-end available balance per bank statement. Gross amount; not allocated by fund and not included in balances above.

A portion of the balance in Wells Fargo is swept to a money market fund to increase investment earnings.

Sherry Sarcos
 Prepared by: Sherry Sarcos, Accounting Technician

04/13/2026
 Date

Kevin Ma
 Reviewed by: Kevin Ma, Accounting Supervisor

04/13/2026
 Date

David Glasser
 David Glasser (Apr 13, 2026 14:10:27 PDT)

04/13/2026
 Date

Approved by: David Glasser, Controller

Date



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
March 2026

Portfolio	Buys	Deposits	Matured	Calls	Sales	Withdrawals	Non-Investment Transactions*	Net Transaction Activity
001 - Water System Consolidated	-	-	(16,000,000)	-	-	-	-	(16,000,000)
007 - Wastewater Consolidated	-	-	(4,000,000)	-	-	-	-	(4,000,000)
049 - Ferc Partnership	-	-	-	-	-	-	-	-
009 - BACWA	-	-	-	-	-	-	-	-
015 - DERWA	-	-	-	-	-	-	-	-
002 - FRWA	-	-	-	-	-	-	-	-
014 - IICP	-	-	-	-	-	-	-	-
010 - UMRWA	-	-	-	-	-	-	-	-
003 - Employees Retirement	-	11,016,000	-	-	-	-	-	11,016,000
Investment Activity Total	-	11,016,000	(20,000,000)	-	-	-	-	(8,984,000)
099 - Wells Fargo	-	(11,016,000)	20,000,000	-	-	-	(2,992,709)	5,991,291
Total	-	-	-	-	-	-	(2,992,709)	(2,992,709)

*Non-investment transactions are net receipts and expenditures in Wells Fargo resulting from activities other than investment and interest transactions detailed in this report.

Steven Goodman-Leibof
Steven Goodman-Leibof (Apr 14, 2026 10:05:01 PDT)

Reviewed by: Steven Goodman-Leibof, Principal Mgmt Analyst

04/14/2026

Date

mt Hannay

Approved by: Robert L. Hannay, Treasury Manager

04/14/2026

Date



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
March 2026

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

No Transactions this Period



EAST BAY MUNICIPAL UTILITY DISTRICT
 Monthly Investment Activity
 March 2026

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
Deposits										
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	3/27/2026	3/27/2026	N/A	5,493,000	5,493,000	-	5,493,000
003 - Employees Retirement	LAIF	LAIF LGIP	LGIP1005	3/13/2026	3/13/2026	N/A	5,523,000	5,523,000	-	5,523,000
					Total		11,016,000			
099 - Wells Fargo	Cash	WELLS FARGO Cash	CASH2017	3/31/2026	3/31/2026	N/A	6,904,705	6,904,705	-	6,904,705
					Total		6,904,705			

17,920,705 17,920,705 - 17,920,705



EAST BAY MUNICIPAL UTILITY DISTRICT
 Monthly Investment Activity
 March 2026

Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
Matured										
001 - Water System Consolidated	US Treasuries	T-Note 4.625 3/15/2026	91282CGR6	3/15/2026	3/15/2026	3/15/2026	16,000,000	16,000,000	-	16,000,000
007 - Wastewater Consolidated	US Treasuries	T-Note 4.625 3/15/2026	91282CGR6	3/15/2026	3/15/2026	3/15/2026	4,000,000	4,000,000	-	4,000,000
					Total		20,000,000			

20,000,000 20,000,000 - 20,000,000



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
March 2026

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

No Transactions this Period



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
March 2026

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

No Transactions this Period



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Investment Activity
March 2026

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

No Transactions this Period

- - - -



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Interest Activity
March 2026

Portfolio	Total Interest Received	Interest Transferred to Wells Fargo*	Net Interest Activity (Reinvested)**
001 - Water System Consolidated	1,107,395	(650,000)	457,395
007 - Wastewater Consolidated	356,398	(219,238)	137,160
049 - Ferc Partnership	-	-	-
009 - BACWA	2,637	(2,637)	-
015 - DERWA	8,670	(8,670)	-
002 - FRWA	6,972	(6,972)	-
014 - IICP	3,690	(3,690)	-
010 - UMRWA	9,028	(9,028)	-
003 - Employees Retirement	13,178	(13,178)	-
Interest Transactions Total	1,507,969	(913,414)	594,555
099 - Wells Fargo	-	913,414	913,414
Total	1,507,969	-	1,507,969

*Coupon and other interest received; reinvestment unavailable.

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

Sherry Sarcos
 Prepared by: Sherry Sarcos, Accounting Technician

04/13/2026
 Date

Kevin Ma
 Reviewed by: Kevin Ma, Accounting Supervisor

04/13/2026
 Date

David Glasser
 David Glasser (Apr 13, 2026 14:10:27 PDT)
 Approved by: David Glasser, Controller

04/13/2026
 Date



EAST BAY MUNICIPAL UTILITY DISTRICT
Monthly Interest Activity
March 2026


Portfolio Name	Asset Class	Description	CUSIP/Ticker	Trade Date	Settlement Date	Maturity Date	Face Amount/Shares	Principal	Interest/Dividends	Total
Interest Received (Transferred to Wells Fargo)										
001 - Water System Consolidated	US Treasuries	T-Note 3.5 9/30/2026	91282CLP4	3/31/2026	3/31/2026	9/30/2026	-	-	280,000	280,000
001 - Water System Consolidated	US Treasuries	T-Note 4.625 3/15/2026	91282CGR6	3/15/2026	3/15/2026	3/15/2026	-	-	370,000	370,000
								Total		650,000
007 - Wastewater Consolidated	US Treasuries	T-Note 3.5 9/30/2026	91282CLP4	3/31/2026	3/31/2026	9/30/2026	-	-	70,000	70,000
007 - Wastewater Consolidated	US Treasuries	T-Note 4.625 3/15/2026	91282CGR6	3/15/2026	3/15/2026	3/15/2026	-	-	92,500	92,500
007 - Wastewater Consolidated	Cash	WELLS FARGO Cash	CASH2017	3/2/2026	3/2/2026	N/A	-	-	56,738	56,738
								Total		219,238
002 - FRWA	Cash	WELLS FARGO Cash	CASH2017	3/2/2026	3/2/2026	N/A	-	-	6,972	6,972
								Total		6,972
003 - Employees Retirement	Cash	WELLS FARGO Cash	CASH2017	3/2/2026	3/2/2026	N/A	-	-	13,178	13,178
								Total		13,178
009 - BACWA	Cash	WELLS FARGO Cash	CASH2017	3/2/2026	3/2/2026	N/A	-	-	2,637	2,637
								Total		2,637
010 - UMRWA	Cash	WELLS FARGO Cash	CASH2017	3/2/2026	3/2/2026	N/A	-	-	9,028	9,028
								Total		9,028
014 - IICP	Cash	WELLS FARGO Cash	CASH2017	3/2/2026	3/2/2026	N/A	-	-	3,690	3,690
								Total		3,690
015 - DERWA	Cash	WELLS FARGO Cash	CASH2017	3/2/2026	3/2/2026	N/A	-	-	8,670	8,670
								Total		8,670
									913,414	913,414

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: April 23, 2026

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager 

FROM: Sophia D. Skoda, Director of Finance 

SUBJECT: Revisions to Policy 4.07 - Investments

SUMMARY

Recommend approval of the revised Policy 4.07 – Investments, which was last reviewed and reauthorized on May 27, 2025, to renew existing delegation of authority for the management of investments on behalf of the District and Joint Powers Authorities to the Director of Finance, as the Treasurer of the District, and their delegates. This item will be presented at the April 28, 2026 Finance/Administration Committee meeting.

DISCUSSION

It is the District's practice to present a statement of investment policy to the Board for their consideration annually at a public meeting, as permitted under Section 53646 of the California Government Code. Staff reviewed the District's Policy 4.07 to ensure continued compliance with the Government Code; incorporated the District's mission, values, and policies; and also provided guidance and a framework for the investment process.

The District's policy was submitted to the California Municipal Treasurer's Association (CMTA) for their review and certification in 2023. A review panel of three CMTA members who are municipal investment professionals working at public agencies around California scored the policy; the policy received a passing score and is considered certified by the CMTA. Following the CMTA review, the policy was updated to incorporate the recommendations made by the review committee. Since the certification, changes to the policy have been minor and generally for clarification, changes due to legislative updates and transparency purposes. This update conforms with this process. Among the proposed edits, one addresses a change to State law, while the others represent improvements to the clarity of the policy.

The policy was last reviewed and reauthorized under Board Resolution No. 35451-25 on May 27, 2025.

Updates to Policy 4.07

Two new sections were added to improve clarity:

- A new Scope section was added to clarify what funds are covered in the policy. It is best practice to be as specific as possible when describing what an investment policy covers.
- A section titled “No Retirement System Funds” was added to make it clear that Policy 4.07 pertains to only District funds and that the East Bay Municipal Utility District Employees’ Retirement System (the Retirement System) is governed by its own investment policy that is developed and maintained by the Retirement Board. This clarifies that though the Retirement System is sponsored and operated by District staff its investment portfolio is separate.

Two changes to existing sections to improve clarity:

- In the Ethics and Conflicts of Interest section the word “annually” was added to make it clear that disclosure of interest in financial institutions that conduct business with the District is a yearly requirement.
- In the section discussing the section titled “Review and Reporting Requirements” some clarifying language was added to provide specific guidance that the policy will be approved by resolution and that this process will also reaffirm the delegation of authority.

One addition to the restrictions of an allowable security type to better reflect existing requirements:

- Under the “Other Restrictions” for Certificates of Time Deposit a restriction was added requiring such securities to be collateralized at 110 percent of market value. This follows California Government Code requiring deposits to be collateralized at 10 percent greater than market value public agencies and emphasizes that this security type is a type of deposit as opposed to a tradeable security.

One change was required due to a change in State law:

- The sunset date in the section regarding Zero or Negative Market Rates was changed to reflect recent changes in State law.

The proposed policy, one with changes marked and the other in unmarked form, are attached.

NEXT STEPS

This item will be brought to the Board for consideration at its April 28, 2026 meeting.

CCC:SDS:sgl

Attachments: 1. Policy 4.07 Draft
2. Policy 4.07 Final



Policy 4.07R

EFFECTIVE [28 APR 26](#)²⁸
~~MAY 24~~

SUPERSEDES [28 MAY 24](#)
~~23 MAY 23~~

INVESTMENTS

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

Invest District funds and funds managed by the District on behalf of its Joint Powers Authorities (JPAs) in compliance with investment criteria for safety, liquidity, yield, and diversification as set forth herein. Investments shall be in securities with a range of maturities to provide adequate security and liquidity to pay demands when due while providing a risk-adjusted market rate of return on investments that takes into consideration the cash flow needs of the District and its JPAs.

Authority Section 53600 et. seq. of the California Government Code (Government Code) and Chapter 6, Article 7 of the Municipal Utility District Act (M.U.D. Act) govern the investment of idle monies of the District. Section 53635 of the Government Code defines how investments are to be handled for Joint Powers Authorities.

Delegation of Authority The authority and responsibility to invest idle monies of the District are delegated by the Board to the Director of Finance as the Treasurer. The Director of Finance may designate individual staff to carry out his/her responsibilities under this policy.

Scope [Except as noted below, this policy applies to all investment activities and financial assets of the District, which includes the Water Fund, Wastewater Fund and JPAs in which the District is the primary holder of assets.](#)

No Bond Proceeds The investment of bond proceeds is specifically defined in individual bond indenture documents and is not included in this policy. This exemption also applies to funds held at the Trustee in Principal, Interest, Debt Service Reserve, or other accounts for the purpose of servicing the bonds.

No Retirement System Funds [The investment of funds held by the East Bay Municipal Utility District Employees' Retirement System \(the Retirement System\) is managed under an investment policy written, maintained and approved by the Retirement System and is not included in this policy.](#)

Ethics and Conflicts of Interest

Officers and employees involved in the investment process shall:

- refrain from personal business activity that could conflict with proper execution of the District's investment program, or which could impair their ability to make impartial investment decisions on behalf of the District,
- [annually](#) disclose any material financial interest in financial institutions that conduct business with the District,
- disclose material personal financial/investments that are related to or could reasonably be affected by the performance of the District's investments,
- refrain from undertaking any personal investment transactions with the same individual with whom business is conducted on behalf of the District's investments, and
- comply with the District's Conflict of Interest Code, Procedure 418 - Gifts, Personal Loans and Personal Benefit Interests, Procedure 601 - Conflict of Interest Disqualification Procedure, and District Procedure 447 - Vendor Interactions and Procurement Integrity

Investment Criteria and Objectives

Criteria for selecting investments shall:

- adhere to the prudent investor standard, described in Section 53600.3 of the Government Code as follows: “when investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency,” **and**
- conform with the Government Code and the M.U.D. Act, **and**
- align with District policies, mission and values, **and**
- have the following objectives, in order of priority:
 1. *Safety* – The District’s ability to recover principal and interest. Investments shall be made that will seek to ensure the preservation of principal and interest and to minimize risk to the greatest extent possible. It is the primary duty of the Treasurer to protect, preserve and maintain cash and investments on behalf of the District.
 2. *Liquidity* – The District’s ability to have cash available when needed to support expenditure cycles and budgetary objectives.
 3. *Yield* – The District’s ability to provide a risk-adjusted market rate of return on the District’s investments while conforming to the safety and liquidity criteria above.
 4. *Diversification* – The District’s ability to maintain an investment portfolio that includes a range of security types. In order to accomplish this, each Investment Option shall have defined limits on maximum share of the portfolio, single issuer and single issue holdings; and maturity, rating and other restrictions where applicable.

Environmental, Social and Governance Factors

It is the intent of the District to align its investment decisions with its policies, mission, and values. Safety, liquidity, yield and diversification are the District’s primary investment objectives. The District will also consider sound Environmental, Social and Governance (ESG) factors and objectives in its investment process, subject to the prudent investor standard.

Maturity

The weighted average maturity of the portfolio shall not exceed 900 days.

Rating Agencies and Rating Requirements

As outlined below, some Investment Options have rating requirements. In that context, Rating Agencies is defined as:

- Standard & Poor’s Financial Services (S&P),
- Moody’s Investors Service (Moody’s), and
- Fitch Ratings (Fitch), only.

Ratings requirements:

- are provided using the S&P scale and should be read as “or equivalent” to other Rating Agencies scales. Rating Agencies scales are included for

- reference in Exhibit 1,
 - apply at the time of purchase only, with subsequent downgrades below requirement levels or the assignment of negative watch or outlook prompting a case-by-case evaluation of the investment, and
 - only apply to the Rating Agencies rating the security.
-

Investment Options

The District is able to purchase investments in the instruments listed in this section as allowed and defined under Section 53600 et. seq. of the Government Code, Chapter 6, Article 7 of the M.U.D. Act, Board Resolutions, and via this policy. Percentage limitations, where indicated, apply at the time of purchase. As used in this section, the term "Portfolio" refers to all investable funds covered by this policy.

1. United States Treasury Obligations

- Maximum Share of Portfolio: Unlimited
- Maximum Issuer Limit: n/a
- Maximum Issue Limit: n/a
- Maximum Maturity: Not to exceed five (5) years from the settlement date
- Minimum Rating: n/a
- Other Restrictions: none

2. United States Government Agencies Obligations

Under this subsection, only obligations issued by the following agencies are permitted:

- o Federal Agricultural Mortgage Corporation (FAMC)
- o Federal Farm Credit Bank (FFCB)
- o Federal Home Loan Bank (FHLB)
- o Federal Home Loan Mortgage Corporation (FHLMC)
- o Federal National Mortgage Association (FNMA)
- Maximum Share of Portfolio: Unlimited
- Maximum Issuer Limit: 40% of the Portfolio
- Maximum Issue Limit: n/a
- Maximum Maturity: Not to exceed five (5) years from the settlement date
- Minimum Rating: n/a
- Other Restrictions: none

3. State of California, Local Agency Investment Fund (LAIF)

- Maximum Share of Portfolio: as determined by the State Treasurer and in accordance with Section 16429.1 of the Government Code
- Maximum Issuer Limit: n/a
- Maximum Issue Limit: n/a
- Maximum Maturity: n/a
- Minimum Rating: n/a
- Other Restrictions: none

4. Local Government Investment Pools

Under this subsection, only obligations of the following agencies are permitted:

- o California Asset Management Program (CAMP)
- o Investment Trust of California (CalTRUST)
- Maximum Share of Portfolio: 40% of the Portfolio
- Maximum Issuer Limit: 20% of the Portfolio

- Maximum Issue Limit: n/a
- Maximum Maturity: n/a
- Minimum Rating: Ratings of AAAm for stable net asset value funds and AA category or higher for floating net asset value funds by at least one Rating Agency
- Other Restrictions: none

The District will review each Pool's disclosure documents annually to assess the suitability of the fund's holdings. These documents, along with the other criteria above, including the rating restriction, will be used to determine the suitability to receive Portfolio funds.

5. Money Market Mutual Funds

Under this subsection, only Money Market Mutual Funds with stable, non-floating net asset value are permitted:

- Maximum Share of Portfolio: 20% of the Portfolio
- Maximum Fund Limit: 5% of Money Market Mutual Fund's assets
- Maximum Issue Limit: n/a
- Maximum Maturity: n/a
- Minimum Rating: AAAm by at least two Rating Agencies
- Other Restrictions: none

The District will request from each Money Market Mutual Fund, prior to investing and on an annual basis after investing, documents which provide details on the operations of the fund. These documents, along with the other criteria above, including the rating restriction, will be used to determine the suitability to receive Portfolio funds.

6. Certificates of Time Deposit

Under this subsection, only investments in selected depositories, using one or more private sector entity, in compliance with and as authorized under Government Code Section 53601.8 are permitted.

- Maximum Share of Portfolio: 20% of the Portfolio when added together with Negotiable Certificates of Deposit
- Maximum Issuer Limit: applicable maximum FDIC deposit insurance coverage limit
- Maximum Issue Limit: n/a
- Maximum Maturity: Not to exceed one (1) year from the settlement date
- Minimum Rating: AA- by at least one Rating Agency
- Other Restrictions:
 - o Investment in local branches within the District, whenever possible.
 - o [Must be collateralized at 110% of market value](#)

7. Negotiable Certificates of Deposit

- Maximum Share of Portfolio: 20% of the Portfolio when added together with Certificates of Time Deposits
- Maximum Issuer Limit: applicable maximum FDIC deposit insurance coverage limit
- Maximum Issue Limit: 10% of issue
- Maximum Maturity: Not to exceed five (5) years from the settlement date
- Minimum Rating: AA- by all Rating Agencies
- Other Restrictions:
 - o Issued by banks with total deposits of one billion dollars

(\$1,000,000,000) or more.

8. Commercial Paper

- Maximum Share of Portfolio: 20% of the Portfolio
- Maximum Issuer Limit: 5% of the portfolio
- Maximum Issue Limit: n/a
- Maximum Maturity: Not to exceed 270 days from the settlement date
- Minimum Rating: A-1+ from at least one Rating Agency
- Other Restrictions:
 - o Issued by an entity that is, at the time of purchase:
 - organized and operating in the United States as a general corporation, with total assets exceeding \$500,000,000 and debt (other than commercial paper) rated A or better by at least one Rating Agency ; or
 - is organized within the United States as a special purpose corporation, trust, or limited liability company, with program wide credit enhancements including, but not limited to, overcollateralization, letters of credit, or a surety bond, **and** has commercial paper that is rated A-1+ by at least one Rating Agency.

9. Medium Term Corporate Notes

- Maximum Share of Portfolio: 20% of the Portfolio
- Maximum Issuer Limit: 5% of the Portfolio
- Maximum Issue Limit: 5% of original issue amount
- Maximum Maturity: Not to exceed 5 years from the settlement date
- Minimum Rating: AA- from at least one Rating Agency, and not lower than A by any Rating Agency
- Other Restrictions:
 - o Issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States.

10. Repurchase Agreements

- Maximum Share of Portfolio: 20% of the Portfolio
- Maximum Issuer Limit: n/a
- Maximum Issue Limit: n/a
- Maximum Maturity: Not to exceed 270 days from the settlement date
- Minimum Rating: n/a
- Other Restrictions:
 - o Collateral may only be in any securities authorized in items 1, or 2
 - o A Master Repurchase Agreement must be on file with the District
 - o Security must be marked to market on a daily basis and delivered to the District's custodial bank at a market value of at least 102%

Funds on deposit at the District's commercial bank may be invested in overnight repurchase agreements through a sweep program.

