



EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
San Lorenzo, CA 94580-1841
(510) 278-5910
FAX (510) 278-6547

A Joint Powers Public Agency

Pursuant to the Governor's Executive Order N-25-20 the Commission Meeting scheduled for May 21, 2020 at 8:30 a.m. will be telephonic. The dial-in number for the meeting is +1 669 900 6833 with meeting I.D. # 944 5405 9447. Members of the public are encouraged to dial in to the meeting using the same number.

COMMISSION MEETING AGENDA

Thursday, May 21, 2020

8:30 A.M.

**EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
San Lorenzo, CA 94580**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Public Forum**

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

- | | |
|---------------|--|
| MOTION | 5. Commission Meeting Minutes of April 16, 2020 |
| | 6. List of Disbursements for April 2020 – See Item FM4 |
| | 7. Treasurer's Report for April 2020 – See Item FM5 |
| | 8. Third Quarter Expense Summary, FY 2019/2020 – See Item FM6 |

R E G U L A R C A L E N D A R

- | | |
|--------------------|--|
| INFORMATION | 9. General Manager's Report
(The General Manager will report on EBDA issues.) |
| INFORMATION | 10. Report From the Managers Advisory Committee
(The General Manager will report on the meeting.) |
| INFORMATION | 11. Report From the Financial Management Committee
(The General Manager will report on the meeting.) |
| RESOLUTION | 12. Resolution Adopting the East Bay Dischargers Authority's Fiscal Year 2020/2021 Budget And Appointing the General Manager to the Position of Treasurer – See Item FM11
(A resolution will be considered adopting the Authority's FY 2020/2021 budget and appointing the GM as Treasurer.) |

Agenda Explanation
East Bay Dischargers Authority
Commission Agenda
May 21, 2020

- RESOLUTION **13. Resolution Approving an Increase to the Annual Contribution to the Renewal and Replacement Fund for Fiscal Year 2020/2021 to the Amount of \$750,000 – See Item FM12**
(A resolution will be considered approving the RRF annual contribution.)
- RESOLUTION **14. Resolution Authorizing the General Manager to Suspend Recycled Water Charges to Hayward Area Recreation and Park District (HARD) for Skywest Golf Course for May and June 2020 – See Item FM14**
(A resolution will be considered to suspend recycled water charges to Hayward Area Recreation and Park District for the remainder of FY 2019/2020.)
- RESOLUTION **15. Resolution Establishing the Price of Recycled Water for Skywest Golf Course in Fiscal Year 2020/2021 – See Item FM15**
(A resolution will be considered establishing the price of recycled water for Hayward Area Recreation and Park District in FY 2020/2021.)
- RESOLUTION **16. Resolution Approving Revisions to the Authority’s Investment Policy –See Item FM16**
(A resolution will be considered adopting the Authority’s Investment Policy.)
- INFORMATION **17. Report From the Operations & Maintenance Committee**
(The General Manager will report on the meeting.)
- RESOLUTION **18. Resolution Authorizing the General Manager to Issue a Credit to the City of San Leandro for Capital Reimbursements in the Amount of \$114,277 – See Item OM8**
(The Commission will consider a resolution to issue a credit.)
- RESOLUTION **19. Resolution Authorizing the General Manager to Issue a Purchase Order to R&B Company for a 60-Inch Romac Encapsulating Force Main Repair Coupling in the Amount of \$61,727 – See Item OM9**
(The Commission will consider a resolution to issue a purchase order)
- RESOLUTION **20. Resolution Authorizing the General Manager to Issue a Purchase Order to Miller Pipeline for Flexible Internal Force Main Seals in the Amount of \$32,645 – See Item OM10**
(The Commission will consider a resolution to issue a purchase order.)
- INFORMATION **21. Report From the Personnel Committee**
(The General Manager will report on the meeting.)
- MOTION **22. Fiscal Year 2020/2021 Commission Chair Rotation – See Item P5**
(The Commission will approve, by motion, the rotation of the Commission Chair for FY 2020/2021.)
- RESOLUTION **23. Resolution Adopting the Amended Fiscal Year 2019/2020 Compensation Plan – See Item P8**
(The Commission will consider a resolution amending the Compensation Plan.)
- RESOLUTION **24. Resolution Adopting the Fiscal Year 2020/2021 Compensation Plan – See Item P9**
(The Commission will consider a resolution adopting the Compensation Plan.)

Agenda Explanation
East Bay Dischargers Authority
Commission Agenda
May 21, 2020

INFORMATION 25. Items From the Commission and Staff
(The Commission and staff may address items of general interest.)

26. Adjournment

(Any member of the public may address the Commission at the commencement of the meeting on any matter within the jurisdiction of the Commission. This should not relate to any item on the agenda. It is the policy of the Authority that each person addressing the Commission limit their presentation to three minutes. Non-English speakers using a translator will have a time limit of six minutes. Any member of the public desiring to provide comments to the Commission on an agenda item should do so at the time the item is considered. It is the policy of the Authority that oral comments be limited to three minutes per individual or ten minutes for an organization. Speaker's cards will be available in the Boardroom and are to be completed prior to speaking.)

(In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in an Authority meeting, or you need a copy of the agenda, or the agenda packet, in an appropriate alternative format, please contact the Administrative Assistant at the EBDA office at (510) 278-5910 or kyambao@ebda.org. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the Authority staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.)

