

MINUTES

Tuesday, April 14, 2026
East Bay Municipal Utility District
Board of Directors
375 Eleventh Street
Oakland, California
Regular Closed Session Meeting

President Luz Gómez called to order the Regular Closed Session Meeting of the Board of Directors at 11:13 a.m. in the Administration Building Boardroom.

ROLL CALL

Directors April Chan, Valerie D. Lewis, Jim Oddie, Joey D. Smith, Marguerite Young, and President Luz Gómez were present at roll call. Director Andy Katz arrived in Conference Room 8 at 11:23 a.m.

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

PUBLIC COMMENT

There was no public comment.

ANNOUNCEMENT OF CLOSED SESSION AGENDA

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

Regular Business Meeting

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

ROLL CALL

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

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

BOARD OF DIRECTORS

President Gómez led the Pledge of Allegiance.

PRESENTATION

Highlights from American Water Works Association (AWWA) California-Nevada Section Water Conference of the West

General Manager Clifford C. Chan reported the conference was held in San Diego April 6-9, bringing together water agencies from across the region and featuring competitive events highlighting water quality and operational excellence. The District entered treated water from the Walnut Creek Water Treatment Plant into the Water Taste Test competition with 14 participating agencies. The entry ranked first overall and received the “People’s Choice” award, based on approximately 120 attendee votes, and the “Best of the Best” award, selected by a panel of four expert judges. District staff also participated in the Top-Ops competition, a fast-paced, quiz-style tournament that tests technical knowledge of water operations and placed first, out of six competing teams. Water Distribution Supervisor Joshua Bergstrom received the Exemplary Operations Supervisor Award, which recognizes outstanding operator performance in a supervisory role, including dedication to public health compliance, plant maintenance, innovation, training, and achievements beyond standard operating responsibilities. Representatives from the AWWA California-Nevada Section Jaci Parsons, John Parsons, and Jeffrey Tarantino presented the People’s Choice and Best of the Best awards to Engineering Manager Brett Kawakami and Manager of Water Quality Susan Teefy; the Top-Ops Competition trophy to winning team members, Senior Water Treatment Operators Chris Causbrook, David Rivera Richardson, and Brad Nilsen; and the Exemplary Operations Supervisor Award to Superintendent of Water Treatment, Distribution and System Water Quality Damon Hom on behalf of Mr. Bergstrom. The District will represent the AWWA California-Nevada Section at the AWWA ACE26 Conference in June and will participate in the Top-Ops and Tap Water Taste Test: Best of the Best competitions along with winners from across the country.

PUBLIC COMMENT

- Addressing the Board was Billy Trice Jr. who commented on his water bill and expressed concerns that despite efforts to conserve water, the charges remain high. Mr. Trice was referred to Director of Customer and Community Services Andrew L. Lee for follow up.

COMMITTEE REPORTS

- Filed with the Board were the Minutes for the March 24, 2026 Finance/Administration Committee Meeting.
- Director Lewis reported the Planning Committee met earlier and received the San Joaquin County Groundwater Banking Project Update; Mokelumne Fishery Update – 2025; Water Quality Program Annual Update – 2025; Owner Advisor Service for Main Wastewater Treatment Plant Dewatering Improvements Project update; and the Annual Watershed and Recreation Report – 2025.
- Director Smith reported the Legislative/Human Resources Committee met earlier and received Legislative Report No. 02-26 and that the Committee voted to support the staff recommendations for the six bills in the report.

CONSENT CALENDAR

- Motion by Director Oddie, seconded by Director Lewis to approve Items 1-5 on the Consent Calendar carried (7-0) by the following voice vote: AYES (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).
1. **Motion No. 054-26** – Approved the Special and Regular Meeting Minutes of March 24, 2026.
 2. The following correspondence was filed with the Board: 1) Presentation entitled, “Highlights from the Water Conference of the West,” dated April 14, 2026; 2) Presentation entitled, “Water Supply Update,” dated April 14, 2026; and 3) Speakers’ Bureau and Outreach Record CY26, dated April 14, 2026.
 3. **Motion No. 055-26** – Authorized an agreement beginning on or after April 14, 2026 with Kleen Solution Environmental for three years, with two options to renew for additional one-year periods for a total amount, including option years, not to exceed \$2,493,576 for hauling and disposal of wastewater treatment residuals from the Main Wastewater Treatment Plant.
 4. **Motion No. 056-26** – Authorized the purchase of software licensing and support for District firewall hardware beginning on or after April 14, 2026 from NuSpective, Inc., for three years for a total amount not to exceed \$259,000. This purchase will be made under State of California contracts available for use by local governments.
 5. **Motion No. 057-26** – Authorized the Office of General Counsel to continue the employment of the law firm of Complex Appellate Litigation Group LLP, for services of special counsel related to providing representation in the appeal of the *Pierce, et al. v. East Bay Municipal Utility District, et al.*, matter.