11. Municipal Obligations

Under this subsection, only registered obligations of the following agencies are permitted:

- o The State of California

- Any local agency within the State of California
- Municipal Bonds:
 - Maximum Share of Portfolio: 20% of the Portfolio when added together with Municipal Notes
 - Maximum Issuer Limit: 5% of the Portfolio
 - Maximum Issue Limit: 10% of original issue amount
 - Maximum Maturity: Not to exceed five (5) years or with a put provision within five (5) years of settlement date
 - Minimum Rating: AA- or equivalent by at least one Rating Agency, and not lower than A by any Rating Agency
 - Other Restrictions: none
- Municipal Notes:
 - Maximum Share of Portfolio: 20% of the Portfolio together with Municipal Bonds
 - Maximum Issuer Limit: 5% of the Portfolio
 - Maximum Issue limit: 10% of original issue amount
 - Maximum Maturity: n/a
 - Minimum Rating: Notes maturing within 365 days must have a rating of SP-1+ from at least one Rating Agency
 - Other Restrictions: none

Zero or Negative Market Rates

As authorized under Section 53601.6 and at the discretion of the Director of Finance or its designees, investments can be made "in securities issued by, or backed by, the United States government that could result in zero- or negative-interest accrual if held to maturity, in the event of, and for the duration of, a period of negative market interest rates." Those investment may also then be held until their maturity dates. This provision sunsets January 1, 20~~31~~²⁶.

Investment Placement

Investment placement shall be determined by, but not limited to, continual evaluation and projection of market conditions, interest rate trends, cash flow needs, economic data, yield curves, and interest rate forecasts. Additionally, for investments purchased or sold in the secondary market, best efforts will be made to obtain at least three quotations from Purchasing Entities (as defined below) or to obtain timely and verifiable third-party market pricing data for the investment in question. The combination of these factors shall determine where, in what denomination, and for what maturity investments are made.

Selling Securities Prior To Maturity

When selling securities prior to maturity, principal losses are only allowable either:

- if the sale of securities is necessary to meet payment obligations,
- to comply with this policy, while considering the impact of the sale(s), or
- if the proposed sale is to be made in conjunction with a purchase and the proposed sale in combination with the subsequent purchase can enhance the Portfolio's yield.

Collateral Securities placed with agents of depository shall at all times be maintained as specified in District Resolution 33232-01 in one or more trust companies, State or national banks located within California, the Federal Reserve Bank, or with any state or national bank located in any city designated as a federal reserve city by the Board of Governors of the Federal Reserve System, and to take from any such banks or trust companies receipts for securities so deposited. Requests for Collateral substitution and releases are subject to the Treasurer's written approval.

Portfolio Performance The Portfolio will seek to attain a risk-adjusted market rate of return that takes into consideration the cash flow needs of the District. As a result, portfolio performance will be measured using common market indicators. Those may include, but are not limited to: the Federal funds rate, short-term government obligations rates, and other market rates that reflect the mix of securities in the Portfolio.

Purchasing Entities Investments will be purchased from either:

- Primary Dealers as designated by the Federal Reserve Bank of New York,
- National or California State Chartered Banks,
- Federal or California Chartered Savings Institution,
- Broker-Dealers registered with the State of California, **or**
- Issuers of securities eligible for purchase by the District.

In addition, these institutions must:

- be registered by the Securities and Exchange Commission (SEC),
- be members in good standing of the Financial Industry Regulatory Authority (FINRA), **and**
- provide audited financial statements to the District annually.

The District shall maintain a current eligible list of established dealers, brokers, banks and savings and loan associations with which securities trading and placement of funds are authorized.

Additionally, to be placed on the eligible list, individuals need to certify in writing that they have read, understood, and agree to comply with this policy, where applicable, by completing and filing with the District the 'Certification of Compliance with Investment Policy' included in this policy as Exhibit 2.

Eligibility may be revoked at any time, in the District's sole discretion, for any reason, including but not limited to, failure to meet the above requirements.

Trade Confirmations and Settlements

The District shall comply with the following:

1. To protect against potential losses by collapse of individual securities dealers, and to enhance access to securities, interest payments and maturity proceeds, all Securities purchased from dealers and brokers shall be held in safekeeping by the District's custodial bank, a national bank, a State chartered bank or trust company, established for this purpose as someone other than the selling party of the security. Securities purchased will be covered by a trust or safekeeping receipt in a manner that establishes the District's ownership. All transactions require delivery of the security prior to payment for the security (delivery vs. payment).

2. To ensure a high degree of internal control, all trade confirmations shall be received directly and reviewed for conformity to the original transaction by an individual other than the person originating the transaction. Any discrepancies will be brought to the attention of the Treasurer.

Review And Reporting Requirements

On a monthly basis, in accordance with Section 53607 of the Government Code, the Treasurer shall prepare and submit a report listing investment transactions to the General Manager and the Board of Directors.

On a quarterly basis, in accordance with Section 53646 of the Government Code, the Treasurer may prepare and submit a report to the General Manager and the Board of Directors. If rendered, the report shall include the type of investment, issuer, date of maturity, par and dollar amount invested on all securities, investments and moneys held by the District, and provide an investment summary by security type, percent of the portfolio, investment yield and the remaining period of investment to maturity.

On an annual basis, in accordance with Section 53646 of the Government Code, an investment policy may be presented to the Board for consideration [and approved by resolution](#) at a public meeting. In conjunction with the investment policy consideration, the Board shall also annually review [and reaffirm](#) the delegation of its authority for the management of investments to the Treasurer.

Performance Review And Internal ControlOffice of Internal Audit

The Office of Internal Audit will periodically audit the investment portfolio to evaluate the effectiveness of the District's investment program as well as its compliance with the Investment Policy. These audits will supplement the annual review by the District's external auditors.

Finance Department

The Treasurer has established and maintains an internal control structure designed to ensure that funds covered under this policy are protected from loss, theft, fraud, or misuse.

The Treasurer will review the investment portfolio monthly for compliance with the Investment Policy and make recommendations for changes and improvements where warranted.

Authority

Resolution No. 33019-96 on December 10, 1996
Amended by Resolution No. 33134-99 on January 26, 1999
Amended by Resolution No. 33232-01 on January 9, 2001
Amended by Resolution 33287-02 on January 22, 2002
Amended by Resolution 33350-03 on February 25, 2003
Amended by Resolution 33390-04 on January 27, 2004
Amended by Resolution 33464-05 on February 22, 2005
Amended by Resolution 33516-06 on January 24, 2006
Amended by Resolution 33585-07 on March 13, 2007
Approved by Resolution 33658-08, February 26, 2008
Approved by Resolution 33702-09, February 24, 2009
Approved by Resolution 33752-10, January 26, 2010
Approved by Resolution 33792-10, November 23, 2010

Approved by Resolution 33871-12, April 24, 2012
Approved by Resolution 33920-13, March 26, 2013
Reaffirmed by Motion 056-14, March 25, 2014
Approved by Resolution 34027-15, April 28, 2015
Approved by Resolution 34079-16, April 26, 2016
Approved by Resolution 35033-17, April 25, 2017
Approved by Resolution 35083-18, April 24, 2018
Approved by Resolution 35137-19, April 23, 2019
Approved by Resolution 35174-20, April 28, 2020
Approved by Resolution 35220-21, April 27, 2021
Approved by Resolution 35290-22, May 24, 2022
Approved by Resolution 35346-23, May 23, 2023
Approved by Resolution 35398-24, May 28, 2024
Reauthorized by Resolution 35451-25, May 27, 2025
[Approved by Resolution XXXXX-26, April 28, 2026](#)

References

EBMUD Conflict of Interest Code
Procedure 418 – Gifts, Personal Loans and Personal Benefit Interests
Procedure 447 – Vendor Interactions and Procurement Integrity
Procedure 601 – Conflict of Interest Disqualification Procedure

**EXHIBIT 1
RATING AGENCIES' SCALES**

For purposes of Investment Policy 4.07 the term "Rating Agencies" is defined as: Standard & Poor's Financial Services (S&P), Moody's Investors Service (Moody's), and Fitch Ratings (Fitch).

Ratings requirements are provided using the S&P scale and should be read as "or equivalent" to other Rating Agencies scales. The equivalencies are provided in the tables below.

EXAMPLE

Investment Option 6, Certificates of Time Deposits, shows:

"Minimum Rating: AA- by at least one Rating Agency"

This requirement should be read as:

"Minimum Rating: AA- *or equivalent* by at least one Rating Agency."

To determine the equivalent rating in the table below, find the AA- rating under the S&P column and read across the row to find the Moody's equivalent rating of Aa3 and the Fitch equivalent rating of AA-. Accordingly, a Certificate of Time Deposit is equivalent as an investment if it is rated AA- by S&P, Aa3 by Moody's, or AA- by Fitch.

INVESTMENT-GRADE RATING SCALES

LONG-TERM DEBT		
S&P	MOODY'S	FITCH
AAA	Aaa	AAA
AA+	Aa1	AA+
AA	Aa2	AA
AA-	Aa3	AA-
←Minimum rating required for District investments		
A+	A1	A+
A	A2	A
A-	A3	A-
BBB+	Baa1	BBB+
BBB	Baa2	BBB
BBB-	Baa3	BBB-

SHORT-TERM DEBT		
S&P	MOODY'S	FITCH
A-1+	P-1	F1+
←Minimum rating required for District investments		
A-1	-	F1
A-2	P-2	F2
A-3	P-3	F3

MONEY MARKET FUNDS		
S&P	MOODY'S	FITCH
AAAm	Aaa-mf	AAAf
←Minimum rating required for District investments		
AAm	Aa-mf	AAf
Am	A-mf	Af
BBBm	Baa-mf	BBBf

STABLE NAV LGIPs		
S&P	MOODY'S	FITCH
AAAm	Aaa-mf	AAAf
AAm	Aa-mf	AAf
Am	A-mf	Af
BBBm	Baa-mf	BBBf

←Minimum rating required for District investments

FLOATING NAV LGIPs		
S&P	MOODY'S	FITCH
AAAf	Aaa-mf	AAAf
AAf	Aa-mf	AAf
Af	A-mf	Af
BBBf	Baa-mf	BBBf

←Minimum rating required for District investments

EXHIBIT 2
East Bay Municipal Utility District
Certification of Compliance with Investment Policy

The East Bay Municipal Utility District (the District), under Policy 4.07 (the Investment Policy), requires that securities trading and placement of funds be conducted only with eligible Purchasing Entities. The Investment Policy also specifies that the District must obtain written certification that eligible Purchasing Entities have read, understood, and agree to comply with the Investment Policy, where applicable. This certification is necessary to be included on an approved list of Purchasing Entities that are eligible to conduct investment transactions with the District. The District has no obligation to enter into securities trading and/or placement of funds transactions with any or all Purchasing Entities on the list. The District retains the sole and exclusive discretion to determine with which of the Purchasing Entities, if any, to engage in individual investment transactions. Eligibility may be revoked at any time, at the District's sole discretion, for any reason, including but not limited to, failure to meet the requirements of the policy and this exhibit.

Please complete the sections below, sign and return this completed form if you wish to be considered for inclusion on the approved list of Purchasing Entities eligible to conduct investment transactions with the District. Please send completed form:

via mail, to:
Steven Goodman-Leibof
East Bay Municipal Utility District
375 11th Street, MS809
Oakland, CA 94607

and electronically, to:
steven.goodman-leibof@ebmud.com

A. Entity Name _____

- B.** My entity is a: (choose all that apply, **at least one must be checked for eligibility**)
- Primary Dealer as designated by the Federal Reserve Bank of New York
 - National or California State Chartered Bank
 - Federal or California Chartered Savings Institution
 - Broker-Dealer registered with the State of California

AND

I certify that my entity is: (**both must be checked for eligibility**)

- registered by the Securities and Exchange Commission (SEC)
- a member in good standing of the Financial Industry Regulatory Authority (FINRA)

- C.** My entity is an:
- issuer of securities eligible for purchase by the District

- D.** My entity:
- participates in the District's Contract Equity Program

- E.** I have provided:
- Audited Financial Statements

I certify that I have read, understood, and agree to comply where applicable with the District's Investment Policy.

Print Name _____

Sign Name _____

Title _____

Date _____

EXHIBIT 3
East Bay Municipal Utility District
Investment Policy Quick Reference Table

The following is a summary of Investment Options and a few of their requirements. Full details on each Investment Option can be found in the main body of the Investment Policy on pages 2 through 5.

Investment Option	Maximum Share of Portfolio	Minimum Rating at purchase	Maximum Maturity at settlement	Additional Limitations
United States Treasury Obligations	100%	n/a	5 years	see page 2, Item 1
United States Government Agencies Obligations	100%	n/a	5 years	see page 3, Item 2
State of California, Local Agency Investment Fund	per Government Code	n/a	n/a	see page 3, Item 3
Local Government Investment Pools - Stable Net Asset Value	40%	AAAm	n/a	see page 4, Item 4
Local Government Investment Pools - Floating Net Asset Value		AA-f		
Money Market Mutual Funds	20%	AAAm	n/a	see page 3, Item 5
Certificates of Time Deposit	20%	AA-	1 year	see page 3-4, Item 6
Negotiable Certificates of Deposit		AA-	5 years	see page 4, Item 7
Commercial Paper	20%	A-1+	270 days	see page 4, Item 9
Medium Term Corporate Notes	20%	AA-	5 years	see page 4, Item 9
Repurchase Agreements	20%	n/a	270 days	see page 5, Item 10
Municipal Obligations	20%	AA-	5 years	see page 5, Item 11

EXHIBIT 4
Glossary of Investment Terms Used in the Policy

This Glossary is for informational purposes only and is not intended to modify any of the terms of this Investment Policy, the Government Code, or the M.U.D. Act.

AVERAGE MATURITY	A calculation that expresses the average maturity of an investment portfolio using each investment's maturity weighted by the size of that investment in the portfolio.
BROKER	A broker brings buyers and sellers together and is compensated for his/her service.
CERTIFICATE OF DEPOSIT (CD)	A time deposit with a specific maturity evidenced by a Certificate. Large-denomination CDs are typically negotiable.
COLLATERAL	Securities, evidence of deposit or other property, which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.
COMMERCIAL PAPER (CP)	Short-term unsecured promissory notes.
CUSTODIAN	A bank or other financial institution that keeps custody of stock certificates and other assets.
DEALER	A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.
DELIVERY VS. PAYMENT (DVP)	Delivery of securities with a simultaneous exchange of money for the securities.
DIVERSIFICATION	An investment principle designed to spread the risk in a portfolio by dividing investments among different sectors, industries and companies.
GOVERNMENT SECURITIES	Obligations of the U.S. Government and its agencies and instrumentalities.
INTEREST	The amount earned while owning a debt security, generally calculated as a percentage of the principal amount.
LIQUIDITY	The speed and ease with which an investment can be converted to cash.
MATURITY	The date upon which the principal or stated value of an investment becomes due and payable.
MEDIUM TERM NOTES (MTN)	Debt securities issued by a corporation or depository institution with a remaining maturity ranging from nine months to five years.
MONEY MARKET MUTUAL FUNDS	An investment company that pools money from investors and invest in a variety of short-term money market instruments.
NET ASSET VALUE (NAV)	A per-share valuation of a mutual fund based on total assets minus total liabilities.
PRIMARY DEALER	A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight.
PRINCIPAL	The face value or par value of an investment.
RATE OF RETURN	The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond the current income return.
RISK (INVESTMENT RISK)	The probability that an actual investment return outcome will differ from an expected return outcome.
RISK-ADJUSTED RETURN	The return on investment relative to the amount of risk taken over a given period of time (e.g. if two or more investments have the same return over a given time period, the one that has the lowest risk will

	have the better risk-adjusted return).
REPURCHASE AGREEMENT	The purchase of securities, on a temporary basis, with the seller's simultaneous agreement to repurchase the securities back at a later date at a specified price that includes interest for the buyer's holding period.
SAFEKEEPING	Storage and protection of a customer's financial assets, valuables, or documents, provided as a service by an institution serving as Agent or Custodian and, where control is delegated by the customer.
SECONDARY MARKET	A market made for the purchase and sale of outstanding issues following the initial distribution.
SETTLEMENT DATE	The date when the security is delivered in exchange for the corresponding payment.
TREASURY BILLS	A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.
TREASURY BONDS	Long-term coupon-bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities of more than 10 years from date of issue.
TREASURY NOTES	Medium-term coupon-bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities from two to 10 years from date of issue.
U. S. GOVERNMENT AGENCY SECURITIES	Debt securities issued by U.S. Government sponsored enterprises and federally related institutions.
U.S. TREASURY SECURITIES	Securities issued by the U.S. Treasury and backed by the full faith and credit of the United States.
YIELD	The annual rate of return on a debt investment expressed as a percentage.

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Policy 4.07R

EFFECTIVE 28 APR 26

SUPERSEDES 28 MAY 24

INVESTMENTS

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

Invest District funds and funds managed by the District on behalf of its Joint Powers Authorities (JPAs) in compliance with investment criteria for safety, liquidity, yield, and diversification as set forth herein. Investments shall be in securities with a range of maturities to provide adequate security and liquidity to pay demands when due while providing a risk-adjusted market rate of return on investments that takes into consideration the cash flow needs of the District and its JPAs.

Authority	Section 53600 et. seq. of the California Government Code (Government Code) and Chapter 6, Article 7 of the Municipal Utility District Act (M.U.D. Act) govern the investment of idle monies of the District. Section 53635 of the Government Code defines how investments are to be handled for Joint Powers Authorities.
Delegation of Authority	The authority and responsibility to invest idle monies of the District are delegated by the Board to the Director of Finance as the Treasurer. The Director of Finance may designate individual staff to carry out his/her responsibilities under this policy.
Scope	Except as noted below, this policy applies to all investment activities and financial assets of the District, which includes the Water Fund, Wastewater Fund and JPAs in which the District is the primary holder of assets.
No Bond Proceeds	The investment of bond proceeds is specifically defined in individual bond indenture documents and is not included in this policy. This exemption also applies to funds held at the Trustee in Principal, Interest, Debt Service Reserve, or other accounts for the purpose of servicing the bonds.
No Retirement System Funds	The investment of funds held by the East Bay Municipal Utility District Employees' Retirement System (the Retirement System) is managed under an investment policy written, maintained and approved by the Retirement System and is not included in this policy.
Ethics and Conflicts of Interest	Officers and employees involved in the investment process shall: <ul style="list-style-type: none"> - refrain from personal business activity that could conflict with proper execution of the District's investment program, or which could impair their ability to make impartial investment decisions on behalf of the District, - annually disclose any material financial interest in financial institutions that conduct business with the District, - disclose material personal financial/investments that are related to or could reasonably be affected by the performance of the District's investments, - refrain from undertaking any personal investment transactions with the same individual with whom business is conducted on behalf of the District's investments, and - comply with the District's Conflict of Interest Code, Procedure 418 - Gifts, Personal Loans and Personal Benefit Interests, Procedure 601 - Conflict of Interest Disqualification Procedure, and District Procedure 447 - Vendor Interactions and Procurement Integrity

Investment Criteria and Objectives

Criteria for selecting investments shall:

- adhere to the prudent investor standard, described in Section 53600.3 of the Government Code as follows: “when investing, reinvesting, purchasing, acquiring, exchanging, selling, or managing public funds, a trustee shall act with care, skill, prudence, and diligence under the circumstances then prevailing, including, but not limited to, the general economic conditions and the anticipated needs of the agency, that a prudent person acting in a like capacity and familiarity with those matters would use in the conduct of funds of a like character and with like aims, to safeguard the principal and maintain the liquidity needs of the agency,” **and**
- conform with the Government Code and the M.U.D. Act, **and**
- align with District policies, mission and values, **and**
- have the following objectives, in order of priority:
 1. *Safety* – The District's ability to recover principal and interest. Investments shall be made that will seek to ensure the preservation of principal and interest and to minimize risk to the greatest extent possible. It is the primary duty of the Treasurer to protect, preserve and maintain cash and investments on behalf of the District.
 2. *Liquidity* – The District's ability to have cash available when needed to support expenditure cycles and budgetary objectives.
 3. *Yield* – The District's ability to provide a risk-adjusted market rate of return on the District's investments while conforming to the safety and liquidity criteria above.
 4. *Diversification* – The District's ability to maintain an investment portfolio that includes a range of security types. In order to accomplish this, each Investment Option shall have defined limits on maximum share of the portfolio, single issuer and single issue holdings; and maturity, rating and other restrictions where applicable.

Environmental, Social and Governance Factors

It is the intent of the District to align its investment decisions with its policies, mission, and values. Safety, liquidity, yield and diversification are the District's primary investment objectives. The District will also consider sound Environmental, Social and Governance (ESG) factors and objectives in its investment process, subject to the prudent investor standard.

Maturity

The weighted average maturity of the portfolio shall not exceed 900 days.

Rating Agencies and Rating Requirements

As outlined below, some Investment Options have rating requirements. In that context, Rating Agencies is defined as:

- Standard & Poor's Financial Services (S&P),
- Moody's Investors Service (Moody's), and
- Fitch Ratings (Fitch), only.

Ratings requirements:

- are provided using the S&P scale and should be read as “or equivalent” to other Rating Agencies scales. Rating Agencies scales are included for reference in Exhibit 1,
- apply at the time of purchase only, with subsequent downgrades below

-
- requirement levels or the assignment of negative watch or outlook prompting a case-by-case evaluation of the investment, and
 - only apply to the Rating Agencies rating the security.
-

**Investment
Options**

The District is able to purchase investments in the instruments listed in this section as allowed and defined under Section 53600 et. seq. of the Government Code, Chapter 6, Article 7 of the M.U.D. Act, Board Resolutions, and via this policy. Percentage limitations, where indicated, apply at the time of purchase. As used in this section, the term "Portfolio" refers to all investable funds covered by this policy.