(In compliance with SB 343, related writings of open session items are available for public inspection at East Bay Dischargers Authority, 2651 Grant Avenue, San Lorenzo, CA 94580. For your convenience, agenda items are posted on the East Bay Dischargers Authority website located at <http://www.ebda.org>.)

**The next Commission meeting will be held
Thursday, June 18, 2020 at 9:30 a.m.**

GLOSSARY OF ACRONYMS

ACWA	Association of California Water Agencies	DPR	Department of Pesticide Regulation
AQPI	Advanced Quantitative Precipitation Information	DSRSD	Dublin San Ramon Services District
AEPS	Alvarado Effluent Pump Station	DTSC	Department of Toxic Substances Control
AMP	Asset Management Plan	EBDA	East Bay Dischargers Authority
ANPRM	Advanced Notice of Proposed Rulemaking	EIS/EIR	Environmental Impact Statement/Report
BAAQMD	Bay Area Air Quality Management District	EPA	Environmental Protection Agency
BACC	Bay Area Chemical Consortium	FOG	Fats, Oils and Grease
BACWA	Bay Area Clean Water Agencies	GASB	Government Accounting Standards Board
BPA	Basin Plan Amendment	HEPS	Hayward Effluent Pump Station
BCDC	Bay Conservation and Development Commission	JPA	Joint Powers Agreement
BOD	Biochemical Oxygen Demand	LAVWMA	Livermore-Amador Valley Water Management Agency
CARB	California Air Resources Board	LOCC	League of California Cities
CASA	California Association of Sanitation Agencies	MAC	Managers Advisory Committee
CBOD	Carbonaceous Biochemical Oxygen Demand	MCC	Motor Control Center
CDFA	CA Department of Food & Agriculture	MCL	Maximum Contaminant Level
CEC	Compound of Emerging Concern	MDF	Marina Dechlorination Facility
CEQA	California Environmental Quality Act	MG	Million Gallons
CFR	Code of Federal Regulations	MGD	Million Gallons per Day
CMMS	Computerized Maintenance Management System	MMP	Mandatory Minimum Penalty
COH	City of Hayward	MOU	Memorandum of Understanding
CPUC	California Public Utilities Commission	N	Nitrogen
CSL	City of San Leandro	NACWA	National Association of Clean Water Agencies
CTR	California Toxics Rule	NAS	National Academy of Sciences
CVCWA	Central Valley Clean Water Association	NGO	Non-Governmental Organization
CVSAN	Castro Valley Sanitary District	NOX	Nitrogen Oxides
CWA	Clean Water Act	NPDES	National Pollutant Discharge Elimination System
CWEA	CA Water Environment Association	NPS	Non-Point Source
DO	Dissolved Oxygen	NTR	National Toxics Rule

GLOSSARY OF ACRONYMS

O&M	Operations & Maintenance	SRF	State Revolving Fund
OLEPS	Oro Loma Effluent Pump Station	SSMP	Sewer System Management Plan
OLSD	Oro Loma Sanitary District	SSO	Sanitary Sewer Overflow
OMB	Office of Management and Budget	SWRCB	State Water Resources Control Board
P	Phosphorous	TDS	Total Dissolved Solids
PAHs	Polynuclear Aromatic Hydrocarbons	TMDL	Total Maximum Daily Load
PCBs	Poly Chlorinated Biphenyls	TN	Total Nitrogen
PLC	Programmable Logic Controller	TP	Total Phosphorus
PFAS	Per and Polyflouroalkyl Substances	TRC	Total Residual Chlorine
POTW	Publicly Owned Treatment Works	TSO	Time Schedule Order
PPCPs	Pharmaceutical and Personal Care Products	TSS	Total Suspended Solids
QA/QC	Quality Assurance / Quality Control	USD	Union Sanitary District
Region IX	Western Region of EPA (CA, AZ, NV & HI)	UV	Ultraviolet Treatment
ReNUWit	Re-Inventing the Nation's Urban Water Infrastructure engineering research center	VFD	Variable Frequency Drive
RFP	Request For Proposals	VOCs	Volatile Organic Compounds
RFQ	Request For Qualifications	WAS	Waste Activated Sludge
RMP	Regional Monitoring Program	WDR	Waste Discharge Requirements
RO	Reverse Osmosis	WEF	Water Environment Federation
RWB	Regional Water Board	WET	Whole Effluent Toxicity or Waste Extraction Test
RWQCB	Regional Water Quality Control Board	WIN	Water Infrastructure Network
SBS	Sodium Bisulfite	WLA	Waste Load Allocation (point sources)
SCADA	Supervisory Control and Data Acquisition	WPCF	Water Pollution Control Facility
SCAP	Southern California Alliance of POTWs	WQBEL	Water Quality Based Effluent Limitation
SEP	Supplementary Environmental Project	WQS	Water Quality Standards
SFEI	San Francisco Estuary Institute	WRDA	Water Resource Development Act
SIP	State Implementation Policy (CTR/NTR criteria)	WRF	Water Research Foundation
SLEPS	San Leandro Effluent Pump Station	WWTP	Wastewater Treatment Plant
		WWWIFA	Water and Wastewater Infrastructure Financing Agency

CONSENT CALENDAR

Consent calendar items are typically routine in nature and are considered for approval by the Commission with a single action. The Commission may remove items from the Consent Calendar for discussion. Items on the Consent Calendar are deemed to have been read by title. Members of the public who wish to comment on Consent Calendar items may do so during Public Forum.

