

EAST BAY DISCHARGERS AUTHORITY COMMISSION MEETING MINUTES

December 19, 2019

1. Call to Order

Chair Cutter called the meeting to order at 9:36 A.M. on Thursday, December 19, 2019, at the Oro Loma Sanitary District Boardroom, 2655 Grant Avenue, San Lorenzo, CA 94580.

2. Pledge of Allegiance

3. Roll Call

PRESENT: Al Mendall	City of Hayward
Dan Walters	Oro Loma Sanitary District
Thomas Handley	Union Sanitary District
Ralph Johnson	Castro Valley Sanitary District
Pauline Cutter	City of San Leandro

ABSENT: None

OTHERS

PRESENT: Jacqueline Zipkin	East Bay Dischargers Authority
Eric Casher	Legal Counsel
Howard Cin	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
Justin Jenson	City of San Leandro
Jason Warner	Oro Loma Sanitary District
Roland Williams	Castro Valley Sanitary District

4. Public Forum

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

CONSENT CALENDAR

5. Commission Meeting Minutes of November 21, 2019

6. List of Disbursements for November 2019

7. Treasurer's Report for November 2019

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

REGULAR CALENDAR

8. General Manager's Report

The General Manager (GM) reported that all five agencies have approved the Amended and Restated JPA and Fourth Amendment to the JPA (the extension). Each Agency confirmed that they will put due diligence into getting the documents signed before December 31st.

The GM reported that the East Bay Regional Park District has agreed to collaborate with EBDA on the First Mile Horizontal Levee Project, which will evaluate a site south of Oro Loma treatment plant. The design phase will focus on working through permitting issues and collaborating with other agencies pursuing similar projects in other locations. EBDA plans on submitting the First Mile Project in the second half of 2020 to the Bay Restoration Regulatory Integration Team, a Measure AA Bay Restoration Program offshoot, which brings regulators together to streamline permitting of restoration projects.

The GM also noted the annual expense of printing Commission Agenda Packets and requested any parties interested in going paperless to notify EBDA.

The GM reported on her attendance at the Bay Area One Water Network workshop on water reuse in the Bay Area. The GM will share the forthcoming report from the workshop once it becomes available. An additional larger workshop will be held in April covering the outcomes of the water reuse workshop along with the workshop held previously on stormwater reuse.

Lastly, there was discussion as to whether time cards for Commissioners are a necessary component for compliance, or whether the minutes and committee supplemental report can serve as sufficient documentation of attendance at meetings. Staff will continue to explore this.

9. Report from the Managers Advisory Committee (MAC)

The MAC met with the General Manager on December 12, 2019. The MAC continued to discuss possible outsourcing options for HR and accounting functions to the member agencies and/or contracted firms. The MAC also discussed key terms of renewing the LAVWMA agreement.

10. Report from the Financial Management Committee

The Financial Management Committee met with the GM on December 16, 2019, where they reviewed the List of Disbursements and Treasurer's Report for November. The Committee recommended approval of the continued Resolution from November's Commission meeting for Hanson Bridgett, and reviewed and recommended approval of the Resolution for OPEB and pension liability payments. The Finance Committee will review in the future whether there are any benefits for EBDA to use CALPERS' new pension trusts offering.

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

11. Resolution Authorizing the General Manager to Amend the Agreement with Hanson Bridgett, LLP in the Amount of \$50,000, for a Total Contract Value of \$150,000.

Commissioner Mendall moved to adopt the Resolution authorizing the GM to amend the agreement with Hanson Bridgett, LLP. The motion was seconded by Commissioner Handley and carried unanimously, 5-0 by roll call vote.

Ayes: Commissioners Mendall, Walters, Handley, Johnson, Chair Cutter.
Noes: None
Absent: None
Abstain: None

12. Resolution Authorizing the General Manager to Make Lump Sum Payments to the Authority's OPEB and Pension Accounts, to Apply FY2018-19 Credits To Each Agency's Share of those Lump Sum Payments, and to Invoice the Agencies for Any Outstanding Portion of their Lump Sum Allocation.

Commissioner Handley moved to adopt the Resolution authorizing the General Manager to make lump sum payments to the Authority's OPEB and pension accounts, to apply FY2018-19 credits to each agency's share of those lump sum payments, and to invoice the agencies for any outstanding portion of their lump sum allocation. The motion was seconded by Commissioner Johnson and carried unanimously, 5-0 by roll call vote.

Ayes: Commissioners Mendall, Walters, Handley, Johnson, Chair Cutter.
Noes: None
Absent: None
Abstain: None

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

The Operations and Maintenance Committee met with the O&M Manager on December 17, 2019, and discussed the status of the EBDA facilities. The GM stated that since the Regulatory Committee will now meet every other month or as needed, the tables showing compliance for NPDES testing will now be within the O&M agenda. The O&M Manager reviewed the NPDES Status Report, referencing graphs and tables showing compliance for CBOD, TSS, and bacteria limits, noting one high fecal coliform sample in November, still within regulatory compliance. The O&M Manager noted another high reading for fecal coliform in December, still within compliance. The GM will look into engaging a consulting expert on bacterial regrowth and bring that item to the Regulatory Committee for approval. EBDA will also discuss with the MAC an SOP for hypochlorite dosing and bacterial management going forward.