1. United States Treasury Obligations

- Maximum Share of Portfolio: Unlimited
- Maximum Issuer Limit: n/a
- Maximum Issue Limit: n/a
- Maximum Maturity: Not to exceed five (5) years from the settlement date
- Minimum Rating: n/a
- Other Restrictions: none

2. United States Government Agencies Obligations

Under this subsection, only obligations issued by the following agencies are permitted:

- o Federal Agricultural Mortgage Corporation (FAMC)
- o Federal Farm Credit Bank (FFCB)
- o Federal Home Loan Bank (FHLB)
- o Federal Home Loan Mortgage Corporation (FHLMC)
- o Federal National Mortgage Association (FNMA)
- Maximum Share of Portfolio: Unlimited
- Maximum Issuer Limit: 40% of the Portfolio
- Maximum Issue Limit: n/a
- Maximum Maturity: Not to exceed five (5) years from the settlement date
- Minimum Rating: n/a
- Other Restrictions: none

3. State of California, Local Agency Investment Fund (LAIF)

- Maximum Share of Portfolio: as determined by the State Treasurer and in accordance with Section 16429.1 of the Government Code
- Maximum Issuer Limit: n/a
- Maximum Issue Limit: n/a
- Maximum Maturity: n/a
- Minimum Rating: n/a
- Other Restrictions: none

4. Local Government Investment Pools

Under this subsection, only obligations of the following agencies are permitted:

- o California Asset Management Program (CAMP)
- o Investment Trust of California (CalTRUST)
- Maximum Share of Portfolio: 40% of the Portfolio
- Maximum Issuer Limit: 20% of the Portfolio
- Maximum Issue Limit: n/a
- Maximum Maturity: n/a
- Minimum Rating: Ratings of AAAm for stable net asset value funds and AA

category or higher for floating net asset value funds by at least one Rating Agency

- Other Restrictions: none

The District will review each Pool's disclosure documents annually to assess the suitability of the fund's holdings. These documents, along with the other criteria above, including the rating restriction, will be used to determine the suitability to receive Portfolio funds.

5. Money Market Mutual Funds

Under this subsection, only Money Market Mutual Funds with stable, non-floating net asset value are permitted:

- Maximum Share of Portfolio: 20% of the Portfolio
- Maximum Fund Limit: 5% of Money Market Mutual Fund's assets
- Maximum Issue Limit: n/a
- Maximum Maturity: n/a
- Minimum Rating: AAAM by at least two Rating Agencies
- Other Restrictions: none

The District will request from each Money Market Mutual Fund, prior to investing and on an annual basis after investing, documents which provide details on the operations of the fund. These documents, along with the other criteria above, including the rating restriction, will be used to determine the suitability to receive Portfolio funds.

6. Certificates of Time Deposit

Under this subsection, only investments in selected depositories, using one or more private sector entity, in compliance with and as authorized under Government Code Section 53601.8 are permitted.

- Maximum Share of Portfolio: 20% of the Portfolio when added together with Negotiable Certificates of Deposit
- Maximum Issuer Limit: applicable maximum FDIC deposit insurance coverage limit
- Maximum Issue Limit: n/a
- Maximum Maturity: Not to exceed one (1) year from the settlement date
- Minimum Rating: AA- by at least one Rating Agency
- Other Restrictions:
 - o Investment in local branches within the District, whenever possible.
 - o Must be collateralized at 110% of market value

7. Negotiable Certificates of Deposit

- Maximum Share of Portfolio: 20% of the Portfolio when added together with Certificates of Time Deposits
- Maximum Issuer Limit: applicable maximum FDIC deposit insurance coverage limit
- Maximum Issue Limit: 10% of issue
- Maximum Maturity: Not to exceed five (5) years from the settlement date
- Minimum Rating: AA- by all Rating Agencies
- Other Restrictions:
 - o Issued by banks with total deposits of one billion dollars (\$1,000,000,000) or more.

8. Commercial Paper

- Maximum Share of Portfolio: 20% of the Portfolio
- Maximum Issuer Limit: 5% of the portfolio
- Maximum Issue Limit: n/a
- Maximum Maturity: Not to exceed 270 days from the settlement date
- Minimum Rating: A-1+ from at least one Rating Agency
- Other Restrictions:
 - o Issued by an entity that is, at the time of purchase:
 - organized and operating in the United States as a general corporation, with total assets exceeding \$500,000,000 and debt (other than commercial paper) rated A or better by at least one Rating Agency ; or
 - is organized within the United States as a special purpose corporation, trust, or limited liability company, with program wide credit enhancements including, but not limited to, overcollateralization, letters of credit, or a surety bond, **and** has commercial paper that is rated A-1+ by at least one Rating Agency.

9. Medium Term Corporate Notes

- Maximum Share of Portfolio: 20% of the Portfolio
- Maximum Issuer Limit: 5% of the Portfolio
- Maximum Issue Limit: 5% of original issue amount
- Maximum Maturity: Not to exceed 5 years from the settlement date
- Minimum Rating: AA- from at least one Rating Agency, and not lower than A by any Rating Agency
- Other Restrictions:
 - o Issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States.

10. Repurchase Agreements

- Maximum Share of Portfolio: 20% of the Portfolio
- Maximum Issuer Limit: n/a
- Maximum Issue Limit: n/a
- Maximum Maturity: Not to exceed 270 days from the settlement date
- Minimum Rating: n/a
- Other Restrictions:
 - o Collateral may only be in any securities authorized in items 1, or 2
 - o A Master Repurchase Agreement must be on file with the District
 - o Security must be marked to market on a daily basis and delivered to the District's custodial bank at a market value of at least 102%

Funds on deposit at the District's commercial bank may be invested in overnight repurchase agreements through a sweep program.

11. Municipal Obligations

Under this subsection, only registered obligations of the following agencies are permitted:

- o The State of California
 - o Any local agency within the State of California
-

- Municipal Bonds:
 - o Maximum Share of Portfolio: 20% of the Portfolio when added together with Municipal Notes
 - o Maximum Issuer Limit: 5% of the Portfolio
 - o Maximum Issue Limit: 10% of original issue amount
 - o Maximum Maturity: Not to exceed five (5) years or with a put provision within five (5) years of settlement date
 - o Minimum Rating: AA- or equivalent by at least one Rating Agency, and not lower than A by any Rating Agency
 - o Other Restrictions: none
- Municipal Notes:
 - o Maximum Share of Portfolio: 20% of the Portfolio together with Municipal Bonds
 - o Maximum Issuer Limit: 5% of the Portfolio
 - o Maximum Issue limit: 10% of original issue amount
 - o Maximum Maturity: n/a
 - o Minimum Rating: Notes maturing within 365 days must have a rating of SP-1+ from at least one Rating Agency
 - o Other Restrictions: none

Zero or Negative Market Rates

As authorized under Section 53601.6 and at the discretion of the Director of Finance or its designees, investments can be made "in securities issued by, or backed by, the United States government that could result in zero- or negative-interest accrual if held to maturity, in the event of, and for the duration of, a period of negative market interest rates." Those investment may also then be held until their maturity dates. This provision sunsets January 1, 2031.

Investment Placement

Investment placement shall be determined by, but not limited to, continual evaluation and projection of market conditions, interest rate trends, cash flow needs, economic data, yield curves, and interest rate forecasts. Additionally, for investments purchased or sold in the secondary market, best efforts will be made to obtain at least three quotations from Purchasing Entities (as defined below) or to obtain timely and verifiable third-party market pricing data for the investment in question. The combination of these factors shall determine where, in what denomination, and for what maturity investments are made.

Selling Securities Prior To Maturity

When selling securities prior to maturity, principal losses are only allowable either:

- if the sale of securities is necessary to meet payment obligations,
- to comply with this policy, while considering the impact of the sale(s), or
- if the proposed sale is to be made in conjunction with a purchase and the proposed sale in combination with the subsequent purchase can enhance the Portfolio's yield.

Collateral

Securities placed with agents of depository shall at all times be maintained as specified in District Resolution 33232-01 in one or more trust companies, State or national banks located within California, the Federal Reserve Bank, or with any state or national bank located in any city designated as a federal reserve city by the Board of Governors of the Federal Reserve System, and to take from any such banks or trust companies receipts for securities so deposited. Requests for Collateral substitution and releases are subject to the Treasurer's written approval.

Portfolio Performance

The Portfolio will seek to attain a risk-adjusted market rate of return that takes into consideration the cash flow needs of the District. As a result, portfolio performance will be measured using common market indicators. Those may include, but are not limited to: the Federal funds rate, short-term government obligations rates, and other market rates that reflect the mix of securities in the Portfolio.

Purchasing Entities

Investments will be purchased from either:

- Primary Dealers as designated by the Federal Reserve Bank of New York,
- National or California State Chartered Banks,
- Federal or California Chartered Savings Institution,
- Broker-Dealers registered with the State of California, **or**
- Issuers of securities eligible for purchase by the District.

In addition, these institutions must:

- be registered by the Securities and Exchange Commission (SEC),
- be members in good standing of the Financial Industry Regulatory Authority (FINRA), **and**
- provide audited financial statements to the District annually.

The District shall maintain a current eligible list of established dealers, brokers, banks and savings and loan associations with which securities trading and placement of funds are authorized.

Additionally, to be placed on the eligible list, individuals need to certify in writing that they have read, understood, and agree to comply with this policy, where applicable, by completing and filing with the District the 'Certification of Compliance with Investment Policy' included in this policy as Exhibit 2.

Eligibility may be revoked at any time, in the District's sole discretion, for any reason, including but not limited to, failure to meet the above requirements.

Trade Confirmations and Settlements

The District shall comply with the following:

1. To protect against potential losses by collapse of individual securities dealers, and to enhance access to securities, interest payments and maturity proceeds, all Securities purchased from dealers and brokers shall be held in safekeeping by the District's custodial bank, a national bank, a State chartered bank or trust company, established for this purpose as someone other than the selling party of the security. Securities purchased will be covered by a trust or safekeeping receipt in a manner that establishes the District's ownership. All transactions require delivery of the security prior to payment for the security (delivery vs. payment).
 2. To ensure a high degree of internal control, all trade confirmations shall be received directly and reviewed for conformity to the original transaction by an individual other than the person originating the transaction. Any discrepancies will be brought to the attention of the Treasurer.
-

Review And Reporting Requirements

On a monthly basis, in accordance with Section 53607 of the Government Code, the Treasurer shall prepare and submit a report listing investment transactions to the General Manager and the Board of Directors.

On a quarterly basis, in accordance with Section 53646 of the Government Code, the Treasurer may prepare and submit a report to the General Manager and the Board of Directors. If rendered, the report shall include the type of investment, issuer, date of maturity, par and dollar amount invested on all securities, investments and moneys held by the District, and provide an investment summary by security type, percent of the portfolio, investment yield and the remaining period of investment to maturity.

On an annual basis, in accordance with Section 53646 of the Government Code, an investment policy may be presented to the Board for consideration and approved by resolution at a public meeting. In conjunction with the investment policy consideration, the Board shall also annually review and reaffirm the delegation of its authority for the management of investments to the Treasurer.

**Performance
Review And
Internal Control**Office of Internal Audit

The Office of Internal Audit will periodically audit the investment portfolio to evaluate the effectiveness of the District's investment program as well as its compliance with the Investment Policy. These audits will supplement the annual review by the District's external auditors.

Finance Department

The Treasurer has established and maintains an internal control structure designed to ensure that funds covered under this policy are protected from loss, theft, fraud, or misuse.

The Treasurer will review the investment portfolio monthly for compliance with the Investment Policy and make recommendations for changes and improvements where warranted.

Authority

Resolution No. 33019-96 on December 10, 1996
Amended by Resolution No. 33134-99 on January 26, 1999
Amended by Resolution No. 33232-01 on January 9, 2001
Amended by Resolution 33287-02 on January 22, 2002
Amended by Resolution 33350-03 on February 25, 2003
Amended by Resolution 33390-04 on January 27, 2004
Amended by Resolution 33464-05 on February 22, 2005
Amended by Resolution 33516-06 on January 24, 2006
Amended by Resolution 33585-07 on March 13, 2007
Approved by Resolution 33658-08, February 26, 2008
Approved by Resolution 33702-09, February 24, 2009
Approved by Resolution 33752-10, January 26, 2010
Approved by Resolution 33792-10, November 23, 2010
Approved by Resolution 33871-12, April 24, 2012
Approved by Resolution 33920-13, March 26, 2013
Reaffirmed by Motion 056-14, March 25, 2014
Approved by Resolution 34027-15, April 28, 2015
Approved by Resolution 34079-16, April 26, 2016
Approved by Resolution 35033-17, April 25, 2017
Approved by Resolution 35083-18, April 24, 2018
Approved by Resolution 35137-19, April 23, 2019
Approved by Resolution 35174-20, April 28, 2020
Approved by Resolution 35220-21, April 27, 2021
Approved by Resolution 35290-22, May 24, 2022

Investments

NUMBER 4.07

PAGE NO.: 9

EFFECTIVE DATE: 28 APR 26

Approved by Resolution 35346-23, May 23, 2023
Approved by Resolution 35398-24, May 28, 2024
Reauthorized by Resolution 35451-25, May 27, 2025
Approved by Resolution XXXXX-26, April 28, 2026

References

EBMUD Conflict of Interest Code
Procedure 418 – Gifts, Personal Loans and Personal Benefit Interests
Procedure 447 – Vendor Interactions and Procurement Integrity
Procedure 601 – Conflict of Interest Disqualification Procedure

**EXHIBIT 1
RATING AGENCIES' SCALES**

For purposes of Investment Policy 4.07 the term "Rating Agencies" is defined as: Standard & Poor's Financial Services (S&P), Moody's Investors Service (Moody's), and Fitch Ratings (Fitch).

Ratings requirements are provided using the S&P scale and should be read as "or equivalent" to other Rating Agencies scales. The equivalencies are provided in the tables below.

EXAMPLE

Investment Option 6, Certificates of Time Deposits, shows:

"Minimum Rating: AA- by at least one Rating Agency"

This requirement should be read as:

"Minimum Rating: AA- *or equivalent* by at least one Rating Agency."

To determine the equivalent rating in the table below, find the AA- rating under the S&P column and read across the row to find the Moody's equivalent rating of Aa3 and the Fitch equivalent rating of AA-. Accordingly, a Certificate of Time Deposit is equivalent as an investment if it is rated AA- by S&P, Aa3 by Moody's, or AA- by Fitch.

INVESTMENT-GRADE RATING SCALES

LONG-TERM DEBT		
S&P	MOODY'S	FITCH
AAA	Aaa	AAA
AA+	Aa1	AA+
AA	Aa2	AA
AA-	Aa3	AA-
<hr/>		
A+	A1	A+
A	A2	A
A-	A3	A-
BBB+	Baa1	BBB+
BBB	Baa2	BBB
BBB-	Baa3	BBB-

←Minimum rating required for District investments

SHORT-TERM DEBT		
S&P	MOODY'S	FITCH
A-1+	P-1	F1+
<hr/>		
A-1	-	F1
A-2	P-2	F2
A-3	P-3	F3

←Minimum rating required for District investments

MONEY MARKET FUNDS		
S&P	MOODY'S	FITCH
AAAm	Aaa-mf	AAAf
<hr/>		
AAm	Aa-mf	AAf
Am	A-mf	Af
BBBm	Baa-mf	BBBf

←Minimum rating required for District investments

STABLE NAV LGIPs		
S&P	MOODY'S	FITCH
AAAm	Aaa-mf	AAAf
AAm	Aa-mf	AAf
Am	A-mf	Af
BBBm	Baa-mf	BBBf

←Minimum rating required for District investments

FLOATING NAV LGIPs		
S&P	MOODY'S	FITCH
AAAf	Aaa-mf	AAAf
AAf	Aa-mf	AAf
Af	A-mf	Af
BBBf	Baa-mf	BBBf

←Minimum rating required for District investments

EXHIBIT 2
East Bay Municipal Utility District
Certification of Compliance with Investment Policy

The East Bay Municipal Utility District (the District), under Policy 4.07 (the Investment Policy), requires that securities trading and placement of funds be conducted only with eligible Purchasing Entities. The Investment Policy also specifies that the District must obtain written certification that eligible Purchasing Entities have read, understood, and agree to comply with the Investment Policy, where applicable. This certification is necessary to be included on an approved list of Purchasing Entities that are eligible to conduct investment transactions with the District. The District has no obligation to enter into securities trading and/or placement of funds transactions with any or all Purchasing Entities on the list. The District retains the sole and exclusive discretion to determine with which of the Purchasing Entities, if any, to engage in individual investment transactions. Eligibility may be revoked at any time, at the District's sole discretion, for any reason, including but not limited to, failure to meet the requirements of the policy and this exhibit.

Please complete the sections below, sign and return this completed form if you wish to be considered for inclusion on the approved list of Purchasing Entities eligible to conduct investment transactions with the District. Please send completed form:

via mail, to:
Steven Goodman-Leibof
East Bay Municipal Utility District
375 11th Street, MS809
Oakland, CA 94607

and electronically, to:
steven.goodman-leibof@ebmud.com

A. Entity Name _____

- B.** My entity is a: (choose all that apply, **at least one must be checked for eligibility**)
- Primary Dealer as designated by the Federal Reserve Bank of New York
 - National or California State Chartered Bank
 - Federal or California Chartered Savings Institution
 - Broker-Dealer registered with the State of California

AND

I certify that my entity is: (**both must be checked for eligibility**)

- registered by the Securities and Exchange Commission (SEC)
- a member in good standing of the Financial Industry Regulatory Authority (FINRA)

- C.** My entity is an:
- issuer of securities eligible for purchase by the District

- D.** My entity:
- participates in the District's Contract Equity Program

- E.** I have provided:
- Audited Financial Statements

I certify that I have read, understood, and agree to comply where applicable with the District's Investment Policy.

Print Name _____

Sign Name _____

Title _____

Date _____

EXHIBIT 3
East Bay Municipal Utility District
Investment Policy Quick Reference Table

The following is a summary of Investment Options and a few of their requirements. Full details on each Investment Option can be found in the main body of the Investment Policy on pages 2 through 5.

Investment Option	Maximum Share of Portfolio	Minimum Rating at purchase	Maximum Maturity at settlement	Additional Limitations
United States Treasury Obligations	100%	n/a	5 years	see page 2, Item 1
United States Government Agencies Obligations	100%	n/a	5 years	see page 3, Item 2
State of California, Local Agency Investment Fund	per Government Code	n/a	n/a	see page 3, Item 3
Local Government Investment Pools - Stable Net Asset Value	40%	AAAm	n/a	see page 4, Item 4
Local Government Investment Pools - Floating Net Asset Value		AA-f		
Money Market Mutual Funds	20%	AAAm	n/a	see page 3, Item 5
Certificates of Time Deposit	20%	AA-	1 year	see page 3-4, Item 6
Negotiable Certificates of Deposit		AA-	5 years	see page 4, Item 7
Commercial Paper	20%	A-1+	270 days	see page 4, Item 9
Medium Term Corporate Notes	20%	AA-	5 years	see page 4, Item 9
Repurchase Agreements	20%	n/a	270 days	see page 5, Item 10
Municipal Obligations	20%	AA-	5 years	see page 5, Item 11

EXHIBIT 4
Glossary of Investment Terms Used in the Policy

This Glossary is for informational purposes only and is not intended to modify any of the terms of this Investment Policy, the Government Code, or the M.U.D. Act.