Item No. 5 Commission Meeting Minutes of April 16, 2020

Item No. 6 List of Disbursements for April 2020 – See Item FM4

Item No. 7 Treasurer’s Report for April 2020 – See Item FM5

Item No. 8 Third Quarter Expense Summary, FY 2019/2020 – See Item FM6

Recommendation

Approve Consent Calendar Items No. 5, 6, 7, and 8.

ITEM NO. 5 COMMISSION MEETING MINUTES OF APRIL 16, 2020

**EAST BAY DISCHARGERS AUTHORITY
COMMISSION MEETING MINUTES**

April 16, 2020

1. Call to Order

Chair Cutter called the telephonic meeting to order pursuant to the Governor's Executive Order N-25-20 at 9:32 A.M. on Thursday, April 16, 2020. Dial-in information for the meeting was provided in the agenda for public attendees.

2. Pledge of Allegiance: Deferred.

3. Roll Call

PRESENT:	Sara Lamnin	City of Hayward
	Daniel Walters	Oro Loma Sanitary District
	Ralph Johnson	Castro Valley Sanitary District
	Pauline Cutter	City of San Leandro
	Thomas Handley	Union Sanitary District

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
	Juanita Villasenor	East Bay Dischargers Authority
	Jason Warner	Oro Loma Sanitary District
	Alex Ameri	City of Hayward
	David Donovan	City of Hayward
	Justin Jenson	City of San Leandro
	Roland Williams	Castro Valley Sanitary District
	Paul Eldredge	Union Sanitary District

4. Public Forum

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 March 19, 2020**
- 6. List of Disbursements for March 2020**
- 7. Treasurer's Report for March 2020**

Commissioner Handley moved to approve the consent calendar. The motion was seconded by Commissioner Johnson and carried unanimously 5-0, by roll call vote.

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

REGULAR CALENDAR

8. General Manager's Report

The General Manager (GM) provided an update on the Chlorine Residual Basin Plan Amendment, which would revise the regulatory requirement to maintain an instantaneous 0.0 mg/L chlorine residual at MDF. The amendment is scheduled for a public hearing and adoption in November. The GM also announced that EBDA's new website is scheduled to launch next week. The GM will send out a notice when it is ready to view and requested feedback once launched.

HASPA has released a Draft Design Alternatives Report for the Shoreline Master Plan. EBDA participated in stakeholder meetings along with Member Agency staff from Hayward and Oro Loma. The Master Plan is being closely coordinated with EBDA's grant-funded work on the Horizontal Levee Project and Feasibility Study for nature-based solutions at the Hayward Ponds. EBDA plans to release an RFP for these two projects in the coming months. EBDA will continue to work with its partners in developing a public outreach program.

The COVID-19 Pandemic has caused temporary closure of the Skywest Golf Course and related economic hardship for Hayward Area Recreation District (HARD). Staff recommends suspension of the recycled water charges for the golf course for May and June. EBDA will bring forth a resolution next month for approval.

9. Report from the Managers Advisory Committee (MAC)

The MAC met on April 9, 2020. The MAC primarily focused on reviewing a draft term sheet for a potential brine project, which will be brought to the Regulatory Affairs Committee for review.

10. Report from the Financial Management Committee

The Financial Management Committee met on April 13, 2020. The Committee reviewed the List of Disbursements and Treasurer's Report for March and recommended approval. The Committee also reviewed the Public Official Bond for the Operations & Maintenance Manager's position and recommends keeping the current policy and coverage amounts in place. The Committee recommends removing the dollar amount of the bond from the Investment Policy to provide flexibility in the future.

The Committee also reviewed previously approved lump-sum payments to the Authority's OPEB and Pension funds and recommends proceeding with the approved payments.

Lastly, the Committee reviewed the status of the LAVWMA negotiation, which has slowed due to LAVWMA beginning a study of their capacity needs. The Commission discussed some term-extension options and stipulations, which will be brought back before the Committee and Commission next month.

11. Resolution Authorizing the General Manager to Issue Amendment No. 1 to the Agreement with Maze & Associates for Independent Audit Services in the Amount of \$9,342 for a Total Not to Exceed Amount of \$50,572

Commissioner Walters moved to adopt the Resolution authorizing the GM to issue Amendment No. 1 to Maze & Associates. The motion was seconded by Commissioner Handley and carried unanimously, 5-0 by roll call vote.

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

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

The Operations and Maintenance Committee met on April 14, 2020, and discussed the status of the EBDA facilities. The O&M Manager reviewed NPDES Compliance for February and preliminary data for March and provided an update on current projects. At HEPS, the MCC stairs and the generator platform are scheduled to arrive next week. The remaining items for HEPS are on hold until the Shelter-in-Place has lifted. For AEPS, the Cavitation Study is on hold due to the COVID-19 Pandemic, but the impeller for Pump No. 6 is scheduled to ship shortly. At OLEPS, installation of the new switch for the generator continues to be postponed, but the Electrical Improvements Project has moved forward. The installation of the wiring and conduits for backup power was completed and a breaker connecting the new wiring is on order and should be installed in the coming month. OLEPS continues to have one of OLSD's portable generators connected as backup.