DETERMINATION AND DISCUSSION

6. **Adopt a resolution to appoint Peter Vorster as a Standby Officer in Ward No. 3 for the East Bay Municipal Utility District Board of Directors as outlined in the Directors’ Emergency Succession Plan.**
 - Motion by Director Young, seconded by Director Lewis to approve Item 6 carried (7-0) by the following voice vote: AYES (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35481-26 – Confirming Appointment Of Standby Officer For The East Bay Municipal Utility District Board of Directors For Ward No. 3 Under The Emergency Succession Plan For The Board of Directors.

7. **Legislative Update.**

Manager of Legislative Affairs Kathy Viatella reviewed the bills in Legislative Report No. 02-26. AB 1891 (Connolly) would establish a CAL FIRE Fire Capacity Program to expand community-led beneficial fire statewide through funding for training, capacity building, and competitive grants for prescribed fire implementation, research, and workforce development, including

dedicated support for tribes and tribally led organizations. Staff is recommending a “support position.” AB 2045 (Connolly) would preserve streamlined permitting for eligible small-scale habitat restoration and enhancement projects (work similar to the recently completed Tomato Stand Fish Passage) that improve fish and wildlife habitat while avoiding or minimizing environmental impacts. Staff is recommending a “support” position. AB 2157 (Connolly) would extend indefinitely the Displaced Oil and Gas Worker pilot program to support workers affected by California’s transition to a clean energy economy through job training, wage replacement, and career transition pathways, subject to appropriation and administration by the Employment Development Department. Staff is recommending a “support and amend position” to add “water and wastewater career pathways” and to encourage partnerships with public agencies and utilities so training better aligns with hiring needs. AB 2180 (Ward) would amend the Proposition 218 Omnibus Implementation Act to provide greater clarity and consistency for water agencies in establishing proportional rates in compliance with Article XIII D of the California Constitution. Staff is recommending a “support position.” SB 1393 (McGuire) would extend the Steelhead Trout Fishing Report and Restoration Program to January 1, 2037, continuing requirements for anglers to report catch data used by the Department of Fish and Wildlife to support management, regulatory decisions, and conservation efforts. Staff is recommending a “support position.” SB 1440, SB 1441, and SB 1442 (Committee on Local Government) would enact the Validating Acts of 2026. The legislature enacts three bills known as the Validating Acts each year to retroactively correct procedural errors or omissions that public officials of state agencies, cities, counties, and special districts may make inadvertently. Staff is recommending a “support position.” Ms. Viatella confirmed there were no inadvertent acts committed by the District. She concluded with updates on state and federal legislative activities.

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

Motion No. 058-26 – Received Legislative Report No. 02-26 and approved positions on the following bills: SUPPORT AB 1891 (Connolly) Forestry: Beneficial Fire Capacity Program; SUPPORT AB 2045 (Connolly) Habitat Restoration and Enhancement Act; SUPPORT AND AMEND AB 2157 (Connolly) Workforce development: Displaced Oil and Gas Worker Pilot Program: extension and assessment; SUPPORT AB 2180 (Ward) Local government: Proposition 218 Omnibus Implementation Act: proportional cost of service; SUPPORT SB 1393 (McGuire) Commercial fishing: steelhead trout: Dungeness crab; and SUPPORT SB 1440, SB 1441, and SB 1442 (Committee on Local Government) Validations.

8. **Adopt a resolution to approve the equity adjustment increases for two classifications represented by the American Federation of State, County and Municipal Employees, Local 444: Hydroelectric Power Plant Operator II (5.0%) and Hydroelectric Power Plant Mechanic (2.5%).**

- Motion by Director Young, seconded by Director Oddie, to approve the actions for Item 8 carried (7-0) by the following voice vote: AYES (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35482-26 – Authorize Equity Adjustment Increases For The Following Classifications Represented By The American Federation Of State, County And Municipal Employees, Local 444: Hydroelectric Power Plant Operator II And Hydroelectric Power Plant Mechanic.