AVERAGE MATURITY	A calculation that expresses the average maturity of an investment portfolio using each investment's maturity weighted by the size of that investment in the portfolio.
BROKER	A broker brings buyers and sellers together and is compensated for his/her service.
CERTIFICATE OF DEPOSIT (CD)	A time deposit with a specific maturity evidenced by a Certificate. Large-denomination CDs are typically negotiable.
COLLATERAL	Securities, evidence of deposit or other property, which a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.
COMMERCIAL PAPER (CP)	Short-term unsecured promissory notes.
CUSTODIAN	A bank or other financial institution that keeps custody of stock certificates and other assets.
DEALER	A dealer, as opposed to a broker, acts as a principal in all transactions, buying and selling for his own account.
DELIVERY VS. PAYMENT (DVP)	Delivery of securities with a simultaneous exchange of money for the securities.
DIVERSIFICATION	An investment principle designed to spread the risk in a portfolio by dividing investments among different sectors, industries and companies.
GOVERNMENT SECURITIES	Obligations of the U.S. Government and its agencies and instrumentalities.
INTEREST	The amount earned while owning a debt security, generally calculated as a percentage of the principal amount.
LIQUIDITY	The speed and ease with which an investment can be converted to cash.
MATURITY	The date upon which the principal or stated value of an investment becomes due and payable.
MEDIUM TERM NOTES (MTN)	Debt securities issued by a corporation or depository institution with a remaining maturity ranging from nine months to five years.
MONEY MARKET MUTUAL FUNDS	An investment company that pools money from investors and invest in a variety of short-term money market instruments.
NET ASSET VALUE (NAV)	A per-share valuation of a mutual fund based on total assets minus total liabilities.
PRIMARY DEALER	A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight.
PRINCIPAL	The face value or par value of an investment.
RATE OF RETURN	The yield obtainable on a security based on its purchase price or its current market price. This may be the amortized yield to maturity on a bond the current income return.
RISK (INVESTMENT RISK)	The probability that an actual investment return outcome will differ from an expected return outcome.
RISK-ADJUSTED RETURN	The return on investment relative to the amount of risk taken over a given period of time (e.g. if two or more investments have the same return over a given time period, the one that has the lowest risk will

	have the better risk-adjusted return).
REPURCHASE AGREEMENT	The purchase of securities, on a temporary basis, with the seller's simultaneous agreement to repurchase the securities back at a later date at a specified price that includes interest for the buyer's holding period.
SAFEKEEPING	Storage and protection of a customer's financial assets, valuables, or documents, provided as a service by an institution serving as Agent or Custodian and, where control is delegated by the customer.
SECONDARY MARKET	A market made for the purchase and sale of outstanding issues following the initial distribution.
SETTLEMENT DATE	The date when the security is delivered in exchange for the corresponding payment.
TREASURY BILLS	A non-interest bearing discount security issued by the U.S. Treasury to finance the national debt. Most bills are issued to mature in three months, six months, or one year.
TREASURY BONDS	Long-term coupon-bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities of more than 10 years from date of issue.
TREASURY NOTES	Medium-term coupon-bearing U.S. Treasury securities issued as direct obligations of the U.S. Government and having initial maturities from two to 10 years from date of issue.
U. S. GOVERNMENT AGENCY SECURITIES	Debt securities issued by U.S. Government sponsored enterprises and federally related institutions.
U.S. TREASURY SECURITIES	Securities issued by the U.S. Treasury and backed by the full faith and credit of the United States.
YIELD	The annual rate of return on a debt investment expressed as a percentage.

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: April 23, 2026

TO: Board of Directors

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

SUBJECT: Proposed Changes to Board Meeting Frequency and Change in the General Manager's Authority

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 to maintain effective governance while creating a more sustainable cadence for Board members and staff. The proposal preserves the Board's ability to act in a timely manner, ensures transparency and public access, and maintains high-quality deliberation, while also recognizing Board and staff workload demands. Staff is also proposing an increase to the General Manager's authority for professional and general service agreements to ensure timely execution of agreements. This item will be discussed at the April 28, 2026 Finance/Administration Committee meeting.

DISCUSSION

The proposed changes to the Board meeting frequency and the increase in the General Manager's authority were discussed at the March 10, 2026 Planning Committee meeting. AFSCME Local 444 objected to increasing the General Manager's authority to \$250,000 and recommended a lower threshold. The Committee expressed general support for reducing the number of Board meetings and recommended reviewing comparable agency practices, and engaging with the Unions to address their concerns.

Background

The Board currently holds 22 regular meetings per year on the 2nd and 4th Tuesday each month, with only one meeting scheduled on the 2nd 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 and Rates, Long-Term Water Supply, Long-Term Infrastructure Investment) are conducted throughout the year when the Board convenes at the second meeting of the month.

The General Manager's current authority to approve professional and general services agreements is \$80,000 per agreement. The threshold was last increased in 2018, from \$70,000 to \$80,000 under Board Resolution No. 35098-18. Since that time, inflation, increased regulatory requirements, and the growing complexity of District operations have reduced the effectiveness of this threshold. Currently, all agreements approved under the General Manager's authority are reported to the Board in the General Manager's monthly report.

Proposal

Board Meeting Frequency

Staff proposes reducing the number of regular Board meetings from 22 to 18 per year. Under the proposal, one regular Board meeting would be held in June, August, September, and November, with all the committee meetings (Legislative/Human Resources, Finance/Administration, and Planning) and the Board meeting consolidated into a single meeting day during those months. In July and December, as has been past practice, only the Planning and Legislative/Human Resources Committee meetings will be held. The Sustainability Committee will meet 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.

Below is a summary of the Board meeting frequency at other agencies:

- Alameda County Water District (ACWD): Monthly Board meetings
- Contra Costa Water District (CCWD): Bi-monthly Board meetings
- Metropolitan Water District of Southern California (MWD): Monthly multi-day Board week that includes committee meetings and concluding with a Board meeting
- San Francisco Public Utilities Commission (SFPUC): Bi-monthly meetings with four to six meetings cancelled each year, typically in July, November, and December
- Valley Water: Bi-monthly Board meetings

General Manager's Authority

Staff proposes increasing the General Manager's authority to approve professional and general services agreements from \$80,000 to \$250,000 per agreement.

A review of the general and professional services agreements from January 2024 through March 2026 identified 70 agreements under \$250,000 that were brought to the Board for approval.

Of these, the Unions only raised issues with three agreements and the issues were resolved before the agreements were brought to the Board for consideration.

A review of other agencies found that all had higher General Manager approval authority than the District. Below is a summary of the approval authority of other agencies with MWD and SFPUC being the most similar to the District in terms of the size of their budget.

Agency	Professional or General Service Authority
ACWD	\$100,000
CCWD	\$150,000
Central Contra Costa Sanitary District	\$200,000 (professional service) No limit (general service)
MWD	\$250,000
SFPUC	\$1 million

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 would be maintained with all agreements approved under the General Manager’s authority reported in the General Manager’s monthly report to the Board. In addition, any agreements under \$250,000 that are opposed by the Union will be brought to the Board for consideration.

Staff met with Locals 2019, 444, and 21 to discuss the changes and resolved the Unions’ concerns.

NEXT STEPS

Staff is seeking feedback on the proposed changes to the Board meeting frequency and increasing the General Manager’s authority to approve professional and general services agreements. Staff will incorporate the Committee’s feedback and prepare a resolution to adopt a revised Board meeting schedule and a resolution outlining the increase in the General Manager’s approval authority for Board consideration. If the Committee does not support revising the Board meeting schedule or increasing the General Manager’s authority, the Board will continue meeting based on the current meeting schedule and the General Manager’s authority will remain at \$80,000 for professional and general services agreements.


CCC:jmj


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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: April 23, 2026

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager 

FROM: Rischa S. Cole, Secretary of the District 

SUBJECT: Board Governance Manual Updates and Consideration of Governance Policies

SUMMARY

At the April 28, 2026 Finance/Administration Committee meeting, staff will present recommended and proposed amendments to the Board of Directors Governance Manual and will seek the Committee's guidance on the adoption of the proposed amendments and development of Board governance policies.

DISCUSSION

On November 26, 2024, the Board adopted its Governance Manual. Since that time, the Board has proposed revisions to the manual and has agreed to incorporate additional Board meeting conduct "agreements" into the manual following the March 10, 2026 Board retreat. Staff also recommend additional changes based on the experience of implementing guidelines in the manual. The draft revisions are shown in the attachment.

Recommended and Proposed Changes to Governance Manual

Section 3.04(c), Role of the President Pro Tem

Edits have been made to clarify when and how long the president pro tem serves by stating when the Board President and Vice President are considered "absent," and to state that the president pro tem shall have all the powers and duties of the President while serving.

Section 4.03, Conduct at Board Meetings (new)

Add the list of draft "agreements" for communications at Board meetings developed by the Board during the March 10, 2026 Board retreat. The Finance/Administration Committee provided feedback at its March 24, 2026 meeting and the draft agreements have been updated to incorporate the Committee's feedback.

Section 5.02, Failure to Abide by Principles of Ethics and Conduct

No edits have been made to this section. However, several Board members expressed a desire to expand this section to provide further guidance regarding investigation of Board member misconduct. Some agencies have lengthy, detailed processes for investigations and the imposition of

discipline. Other agencies maintain only high-level policy guidelines, similar to the District's Ethics Policy and Governance Manual. Based on direction provided by the Board, staff will draft revisions to this section for consideration and approval at a future meeting.

Section 7.04, Removal of Board Officers

Edits have been made to clarify that a new Board Officer must be elected upon the resignation of a Board Officer, not just upon the removal of an Officer. In addition, the statement that a new Board Officer will be elected at the next Board meeting has been removed to prevent a gap in service if a Board Officer is removed or resigns. Any election of a Board Officer would be included on a Board meeting agenda in accordance with the Brown Act.

Section 11.04, Time and Place of Meetings

Language has been revised to clearly state that the regular Board meetings scheduled for the fourth Tuesdays in July and in December are canceled each year to allow for vacations.

Section 11.08, Posting Meeting Agendas

Language has been added to clarify that Board meeting agendas must be posted at all locations as required by the Brown Act. This includes remote meeting locations.

Section 12.01, Committee Assignments

A new provision has been added to state that the Board President may remove a Board member as a committee chair and appoint a new chair if the member is consistently late to committee meetings. The member would remain on the committee.

Appendix 2: Governing Laws and Regulations

This appendix has been updated to include new ethics and fiscal responsibility training requirements for Board members under Senate Bill 827.

Appendix 6: EBMUD Facility and Program Naming Guidelines

Guidelines approved by the Board for naming District facilities and programs have been added as a new appendix to the manual.

Board Governance Policies

Several Board members have expressed a desire to convert certain sections of the manual into Board policies. Based on the Board's direction, staff will draft policies for the Board's consideration and adoption and, for each policy adopted, update the Governance Manual, as appropriate.

Board Governance Manual Updates and Consideration of Governance Policies
Finance/Administration Committee
April 23, 2026
Page 3

NEXT STEPS

At the April 28, 2026 Finance/Administration Committee meeting, staff will seek the Committee's direction regarding amendments to the Board of Directors Governance Manual and converting sections of the manual into new Board policies. Based on the Committee's direction, staff will bring a revised Governance Manual and proposed Board policies to the Finance/Administration Committee for review and discussion on May 26, 2026.

CCC:RSC

Attachments: EBMUD Board of Directors Governance Manual (redlined)

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(Title Page)

East Bay Municipal Utility District Draft Board of Directors Governance Manual

Thank you for your commitment to the East Bay Municipal Utility District (EBMUD). Your role as an EBMUD Board member is critical in supporting the vibrant East Bay community and protecting the environment we all cherish.

You are not alone in this incredible endeavor. Your fellow Board members and skilled and dedicated staff are here to assist you. The General Manager, General Counsel, and Secretary of the District will be your primary points of contact during your tenure on the EBMUD Board.

This manual contains information to help you understand your role as an EBMUD Board member. All documents referenced in this manual are available electronically; the Secretary of the District will assist you in accessing these files.

We trust you will find your time on the EBMUD Board rewarding and an opportunity to make a significant impact on the communities we serve.

With sincere appreciation,

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Section 1. Introduction

This handbook provides guidance on the practices the Board employs in exercising its authority, complying with various legal requirements, working with the public and EBMUD staff, and otherwise conducting EBMUD business.

Throughout this manual, the terms “EBMUD” and the “District” will be used interchangeably. References throughout are provided in The Dashboard on OneDrive.¹

1.01 What is a Special District?

State law defines a special district as “any agency of the state for the local performance of governmental or proprietary functions within limited boundaries.” In plain language, a special district is a separate local government that delivers specific public services to a geographically limited area, such as water and wastewater service. Special districts have four distinguishing characteristics – they are a form of government; have governing boards; provide services and facilities; and have defined boundaries.²

1.02 EBMUD Mission Statement

EBMUD’s mission is “to manage the natural resources with which the District is entrusted; to provide reliable, high-quality water and wastewater services at fair and reasonable rates for the people of the East Bay; and to preserve and protect the environment for future generations.”

1.03 Principles of Governance

The principles used in accomplishing EBMUD’s mission are:

- Exercise responsible financial management
- Ensure fair and reasonable rates and charges
- Provide responsive quality customer service
- Promote ethical behavior in the conduct of EBMUD business
- Ensure fair and open processes involving the public
- Provide a healthy work environment
- Promote diversity and equity in personnel matters and contracting
- Promote environmental, economic, and social sustainability

1.04 EBMUD Values

EBMUD has adopted the following values in support of our Board members and employees as they work to achieve EBMUD’s mission:

¹ **Resource:** The Dashboard is an electronic library of reference documents and materials in a limited-access OneDrive folder provided to the Board and maintained by the Secretary’s Office.

² **Reference:** *Institute for Local Governments What’s So Special About Special Districts?*
<https://www.ca-ilg.org/post/about-special-districts>

- Stewardship: I am a steward of our resources and committed to public service
- Integrity: I act with integrity
- Respect: I treat others with respect
- Teamwork: We are EBMUD and we are one team³

Section 2. Municipal Utility District Act

The Municipal Utility District (MUD) Act of California, enacted in 1921, provides the legal framework for the formation and operation of municipal utility districts within the state.⁴ These districts are public agencies that provide essential services such as water, wastewater, electricity, and waste collection to their communities. Unlike private utility companies such as Pacific Gas & Electric, which are regulated by the California Public Utilities Commission, municipal utility districts operate independently and derive their powers directly from the MUD Act. The government of every municipal utility district is vested in a board of directors, one from each ward, together with the other officers mentioned in Chapter 3, Article 6 of the MUD Act.⁵ The MUD Act enables districts to levy taxes, issue bonds, and acquire, construct, or operate infrastructure necessary to delivery these services with the goal of ensuring reliable and cost-effective public utilities while maintaining local control over resource management.⁶

Section 3. Role of the Board of Directors

The Board of Directors is the legislative body of EBMUD. The Board sets policy for EBMUD and operates in accordance with and as outlined in MUD Act Chapter 3, Article 4, Powers and Duties of Directors and all other applicable laws. As discussed in subsection 3.03, the Board exercises legislative and ministerial powers in providing direction to EBMUD.

3.01 Purpose of the Board

The Purpose of the Board is to:

- Develop policies that implement the mission and values of EBMUD.
- Establish performance standards and outcomes that reflect the policies set by the Board.
- Provide oversight of EBMUD's performance against the standards established by the Board.
- Make decisions necessary to carry out the mission of EBMUD.

³ **Resource:** EBMUD Values Splashpad Page, <https://splashpad.ebmud.com/district/values>

⁴ **Reference:** Public Utilities Code § 11501 *et seq.*

⁵ **Reference:** Public Utilities Code §§ 11801 & 11850.

⁶ **Reference:** A hard copy of the MUD Act is provided to every new Board member.

3.02 Authority of the Board and Individual Board Members

The Board of Directors is the unit of authority for EBMUD. It is the legislative body of EBMUD and determines all questions of policy.⁷ Under the MUD Act, it is empowered to supervise and regulate the utility services provided by EBMUD, including setting rates and fees, and making and enforcing rules, regulations, contracts and practices in connection with any service, product, or commodity owned or controlled by EBMUD.⁸ The specific duties of the Board, as authorized by the MUD Act, are detailed in subsection 3.03.

The authority above must be exercised by a quorum of the Board, meaning four out of seven Board members. Individual Board members may not commit EBMUD to any policy, act, or expenditure unless authorized by a quorum of the Board.⁹

Individual Board members should respect the decisions made by the Board, regardless of their personal position. Individual Board members may voice their opinion about the decisions of the Board, but in doing so, should make it clear that it is their own opinion and not the opinion of the Board or other Board members. Individual Board members are encouraged to notify the General Manager in advance when they plan to speak publicly in opposition to EBMUD's decisions, policies or actions.

3.03 Board Duties

The key duties of Board members are to:

- Adopt and regularly update a Strategic Plan for EBMUD that reflects its mission, values and vision.
- Adopt written policies that further the Strategic Plan and mission of EBMUD, while ensuring a high-quality of governance and clear roles in decision-making between the Board and EBMUD staff.
- Adopt rates, rules and regulations for the services provided by EBMUD.
- Approve budgets, rates and long-range capital plans to ensure the long-term ability of EBMUD to fulfill its mission.
- Hire, regularly evaluate and, when necessary, discharge the General Manager and General Counsel.
- Identify and track the performance metrics that reflect the policies set by the Board.
- Provide oversight and track compliance with all relevant laws, regulations, permits and the performance of EBMUD.
- Ensure the organization operates effectively and efficiently to fulfil its mission.
- Comply with the open governance requirements of the Ralph M. Brown Act and the California Public Records Act.

⁷ **Reference:** Public Utilities Code § 11883.

⁸ **Reference:** Public Utilities Code § 11885. Additional details of the powers and duties of the Board as enumerated in the MUD Act may be found in Appendix 2, Governing Laws and Regulations.

⁹ **Reference:** Public Utilities Code § 11909.

- Communicate with EBMUD customers and community stakeholders to understand their concerns, values and viewpoints.
- Serve as ambassadors for EBMUD and build relationships throughout EBMUD's service area and in those areas of the state impacted by EBMUD's policies and activities.
- Maintain open lines of communication with employee unions and approve collective bargaining agreements in alignment with EBMUD's vision and goals.
- Strive to equitably address the needs of all communities served by EBMUD, with a special emphasis on addressing the needs of impacted communities.
- Set Ward boundaries following each decennial census and in accordance with the Fair Maps Act so that each ward accurately reflects population changes and racial diversity.
- Take such actions as are required by law.

3.04 Role of Board Officers

The Board Officers are the President and Vice President.¹⁰ While not considered Board officers, this subsection also describes the role of the President Pro Tem, the chairs of standing committees, and the representatives on the governing bodies of Joint Powers Authorities to which EBMUD is a party.

(a) Role of the Board President

The role of the President is to:

- Serve as presiding officer at all Board meetings.
- Develop and approve the regular Board meeting agenda in consultation with the General Manager.
- Administer regular Board meetings under appropriate parliamentary procedure and in accordance with this manual, by:
 - Managing the meeting time;
 - Ensuring appropriate opportunities for public participation;
 - Keeping the Board focused on the discussion at hand; and
 - Avoiding diversions from the agenda or disruptions in the conduct of EBMUD business.
- Sign resolutions, ordinances, and other Board-approved documents on behalf of the Board.
- Make appointments to Standing Board Committees, Ad Hoc Committees, Joint Powers Authorities (JPAs), and as representatives to outside agencies.
- Act as a mentor for newly elected or appointed Board members while avoiding violations of the Brown Act.¹¹
- Act as an official representative of EBMUD for ceremonial purposes.

¹⁰ **Reference:** Public Utilities Code § 11882.

¹¹ Any Board member who serves as a mentor to other Board members should first consult with the General Counsel for advice on providing mentorship in a manner that does not violate the Brown Act.

- Promote and exemplify EBMUD's Values of Stewardship, Integrity, Respect and Teamwork.
- Ensure Board members abide by Policy 6.04, Ethics of the Board of Directors, and the principles of conduct stated in this manual; in a prompt and timely fashion, investigate reported perceived violations of the Ethics Policy by a Board member, and consider any appropriate action warranted.

(b) Role of the Board Vice President

The Role of the Vice President is to:

- Perform the duties of the President in the President's absence or due to any conflict of interest the President may have under the law or EBMUD policies and procedures.
- Act as a mentor for newly elected or appointed Board members while avoiding violations of the Brown Act.

(c) Role of the President Pro Tem

If both the President and Vice President are absent, the Board member with seniority among the Board members present will serve as president pro tem until such time as the President or Vice President is present. The President or Vice President shall be considered "absent" if they have informed the Secretary of the District that they will not be present at a meeting or for a period of time or if the General Manager makes the determination that they are not available to serve at a meeting or for a period of time. The president pro tem shall have the same powers and duties as the President as set forth in this manual until such time as the President or Vice President are no longer absent.

(d) Role of Committee Chairs

The role of a Committee Chair is to:

- Serve as the presiding officer at committee meetings.
- Develop and approve the committee meeting agenda in consultation with the General Manager.
- Administer committee meetings under appropriate parliamentary procedure and in accordance with this manual.
 - Managing the meeting time;
 - Ensuring appropriate opportunities for public participation;
 - Keeping the committee focused on the discussion at hand; and
 - Avoiding diversions from the agenda or disruptions in the conduct of EBMUD business.
- Report to the Board at the next regular Board meeting following a committee meeting any discussions held at the committee meeting and any recommendations by the committee on actions to be taken by the Board.

3.05 Appointees of the Board of Directors

The Board directly appoints the General Manager, the General Counsel, and the Secretary of the District.¹²

(a) Role of the General Manager

The General Manager serves at the pleasure of the Board pursuant to the terms and conditions set forth in an employment agreement with EBMUD. The General Manager is responsible for the management of EBMUD and its employees in accordance with the policies approved by the Board.

The General Manager is responsible for:

- Administering the business affairs of EBMUD.
- Enforcing all EBMUD ordinances, rules and regulations.
- Executing Board directives and reporting back to the Board on progress.
- Administering the EBMUD civil service system.
- Hiring, managing and removing EBMUD employees necessary for the administration of the affairs of EBMUD, in accordance with the provisions of the civil service system.
- Managing communications and requests between the Board and staff.
- Attending all regular, special and committee meetings of the Board unless excused.
- Bringing to the attention of the Board matters requiring or deserving its consideration.
- Preparing an annual budget for approval by the Board reflecting the Board's policy and strategic directives.
- Preparing general and specific reports updating the Board on the affairs of EBMUD, including keeping the Board informed on the progress of programs and specific matters.
- Preparing draft agendas and all documents necessary for the Board's governance of EBMUD at regular Board meetings and committee meetings.
- Ensuring that EBMUD effectively interacts with the public it serves and other governmental agencies to inform them of matters of concern and to promote EBMUD policies and programs.
- The full charge and control of the construction of the works of EBMUD and of their maintenance and operations.
- Performing additional duties as the Board may require.¹³

The General Manager performs these duties either directly or through EBMUD staff or contractors, as necessary and appropriate, in accordance with Board policies, EBMUD procedures, and the EBMUD civil service system.