The O&M Manager gave an update on Skywest water production and wet weather. At MDF, the trees around the facility were trimmed, with the main focus being the large trees behind MDF and next to the SBS Storage Building. The O&M Manager gave an update on the Transport System Repair Couplings & Seals for EBDA's Force Main, which will be brought forth via resolution next month. The Committee and Commission recommend proceeding with dry rot repair and window replacement for the EBDA Office.

The GM discussed EBDA's Pandemic Response Plan. A call will take place next week to share Member Agencies' O&M response activities and explore opportunities for

sharing resources. OLSD took part in analysis conducted by the University of Arizona, which showed coronavirus present in influent but not effluent. EBDA is tracking research on this topic but has not been contacted for sampling by any regulatory or public health agencies.

The installation of the X-band Radar for the AQPI project, previously scheduled for mid-March, has been delayed due to the current Shelter-in-Place mandate. The Cooperative Agreement, pending approval by Sonoma County Water Agency, is now slated for June and installation of the radar for late summer. The GM will continue to report on the progress of the project.

13. Resolution Authorizing the General Manager to Issue Amendment No. 1 to the Agreement with Kermani Consulting Group for Disaster Cost Recovery Planning Services in the Amount of \$2,169, for a Total Not to Exceed Amount of \$52,169

Commissioner Lamnin moved to adopt the Resolution authorizing the GM to issue Amendment No. 1 to Kermani Consulting Group. The motion was seconded by Commissioner Walters and carried unanimously, 5-0 by roll call vote.

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

14. Items from Commission and Staff

Chair Cutter noted that she is coordinating with EBDA staff on response to proposed bills in the California legislature related to use of emergency generators during Public Safety Power Shutoff events. The Bay Area Air Quality Management District has taken an oppose position on several bills that the wastewater community supports, and Chair Cutter is working to educate relevant stakeholders on the needs of wastewater agencies for protection of public health. Commissioner Lamnin requested any agencies willing to get involved in the CalPERS stakeholder phone calls, held monthly, do so, to help facilitate statewide planning for the CalPERS system.

15. Adjournment

With no further business, Chair Cutter adjourned the meeting at 10:51 A.M.

Jacqueline Zipkin
General Manager

ITEM NO. 9 GENERAL MANAGER'S REPORT

The General Manager will discuss items of interest concerning EBDA.

ITEM NO. 10 REPORT FROM THE MANAGERS ADVISORY COMMITTEE

**MANAGERS ADVISORY COMMITTEE
AGENDA**

Thursday, May 14, 2020

1:30 P.M.

Via Zoom

- 1. LAVWMA Agreement**
- 2. Brine Project**
- 3. Brine Policy**
- 4. Bypass Incident Debrief**
- 5. EBDA Commission Package**
 - Finance
 - O&M
 - Personnel
- 6. COVID-19 Info Sharing and EBDA Managers Round Robin**



EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
San Lorenzo, CA 94580-1841
(510) 278-5910
FAX (510) 278-6547

A Joint Powers Public Agency

Pursuant to the Governor's Executive Order N-25-20 the Finance Meeting scheduled for May 18, 2020 at 3:00 p.m. will be telephonic. The dial-in number for the meeting is +1 669 900 6833 with meeting I.D. #959 6850 0178. Members of the public are encouraged to dial in to the meeting using the same number.

ITEM NO. 11

**FINANCIAL MANAGEMENT COMMITTEE
AGENDA**

Monday, May 18, 2020

3:00 P.M.

**East Bay Dischargers Authority
2651 Grant Avenue, San Lorenzo, CA 94580**

Committee Members: Lamnin (Chair); Johnson

FM1. Call to Order

FM2. Roll Call

FM3. Public Forum

FM4. List of Disbursements for April 2020

(The Committee will review the List of Disbursements for the month of April 2020.)

FM5. Treasurer's Report for April 2020

(The Committee will review the Treasurer's Report for the month of April 2020.)

FM6. Third Quarter Expense Summary, Fiscal Year 2019/2020

(The Committee will review the third quarter expenses for fiscal year 2019/2020.)

**FM7. State Controller's Office Special Districts Local Government Compensation
Report for Calendar Year 2019**

(The Committee will review the Local Government Compensation report for calendar year 2019.)

FM8. Updates to the Authority's Bank Accounts

(The Committee will receive updates on changes to the Authority's Wells Fargo accounts.)

**FM9. Review of the Authority's Policies on Internal Controls and Fraud
Prevention and Reporting**

(The Committee will review the Policies.)

FM10. Review of the Authority's Brine Policy

(The Committee will review revisions to the Policy.)

FM11. Resolution Adopting the East Bay Dischargers Authority's Fiscal Year 2020/2021 Budget and Appointing the General Manager to the Position of Treasurer

(A resolution will be considered adopting the Authority's FY 2020/2021 budget and appointing the GM as Treasurer.)

FM12. Resolution Approving an Increase to the Annual Contribution to the Renewal and Replacement Fund for Fiscal Year 2020/2021 to the Amount of \$750,000

(A resolution will be considered approving the RRF annual contribution.)

FM13. LAVWMA Negotiation Discussion

(The Committee will discuss the status of the LAVWMA Agreement extension negotiations.)

