

**EAST BAY DISCHARGERS AUTHORITY
COMMISSION MEETING MINUTES**

August 15, 2019

1. Call to Order

Chair Walters called the meeting to order at 9:31 A.M. on Thursday, August 15, 2019, at the Oro Loma Sanitary District Boardroom, 2655 Grant Avenue, San Lorenzo, CA 94580.

2. Pledge of Allegiance

3. Roll Call

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|-----------------|---------------|---------------------------------|
| PRESENT: | Al Mendall | City of Hayward |
| | Peter Ballew | City of San Leandro |
| | Anjali Lathi | Union Sanitary District |
| | Ralph Johnson | Castro Valley Sanitary District |
| | Dan Walters | Oro Loma Sanitary District |

ABSENT: None

OTHERS

| | | |
|-----------------|-------------------|---------------------------------|
| PRESENT: | Jacqueline Zipkin | East Bay Dischargers Authority |
| | Eric Casher | Legal Counsel |
| | Howard Cin | East Bay Dischargers Authority |
| | Maria Buckley | East Bay Dischargers Authority |
| | Kalena Yambao | East Bay Dischargers Authority |
| | Alex Ameri | City of Hayward |
| | Jan Lee | City of Hayward |
| | Paul Eldredge | Union Sanitary District |
| | Jason Warner | Oro Loma Sanitary District |
| | Justin Jenson | City of San Leandro |
| | Roland Williams | Castro Valley Sanitary District |

4. Public Form

No member of the public requested to address the Commission at the meeting.

C O N S E N T C A L E N D A R

5. Commission Meeting Minutes of July 18, 2019

6. List of Disbursements for July 2019

7. Preliminary Treasurer's Report for July 2019

Commissioner Lathi moved to approve the consent calendar. The motion was seconded by Commissioner Johnson and carried 5-0 (Mendall, Ballew, Lathi, Johnson, Walters; ayes).

REGULAR CALENDAR

8. General Manager's Report

The General Manager deferred her comments for the month of August 2019 to the Committee Reports.

9. Report from the Managers Advisory Committee (MAC)

The MAC met with the General Manager on August 8, 2019. The General Manager requested to combine the MAC and Ad Hoc reports.

10. Report from the Ad Hoc Committee

The Ad Hoc Committee met with the General Manager on August 14, 2019. The General Manager brought up the topic of a possible name change. The Committee recommended leaving the name as is for now, with the possibility of revisiting the question in the future. The GM also reported that provisions around JPA termination, along with subsequent ownership changes of two pump stations, are a key topic being discussed. The GM reported that drafting of JPA language incorporating the term sheet is complete, and work is proceeding to generate a complete draft that should be released in the coming weeks. The JPA six-month extension and JPA renewal are set to go before each agency tentatively in November for review and approval. The Commission agreed that, ideally, the six-month extension should be included and resolved at the same time as the JPA renewal, and both should be approved before December 31, 2019. The Commission suggested drafting a template resolution with common language for each agency to review and approve with room for slight modifications and feedback from each agency.

11. Report from the Financial Management Committee

The Financial Management Committee met with the General Manager on August 12, 2019, and reviewed the July List of Disbursements and Preliminary Treasurer's Report. The Finance Committee discussed signature authority as one element of a revised Purchasing Policy that will be adopted subsequent to JPA adoption. The Finance Committee recommended a \$50,000 signature authority threshold for the General Manager with no separate thresholds for types of work or contracts. The Finance Committee also supported a \$25,000 signature authority threshold for the Operations and Maintenance Manager. The O&M manager would still be acting under the direction of the General Manager in approving contracts. The Finance Committee also recommended that all contract or purchase order amendments and change orders to agreements over \$50,000, or that would bring the total above the \$50,000 threshold, be brought to the Commission for approval. The Finance Committee recommended that the signature authorities for all contracts be the same, irrespective of whether they are for supplies, professional services, construction, or other services. There was disagreement among the Commission on this point, and it will be further discussed as the draft Purchasing Policy is developed.

The Finance Committee also discussed a draft Pension Funding Policy and recommended that it be brought to the Commission for approval with no changes.

Commissioner Mendall motioned to approve the report from Financial Management and the motion was seconded by Commissioner Johnson and carried unanimously, 5-0 (Mendall, Ballew, Lathi, Johnson, Walters; ayes).

12. Report from the Regulatory Affairs Committee

The Regulatory Affairs Committee met with the General Manager on August 14, 2019. The GM reviewed the NPDES Status Report, referencing tables showing compliance for CBOD, TSS and bacteria limits. The General Manager gave a report on PFAS as background information for regulations that may be forthcoming. The GM also noted the WaterReuse document included in the agenda for general information purposes which highlights the research, funding, and regulatory needs for advancing water recycling in California. The USEPA is set to release a national water recycling strategy in September. ReNUWI's One Water Center is conducting a workshop in December which the GM is engaged in planning, which will focus on goal development for water recycling in the Bay Area. In addition, a report BACWA is preparing under the nutrients watershed permit, will summarize water recycling plans that Bay Area agencies have and the resulting nutrient removal from the Bay.