¹² **Reference:** Public Utilities Code §§ 11926 & 11931.

¹³ **Reference:** Public Utilities Code §§ 11926, 11937 & 12501 *et seq.*

(b) Role of the General Counsel

The General Counsel is licensed to practice law in the State of California and shall have been actively engaged in the practice of their profession for not less than three years next preceding their appointment.¹⁴ The General Counsel is the chief legal officer of EBMUD and serves at the pleasure of the Board pursuant to the terms and conditions set forth in an employment agreement with EBMUD. .¹⁵

The General Counsel is responsible for:

- Overseeing and directing EBMUD's strategy in all lawsuits and other legal proceedings in which EBMUD is a party or in which it is legally interested.
- Advising the Board on compliance with the Brown Act, conflict of interest laws, and other laws related to the Board's governance of EBMUD.
- Providing legal advice to the General Manager and members of the Senior Management Team.
- Providing legal advice in support of the work of EBMUD staff or whenever required by the Board.
- Reporting to the Board situations that present a legal risk to EBMUD that come to the General Counsel's attention.
- Approving as to form all EBMUD ordinances, resolutions, contracts, bonds, and other legal documents connected with the business of EBMUD.
- Attending all regular, special and committee meetings of the Board unless excused.
- Exercising fiscal responsibility in the management of special counsel contracts while making such expenditures as necessary to meet EBMUD's legal needs.
- Performing additional duties as the Board may require.

The General Counsel performs these duties either directly or through the attorneys and staff of the Office of General Counsel or in conjunction with special counsel retained by the Office of General Counsel, as necessary and appropriate, in accordance with Board policies and EBMUD procedures.

(c) Role of the Secretary of the District

The Secretary of the District acts on behalf of the Board members in a variety of executive, administrative, legal and record-keeping functions, and is part of the EBMUD Senior Management Team. These functions include preparation and distribution of Board and Committee agendas, notices, meeting materials, and minutes; compliance with applicable regulations, including the MUD Act, Public Health and Safety Code, Brown Act, Political Reform Act, and Public Records Act; records management; administration of elections; adherence to Fair Political Practices Commission requirements; compliance with ethics laws; maintenance of Board policies and related administrative procedures; and special projects.

¹⁴ **Reference:** Public Utilities Code § 11932.

¹⁵ **Reference:** Public Utilities Code § 11939.

The Secretary of the District:

- Makes independent decisions as necessary to implement Board requests, decisions and official actions.
- Provides administrative support to Board members.
- Performs all duties in compliance with applicable regulations.
- Serves as custodian of the EBMUD seal and the official records of EBMUD.
- Attends all regular, special and committee meetings of the Board unless excused.
- Produces, as appropriate, the minutes and official records of Board and Committee actions.
- Serves as the Filing Official under EBMUD's Conflict of Interest Code and serves as EBMUD's Election Officer to oversee EBMUD election procedures with the Counties of Alameda and Contra Costa.
- May perform any other duties from time to time as may be prescribed by the Board of Directors.

Section 4. Principles of Conduct

The Board is committed to acting in the best interests of its ratepayers and the public, providing excellence in leadership and prioritizing EBMUD's mission over personal or other interests. This section presents general principles of Board member conduct.

4.01 General Principles of Conduct

The following are the general principles of conduct to be observed by the Board.

- Board members must always demonstrate loyalty to EBMUD by acting in the best interest of EBMUD, its ratepayers and the public, not allowing their actions to be dictated by personal, financial or political interests.
- Board members should make decisions that prioritize the long-term sustainability, financial health, and operational efficiency of EBMUD, while ensuring reliable service to the public.
- Board members should be prepared for Board meeting deliberations in which they are required to or wish to take part.
- Board members should demonstrate EBMUD's values of Stewardship, Integrity, Respect, and Teamwork.
- Board members should endeavor to conduct themselves with civility, respect, and professionalism with each other, EBMUD staff, and the public.
- Each Board member should respect the decision-making authority of the Board and abide by Board-adopted policies and EBMUD-adopted procedures.
- Board members should familiarize themselves with and comply with all applicable laws, regulations and Board-adopted policies regarding governance of EBMUD, about which Board members may seek advice from the General Manager or Secretary of the District, or legal advice from the General Counsel, when necessary.

Board members are encouraged to:

- Stay informed about the issues facing the water and wastewater industry.
- Ask the General Manager questions about Board meeting agenda items ahead of Board and committee meetings to allow time for staff to prepare helpful responses to support the Board's discussion and decision-making.
- Manage conflict carefully and with civility.
- Be respectful of their fellow Board members, staff, guests, and the public.
- Be timely in their attendance at all Board, committee, and special meetings.

4.02 Conduct Between Board Members

The following principles apply to all conduct between Board members when interacting with each other.

- Each Board member should respect the dignity, values and opinions of other Board members, focusing on policy issues and not personalities.
- The Board is encouraged to work as a team, striving to reach consensus on policy decisions to the extent possible, recognizing that each Board member may have a unique perspective on a policy issue.
- No Board member should put the personal interests of any other Board member above the interests of EBMUD.
- Board members shall not communicate with each other outside of publicly noticed meetings in a manner that violates the Brown Act.

4.03 Conduct at Board Meetings

At all meetings, Board members shall:

- Ensure every Board member's voice is heard before decisions are made.
- Focus on issues, not individuals.
- Provide constructive feedback, even when there is disagreement.
- Be succinct and focused when contributing to the discussion.
- Commit to truth and accuracy in discussions.
- Listen with trust and respect to everyone.
- Direct any concerns to the General Manager, not staff.
- Not raise any surprises, but instead raise concerns openly and constructively.
- Not engage in personal attacks.

4.034.04 Conduct When Representing EBMUD in Public

The following principles apply to the conduct by Board members when interacting with constituents or representing EBMUD in public settings.

- When responding to constituent requests and concerns, Board members are expected to be courteous and respond to individuals promptly and in a positive manner. The General Manager and the Community Affairs Representative for the Board member’s ward are available to provide information or assistance to a Board member in responding to members of the public.
- In communicating with the governing bodies of other agencies, the press, or other members of the public:
 - Board members may speak on behalf of EBMUD or the Board when discussing adopted EBMUD policies or stated Board decisions.
 - In all other circumstances, Board members should make it clear that their opinions and representations are their own and do not reflect the opinions or policies of EBMUD or the Board as a whole.
 - Board members are encouraged to notify the General Manager in advance if they plan to speak publicly in opposition to an EBMUD decision or policy.
- Board members should endeavor to express their individual opinions in a responsible manner that is not detrimental to EBMUD or other Board members and staff.

4.044.05 Working with Staff

The MUD Act charges the General Manager with the day-to-day management of EBMUD staff.¹⁶ This subsection describes how the Board works with those EBMUD officers appointed by the Board, as well as with EBMUD staff.

(a) Working with the General Manager

The Board provides policy direction and instructions to the General Manager on matters within the authority of the Board. The General Manager is responsible for execution of the Board’s policy direction and instructions. Members of the Board should deal with matters within the authority of the General Manager through the General Manager.

(b) Working with the General Counsel

The General Counsel provides the legal support for the policies adopted by the Board and the procedures approved by the General Manager to implement those policies.

- Board members should consult directly with the General Counsel on any questions regarding compliance with the Brown Act, ethics laws or other laws related to Board governance.
- The General Counsel provides advice to Board members in their official capacity and cannot advise Board members in their individual capacity.
- The General Counsel cannot advise Board members in their capacities as campaign candidates except insofar as their positions as Board members may impose certain legal obligations on them under campaign finance laws.

¹⁶ **Reference:** See Public Utilities Code §§ 11926 & 11937.

(c) Working with the Secretary of the District

The Secretary of the District and staff provides administrative support to the Board and performs additional duties as the Board may require. Board members should consult with the Secretary of the District on questions regarding but not limited to EBMUD-related travel, attending conferences, expenses and reimbursement, training requirements, schedule coordination, Board meeting material distribution, Board meeting attendance, elections, FPPC filings (e.g. Form 700), general information (outside of information requested from the General Manager or General Counsel), and other regulatory requirements that may govern their role.

(d) Working with EBMUD Staff

When working with or interacting with EBMUD staff, each Board member should:

- Consult directly with the General Manager for information or clarification regarding EBMUD policies, procedures or operations, especially those involving personnel decisions, operations and finances.
- Not exercise individual authority over staff and direct inquiries regarding the actions of any EBMUD staff member to the General Manager.
- Respect the role and authority of the General Manager and EBMUD's Senior Management Team and employees in the day-to-day management and operations of EBMUD.
- Share concerns about or criticism of the actions of EBMUD staff with the General Manager, in order to respect the privacy or due process rights afforded to all staff.
- Be mindful of requests (e.g., preparing memoranda, reports, or plans) and the impact on the use of staff time and resources, as follows:
 - Board members may work directly with the Community Affairs Representative for their ward in responding to constituent concerns, preparing for meetings with constituents, or on such other matters in which a Board member may interact with a constituent.
 - Board members are encouraged to keep the General Manager and Secretary of the District apprised of any need to work with a Community Affairs Representative.
 - Other than as set forth above, Board members should direct all individual requests for information, memoranda, plans, documents or other materials to the General Manager or the Secretary of the District.
 - Board members should recognize that they are the highest authority at EBMUD and, in order to avoid disruption to the work of EBMUD employees and allow for the free exchange of information, should avoid attending staff meetings or staff events or entering into staff offices or cubicles unless their presence is requested or by making an appointment through the General Manager, the Secretary of the District or, for legal matters, the General Counsel.

4.054.06 Relationship with Union Representatives

Board members are encouraged to maintain open lines of communication with union leaders to understand concerns associated with pending Board matters, contracts, and employee relations concerns, but should not disclose confidential information to union representatives. Board members should inform the General Manager of discussions with union representatives, as appropriate. Board members should not represent their individual opinions as being the policy or position of EBMUD and should clearly distinguish between personal opinion and the position of EBMUD in such communications. In speaking with union members, Board members should recognize that the comments and opinions of individual union members may not represent the official position of the union and should avoid reporting such conversations as the position of the union.

Section 5. Ethics of the Board of Directors

5.01 Principles of Ethics

Board members should avoid impropriety or the appearance of impropriety in their activities. Board members will uphold the highest standards of integrity, honesty, and ethical behavior in all EBMUD-related activities and in accordance with Policy 6.04, Ethics of the EBMUD Board of Directors. Board members are encouraged to review Policy 6.04 and to direct any questions regarding the Policy to the General Counsel.

5.02 Failure to Abide by Principles of Ethics and Conduct

The Board President is responsible for ensuring Board members abide by the Ethics Policy and principles of conduct stated in this manual. Violations of Policy 6.04 – Ethics of the Board of Directors, will be addressed in accordance with the procedures set forth in the Policy. Should any Board member have a concern about a violation of the principles of conduct, the Board member is encouraged to raise the concern in private with the Board member in question, or with the Board President, prior to raising the concern in public. Any Board member may call for censure or other actions to be taken against the Board member who has violated the principles of conduct.

Section 6. Protection of Whistleblowers

The Board promotes and oversees EBMUD's efforts to maintain a healthy and transparent work environment, free from discrimination, harassment or retaliation based on the reporting of improper activities in the workplace. The Board's role in the protection of whistleblowers at EBMUD is described in Policy 6.16.

Section 7. Election of Board Officers

7.01 Process for Election

(a) Time of Election

Board Officers shall be elected as the first order of business during the first regular Board meeting of the calendar year.

(b) Nomination of Officers

- Each Board member has the right to nominate a Board member, including themselves, for the role of President or Vice President.¹⁷
- Each nomination must be seconded by a Board member.
- If more than one Board member is nominated to an Officer position, each nominee must be put to vote in the order the nomination was made.

(c) Vote for Board Officers

The positions of President and Vice President shall be elected by a majority vote of the Board (four of seven Board members).

7.02 Qualifications of Board Officers

It is important that any Board member being considered for election to an Officer position have the qualifications and experience necessary for effective governance. This includes the following:

- Service on the Board for at least one year prior to the date of the Officer election
- Completion of all required Orientation and Training described in this manual

Traditionally, a Board member shall have served as Vice President prior to serving as President.

In circumstances where none of the Board members meet the qualifications stated above, the Board may vote to elect any Board member to serve as President or Vice President.

7.03 Term of Board Officers

The term of each Board Officer shall be for one year, shall begin immediately following the vote by the Board and shall continue until a new Board Officer is elected.

A Board member may not serve more than two consecutive one-year terms in each Board Officer position, unless a situation arises in which the majority of the Board votes to allow an Officer to hold three or more consecutive terms.

¹⁷ Traditionally, the immediate past Vice President has been nominated for the role of President.

7.04 Removal or Resignation of Board Officers

A vote to remove a Board Officer may be initiated following a motion by any Board member and seconded by another Board member. A Board Officer may be removed by a majority vote of the Board (four of seven Board members).

Upon removal or resignation of a Board Officer, the Board shall ~~calendar the appointment of~~elect a new Officer ~~for the next regular Board meeting~~. New Officers shall be nominated and approved as set forth in subsection 7.01. The Officer ~~appointed~~ elected to fill the position shall serve for the remainder of the term for the position.

Section 8. Filling Director Vacancies

When a vacancy occurs in a ward before the next general election that is scheduled 90 or more days after the effective date of the vacancy, the Board must vote to either hold a special election in that ward or to appoint a person to fill the vacancy until the next general election.¹⁸

If the Board chooses to appoint a person to fill the vacancy, the following process may be used.

- At a regularly scheduled or special Board meeting, the Board will appoint an ad hoc committee to facilitate the appointment process.
- A Notice of Vacancy in the ward will be posted in three conspicuous places (EBMUD's Administration Building in Oakland and two places in the ward); on EBMUD's website and social media platforms; published in newspapers; and distributed for posting with cities, towns, chambers of commerce, regional agencies, and elected officials in the ward.
- All interested candidates will receive an information packet that will include a description of the application process and a link to a page on EBMUD's website with information about EBMUD.
- Candidates will be required to mail, email, or hand deliver the following application materials by close of business on a date to be determined by EBMUD:
 - A letter expressing their interest and qualifications (no more than 2 pages);
 - A resume; and
 - A minimum of three (3) letters of reference. Additional letters of reference will not be accepted after the submission deadline.
- The Office of the Secretary will conduct the initial screening of all application materials for completeness and confirm with the county that the applicant is a resident of and registered voter in the ward.
- The ad hoc committee will screen applications to develop a shortlist of candidates, if necessary, for final interviews with the full Board.
- Candidate interviews will be conducted as follows:

¹⁸ **Reference:** See Public Utilities Code § 11865.

- The Board will conduct interviews with each candidate recommended by the ad hoc committee at its next regularly scheduled meeting or at a special meeting, in EBMUD's Administration Building Boardroom or at the Board's discretion, a location within the ward with the vacancy.
- The interviews will be conducted in person, and if conducted in EBMUD's Administration Building Boardroom, viewable online, and livestreamed on EBMUD's website.
- The Board will deliberate and, if time permits, vote for the recommended candidate at the conclusion of the interviews.
- If the Board does not vote for the recommended candidate at the conclusion of the interviews, the Board may adjourn the meeting to a future meeting to vote for the recommended candidate.
- The appointee will be sworn in and will serve as the Director for the ward exactly as if elected to office, until the next general election for EBMUD.

This process may be started before the effective date of the Board member's vacancy but must be completed within 60 days of the effective date of the vacancy.¹⁹

Section 9. Board Member Orientation and Training

9.01 Onboarding and Training of Newly Elected or Appointed Board Members

In order to effectively govern, new Board members should become familiar with the policies, procedures, and operations of EBMUD. During the first four months following election or appointment, the Board member will participate in the following onboarding presentations (2-4 hours) and tours (2 hours - all day):

- Organization Overview, Public Affairs, Administrative Support (Secretary's Office) and Legislative Programs, and Function of Internal Audit Office
- Water Quality and Environmental Protection
- Long-Term Water Supply and East Bay Watershed Master Plan
- Long-Term Infrastructure Investment
- Long-Term Financial Stability and Cybersecurity/Information Systems
- Customer and Community Services
- Workforce Planning and Development, including the Diversity, Equity and Inclusion Strategic Plan
- Personal Benefits Orientation and Selection

The following tours will be offered to Board members as part of the orientation and training. Attendance is optional.

- Local Water Distribution System
- East Bay Watershed
- Upcountry Facilities

¹⁹ **Reference:** See Public Utilities Code § 11865(a).

- Wastewater Facilities

New Board members are also encouraged to complete the California Special Districts Association training for new Board members. The Secretary of the District will assist Board members with enrolling in this training.

The Board President and General Manager, in coordination with the Secretary of the District will develop the training and orientation schedule for new Board members. The Board President, with assistance from the Secretary of the District, is responsible for monitoring the progress of new Board members in the timely completion of their orientation and training.

All onboarding presentations and tours will be led by the General Manager and the Senior Management Team. General Board governance training will be conducted from time-to-time by an outside facilitator.

9.02 Office of General Counsel Presentation on Governance Laws and Litigation

In the first month following election or appointment, each Board member will receive a presentation from the Office of General Counsel on:

- The Municipal Utility District Act
- Open meeting requirements under the Ralph M. Brown Act
- Board governance and Ethics of the EBMUD Board of Directors
- California Conflict of Interest Laws
- The Public Records Act

The presentation will also include information regarding any major litigation in which EBMUD is involved.

9.03 Required Ongoing Training

All Board members, as public officials, shall complete the following trainings, as required by law:

- In accordance with Assembly Bill (AB) 1661, at least two hours of preventing harassment training within six months of assuming office and every two years following the initial training.²⁰
- In accordance with AB 1234, at least two hours of ethics training no later than one year from the date the Board member assumes office and every two years thereafter.²¹

The Secretary of the District will assist Board members with enrolling in this training and will maintain records of compliance. Board members' ethics and preventing harassment training certificates will be posted on EBMUD's website.

²⁰ **Reference:** Government Code § 53237 *et seq.*

²¹ **Reference:** Government Code § 53234 *et seq.*

9.04 Failure to Complete Required Onboarding and Ongoing Training

Board members who fail to complete the onboarding process, including the Office of General Counsel’s presentation, within the first 6 months of assuming office, and required ongoing training by the prescribed deadlines may:

- Be ineligible to serve as a Board Officer (President or Vice President), chair a standing Board committee, serve on an ad hoc committee, serve on the Retirement Board or serve on the boards of Joint Powers Authorities.
- Be ineligible for approval of travel on behalf of EBMUD or reimbursement of travel expenses.
- Have information posted on the EBMUD website identifying any incomplete training required by law until such time as the required training has been completed.

Section 10. Training, Educational Programs, Conferences, and Professional Meetings

Board members are encouraged to attend training, educational programs, conferences and professional meetings when the purpose is to support EBMUD or their role as Directors. Attendance at these events must be approved by the Board President in advance. The Secretary of the District manages the budget for these activities and will track requests to attend training, educational programs, conferences, and professional meetings to assist the Board President with reviewing and approving requests. Attendance at these events should not conflict with the Board member’s in-person attendance at meetings of the Board of Directors (see Section 11), unless approved in advance by the Board President.

Upon return from any conference attended on behalf of EBMUD, a Director shall file with the Secretary of the District a written report on the Director’s activities at the conference (e.g., and what was learned at the conference that may be helpful to the Board or EBMUD and what meetings or sessions the Board member attended).

- The Secretary of the District shall send a copy of the report to the Board President.
- A Director shall not be eligible for reimbursement until they have filed the report with the Secretary of the District.

Section 11. Meetings of the Board of Directors

A Board “meeting,” as defined by the Brown Act, is any gathering of a quorum of the Board, or of a Board committee, at the same time and place (including electronically) to discuss the business of EBMUD and/or to take action. To comply with the Brown Act, all

meetings must be publicly noticed, and the Board's discussions and actions are limited to the topics specifically stated in the noticed meeting agenda.²²

11.01 Application of the Sturgis Standard Code of Parliamentary Procedure

The Board follows the Sturgis Standard Code of Parliamentary Procedure (Sturgis) for all aspects of the conduct of Board meetings not otherwise required by law, to the extent reasonably practicable.²³

Deviation from Sturgis in the conduct of Board meetings shall not be grounds for the invalidation of any lawful action taken by the Board.

11.02 Types and Purpose of Meetings

There are several types of Board meetings allowed under the Brown Act. Their purpose is described here. The time and place of each meeting described below is stated in subsection 11.04.

(a) Regular Meetings

The principal type of meeting at which EBMUD business is conducted is a regular Board meeting.