FM14. Resolution Authorizing the General Manager to Suspend Recycled Water Charges to Hayward Area Recreation and Park District (HARD) for Skywest Golf Course for May and June 2020

(A resolution will be considered to suspend recycled water charges to Hayward Area Recreation and Park District for the remainder of FY 2019/2020.)

FM15. Resolution Establishing the Price of Recycled Water for Skywest Golf Course in Fiscal Year 2020/2021

(A resolution will be considered establishing the price of recycled water for Hayward Area Recreation and Park District in FY 2020/2021.)

FM16. Resolution Approving Revisions to the Authority's Investment Policy

(A resolution will be considered adopting the Authority's Investment Policy.)

FM17. Adjournment

(In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in an Authority meeting, or you need a copy of the agenda, or the agenda packet, in an appropriate alternative format, please contact the Administrative Assistant at (510) 278-5910 or jvillasenor@ebda.org. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the Authority staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.)

In compliance with SB 343, related writings of open session items are available for public inspection at East Bay Dischargers Authority, 2651 Grant Avenue, San Lorenzo, CA 94580. For your convenience, agenda items are also posted on the East Bay Dischargers Authority website located at <http://www.ebda.org>.

(Any member of the public may address the Committee at the commencement of the meeting on any matter within the jurisdiction of the Committee. This should not relate to any item on the agenda. Each person addressing the Committee should limit their presentation to three minutes. Non-English speakers using a translator will have a time limit of six minutes. Any member of the public desiring to provide comments to the Committee on any agenda item should do so at the time the item is considered. Oral comments should be limited to three minutes per individual or ten minutes for an organization. Speaker's cards will be available and are to be completed prior to speaking.)

**The next Financial Management Committee meeting is scheduled on
Monday, June 15, 2020 at 3:00 p.m.**

ITEM NO. FM4 LIST OF DISBURSEMENTS FOR APRIL 2020

The itemized List of Disbursements for the month of April 2020 totaled \$1,344,897.40

Reviewed and Approved by:

Sara Lamnin, Chair	Date
Financial Management Committee	

Jacqueline T. Zipkin
Treasurer

EAST BAY DISCHARGERS AUTHORITY
Cash Disbursement
April 2020

CHECKS (SORTED BY AMOUNT)

Check #	Check Date	Invoice #	Vendor Name	Description	Itemized Charges	Invoice Amount	Check Amount
24673	4/30/2020	FY 2019/2020	CALPERS	OPEB UAL LUMP SUM PAYMENT		492,331.00	492,331.00
24656	4/16/2020	2/21/2932	CITY OF SAN LEANDRO	O&M - FEBRUARY		29,824.09	29,824.09
24674	4/30/2020	06290	ORO LOMA SANITARY DISTRICT	O&M - MARCH		22,681.25	22,681.25
24684	4/30/2020	48550213	UNIVAR	SODIUM BISULFITE DELIVERED 04/08/20		6,057.32	10,575.73
24684	4/30/2020	48561771	UNIVAR	SODIUM BISULFITE DELIVERED 04/20/20		4,518.41	
24667	4/16/2020	48536341	UNIVAR	SODIUM BISULFITE - DELIVERED 03/27/20		5,713.16	5,713.16