Commissioner Mendall moved to approve the report from the Regulatory Affairs Committee. The motion was seconded by Commissioner Lathi and carried unanimously, 5-0 (Mendall, Ballew, Lathi, Johnson, Walters; ayes).

13. Report from the Operations and Maintenance Committee (O&M)

The Operations and Maintenance Committee met on August 13th, 2019 and discussed the status of EBDA facilities. The Operations and Maintenance Manager provided an update on the Cavitation Study at AEPS; a draft report is expected shortly. At the HEPS MCC Project, three new Ethernet radios were installed in July, which will provide HEPS with access to Hayward's SCADA system. PG&E rescheduled to the 27th and 28th of August, causing work delays and coordination challenges. At OLEPS, the discharge valve actuators are scheduled to be replaced the weeks of September 16th and 23rd. Generator starter and Diesel Pump operation issues were observed and then resolved at OLEPS. The O&M Manager gave updates on the SCADA system and cybersecurity; the new SCADA system is up and running. The O&M Manager reported that Underground Service Alerts are continuing to decrease. The Commission received an update on special projects including the Transport System Reliability Plan and the Facilities Electrical Evaluation. The GM reported the Disaster Recovery Plan will be brought before the Commission in the coming months. The GM explained the resolution amending the contract with GHD, increasing the budget for the Asset Management Plan. The GM also gave an update on the AQPI Project, noting that discussions are still taking place regarding long-term funding of the project beyond the current grant. The near-term X-band radar project is awaiting other East Bay agencies' approval.

Commissioner Lathi moved to approve the report from the Operations & Maintenance Committee. The motion was seconded by Commissioner Johnson and carried unanimously, 5-0 (Mendall, Ballew, Lathi, Johnson, Walters; ayes).

14. Resolution Authorizing the General Manager to Issue Amendment No. 1 to the Professional Services Agreement with GHD, Inc. for Asset Management Advisory Services in the Amount of \$3,360 for a Total not to Exceed the Amount of \$48,370.

Commissioner Johnson moved to adopt the resolution authorizing the GM to issue Amendment No. 1 to GHD. The motion was seconded by Commissioner Mendall and carried unanimously, 5-0.

Ayes: Commissioners Mendall, Ballew, Lathi, Johnson, and Chair Walters
Noes: None
Absent: None
Abstain: None

15. Report from the Personnel Committee

The Personnel Committee met with the General Manager on August 13, 2019. The General Manager went over revisions to the Personnel Policy including the addition of a catastrophic leave provision. The policy will now also state that employees should refrain from using personal email accounts for work-related business. Since the Authority uses personal cell phones for business, the Commission recommended adding a provision that states employees must comply with submitting data from personal cell phones used for business in the event of a public records request for such information. The Commission also recommends the catastrophic leave provision should state that General Manager approval is required. With said changes, the Committee recommends approval of the revisions to the Personnel Policy. The Committee also recommended approval of a resolution to issue a change order to Aerotek, Inc. for extending temporary administrative assistant services through November. Commissioner Mendall moved to approve the report from the Personnel Committee. The motion was seconded by commissioner Ballew and carried unanimously, 5-0 (Mendall, Ballew, Lathi, Johnson, Walters; ayes).

16. Resolution Approving Revisions to the Personnel Policy.

With the stipulation of noted changes, Commissioner Lathi moved to adopt the resolution approving revisions to the Personnel Policy. The motion was seconded by Commissioner Ballew and carried unanimously, 5-0.

Ayes: Commissioners Mendall, Ballew, Lathi, Johnson, and Chair Walters
Noes: None
Absent: None
Abstain: None

17. Resolution Authorizing the General Manager to Issue a Change Order to Aerotek, Inc. for Temporary Administrative Assistant Services in the Amount of \$30,000 for a Total Not to Exceed Amount of \$47,600.

Commissioner Mendall moved to approve the resolution authorizing the General Manager to issue a change order to Aerotek, Inc. in the amount of \$30,000. The motion was seconded by Commissioner Johnson and carried unanimously, 5-0.

Ayes: Commissioners Mendall, Ballew, Lathi, Johnson, and Chair Walters
Noes: None
Absent: None
Abstain: None

18. Items from Commission and Staff

The General Manager noted that staff has begun developing Rules of the Commission, noting specifically that in considering the Rules, the Commission will have an opportunity to discuss whether or not motions for approving Committee Reports will continue to be necessary. The General Counsel noted the Claims Bar Date of October 21st for submitting any claims in the U.S. Bankruptcy Court against PG&E as part of its Bankruptcy proceeding.

19. Adjournment

With no further business, Chair Walters adjourned the meeting at 10:41 a.m.



Jacqueline Zipkin
General Manager