(b) Closed Session Meetings

The Brown Act requires all Board meetings to be held publicly, unless one of the specific, narrow exceptions defined in the Act applies, in which case the topic may be discussed in a noticed "closed session meeting."²⁴ The most commonly cited exceptions for closed session at EBMUD relate to discussion of litigation, real estate negotiations, labor negotiations and the security of EBMUD infrastructure. Only individuals having an official role in the closed session subject matter may attend the closed session.

The Brown Act explicitly prohibits the unauthorized disclosure of confidential information acquired in a closed session by any person present, including Board members.²⁵ Some actions taken in closed session must be publicly reported during the regular Board meeting, and the votes for or against the actions must be provided. The Board President generally makes these reports following closed session.

(c) Special Meetings

Occasionally, special Board meetings are held to discuss a particular topic, conduct a workshop or study session or, if necessary, hold a meeting at a time or date and place other than a regularly scheduled Board meeting. Special Board meetings generally must be convened within EBMUD's service area. State law requires that agendas for special Board meetings be provided to each local newspaper of general circulation and each

²² **Reference:** Government Code § 54950 *et seq.*

²³ **Reference:** EBMUD Board Resolution No. 32457.

²⁴ **Reference:** Government Code §§ 54953(a) & 54962.

²⁵ **Reference:** Government Code § 54963.

radio and television station that has requested such notice in writing and be posted in a public place and on EBMUD's website at least 24 hours prior to the meeting. These meetings are open to the public.

11.03 Role of Standing Committees

(a) Roles and Responsibilities for Standing Committees

- With the exception of the Retirement Board, each committee consists of three Board members assigned in accordance with subsection 12.01.
- The committee will receive staff updates on topics within the purview of the committee, as stated in subsection 11.03(b).
- For any action to be taken by the Board that was first presented to a committee for consideration, the committee Chair will inform the Board on its discussions regarding the action, including any relevant policy alternatives, and make a recommendation to the Board on the action to take.
- Though committees may recommend a preferred action or policy decision to the full Board, committees do not have the authority to direct staff to exclude any reasonable action or policy alternative from consideration by the full Board.
- Committees may not speak for or act on behalf of the full Board except when expressly authorized by the Board for a specific and time-limited purpose.
- The committee Chair or, in the absence of the Chair, a representative on the committee, will report on the discussions of the standing committee at the Board meeting following the committee meeting.

(b) Roles and Responsibilities for Each Standing Committee

- Finance/Administration Committee. Reviews EBMUD investments, debt service, and related policies, fees and charges, audits, contracts and grants, and policies for acquisition of equipment or services.
- Legislative/Human Resources Committee. Discusses legislative goals and programs, human resources related issues, personnel policies, EBMUD training and development, and EBMUD Diversity, Equity, and Inclusion activities.
- Planning Committee. Reviews planning of facilities, capital projects, operational standards, and the acquisition, development and disposition of real property.
- Sustainability Committee. Discusses matters related to sustainability, natural resources, and the environment.

11.04 Time and Place of Meetings

(a) Regular Board Meetings

- Regular Board meetings are held on the second and fourth Tuesday of each month.
- The regular meeting is divided into two segments: closed session at 11:00 a.m. and the regular business meeting at 1:15 p.m.
- The [regular Board meetings scheduled for the 4th Tuesdays in July and in December are canceled](#) [took action in 2021 to cancel the 2nd meeting in July](#)

going forward, and traditionally takes action each year to cancel the 2nd meeting in December to allow for vacations and/ breaks. However, the Board can schedule special or emergency meetings if needed during these periods.

(b) Planning Committee

Meetings of the Planning Committee will be held at 9:00 a.m. on the second Tuesday of each month.

(c) Legislative/Human Resources Committee

Meetings of the Legislative/Human Resources Committee will be held at 10:00 a.m. on the second Tuesday of each month.

(d) Finance/Administration Committee

Meetings of the Finance/Administration Committee will be held at 10:00 a.m. on the fourth Tuesday of each month.

(e) Sustainability Committee

Meetings of the Sustainability Committee will be held at a time to be determined on the fourth Tuesday, on a quarterly basis.

(f) Board Workshops

Board Workshops are special meetings under the Brown Act that will be held at a time and place to be determined by the General Manager in consultation with the Board President.

(g) Retirement Board

The EBMUD Retirement Board meets bi-monthly at 9:00 a.m. on the third Thursday of January, March, May, July, September, and November, respectively. The Retirement Board may change the meeting date from a third Thursday to either a second or fourth Thursday if the third Thursday in the month is in the same week as a regular Board meeting.

(h) Date, Time, and Place Considerations for All Meetings

- All Board meetings will be held in the Boardroom of EBMUD's Administration Building located at 375 11th Street, Second Floor, Oakland, California.
- The meeting dates above are subject to cancellation.
- The start times of Board committee meetings stated above may be adjusted to accommodate the agenda for a committee meeting.

11.05 Attendance at Meetings

Board members are expected to attend all assigned meetings. Failure to attend meetings, or excessive tardiness, may result in the loss of compensation for the month in question. See subsection 13.01 for more details.

11.06 Quorum and Majority

Under the MUD Act, four Board members constitutes a quorum of the EBMUD Board and no Board action is valid unless approved by four Board members.²⁶ If fewer than four Board members are present at a meeting, the meeting may not proceed and may be cancelled or adjourned to a future date and time.

Note that the MUD Act or other statutes may require that some actions of the Board be taken by supermajority vote, that is, five Board members.

In committee meetings, committee members may take the actions of receiving a report or voting to recommend the full Board take a certain action. For the purposes of such a vote, a quorum of a committee is two of three committee members. If fewer than two committee members are present at a committee meeting, the meeting may not proceed and may be cancelled or adjourned to a future date and time. If the meeting is cancelled or adjourned, staff may present reports on agenda items to the sole committee member present (and the public) for informational purposes only.

11.07 Setting Meeting and Committee Agendas

(a) Regular Board Meeting Agendas

- The Secretary's Office, in coordination with the General Manager, will prepare a draft of the regular Board meeting agenda. The General Manager will review the agenda with the Board President.
- The Board President may add or delete items for consideration from the regular meeting agenda as the President feels appropriate.
- The Board President shall not remove items for consideration from the regular meeting agenda that are required by law or necessary for EBMUD to conduct its business.

(b) Committee Meeting Agendas

- The Secretary's Office, in coordination with the General Manager, will prepare a draft of all committee meeting agendas. The General Manager will review committee meeting agendas with committee Chairs.
- Committee Chairs may add or delete items to committee meeting agendas.
- The Committee Chairs shall not remove items for consideration from the committee meeting agenda that are necessary for EBMUD to conduct its business.

²⁶ **Reference:** Public Utilities Code § 11909.

(c) Workshop or other Special Meeting Agendas

- The Secretary's Office in coordination with the General Manager will prepare drafts of workshop or other special meeting agendas. The General Manager will review these agendas with the Board President.
- The Board President may add or delete items for consideration from the workshop or special meeting agendas as the President feels appropriate.
- The Board President shall not remove items for consideration from the special meeting or workshop agendas that are required by law or for EBMUD to conduct its business.

(d) Agenda Items Originating from a Board Member

Board members may request that an item be placed on a future Board agenda by making a request to the General Manager or the Board President. Board members may also ask that an item be placed on a future Board agenda during a Board or committee meeting, either as a follow-up to an item on the meeting's agenda or under the "Other Items for Future Consideration" item on the meeting agenda prior to the close of a Board meeting.

(e) The Public's Role in Setting Meeting Agendas

Members of the public may request that items of concern be placed on a future regular or committee meeting agenda during a meeting's public comment period. The Board President and General Manager will consider the request. The Board President shall have the sole discretion to approve any requested item for consideration on an agenda.

(f) Urgency Agenda Items

In rare cases, a legitimate urgent need may arise that must be acted upon by the Board even though the item was not on the posted agenda. The Board may discuss and take action on an urgency item under the following circumstances:

- A majority of the Board determines that an emergency, as defined by Government Code section 54956.5, exists; or
- Pursuant to a two-thirds vote of the Board members present at a meeting (or all Board members if less than five are present), the Board determines that there is an immediate need to take action, and the need arose after the agenda posting deadline.

The General Counsel should be consulted on the addition of any urgency item to a meeting agenda.

11.08 Posting Meeting Agendas

All Board meeting agendas will be posted in accordance with the Brown Act [at all meeting locations, including](#) in the front window of the lobby of EBMUD's Main Administration Building and on EBMUD's website.²⁷

11.09 Public Comment at Board Meetings

(a) Opportunity for Public Comment

Members of the public may address the Board at all regular meetings, committee meetings and special meetings on matters within the jurisdiction of the Board.²⁸

- Comments on non-agenda items are heard during the general public comment period at the beginning of the meeting. At special meetings, public comment is limited to agenda items.
- Comments on agenda items are heard when the item is up for consideration.
- Members of the public are encouraged but shall not be required to identify themselves by name in order to make a public comment.

The Board is limited by the Brown Act to providing a brief response, asking questions for clarification, or referring a matter to staff when responding to public comment on items that are not listed on the meeting agenda.

(b) Management of Public Comment²⁹

- Each member of the public who wishes to address the Board will be given three minutes to speak. This time will be doubled if the speaker requires a translator.
- The Board President has the discretion to amend this time for any or all speakers, taking into consideration such factors as the number of speakers or whether a single speaker is representing a group of interested persons.
- The Secretary of the District will call each speaker in the order in which a speaker card was received or, in the case of remote appearances, a hand was raised.
- The Secretary of the District will track time and inform each speaker when the allotted time has concluded.

(c) Manner of Public Comment

Specific procedures for participating in Board meetings in person or via an online platform and for submitting written comments and documents to the Board is detailed on EBMUD's website.³⁰ This process may be updated by the Secretary of the District from time to time.

²⁷ **Reference:** Government Code § 54954.2.

²⁸ **Reference:** Government Code § 54954.3.

²⁹ **Reference:** Government Code § 54954.3(b)(1).

³⁰ **Resource:** See <https://www.ebmud.com/about-us/board-directors/board-meetings>

(d) Disruption of Board Meetings³¹

- Any person who engages in behavior that disrupts, disturbs, impedes, or renders infeasible the orderly conduct of a Board meeting, including, but not limited to, failing to comply with the procedures of this Governance Policy, may be warned by the presiding officer and, if the behavior continues following the warning, removed from the meeting at the direction of the presiding officer.
- Any person who engages in behavior that constitutes use of force or a true threat of force may be removed from a Board meeting at the direction of the presiding officer without warning.
- The presiding officer may suspend a Board meeting and order the clearing of the Board room in order to stop disruption of the meeting and/or facilitate removal of disruptive persons.

Section 12. Committee, Liaison, Retirement Board, JPA Assignments

12.01 Committee Assignments

The President recommends Board members to serve on standing Board committees, the Retirement Board, and the boards of JPAs (each a “committee”).

- Board members submit their request for committee assignments to the Secretary of the District by the close of business on the Friday following the first Board meeting in January of each year.
- The President of the Board, in coordination with the Secretary of the District, will prepare a proposed list of assignments, including the chair of each EBMUD committee, to be considered by the Board at the second Board meeting in January of each year.
- The Board votes to approve the proposed assignment list by a majority vote of the Board (four of seven Board members) at its second Board meeting in January.
- New EBMUD Board committee assignments become effective starting the next meeting following the approval of the assignments. JPA assignments become effective the day of the appointment.
- The Board President may remove a Board member as chair of a committee and appoint a new chair from the committee membership if the committee chair is, in the opinion of the President, consistently late to committee meetings.

12.02 Creation and Role of Ad Hoc Committees

The Board may appoint ad hoc committees to serve for a limited duration to address a specific topic of interest to the Board.

³¹ **Reference:** Government Code § 54957.9 & 54957.95.

- Ad hoc committees may consist of two or three Board members but must consist of less than a quorum of the Board or a quorum of a standing committee.
- The President may recommend members of an ad hoc committee or members may self-nominate for committee membership. The Board shall vote to approve the membership of an ad hoc committee by a majority vote of the Board (four of seven Board members).
- Ad hoc committees may set their own meeting schedule. Meetings of an ad hoc committee are not required to be publicly noticed or made open to the public under the Brown Act.
- Each ad hoc committee shall report its activities to the full Board at a publicly noticed regularly scheduled Board meeting, as necessary, with the exception of an ad hoc committee appointed to negotiate contracts or contract amendments with the General Manager and General Counsel, in which case the ad hoc committee may receive direction from the Board in closed session.
- An ad hoc committees will be considered to have dissolved once its purpose has been fulfilled.

12.03 Board Member Service on Joint Powers and Other Authorities

From time to time, the Board may appoint one or more Board members or EBMUD staff to serve as an EBMUD representative on a Joint Powers Authority (JPA), trade association, or liaison committee.

- Board members are expected to follow the principles of conduct in this manual and shall following Policy 6.04, Ethics of the EBMUD Board of Directors.
- At the next regularly scheduled Board meeting following a meeting of a JPA, trade association or liaison committee, the Board member representative shall report on activities of the JPA, trade association or committee.

12.04 Board Member Service on the Retirement Board

The Retirement Board is a separate governing body from the EBMUD Board of Directors. It is publicly charged with responsibility to administer the Retirement System and the Retirement Fund for the benefit of its members, and to secure the payment retirement allowances and other post-retirement benefits authorized by the Retirement Ordinance. It consists of three members (two (2) EBMUD Board members and the General Manager) appointed by the EBMUD Board of Directors, two members elected by and from the membership of the Retirement System (current employees), and one non-voting Retired Member elected by retired members.

Section 13. Board of Directors Compensation and Benefits

13.01 Determination of Compensation

Board members receive monthly compensation in an amount set at a public meeting of the Board of Directors.

- To receive compensation for service in any given month, Board members must attend a minimum of 50 percent of their assigned meetings.³² Meetings include regular Board meetings, standing committee meetings, special meetings, joint powers authority meetings, Retirement Board meetings, and closed session meetings.
- Compensation will not be paid to a Board member for any month in which he or she has not attended at least 50 percent of their assigned meetings unless the Board President or committee chair excuses the absence(s) for good cause. Good cause includes, but is not limited to, a Board member's illness, family emergency, or schedule conflict directly related to the business of EBMUD.
- A Board member may not have excused absences for more than three meeting days per calendar year for personal reasons (i.e., vacations) or for attending conferences (even if the conference is directly related to the business of EBMUD). Each meeting day on which a Board member receives an excused absence for either a regular Board meeting, a standing committee meeting, a special meeting, or a combination of these meetings, will be counted as a day for the purposes of this subsection.
- Any Board member arriving 15 or more minutes after roll call for a regular Board meeting, closed session, committee meeting, or special meeting will be considered absent from that meeting for the purposes of determining eligibility for compensation. The Secretary of the District will call roll no later than five minutes after the noticed start time of a meeting unless special circumstances require a later start for the meeting.
- Committee chairs or presiding officers may excuse late arrivals, at their discretion, due to unforeseen circumstances.
- Board members receive compensation based only on attendance at assigned meetings as described above, and do not receive compensation for attendance at non-EBMUD activities.

13.02 Annual Review of Compensation

Any adjustment to Board member compensation will be set annually by the Board at a public Board meeting in compliance with the MUD Act and California Constitution.³³

- The Board may adjust its compensation by providing an increase or a decrease in compensation.
- The Board may increase its compensation by not more than five percent annually.
- If the Board has elected not to increase its compensation in any calendar year, the next time the Board considers an adjustment it may vote to increase its compensation by up to five percent for each calendar year following the operative date of the last compensation increase. In the event the Board votes to increase its compensation in this manner, it should explicitly state the increase for each

³² **Reference:** EBMUD Board Resolution No. 35000-16.

³³ **Reference:** Public Utilities Code § 11908.1.

year following the year of the last compensation increase (i.e., 2.5 percent in year one, two percent in year two, etc.).

- The Board may not apply any increase in compensation retroactively nor award itself retroactive pay in any circumstance.
- Any Board motion to adjust its compensation shall state the effective date of the compensation adjustment.
- No Board action adjusting its compensation shall provide for an automatic increase to that compensation.
- The calculation of Board member compensation will be rounded down to the nearest cent.

13.03 Board Member Benefits

Board members are entitled to the following benefits from EBMUD:

- EBMUD will provide health care benefits to Board members under the same terms and conditions as benefits are provided to EBMUD employees.
- Board members may participate in EBMUD's Employee Retirement System as provided in EBMUD's Retirement Ordinance.
- Board members may participate in EBMUD's deferred compensation plans under the same rules as eligible EBMUD employees.
- Board members may participate in the Utility District Employee Association and the Utility District Credit Union under the same rules as eligible EBMUD employees.

Section 14. Reimbursement of Director Expenses

Board members are entitled to reimbursement of expenses they incur in conducting EBMUD business, as detailed in Policy 4.14, Reimbursement of Director Expenses.

Section 15. Board Members' Role in Emergency Situations; Succession Planning

In general, the Board President and Board members have a minimal role in emergency operations. During an emergency, Board members should be available to support the General Manager.

The Board of Directors adopted an Emergency Succession Plan to ensure continuous coverage of the Board of Directors' duties, critical to the ongoing operations and sustainability of EBMUD,³⁴ in the event one or more Board members is unavailable following a state of war emergency or in the event of a state of emergency or a local emergency.

³⁴ **Reference:** EBMUD Board Resolution No. 35038-17. **Resource:** A copy of the Emergency Succession Plan is available in the Dashboard.

15.01 Selection and Appointment of Standby Officers

Each Board member shall designate a minimum of two and no more than three Standby Officers to serve in their place in the event of the Board member's unavailability in an emergency, as defined by the California Emergency Services Act (CESA). One of the standby officers must reside within the member's ward, and the other must reside outside the member's ward and may reside outside the District's service area. A Board member may choose, and the Board has the option to appoint, a third Standby Officer. That Standby Officer may reside inside or outside the same ward as the Board member, or outside the District's service area.

The list of Standby Officers shall be approved by Board Resolution and reviewed on an annual basis. The General Manager will determine the availability of the Board members in an emergency. The Board will endeavor to fill vacancies in accordance with the MUD Act and CESA within 60 days of the effective date of the vacancy. Upon appointment by the Board through a Board Resolution, the Standby Officer shall take the oath of office, remain informed of the duties, EBMUD business, and be prepared to immediately report for duty during an emergency. Details of this process will be documented in the General Manager's Business Continuity Plan.³⁵

³⁵ **Reference:** EBMUD Policy 7.03, Emergency Preparedness/Business Continuity.

Appendix 1: How EBMUD is Organized

EBMUD is organized under the following offices and departments:

- Office of the General Manager
- Office of the General Counsel
- Administration
- Customer & Community Services
- Human Resources
- Engineering & Construction
- Finance
- Operations and Maintenance
- Wastewater
- Water and Natural Resources

Office of the General Manager (OGM)

EBMUD has approximately 1,950 full-time employees under the administrative direction of the General Manager and the Senior Management Team (SMT). The General Manager's Office is supported by an Assistant to the General Manager and an Office Assistant. EBMUD is comprised of seven departments under the General Manager's oversight along with three departments within the Office of the General Manager.

- **Intergovernmental Affairs**

The Office of Intergovernmental Affairs is staffed by lobbyists registered with the State of California and work to further EBMUD's mission by advancing EBMUD's legislative and administrative priorities in Sacramento and Washington, DC.

- **Office of Diversity, Equity, and Culture (ODEC)**

The Office of Diversity, Equity, and Culture exists to ensure fair and equitable treatment for all EBMUD employees, contractors, and vendors and to the best of our ability create positive outcomes for all we serve. ODEC is comprised of three organizations: the Contract Equity Office, the Diversity and Inclusion Office, and Employee and Organizational Development.

- **Public Affairs**

The Public Affairs Office's purpose is to engage with our community and share EBMUD's story to build trust and understanding. It uses a variety of methods to execute communications strategies, engage the public and share information on behalf of EBMUD.

- **Office of the Secretary** (*reports to the Board via the General Manager*)
The Office of the Secretary provides administrative support for the Board and performs duties prescribed in the Municipal Utility District Act, the Ralph M. Brown Act, Board resolutions, and state/federal laws.

Office of General Counsel (OGC)

The Office of General Counsel provides the legal advice and assistance necessary to implement EBMUD's mission, policies, and programs in a manner consistent with the law and to lead litigation and other legal matters in which EBMUD is a party or in which it is legally interested.

Administration

- **Customer & Community Services (CCS)**
The Customer & Community Services Department provides high-quality, responsive customer service with efficient business practices, technology, and value-added programs/services to EBMUD's customers and stakeholders, guided by the principles of fairness, consistency, efficiency, and high standards of professionalism and fiscal responsibility. CCS also includes the Contact Center, Customer Services Support, Field Services, New Business, Real Estate Services, and Water Conservation.
- **Human Resources (HR)**
The Human Resources Department provides EBMUD employees, departments, retirees, and members of the public with strategic human resource services that are professional, reliable, and enabling of employee excellence in support of EBMUD's mission. The HR Department works to ensure EBMUD has a skilled, diverse workforce to meet its mission.

Engineering & Construction

The Engineering & Construction Department plans and implements programs and projects to ensure the integrity of EBMUD's infrastructure now and in the future. The department also provides engineering expertise and technical support to all EBMUD departments.