24666	4/16/2020	2020010180	MEYERS NAVE	LEGAL SERVICES - JANUARY		5,623.80	5,623.80
24659	4/16/2020	46315	CALCON	OPS CENTER GENERATOR PM & REPAIR		1,179.43	5,219.61
24659	4/16/2020	46313	CALCON	SKYWEST REPAIRED COMMUNICATION & CONTROL ISSUES		1,149.00	
24659	4/16/2020	46311	CALCON	OPS CENTER SCADA DATA BACKUP		811.37	
24659	4/16/2020	46314	CALCON	HEPS INSTALL NEW SURGE TOWER LIGHTING		761.99	
24659	4/16/2020	46310	CALCON	LAVWMA PLC & DATA UPGRADE		675.00	
24659	4/16/2020	46312	CALCON	OLEPS GENERATOR CONTROL PANEL REPAIR		642.82	
24683	4/30/2020	2020030479	MEYERS NAVE	LEGAL SERVICES - MARCH		2,400.00	4,552.80
24666	4/16/2020	2020020366	MEYERS NAVE	LEGAL SERVICES - FEBRUARY		2,152.80	
24652	4/16/2020	JAN-MAR	KARL ROYER	QUARTERLY RETIREE MEDICAL REIMBURSEMENT - JAN - MARCH		3,191.94	3,191.94
24661	4/16/2020	Dec-19	DEBORAH QUINN	ACCOUNTING SERVICES - DECEMBER		3,000.00	3,000.00
24655	4/16/2020	457-303166	VANTAGEPOINT	ICMA DEFERRED COMPENSATION FOR PAY PERIOD ENDED 04/15/20		2,430.76	2,430.76
24672	4/30/2020	457-303166	VANTAGE POINT	ICMA DEFERRED COMPENSATION FOR PAY PERIOD ENDED 04/30/20		2,430.76	2,430.76
24690	4/30/2020	008	KERMANI CONSULTING GROUP	DISASTER COST RECOVERY TRAINING 02/05/20		2,169.00	2,169.00
24653	4/16/2020	JAN-MAR	CHARLES WEIR	QUARTERLY RETIREE MEDICAL REIMBURSEMENT - JAN - MARCH		1,904.76	1,904.76
24665	4/16/2020	4246044555687620	US BANK	REMOTE DATA BACKUPS	423.00	1,769.32	1,769.32
24665	4/16/2020	4246044555687620	US BANK	OFFICE DEPOT	205.48		
24665	4/16/2020	4246044555687620	US BANK	OFFICE DEPOT	196.64		
24665	4/16/2020	4246044555687620	US BANK	2X COMPUTER DRIVES	174.78		
24665	4/16/2020	4246044555687620	US BANK	ZOOM ANNUAL SUBSCRIPTION	149.90		
24665	4/16/2020	4246044555687620	US BANK	FEDEX	106.32		
24665	4/16/2020	4246044555687620	US BANK	SAN LEANDRO SMOG CHECK - EBDA TRUCK	99.95		
24665	4/16/2020	4246044555687620	US BANK	CSDA BROWN ACT WEBINAR	95.00		
24665	4/16/2020	4246044555687620	US BANK	INTERMEDIA.NET	86.41		
24665	4/16/2020	4246044555687620	US BANK	SHELL OIL - FUEL FOR EBDA TRUCK	47.07		
24665	4/16/2020	4246044555687620	US BANK	CSMFO CONFERENCE RESTAURANT EXPENSE	37.86		
24665	4/16/2020	4246044555687620	US BANK	KEURIG FILTER	34.94		
24665	4/16/2020	4246044555687620	US BANK	CABLE PROTECTORS	28.36		
24665	4/16/2020	4246044555687620	US BANK	DOUGLAS GARAGE PARKING FEES	24.00		
24665	4/16/2020	4246044555687620	US BANK	BLUE JEANS NETWORK VIDEO STREAMING	12.49		
24665	4/16/2020	4246044555687620	US BANK	OFFICE MAX	14.74		
24665	4/16/2020	4246044555687620	US BANK	EAST BAY TIMES	9.95		
24665	4/16/2020	4246044555687620	US BANK	HOME DEPOT - ADMIN BUILDING MAINTENANCE	7.54		
24665	4/16/2020	4246044555687620	US BANK	USPS	6.95		
24665	4/16/2020	4246044555687620	US BANK	USPS	6.95		
24663	4/16/2020	8187	CAYUGA INFORMATION SYSTEMS	IT SERVICES - MARCH		1,620.00	1,620.00
24675	4/30/2020	52205710	CITY OF HAYWARD	INSURANCE PREMIUMS - APRIL		1,510.38	1,510.38
24686	4/30/2020	1/30/2020	EVERARDO OROZCO LANDSCAPING	LANDSCAPING - JANUARY		350.00	1,400.00
24686	4/30/2020	2/28/2020	EVERARDO OROZCO LANDSCAPING	LANDSCAPING - FEBRUARY		350.00	
24686	4/30/2020	3/30/2020	EVERARDO OROZCO LANDSCAPING	LANDSCAPING - MARCH		350.00	
24686	4/30/2020	4/30/2020	EVERARDO OROZCO LANDSCAPING	LANDSCAPING - APRIL		350.00	