- 9.1. – **Approve implementation of the second year general salary increase of 2.2% in accordance with the 2025-2028 Memoranda of Understanding between the District and the American Federation of State, County and Municipal Employees Locals 2019 and 444, International Union of Operating Engineers Local 39, and International Federation of Professional and Technical Engineers Local 21; and receive a report summarizing the recommendation for a 2.2% general salary increase for local agency executives, department heads, or other similar administrative officers of the District pursuant to Government Code Section 54953(d)(3)(A) and authorize a 2.2% general salary increase for Senior Management Team Members, Managers, Confidential employees and other Non-Represented employees in accordance with Board Resolution No. 35459-25.**

President Gómez announced that pursuant to Government Code Section 54953(d)(3)(A), the Board of Directors provides an oral report prior to taking action on the salary, salary schedule and compensation paid in the form of fringe benefits to local agency executives, department heads, or other similar administrative officers of the local agency. In accordance with the employment agreements with the General Manager and the General Counsel, the Board may authorize the same general salary increases and benefits to the General Manager and the General Counsel as that granted to District employees at the department director level. As such, it is recommended that the General Manager and the General Counsel each receive a 2.2% increase in their annual salary, commensurate with the 2.2% increase being granted to all District employees in this action, effective April 20, 2026. The 2.2% increase consists of a cost-of-living increase of 1.7% based on the Consumer Price Index plus 0.5%.

Additionally, pursuant to Board Resolution No. 35459-25, it is recommended that the following department heads and other similar administrative officers consisting of members of the Senior Management Team also be granted a 2.2% increase in their current annual salary, commensurate with the increase being granted to all District employees in this action, effective April 20, 2026: Secretary of the District; Director of Customer and Community Services; Director of Engineering and Construction; Director of Finance; Director of Human Resources; Director of Operations and Maintenance; Director of Wastewater; Director of Water and Natural Resources; Special Assistant IV (Intergovernmental Affairs); Special Assistant IV (Public Affairs); Special Assistant III (Diversity, Equity and Culture); Manager of Water Operations; Assistant to the General Manager; Chief Information Officer; Manager of Natural Resources; and the Manager of Maintenance and Construction. The general salary increase shall apply to salaries as set forth in the Salary Schedule with the effective date of April 21, 2025, which is on file with the Secretary of the District.

- Motion by Director Smith, seconded by Director Chan, to approve the actions for Items 9.1. – 9.2. carried (7-0) by the following voice vote: AYES (Chan, Katz, Lewis, Oddie, Smith, Young, and Gómez); NOES (None); ABSTAIN (None); ABSENT (None).

Resolution No. 35483-26 – Revise District Salary Ranges, Salaries And Wage Rates.

10. **Receive a report summarizing the recommendation to amend the Agreement for Employment of General Manager Clifford C. Chan (Agreement) to include a provision to provide the General Manager with a term-life insurance benefit pursuant to Government Code Section 54953(d)(3)(A), and authorize an amendment to the Agreement to extend the term of the Agreement to July 22, 2028, and include the provision to provide the General Manager with a term-life insurance benefit effective April 14, 2026.**

President Gómez announced that pursuant to Section 54953(d)(3)(A) of the Government Code, the Board of Directors provides an oral report prior to taking action on the salary, salary schedule and compensation paid in the form of fringe benefits paid to General Manager, Clifford Chan. The District shall make annual premium payments for a term-life insurance policy in an amount not to exceed \$6,000 annually from the effective date of the amendment on April 14, 2026. The District's obligation to pay for the annual premiums shall cease upon the General Manager's separation from employment with the District. The term life insurance policy is \$3 million dollars to be paid in the event of the General Manager's death. President Gomez announced it is recommended that the Board authorize the amendment to the employment agreement between the District and the General Manager to extend the term of the agreement and to provide for a term life insurance policy.

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

Resolution No. 35484-26 – Authorizing Fourth Amendment To General Manager Employment Agreement.

11. **General Manager's Report.**

Water Supply Update

Manager of Water Operations Roberto C. Cortez presented the update on Water Year 2026 and the following data as of April 8, 2026: gross water production; current reservoir storage levels; the District's total system storage (667,020 acre-feet, representing 86% of system capacity); precipitation in the East Bay (16.8 inches or 69% of average) and in the Mokelumne (36.5 inches or 87% of average); and snow conditions at Caples Lake, including snow depth (0 inches) and snow water content (0 inches). He reviewed snowpack levels and snow water equivalent in the Sierra Nevada as of April 9, noting conditions remain significantly below normal - approximately 17 percent of normal in the Central Sierra and a statewide average of 15 percent. He also reviewed the seasonal precipitation outlook for April 2026, projected Mokelumne precipitation for Rainfall Year 2026, and 2026 end-of-season total system storage projections, which range between approximately 590 and 630 thousand acre-feet depending on hydrologic conditions. He noted this would be the final monthly Water Supply update and that Water and Natural Resources staff will provide the Water Supply Availability and Deficiency Report at the April 28 meeting which will include forecasted water supply availability for the remainder of the year.