Finance

The Finance Department is responsible for providing proactive and strategic management of District finances and ensuring EBMUD's long-term financial stability.

- **Information Systems Department (ISD)**
The Information Systems Department is the centralized support organization for information technology and services at EBMUD. ISD maintains distributed and centralized computing services at EBMUD, supports staff in the effective and efficient use of these technologies, provides a broad range of computing support services, and is also responsible for EBMUD's telecommunications infrastructure.

Operations and Maintenance Department

The Operations and Maintenance Department's is responsible for the operations, maintenance, management, and improvement of the water system infrastructure, processes, and the assets to provide safe and reliable high quality water services.

- **Maintenance and Construction**

The Maintenance and Construction Department is responsible for maintaining the local water distribution system infrastructure, performing preventative and corrective maintenance, replacing and rehabilitating EBMUD's infrastructure, reading and maintaining the nearly 400,000 customer water meters, providing support services, and maintaining all vehicles and heavy equipment.

- **Water Operations**

The Water Operations Department is responsible for operating and maintaining water supply, water treatment, and water distribution facilities spanning six counties, including facilities of the Freeport Regional Water Authority.

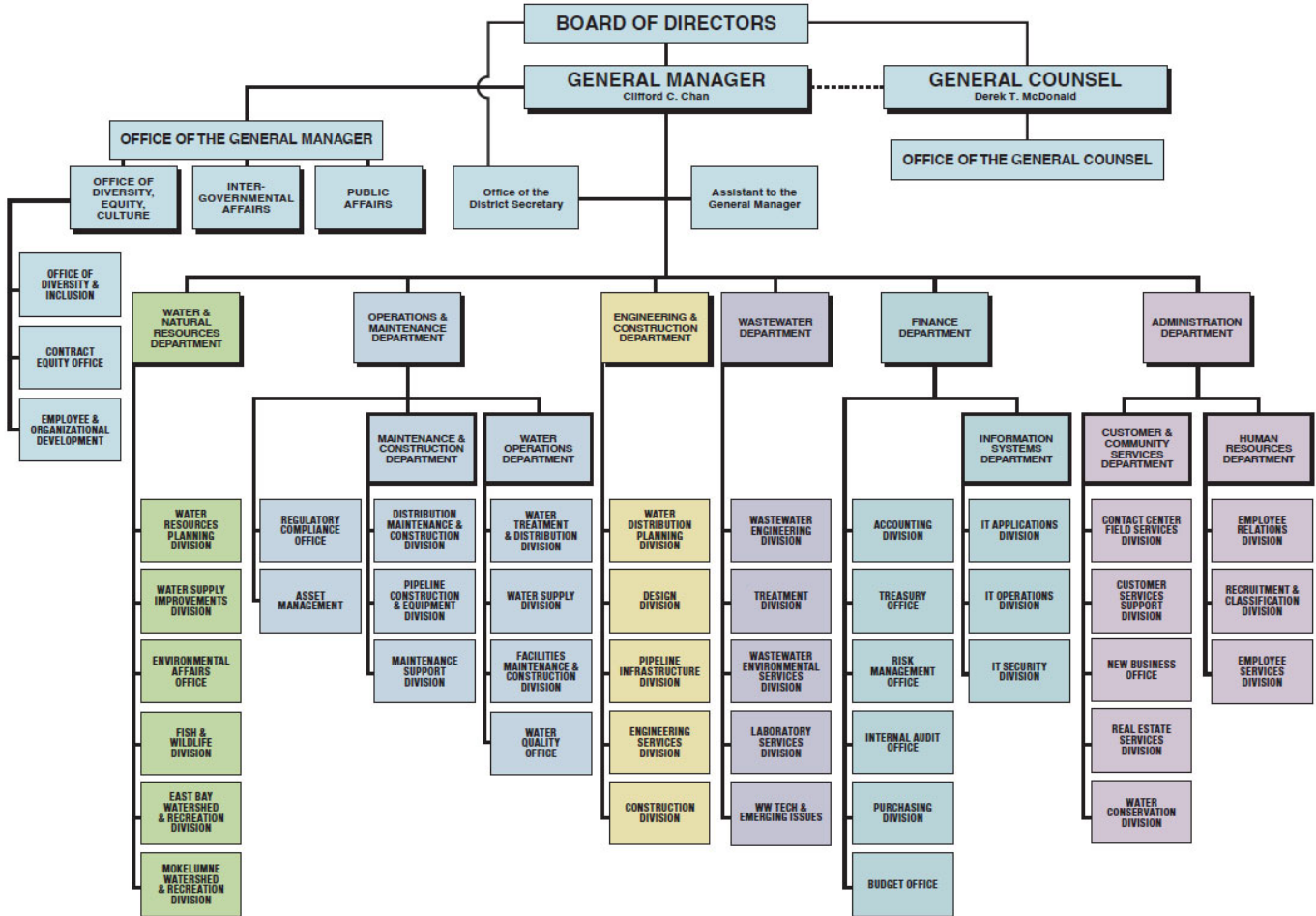
Wastewater

The Wastewater Department ensures public health and safety by meeting or surpassing federal, state, and local regulations regarding air, biosolids, and water quality. The department strives to protect the environment by reducing or eliminating the discharge of pollutants into the air, land, and San Francisco Bay and recovering water, energy, and nutrients from wastes. The Wastewater service area is comprised of Alameda, Albany, Berkeley, Emeryville, Oakland, Piedmont, and the Stege Sanitary District, which is comprised of El Cerrito, Kensington, and a portion of Richmond known as the Richmond Annex.

Water and Natural Resources

The Water and Natural Resources Department develops plans, policies, and programs to protect EBMUD's water resources, maintain and ensure a high-quality water supply to meet future water needs, oversee the management of watershed and recreation lands and facilities, and provide good stewardship of the natural resources with which EBMUD is entrusted.

EBMUD Organization Chart



Appendix 2: Governing Laws and Regulations

Major laws and regulations governing and affecting EBMUD include the Municipal Utility District Act, the Ralph M. Brown Act, the Public Records Act, the Political Reform Act and the California Constitution, as well as federal laws, and local ordinances. Judicial decisions that interpret and frequently resolve conflicts related to these laws and regulations may also affect EBMUD.

General descriptions of some of the primary laws related to the governance of EBMUD are provided below. Links to helpful documents explaining the laws are provided as footnoted references.

Laws Related to the Board's Governance of EBMUD

Municipal Utility District (MUD) Act

EBMUD is a publicly-owned utility formed under the MUD Act, which is codified at California Public Utilities Code Section 11501 *et seq.* The MUD Act sets forth the powers and functions of EBMUD (and other municipal utility districts), as well as the Board and EBMUD's executive officers. Relevant to EBMUD's practices, under Chapter 3, Article 4, the Board's powers and duties include:

- Choosing one member to act as President and one as Vice President;
- Determining all questions of district policy;
- Providing for all matters and things necessary for the proper administration of the affairs of the district not otherwise specified in the MUD Act;
- Supervising and regulating the utility services provided by the district;
- Setting rates and charges for district services;
- Making and enforcing district rules and regulations;
- Making contracts, including contracting for professional services for work that cannot be satisfactorily performed by district forces;
- Creating and abolishing civil service positions and setting salaries;
- Appointing employees to positions requiring "exceptional qualifications";
- Employing an auditor to annually report on the district's system of accounts; and
- Paying claims against the district.

Under Chapter 3, Article 6 of the MUD Act, the Board must appoint a general manager and may appoint an accountant, a secretary, a treasurer and an attorney.

Ralph M. Brown Act

The Ralph M. Brown Act is California's "sunshine" law for local governments. It is found in the California Government Code beginning at Section 54950. In a nutshell, it requires that Board deliberations be conducted openly and that Board actions be taken openly, at open and public meetings, except in certain limited situations. It was enacted in 1953 and has been extensively updated since. It contains a myriad of detailed and technical requirements governing the conduct of meetings of local agencies, as well as the conduct of the governing officials of those

agencies. Board members are encouraged to become familiar with the Brown Act to effectively execute their duties.

Public Records Act

The California Public Records Act (PRA) was enacted in 1968 and is codified at Government Code Section 7920 *et seq.* It is intended to give the public access to information that enables them to monitor the functioning of their government. Under the PRA, all tangible and electronic documents created in furtherance of the business of EBMUD are public records and must be produced to the public upon request unless there is a specified legal basis for withholding them. The Secretary of the District's office processes all PRA requests received on behalf of EBMUD.

Government Code Section 1090

Government Code Sections 1090 through 1099 are statutes that prohibit "self-dealing," that is, they prohibit Board members and EBMUD officers and employees from having a financial interest in contracts and other matters to which EBMUD is a party. These laws extend beyond contracting and, for example, also prohibit Board members from holding incompatible offices with other agencies. Conflict of interest laws are very complicated and could implicate non-obvious "financial interests" such as property ownership or a spouse's salary.

Political Reform Act

The California Political Reform Act, Government Code Sections 81000-91014 is a series of conflict of interest laws that are broader than the restrictions of Government Code Section 1090. The Political Reform Act prohibits public officials from making, participating in making, or in any way attempting to use their position to influence a governmental decision the official knows or has reason to know that they have a financial interest in the decision. It requires specified officials to file annual financial disclosures. The Political Reform Act also includes ethics laws related to campaign finance and restrictions on gifts and honoraria. The California Fair Political Practices Commission (FPPC) is responsible for oversight of these laws. Board members must periodically report all economic interests within EBMUD's jurisdiction on forms furnished by the FPPC.

Note: *Ethics laws, including Section 1090 and the PRA, are complex. Violations of these laws can result in civil and criminal penalties. Board members are encouraged to consult with the General Counsel regarding any questions regarding these laws.*

Assembly Bill 1234 (Ethics)

Sections 53234-53235.2 of the Government Code incorporate the provisions of Assembly Bill 1234, which became effective January 1, 2006. Among other things, this law requires^{ds} that Board members receive two hours of ethics training within one year of taking office and every two years thereafter, and mandates certain reporting requirements. [Sections 53235.1 et. seq. of the Government Code incorporates the provisions of Senate Bill 827 \(Local Agency Officials: Training\) which requires officials who commence service on or after January 1, 2026, to receive their initial training within six months of commencing service and at least once every two years, as provided.](#)

Senate Bill 827 (Fiscal and Financial)

Sections 53238 *et. seq.* of the Government Code incorporates the provisions of Senate Bill 827 (Local Agency Officials: Training). This law requires all local agency officials, as defined, to receive at least two hours of fiscal and financial training, as described. The bill would require the training to be received at least once every two years, as provided. Every local agency official who is in a local agency's service as of January 1, 2026, and commenced that service prior to January 1, 2026, shall receive the fiscal and financial training required by this article before January 1, 2028, unless that official's term of office ends before January 9, 2028. Thereafter, the local agency official shall receive the training at least once every two years.

Every local agency official who commences service with a local agency on or after January 1, 2026, shall receive the fiscal and financial training required by this article no later than six months from the first day of service with the local agency. Thereafter, the local agency official shall receive the training at least once every two years.

Assembly Bill 1661 (Sexual Harassment Prevention)

Section 53237.1 of the Government Code incorporates the provisions of Assembly Bill 1661 which became effective January 1, 2017. The law requires that Board members receive two hours of sexual harassment prevention training within six months of taking office and every two years thereafter. Senate Bill 396, which became effective January 1, 2018, added a new element to the training regarding gender identity, gender expression, and sexual orientation.

Other Major Laws Affecting EBMUD

Proposition 218

Proposition 218 was passed by California voters in 1996 and amended the California Constitution to specify both procedural and substantive limits on a local government's ability to levy fees. Under Proposition 218, a government agency has the burden of proving that any fees or charges it assesses:

- (1) Do not exceed the funds required to provide the property related service;
- (2) Are not used for any purpose other than that for which the fee or charge is imposed;
- (3) If imposed on any parcel or person as an incident of property ownership, do not exceed the proportional cost of the service attributable to the parcel;
- (4) Are not imposed for a service unless that service is actually used by, or immediately available to, the owner of the property in question; and
- (5) Are not imposed for general governmental services including, but not limited to, police, fire, ambulance or library services, where the service is available to the public at large in substantially the same manner as it is to property owners.³⁶

EBMUD's rates and charges for water service are subject to Proposition 218.

California Environmental Quality Act (CEQA)

³⁶ **Reference:** Cal Const, Art. XIII D § 6(b).

The California Environmental Quality Act is codified at Public Resources Code Section 21000 *et seq.* It requires government agencies to consider any potential, significant environmental impacts of a project and take reasonable steps to mitigate those impacts, unless the project is exempt from CEQA by law.

A “project” for the purposes of CEQA is a governmental action that may result in a direct physical change to the environment. An obvious project would be a construction project, but CEQA also applies to such actions as leasing governmental property to private parties that will use that property in a manner that may cause an environmental impact.

Before a governmental entity approves a project, CEQA requires the entity to analyze the potential environmental impacts of the project and, depending on their significance, engage in a public process and prepare a report describing the potential environmental impacts of the project and the manner in which they will be mitigated. The governing body of an agency must make findings under CEQA prior to approving the project. CEQA also allows members of the public to sue to stop a project under the theory that the CEQA analysis of its impacts was insufficient.

Meyers Milias Brown Act (MMBA)

The Meyers Milias Brown Act was adopted in 1968 and is codified at Government Code Section 3500 *et seq.* It established collective bargaining for local government employees, and governs relations between represented employees and management.

The MMBA requires local government agencies to meet and confer in good faith with union representatives regarding wages, hours and other terms and conditions of employment for represented individuals. It also requires the agency to allow union representation of employees in disciplinary matters and any meeting that may lead to discipline.

Enforcement and adjudication of matters under the MMBA has been under the jurisdiction of the Public Employees Relations Board (PERB) since 2001.

The Board's Authority to Pass Laws

Under the MUD Act, actions of the Board are expressed through motion, resolution or ordinance.

Ordinances

An ordinance is a law adopted by a local agency, and it may be amended or repealed. Once adopted or amended, the ordinance or its amendments are published in a local newspaper, though a summary may be published if the ordinance or amendments are lengthy. After the required publication period has been met, the ordinance becomes effective. EBMUD's Board has adopted multiple ordinances over the years. Listed below are some key ordinances:

- Consolidated Regional Private Sewer Lateral Ordinance
- Declaring Any Violation of Rules and Regulations Adopted Pursuant to Section 4465 or 4471 of the Health and Safety Code to Be An Infraction³⁷
- East Bay Municipal Utility District Campaign Finance Reform Ordinance
- East Bay Municipal Utility District Employees' Retirement System Ordinance
- East Bay Municipal Utility District Ordinance Establishing Drug-Free Zones
- Excessive Water Use Penalty Ordinance for Drought Stages 2, 3 and 4
- Ordinance Establishing Procedures for Presenting Claim for Money or Damages Against the East Bay Municipal Utility District
- Wastewater Control Ordinance

Resolutions

Resolutions memorialize formal action taken by the Board and are retained as part of EBMUD's records. They also may be a vehicle through which the Board expresses its opinion or policy on a matter. Unlike ordinances, resolutions have no publishing requirement and are usually effective immediately upon adoption, unless otherwise stated.

³⁷ These are the Watershed Rules and Regulations adopted by the Board.

Relevant to governance, the Board has adopted resolutions which consolidates and clarifies the Board's delegation of authority to the General Manager to help ensure the efficient operation of EBMUD.

Appendix 3: Community Outreach

EBMUD is an active member of the communities it serves, and its comprehensive Community Outreach program employs a variety of methods to communicate with and provide information to the public.

Means of Community Outreach

Community Water Academy

In 2022, EBMUD piloted its Community Water Academy. The Academy is held every other year. The goal of the Academy is to increase public understanding of EBMUD's water and wastewater systems; provide educational opportunity for local officials/agency staff and key community leaders; and build support for long-term goals, including infrastructure investment, environmental protection, and innovation efforts. The Academy benefits civic leaders, non-profit officials, educators, local government staff, and elected officials as they learn about the core services provided by EBMUD. Participants gain knowledge to share with their communities about EBMUD's role in the East Bay over the last century and its efforts to build a sustainable water and wastewater system of the future. Participants receive a certificate of completion at the conclusion of the Academy. Board members are invited to attend every session.

Community Events

EBMUD staff and Board members may participate in multiple community events throughout the service area to provide information and materials about EBMUD. Most events are listed in a Speakers' Bureau document that is provided to Board members at each Board meeting.

Speaking Engagements

EBMUD staff and Board members communicate EBMUD messages and other relevant information to hundreds of people by speaking to groups such as:

- Boy and Girl Scouts
- Rotary Clubs
- Kiwanis Clubs
- Garden Clubs
- City Council meetings
- Community/Project meetings
- Chambers of Commerce
- Community Liaison meetings
- Senior groups
- Educational institutions and
- Realtors' groups
- Municipal Advisory Councils

Wastewater Treatment Plant Tours

EBMUD staff conducts free wastewater treatment plant tours showing hundreds of employees, students (age 11 and above), and members of the public the process and essential role the treatment plant plays in protecting waterways and the San Francisco Bay.

Virtual Treatment Plant Tours & Speaking Engagements

These tours allow EBMUD to share the processes and essential role our wastewater treatment plant plays in protecting waterways with the general public.

<https://www.ebmud.com/wastewater/collection-treatment/wastewater-treatment-plant-tours>.

Internet Communications/Social Media

EBMUD's website, ebmud.com, provides user-friendly information about services, programs, and job openings. EBMUD also shares news, events, and other timely announcements of interest to the community and customers via our social media channels:

- [Facebook.com/EBMUD](https://www.facebook.com/EBMUD)
- [Instagram.com/EBMUD](https://www.instagram.com/EBMUD)
- [Linkedin.com/company/EBMUD](https://www.linkedin.com/company/EBMUD)
- NextDoor
- [X.com/EBMUD](https://www.x.com/EBMUD) (formerly Twitter)
- [YouTube.com/EBMUD](https://www.youtube.com/EBMUD)

Customer Pipeline Newsletter

Each year, EBMUD publishes and mails six issues of the Customer Pipeline customer newsletter to all residential and business customers within its service area. Electronic copies are available to customers that pay their bills online and are provided to employees). The newsletter conveys important information to customers about EBMUD. Past issues may be viewed online at <https://www.ebmud.com/about-us/publications>

Employee/Retiree Outreach (Splashes)

EBMUD educates its employees and retirees about EBMUD and other outreach messages so they can share this knowledge with family, friends, and the public. The primary method for doing this is the Splashes employee newsletter, which is provided to all employees and retirees each month. Splashes also serves to keep employees informed and engaged with news from across the agency.

Board Members' Role in Community Outreach

Board members may act as liaisons for each city and town within the service area and as representatives to various other organizations and agencies. Board members also choose whether to attend functions, in addition to staff, as appropriate within their liaison areas and may choose to make presentations to city councils.

Handling Inquiries/Complaints from Customers

If a Board member receives a complaint or concern from the public, it is generally recommended that the Board member refers the customer to the General Manager or the Secretary of the District for appropriate handling.

Handling Inquiries from Media and Outside Organizations

If a Board member receives an inquiry from a member of the media, the call should be referred to the Special Assistant to the General Manager responsible for Public Affairs. This person acts as EBMUD's Public Information Officer to assure any response is consistent with other EBMUD messaging. EBMUD has identified the following trained spokespersons who are equipped to respond to inquiries from the media, outside organizations and members of the community:

Kelly Zito – Special Assistant to the General Manager
Phone: (510) 287-0111 (office); (510) 510-407-2784 (cell)
Email: Kelly.Zito@ebmud.com

~~Tracie Morales~~~~Andrea Peek~~ – Senior Public Information Representative
Phone: (510) 287-01453 (office); (510) ~~914-1583 508-6782~~ (cell)
Email: ~~Tracie.Morales@ebmud.com~~~~Andrea.peek@ebmud.com~~

Appendix 4: Board Members' Role in Emergency Situations

Periodically, staff provides the Board with presentations regarding EBMUD's preparations for responding to an emergency, such as a natural disaster, to provide the Board members with updates to the program and to go over the protocols and practices to follow during a real emergency.

In general, the Board President and Board members have a minimal role in emergency operations. During an emergency, Board members should be available to support the General Manager.

The list below, excerpted from EBMUD's Emergency Operations Plan, provides examples of support the Board members may be called to provide in an emergency:

- Establish a legal authority and policy from which EBMUD may operate in times of an emergency.
- Ratify any EBMUD emergency declaration, pass emergency resolutions, and assist as appropriate in the response and recover from a disaster.
- Receive briefings on damage, employee injuries, response objectives, response status, mutual aid requests, and public information.
- Meet with community organizations, individual customers and businesses as needed to provide information on EBMUD's response.
- Notify the General Manager or Public Information Officer when contacted by the media.
- Work with the General Manager to activate succession plan and alternative work location plan, as necessary.

Appendix 5: Orientating New Board Members

Informed decision-making and ethical conduct are central tenets of excellent governance. Newly elected or appointed Board members will undertake a comprehensive onboarding and training process so that they may engage in informed and effective decision-making. Board members will comply with all ongoing EBMUD and statutory training requirements as described in Appendix 2.