EAST BAY DISCHARGERS AUTHORITY
Cash Disbursement
April 2020

Check #	Check Date	Invoice #	Vendor Name	Description	Itemized Charges	Invoice Amount	Check Amount
24679	4/30/2020	00013.10-2	LARRY WALKER	PROFESSIONAL SERVICES - MARCH		1,294.75	1,294.75
24680	4/30/2020	1336148	ALLIANT INSURANCE SERVICES	PUBLIC OFFICAL BOND RENEWAL FOR O&M MANAGER		875.00	875.00
24687	4/30/2020	609494	CALTEST	LAB TESTING SERVICES - MARCH		864.90	864.90
24689	4/30/2020	021	CURRIE ENGINEERS	HEPS MCC CONSTRUCTION MANAGEMENT - MARCH		838.50	838.50
24658	4/16/2020	1746192-19	SCIF	WORKERS COMPENSATION PREMIUM - APRIL		603.25	603.25
24668	4/16/2020	0320-22	BEECHER ENGINEERING, INC	OLEPS ELECTRICAL UPGRADE		600.00	600.00
24660	4/16/2020	144530	ARROW FIRE PROTECTION CO.	ANNUAL FIRE EXTINGUISHER MAINTENANCE AT MDF		546.63	546.63
24691	4/30/2020	1264598	HANSON BRIDGETT	LEGAL SERVICES - MARCH		540.00	540.00
24682	4/30/2020	197864297	ORKIN	PEST CONTROL - MDF		290.00	510.00
24682	4/30/2020	195355226	ORKIN	PEST CONTROL - SLEPS		220.00	
24664	4/16/2020	519581	R-COMPUTER	COMPUTER PARTS		469.01	469.01
24657	4/16/2020	5102785910 914 3	AT&T	TELEPHONE SERVICE ADMIN BUILDING - MARCH		289.09	289.09
24685	4/30/2020	0420-23	BEECHER ENGINEERING, INC	HEPS MCC		200.00	200.00
24662	4/16/2020	9851599255	VERIZON WIRELESS	CELLPHONES - MARCH		191.40	191.40
24681	4/30/2020	08959	TOWN & COUNTRY	JANITORIAL SERVICES - APRIL		165.00	165.00
24654	4/16/2020	Mar-20	JACQUELINE ZIPKIN	EXPENSE & MILEAGE REIMBURSEMENT - MARCH		129.15	129.15
24669	4/16/2020	EBD3058	ALPHA ANALYTICAL LABORATORIES	LAB SAMPLES MARCH		110.00	110.00
24676	4/30/2020	5104830439	AT&T	TELEPHONE SERVICE AT MDF - MARCH		106.08	106.08
24688	4/30/2020	3019135	CALTRONICS	COPIER USAGE -MARCH - APRIL		73.66	73.66
24677	4/30/2020	6-988-28450	FEDEX	AGENDA MAILOUT - APRIL DEL 04/09		51.24	51.24
24671	4/16/2020	37322768323	DIRECTV	AT&T BUNDLE DISCOUNT		30.64	30.64
24678	4/30/2020	942039340-00001	VERIZON	MODEM FOR SCADA 03/11-04/10/20		22.70	22.70
24670	4/16/2020	3013490	CALTRONICS	FREIGHT FOR TONER		12.00	12.00
TOTAL CHECK PAYMENTS							606,471.36
ELECTRONIC PAYMENTS							
4/21/2020	16018833	CALPERS	PENSION UAL LUMP SUM CONTRIBUTION			645,000.00	645,000.00
4/1/2020	5105948980-0	PACIFIC GAS & ELECTRIC	GAS AND ELECTRIC			29,848.18	29,848.18
4/2/2020	15986644	PERS HEALTH	HEALTH PREMIUMS - APRIL 2020			7,794.28	7,794.28
4/20/2020	04-2020-1	CALPERS	PENSION PAYMENT FOR PERIOD 04/01/20-04/15/20 - CLASSIC			3,890.79	3,890.79
4/3/2020	03-2020-2	CALPERS	PENSION PAYMENT FOR PERIOD 03/16/20-03/31/20 - CLASSIC			3,841.50	3,841.50
4/13/2020	15995764	CALPERS	MONTHLY UNFUNDED LIABILITY - APRIL 2020			3,503.42	3,503.42
4/3/2020	03-2020-2	CALPERS	PENSION PAYMENT FOR PERIOD 03/16/20-03/31/20 - PEPRA			496.80	496.80
4/20/2020	04-2020-1	CALPERS	PENSION PAYMENT FOR PERIOD 04/01/20-04/15/20 - PEPRA			496.80	496.80
4/28/2020	N/A	WELLS FARGO	LAIF WIRE TRANSFER FEE			15.00	15.00
TOTAL ELECTRONIC PAYMENTS							694,886.77
PAYROLL							
4/29/2020	4/30/2020	PAYROLL	04/16-30/2020			20,534.29	22,694.29
4/30/2020	Apr-20	CUTTER, PAULINE RUSSO	DIRECT DEPOSIT			480.00	
4/30/2020	Apr-20	WALTERS, DAN	DIRECT DEPOSIT			480.00	
4/30/2020	Apr-20	LAMNIN, SARA	DIRECT DEPOSIT			480.00	
4/30/2020	Apr-20	JOHNSON, RALPH	DIRECT DEPOSIT			480.00	
4/30/2020	Apr-20	HANDLEY, THOMAS	DIRECT DEPOSIT			240.00	
4/14/2020	4/15/2020	PAYROLL	04/01-15/2020			20,735.73	20,735.73
4/3/2020	3/30/2020	PAYROLL FEES	03/16-30/2020			60.25	60.25
4/24/2020	4/15/2020	PAYROLL FEES	04/01-15/2020			49.00	49.00
TOTAL PAYROLL							43,539.27
TOTAL DISBURSEMENTS							1,344,897.40

ITEM NO. FM5 TREASURER'S REPORT FOR APRIL 2020

The beginning cash balance on April 1, 2020 was \$4,246,109.84. The ending cash balance on April 30, 2020 was \$ 3,815,953.45. Total receipts for the month were \$914,741.01, and disbursements were \$1,344,897.40