The O&M Manager provided an update on current projects. For AEPS, the O&M Committee recommends approval of a resolution for a new impeller for pump number six. EBDA staff has also provided comments to Carollo Engineers on the Draft Cavitation Study Project Memorandum, which will be brought to the MAC after revisions are

complete. At HEPS, the O&M manager reviewed recently completed work on the effluent diversion pipe. At OLEPS, as part of the Electrical Improvements Project, the installation of conduits and water lines is complete under the newly paved area between OLEPS and OLSD. The O&M Manager gave an update on Cyber Security, USA's and Special Projects. The GM noted the Disaster Recovery Plan is nearly complete and a training session date is being selected. For the AQPI project, the contracting portion is almost complete, and despite not having the MOU complete, the radar is projected to be installed in March 2020. Despite the late installation, the agencies will still have access to the regional system for wet weather data projections this wet season.

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

14. Resolution Authorizing the General Manager to Issue a Purchase Order to Pump Repair Service Company in the Amount of \$32,961 for a Replacement Impeller for Effluent Pump No. 6 at the Alvarado Effluent Pump Station.

Commissioner Handley moved to adopt the Resolution authorizing the GM to issue a purchase order to Pump Repair Service Company. The motion was seconded by Commissioner Johnson and carried unanimously, 5-0 by roll call vote.

Ayes: Commissioners Mendall, Walters, Handley, Johnson, Chair Cutter.
Noes: None
Absent: None
Abstain: None

15. Report from the Personnel Committee

The Personnel Committee met with the GM on December 16, 2019, and discussed Commissioner compensation and the Commission Calendar. The Committee recommends leaving Commissioner compensation unchanged and not increasing the four maximum allowable meetings per month for billing. The Commission discussed preferences for the Commission Calendar and directed staff to continue to cancel Committee and/or Commission meetings if no Commission direction or approvals are needed. The Personnel Committee and GM will continue to discuss possible schedule alterations in preparation for the new fiscal year. The Committee also recommends approval of changes to the Personnel Policy which defines more clearly terms for provisional and temporary employees. Lastly, the GM gave an update on staffing.

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

16. Resolution Authorizing the General Manager to Amend the Professional Services Agreement with Pacific EcoRisk Laboratory in the Amount of \$13,500 for Acute Toxicity Testing Services through FY 21/22 for a Total Contract Value of \$61,500.

Commissioner Walters moved to adopt the Resolution authorizing the General Manager to amend the Professional Services Agreement with Pacific EcoRisk Laboratory. The motion was seconded by Commissioner Mendall and carried unanimously, 5-0 by roll call vote.

Ayes: Commissioners Mendall, Walters, Handley, Johnson, Chair Cutter.
Noes: None
Absent: None
Abstain: None

17. Resolution Authorizing the General Manager to Issue a Purchase Order for the Period January 2020 through June 2021 to Azyura in the Amount of \$30,000 for Waterbits Licensing and Reporting Services.

Commissioner Johnson moved to adopt the Resolution authorizing the General Manager to issue a purchase order for the period January 2020 through June 2021 to Azyura. The motion was seconded by Commissioner Handley and carried unanimously, 5-0 by roll call vote.

Ayes: Commissioners Mendall, Walters, Handley, Johnson, Chair Cutter.
Noes: None
Absent: None
Abstain: None

18. Commission Input to LAVWMA Negotiation.

The GM sought direction on how the Commission would like to provide input to the LAVWMA negotiation. The Commission recommended that unless the negotiations necessitate more time than is available, discussion of the negotiations can be contained within the Finance Committee meetings. The Commission recommended not splitting negotiations into multiple committees. The GM will bring the item back to the Commission for further recommendation if circumstances mandate.

19. Resolution of Appreciation for Roberta Larson

Commissioner Handley moved to adopt the Resolution of Appreciation for Roberta Larson. The motion was seconded by Commissioner Johnson and carried unanimously, 5-0 by roll call vote.

Ayes: Commissioners Mendall, Walters, Handley, Johnson, Chair Cutter.
Noes: None
Absent: None
Abstain: None

20. Resolution of Appreciation for David Williams

Commissioner Walters moved to adopt the Resolution of Appreciation for David Williams. The motion was seconded by Commissioner Mendall and carried unanimously, 5-0 by roll call vote.

Ayes: Commissioners Mendall, Walters, Handley, Johnson, Chair Cutter.
Noes: None
Absent: None
Abstain: None

21. Items from Commission and Staff

The Commission restated the urgency of collecting signatures from all parties for the Fourth Amendment to the JPA and the Amended and Restated JPA before December 31st.

22. Adjournment

With no further business, Chair Cutter adjourned the meeting at 10:57 A.M.



Jacqueline Zipkin
General Manager