- Director Oddie left the meeting at 2:09 p.m. and returned at 2:10 p.m.
- Director Chan left the meeting at 2:11 p.m. and returned at 2:13 p.m.

Peralta Cohort Graduation

President Gómez announced that over the past two years, 11 employees participated and successfully completed the EBMUD Peralta College Cohort Learning Program. A valued partnership between the District and Laney College, participants complete college-level coursework with the goal of advancing their professional growth and career mobility. The District focuses on “growing our own” by providing educational support, resources, and programs and these efforts expand career pathways and create promotional opportunities for employees. The Board recognized and congratulated Paving Raker B Derrick M. Burr; Senior Administrative Clerk Cade Comer; Water Distribution Plumber II Abel Garcia; Heavy Equipment Operator Maurice Kilpatrick; Water Distribution Plumber III John C. Miller; Administrative Clerk Christine C. Olivar; Messenger/Mail Clerk Mildreth C. Rodriguez; Paving Raker A Antonio D. Rubio; Paving Raker A Shane D. Sorahan; Customer Services Representative II Lea N. Vasquez; and Water Distribution Plumber III Aaron A. Will. On behalf of their fellow graduates, class co-valedictorians, Cade Comer and Christine C. Olivar shared remarks about their experiences and the program. President Gómez announced a graduation ceremony for the cohort would be held in the Training Resource Center starting at 4:00 p.m.

General Manager’s Monthly Report

General Manager Clifford C. Chan announced the March 2026 Monthly Report was included in the Board packet and highlighted information in the report regarding water demands which are still down around 7.5 percent year over year and revenues which are also down four percent year over year. He also announced the Speakers’ Bureau and Outreach Record CY26 had been provided at Board places.

DIRECTOR COMMENTS

12. **Other Items for Future Consideration.**

- None.

13. **Director Comments.**

- Director Chan reported attending the District’s emergency bypass hose exercise in Hayward on March 17 and the Ward 7 briefing event in San Ramon on April 7.
- Director Katz reported attending the Ward 4 briefing event in Berkeley on April 8.
- Director Lewis reported attending the Powerful Women of the Bay Awards Luncheon in Oakland on March 26; Community Water Academy session at the Adeline Maintenance Center in Oakland on April 1; FRWA Board meeting in Oakland on April 9; Madam C.J. Walker Awards Luncheon and Empowerment Forum in Oakland on April 10; and Ad Hoc Committee meetings with Directors Oddie and Smith regarding renaming the Boardroom in honor of former Director William Patterson.
- Director Oddie reported plans to attend the Community Water Academy session at the Main Wastewater Treatment Plant in Oakland on April 15.

- Director Smith reported attending the Pinole Creek Tomato Stand Fish Passage Project on March 23; Powerful Women of the Bay Awards Luncheon in Oakland on March 26; Contra Costa Special Districts Association Annual Membership Dinner in Pleasant Hill on March 26; presenting to the Richmond Rotary on March 27; and attending the Community Water Academy session in Walnut Creek on April 8. Director Smith thanked Assistant Construction and Maintenance Superintendent Timothy C. Lewis and Dispatch Center Representative Lee Evans for their assistance in resolving a leak reported by a customer.
- Director Young reported attending the Powerful Women of the Bay Awards Luncheon in Oakland on March 26; the Siesta Valley Foundation Board meeting in Orinda and the Community Water Academy session bus tour to Pardee on April 10; and plans to attend the Ward 3 briefing event at the Siesta Valley Bowl Recreation Area in Orinda on April 29.
- President Gómez reported plans to attend the Peralta Cohort Graduation ceremony following the Board meeting; and the Ward 2 briefing event in San Ramon and Community Water Academy session at Berryman Reservoir in Berkeley on April 22.

ADJOURNMENT


President Gómez adjourned the Regular Meeting at 2:31 p.m.

SUBMITTED BY:



Rischa S. Cole, Secretary of the District

APPROVED: April 28, 2026



Luz Gómez, President of the Board