Adherence to Brown Act Begins upon Election

Newly elected Board members are subject to the Brown Act immediately upon election, even though the swearing in does not occur prior to the first Board meeting in January.

Assuming Office Form 700

New Board members must file an FPPC Form 700 – Statement of Economic Interest – assuming office statement within 30 days of taking office. Board members will also be required to file the Form 700 for any JPA to which they are assigned. These filings must be done electronically through the FPPC website. The Secretary of the District will provide information on filings; information may also be obtained from the FPPC website at www.fppc.ca.gov.

Board Member Bios

Brief biographical highlights for every Board member are posted on EBMUD’s website and provided to outside entities as requested. They are accessible when clicking on the Board members’ picture on the “Board of Directors” web page. The Secretary of the District will work with new Board members to develop a suitable bio for the website.

Board Member Photos

EBMUD’s website portrays an individual portrait of each Board member. These individual portraits are also mounted in a display case in the 2nd floor lobby of EBMUD’s Administration Building in downtown Oakland and are provided to outside entities as requested. The Secretary of the District, in conjunction with Public Affairs staff will coordinate with Board members to have portraits taken.

Building Security/Access Control Cards

Board members are issued an Access Control Card which allows general access to various District facilities, areas, and the Administration Building parking garage in downtown Oakland.

Business Cards

The Secretary of the District will work with Board members on their EBMUD business cards. The business cards are printed in-house and include a Board member’s name, title (e.g. “Board Member”) and phone/email information. Board members typically use the cards at conferences and other events they attend on behalf of EBMUD.

EBMUD Gear

Board members will receive safety gear (vest, hard hat, safety glasses, boots (as needed)), a personalized jacket or vest as well as a baseball-style cap for use at EBMUD-related functions. The Secretary of the District will work with Board members to obtain these items.

Calendaring and Scheduling

While regular Board meetings are calendared well in advance, from time to time it becomes necessary to arrange a special meeting or workshop on relatively short notice. To assist with this process, Board members should notify the Secretary of the District and the General Manager when they expect to be out of town or otherwise unavailable during the calendar year so the dates may be added to their EBMUD Outlook Calendar.

If a Board member's schedule will cause them to be absent from a Board meeting, the Board member should email the Board President to request an excused absence. Please copy the Secretary of the District on these emails.

EBMUD Email Accounts

An EBMUD email account will be created for all new Board members (e.g. John.Doe@ebmud.com). Because EBMUD-related communications to or from Board members may be public records, the General Counsel's Office strongly encourages Board members to use their EBMUD email account for all EBMUD-related business and communications.

Electronic Device Support

To facilitate electronic delivery of Board meeting materials and access to EBMUD email and other related information, Board members may request District-issued electronic devices (e.g., laptop, iPhone). Each device will be equipped with a cellular data plan at no cost to the Board member for conducting EBMUD business. Use of these devices is governed by EBMUD Policy 4.20 – Use of District Technology Resources and District Procedure 453 – Information Technology Use and Privacy. Board members may also elect to use their personal devices and receive a stipend from EBMUD.

The Secretary of the District will serve as the liaison for acquiring devices and will also arrange for any desired training. Ongoing support is available from the Secretary's Office and the Information Systems Department.

Event Attendance and Reporting Requirements

The Secretary of the District will make reservations for Board members to attend local events. EBMUD also regularly sponsors events and activities hosted by a range of organizations that support the mission, goals, and values of EBMUD. If a Board member wishes to attend an event on behalf of EBMUD, they should contact the Secretary of the District.

If EBMUD pays the expenses for attendance at an event, including a conference, the Board member must report out their attendance and activities at the event at the next regularly

scheduled Board meeting to comply with Board member reporting requirements under AB 1234 and EBMUD Policy 4.14.

Human Resources Documents

The Human Resources Department will provide enrollment forms and any other paperwork necessary to enroll Board members in EBMUD's benefit programs. The Secretary of the District will coordinate the initial completion of paperwork with the Board member and HR staff. Questions about benefits may be directed to the Manager of Employee Services .

Lisa Sorani – Manager of Employee Services
(510) 287-0713 (office)
Email: lisa.sorani@ebmud.com

Lapel Badges

The Secretary of the District will provide Board members with personalized magnetic lapel badges. Board members typically wear them to events, meetings and receptions when acting in an official capacity for EBMUD.

Mail

The Secretary of the District will collect any mail directed to Board members during the week and will distribute it to Board members in the closed session meeting room on Board meeting days. Mail received on weeks where no Board meeting is scheduled will be held until the next meeting date. If deemed time-sensitive, items will be mailed to Board members on Fridays.

Oath of Office/Swearing In

The Oath of Office is administered by an EBMUD Notary prior to the first Board meeting in January or if appointed during an off-election time, no later than 15 days of taking office. New Board members may invite family and close friends to witness this event and may also request a ceremonial swearing-in during the first part of the first Board meeting in January. The Secretary of the District will coordinate swearing-in events.

Paychecks

Board members are paid once per month. Paychecks will be direct-deposited directly to a Board member's bank account unless a Board member requests an alternative form of delivery. Board members will need to provide a copy of their Social Security card and a voided check to implement direct-deposit. Board members should contact Payroll staff at ext. 0222 if they have changes to their bank account or check delivery information.

Plant/Facilities Tours

Shortly after being elected to the Board, the Secretary of the District in coordination with the General Manager and senior staff usually will coordinate onboarding meetings as well as tours of various EBMUD facilities with new Board members.

Reception for Newly-Elected Board Members

The Secretary of the District typically coordinates a reception immediately following the first Board meeting in January to welcome newly-elected Board members. The reception is usually held in the Administration Building Large TRC. Board members often invite family and close friends to the reception and will be given an opportunity to say a few words to the attendees.

Training

Newly elected Board members must participate in Ethics Training and Harassment Training soon after taking office. Board members will be enrolled in online Harassment Training by District staff. The FPPC currently offers free, online Ethics Training on its website. Board members may either participate in the trainings offered by EBMUD or they may obtain the required training at a conference or other online course. The California Special Districts Association (CSDA) also offers all these trainings via webinar, workshops or at their conferences. The CSDA also offers a plethora of other training opportunities on topics of interest to new and existing Board members. Board members are encouraged to visit csda.org for a current list of training opportunities. The Secretary of the District will coordinate reimbursement for any relevant trainings.

Questions?

Questions about the orientation process or any other topic may be directed to the Secretary of the District and/or General Manager:

Rischa S. Cole – Secretary of the District
Phone: (510) 287-0440 (office)
Email: rischa.cole@ebmud.com

Clifford C. Chan – General Manager
Phone: (510) 287-0101 (office)
Email: clifford.chan@ebmud.com

Any questions regarding a Board members legal obligations or other legal matters may be directed to the General Counsel:

Derek McDonald – General Counsel
Phone: (510) 287-0168
Email: derek.mcdonald@ebmud.com

Supporting Documents

Supporting documents listed in the Appendix may be found in The Dashboard, a limited-access OneDrive folder available to all Board members.

Appendix 6: EBMUD Facility and Program Naming Guidelines

At its January 27, 2026 Regular meeting, the Board of Directors approved the following guidelines under Board Motion No. 026-26.

1. **Purpose:** To establish criteria and guidelines for naming or renaming East Bay Municipal Utility District (EBMUD) facilities, programs, and awards in honor of individuals. These guidelines ensure decisions reflect the District’s mission, values, history, and long-term interests while maintaining transparency, fairness, and trust.

2. **Scope:** These guidelines apply to:

- District buildings, facilities, rooms, centers, and other physical spaces
- District workforce development programs, training initiatives, awards, and recognition programs
- Collaborative programs or partnerships which may include, but are not limited to, educational or research collaborations, community or equity-focused programs, interagency efforts, or jointly operated facilities housed at or administered by the District

These guidelines do not apply to temporary initiatives, staff-led working groups, or internal project names.

3. **Guiding Principles:** Naming decisions should:

- Honor extraordinary public service and contributions to EBMUD.
- Reflect the District’s values, commitment to equity, and service to the community.
- Ensure transparency, consistency, and fairness in decision-making.
- Preserve the historic and functional significance of District facilities.
- Maintain naming as a rare and meaningful honor reserved for individuals whose service meets high, objective standards.

4. **Eligibility Criteria:** Individuals who meet all Threshold Criteria and strong alignment with evaluative criteria.

4.1. **Threshold Criteria (Must Meet):** An individual must meet all of the following:

1. **Significant Service to EBMUD**

- Minimum of 20 years of service to the District in the capacity of a Board Member,
or
- Service resulting in exceptional, demonstrable impact on EBMUD’s mission.

2. **Exceptional Contribution:** The individual made meaningful contributions in one or more of these areas:

- Water reliability or resource stewardship
- Environmental protection
- Workforce development

- Equity and community service
 - Leadership that advanced the District's mission
 - 3. **Alignment With District Values:** Demonstrated commitment to stewardship, integrity, respect, teamwork, inclusion, sustainability and public engagement.
 - 4. **Connection to the Facility or Program:** There may be a logical or symbolic connection between the individual's contributions and the asset being named.
 - 5. **Posthumous Recognition (Suggested Standard):** Naming is typically considered posthumously, with a suggested waiting period of at least one year, unless otherwise waived by Board action.
- 4.2. **Evaluative Criteria:** The following criteria assess the relative strength and quality of an eligible proposal and are applied only after all Threshold Criteria in section 4.1 are met:
- 1. **Magnitude of Contribution:** Extent of lasting or transformative impact
 - 2. **Historical or Regional Significance:** Influence beyond the District
 - 3. **Leadership and Innovation:** Demonstrated advancement of policy, programs, or operations
 - 4. **Community Impact and Equity Advancement:** Meaningful benefit to underserved communities.
 - 5. **Public Recognition and Reputation:** Widely respected service within EBMUD's service area.
 - 6. **Facility or Program Suitability:** Strength of the symbolic or functional alignment between the individual's contributions and the proposed facility or program.

5. Naming Proposal Process

5.1. Submission: A naming proposal may be submitted by:

- Board Members
- General Manager

A written proposal must include:

- Rationale and justification
- Description of the individual's contributions
- Proposed facility or program to be named
- Supporting documentation

5.2. Staff Support: Staff will support the review process by:

- 1. Applying the threshold criteria

2. Assessing the proposal using the evaluative criteria
3. Identifying any operational, financial, regulatory, or historical considerations
4. Conducting preliminary internal stakeholder reviews (Affinity / Employee Resource Groups, Values Advocates, Human Resources, Office of Diversity, Equity, and Culture, Public Affairs Office, etc.)
5. Staff will prepare a summary for Board review.

5.3. **Stakeholder Consultation:** At the direction of the Board, staff may consult:

- o Employee groups and unions
- o Community or partner organizations
- o Representatives of the individual's family
- o Relevant external stakeholders

5.4. **Board Committee Review:** A Board Ad Hoc Committee will:

- o Review the criteria analysis, staff summary, and stakeholder input
- o Evaluate naming suitability and impacts
- o Recommend whether to advance the proposal to the Board for consideration

5.5. **Board Approval:** Naming or renaming requires Board approval.

6. **Implementation:** Upon approval, staff will:


1. Coordinate naming-related signage, displays, or plaques
2. Update District maps, directories, websites, and materials
3. Communicate the naming decision internally and externally
4. Organize any dedication ceremonies or commemorative events


4.7. **Review Cycle:** These guidelines will be re-evaluated as needed by staff and the Board to ensure they remain relevant, equitable, and appropriate.

EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: April 23, 2026

MEMO TO: Board of Directors

THROUGH: Clifford C. Chan, General Manager 

FROM: Andrew L. Lee, Director of Customer and Community Services 

SUBJECT: Electronic Bill Presentment and Payment and Payment Processing Update

SUMMARY

The District offers customers options on how they receive their bill statement (paper or electronic) and a range of secure bill payment options. Customers continue shifting from paper bills to electronic bill presentment and payment (EBPP). Although adoption of EBPP continues to increase, many customers still opt to receive paper bills. An update on current EBPP strategy to accelerate adoption will be presented at the April 28, 2026 Finance/Administration Committee meeting.

DISCUSSION

Customer adoption of EBPP provides the District with several benefits, including cost savings from handling bill statements. As of March 2026, approximately 45 percent of District customers use EBPP and receive electronic bill statements. As a result, the District printed nearly 1.08 million fewer paper statements, resulting in an estimated annual savings of \$2.6 million. Expanding the adoption of EBPP would further support the District's sustainability and fiscal stewardship goals, while enhancing customer experience.

Bill Presentment and Remittance Costs

In Fiscal Year 2025 (FY 2025), the District billed, received and processed approximately \$953 million in payments. Of the \$953 million, approximately \$659 million was electronic, and the remaining \$294 million was mailed-in. In FY 2025, the District spent approximately \$4.5 million on bill presentment and remittance services. The cost to bill, process, and deliver payments varies by payment channel, with the paper-based method being the highest cost. EBPP is the most cost-effective for both the District and customers.

In FY 2025, of the \$4.5 million spent on bill presentment and remittance services, approximately \$3.37 million was for bill presentment (Table 1). Traditional paper bill presentment represented the majority of the cost at approximately \$3.24 million (i.e., printing, paper, envelopes, postage, equipment, and labor).

Table 1: District Cost Incurred by Bill Presentment Types (FY 2025)

Presentment Type	Cost per Billing Statement	Customer Utilization	Total Cost
Kubra Electronic Bill	\$0.11	3%	\$96,000
CheckFree Electronic Bill	\$0.21	7%	\$30,000
Printed Paper Bill	\$2.50	55%	\$3,240,000

The District also spent approximately \$1.13 million for remittance services to process the various payment types received from customers. Table 2 outlines the cost incurred by the District for processing each payment type.

Table 2: District Cost Incurred by Payment Types (FY 2025)

Payment Option	Processing Cost per Payment	Customer Payment Utilization	Total Cost
EBPP Enrolled	\$0.29	38%	\$260,000
Automatic Bill Payment (ABP)	\$0.63	12%	\$178,000
Credit Card*	\$0.32	13%	\$98,000
Home Banking/Automatic Clearing House (ACH)	\$0.36	15%	\$127,000
Pay Station	\$0.86	1%	\$20,000
Payment by Mail	\$0.62	20%	\$292,000
EBMUD Dropbox	\$6.36	1%	\$150,000

*\$3.50 vendor fee

EBPP Benefits and Strategies to Increase Adoption

Having customers enroll to receive their bill statements electronically and make their payments electronically will provide the largest savings for the District. For every 1,000 customers adopting EBPP, the District will realize an estimated annual net saving of \$14,500 from printing and mailing fewer statements. These cost savings come from the need for less paper, envelopes, printing, postage, labor, and procurement and maintenance of expensive equipment. In addition to the ongoing financial benefits, expanding EBPP will improve customer experience by offering customers on-demand access to their account information, real-time payment confirmation, and automated bill reminders.

While customers are gradually shifting toward EBPP, targeted incentives are often required to accelerate adoption. Currently, there are 216,000 customers that receive paper bills. To increase EBPP adoption, staff propose offering customers who currently receive paper bills a one-time \$5 enrollment credit. This incentive would be offset by the District's savings from reduced printing, mailing, and processing costs. Each new EBPP enrollment is estimated to result in \$14.50 per enrollment in annual net savings. With approximately 1.3 million paper bills still being sent each year, even a modest increase in EBPP adoption would produce significant cost savings.

Modernizing Business Process to Compliment EBPP

The District is modernizing its traditional billing and remittance operations to meet evolving customer needs. As more customers transition to EBPP, reliance on in-house billing and remittance processes decreases. The District is currently implementing a vendor supported billing and remittance solution designed to improve efficiency, scalability, and resiliency. This modernization will allow the District to adjust print volumes appropriately and lower per statement production costs by approximately 60 percent (from \$2.50 to \$1.05 per bill statement), and continue to offer printed billing statement as an option, while maintaining reliable revenue collection and customer communication. While a vendor supported billing and remittance solution will cost the District \$6.30 per year for each customer, this amount is still higher than the proposed \$5 EBPP enrollment incentive, which further reinforces the long-term financial benefit of EBPP.

NEXT STEPS

Staff will seek feedback from the Finance/Administration Committee on the proposal to offer a one-time \$5 EBPP enrollment credit. If the Committee supports the proposal, staff will update the Regulations Governing Water Services, Section 13 – Payment of Bills for Board consideration at its June 23, 2026 meeting. If approved by the Board, this new incentive will begin in FY 2027. Results from this incentive to expand EBPP adoption will be provided to the Board at a future meeting.

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EAST BAY MUNICIPAL UTILITY DISTRICT

DATE: April 23, 2026

MEMO TO: Board of Directors

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

FROM: Orlando W. Leon, Chief Information Officer *OL*
Derry L. Moten, Special Assistant to the General Manager *DM*

SUBJECT: Digital Accessibility at EBMUD

SUMMARY

The District is committed to ensuring that ratepayers, staff, and the broader community have effective access to its services, programs, and information. As digital tools and services expand, digital accessibility is essential to fulfilling the District's mission and its values. Over the past year, staff have assessed current digital accessibility practices and developed a coordinated strategy to improve accessibility across the organization. The effort builds on existing strengths while addressing gaps in consistency, governance, and scalability. An update on the District's digital accessibility efforts will be presented at the April 28, 2026 Finance/Administration Committee meeting.

DISCUSSION

Title II, Section 35.200 in the Americans with Disabilities Act requires a public entity like EBMUD to ensure that its web content and mobile applications provided or made available, directly or through contractual, licensing, or other arrangements, comply with requirements specified in Web Content Accessibility Guidelines version 2.1 (WCAG 2.1), unless the public entity can demonstrate that compliance with this section would result in a fundamental alteration in the nature of a service, program, or activity or in undue financial and administrative burdens.

The District has established a baseline for digital accessibility, particularly in public-facing web content. Benchmarking indicates that EBMUD performs better than approximately 71 percent of a set of benchmarked California utility websites in automated accessibility measures. Additional strengths include:

- Availability of accessibility-aware templates and tools in common authoring platforms
- Growing awareness among staff and incorporation of accessibility into some workflows
- Board materials posted on EBMUD website are editable, searchable, and machine-readable, and materials provided after agenda publication are maintained in Records Management and available to the public upon request in accessible formats

However, the District has not established a formal governance structure, and accessibility practices are largely decentralized and vary by department and role. As the District's digital footprint continues to grow, there is opportunity to build a more coordinated and scalable approach.

In addition to the District's Title II efforts, as a federal contractor the District also has an obligation to comply with Title VI of the Civil Rights Act of 1964. Under Title VI the District is required to ensure fair and equitable public access, which includes both disability and language access. As part of this effort, the District has recently added a translation tool on the EBMUD website that allows web pages to be translated into Spanish or Chinese (most commonly spoken languages in the District's service area).

The District's goal is to create a digital environment where accessibility is integrated into daily workflows, where all digital content, systems, and services are designed and delivered in ways that are inclusive, accessible and usable by everyone. To achieve this vision:

- Accessibility will be embedded in all digital workflows and lifecycle processes and will be considered when planning, designing, procuring, implementing and maintaining digital services
- The District will establish clear standards, guidance, tools, and training to support accessible content and technology
- The District will ensure that digital services are easy to use and inclusive by design, and that there will be a clear process for the public and staff to report concerns or request support

This approach aligns with the District's broader commitment to diversity, equity, and inclusion and supports EBMUD's mission to serve its communities effectively and equitably. A Digital Accessibility Program has been established to focus on building sustainable capability across the District. Key elements include:

- Developing clear guidance and expectations for accessibility, along with a coordinated governance approach to support consistent implementation across the organization
- Improving existing digital resources by prioritizing and enhancing accessibility of public-facing websites, documents, and applications to improve the user experience
- Integrating accessibility into technology development, content creation, and business processes
- Strengthening procurement practices by considering accessibility during the selection and implementation of digital tools and systems to support long-term sustainability
- Educating staff on their role in ensuring accessibility by providing role-based training, tools, and resources
- Establishing processes to monitor progress, gather feedback, and continuously improve the accessibility of the District's digital services over time

The following activities for the Digital Accessibility Program are underway in Fiscal Year (FY) 2026 and will continue into FY 2028.

- Program kickoff, governance, communication (April-June 2026)
- Training launch, remediation begins, pilot processes (July-September 2026)
- Scale efforts, publish accessibility statement, operationalize program (October-December 2026)
- Final remediation, readiness review, transition to sustainment (January 2027-March 2028)

Digital accessibility will be sustained as an ongoing program, ensuring that accessibility continues to evolve alongside technology and the needs of the ratepayers, staff, and the broader community.

FISCAL IMPACT

Implementation of the District's digital accessibility efforts will be supported by existing staff and integration into current technology and operational work. Modest investments in tools, training, and targeted improvements may be needed over time and will be evaluated through the standard budgeting process.

NEXT STEPS

Staff will continue advancing the Digital Accessibility Program by establishing foundational guidance, expanding training and awareness, and prioritizing improvements to key digital services. Accessibility considerations will also be incorporated into ongoing technology initiatives and procurement processes. Staff will provide periodic updates to the Board as the program progresses.

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