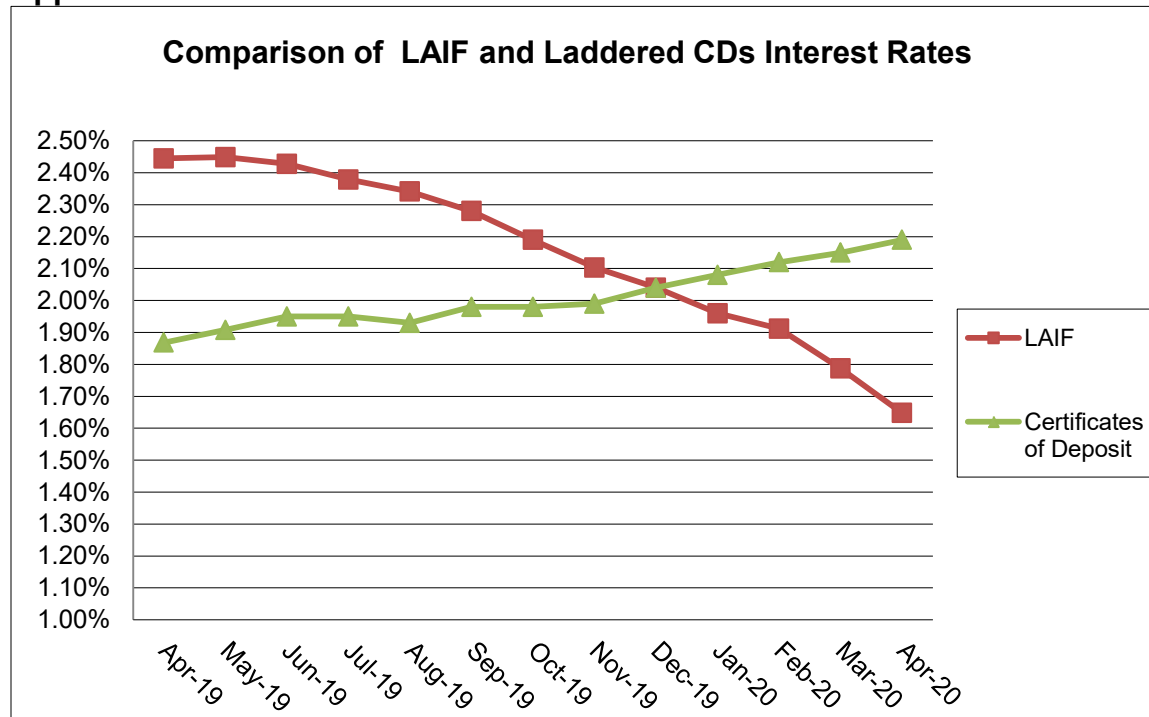
EBDA currently has a three-pronged investment approach that includes laddered CDs, Local Agency Investment Fund (LAIF), and Wells Fargo accounts. As directed by the Financial Management Committee, funds are currently being transferred to savings and/or LAIF as CDs mature. Staff will continue to work with the Committee on investment strategy.

Current market value of laddered CD investments is \$459,886.24. One CD matured in April in the amount of \$50,441.10 and the balance was transferred to savings in May. The average annual yield of the CDs is 2.25%.

EBDA's LAIF balance beginning April 1, 2020 was \$2,534,855.79. The ending balance on April 30, 2020 was \$2,237,610.52. The LAIF account was credited \$12,754.78 in interest earned for the quarter ending March 31, 2020. \$310,000.00 was transferred to checking to cover cash flow needs associated with the lump-sum payments toward OPEB and Pension unfunded liabilities. The LAIF interest rate for period ending April 30, 2020 is 1.65%.

The Wells Fargo State/Local Government account interest rate for this period was 0.01%.

Approval is recommended.



EAST BAY DISCHARGERS AUTHORITY
TREASURER'S REPORT
APRIL 30, 2020

FUND	DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	1,919,369.98	626,960.67	1,337,441.99	1,208,888.66
13	PLANNING & SPECIAL STUDIES	(74,029.00)	273,711.19	2,709.00	196,973.19
14	RECLAMATION O & M (SKYWEST)	169,704.64		1,905.91	167,798.73
31	REPLACEMENT	2,219,294.72	14,069.15	2,840.50	2,230,523.37
41	CONSTRUCTION	11,769.50			11,769.50
	TOTALS	4,246,109.84	914,741.01	1,344,897.40	3,815,953.45

Apr-20
5/14/20

SUPPLEMENTAL TREASURERS REPORT

DATE	TRANSACTION	RECEIPT	DISBURSEMENT REGULAR	DISBURSEMENT PAYROLL	PAYROLL TRANSFER	SAVINGS TRANSFER	LAIF TRANSFER	CD TRANSFER	CD INTEREST & EXPENSES	WELLS FARGO REGULAR CHECKING BALANCE	WELLS FARGO PAYROLL CHECKING BALANCE	WELLS FARGO REGULAR SAVINGS BALANCE	LAIF BALANCE	WELLS FARGO CERTIFICATES OF DEPOSIT	TOTAL CASH
04/01/20	BALANCE									1,096,539.72	48,940.86	109,909.17	2,534,855.79	455,864.30	4,246,109.84
04/01/20	ELECTRONIC BILL PAY		29,848.18							1,066,691.54	48,940.86	109,909.17	2,534,855.79	455,864.30	4,216,261.66
04/02/20	ELECTRONIC BILL PAY		7,794.28							1,058,897.26	48,940.86	109,909.17	2,534,855.79	455,864.30	4,208,467.38
04/03/20	ELECTRONIC BILL PAY		496.80							1,058,400.46	48,940.86	109,909.17	2,534,855.79	455,864.30	4,207,970.58
04/03/20	ELECTRONIC BILL PAY		3,841.50							1,054,558.96	48,940.86	109,909.17	2,534,855.79	455,864.30	4,204,129.08
04/03/20	PAYROLL FEE			60.25						1,054,558.96	48,880.61	109,909.17	2,534,855.79	455,864.30	4,204,068.83
04/06/20	INTEREST	701.92							701.92	1,054,558.96	48,880.61	109,909.17	2,534,855.79	456,566.22	4,204,770.75
04/13/20	PAYROLL TRANSFER				20,000.00					1,034,558.96	68,880.61	109,909.17	2,534,855.79	456,566.22	4,204,770.75
04/13/20	INTEREST	441.10							441.10	1,034,558.96	68,880.61	109,909.17	2,534,855.79	457,007.32	4,205,211.85
04/13/20	ELECTRONIC BILL PAY		3,503.42							1,031,055.54	68,880.61	109,909.17	2,534,855.79	457,007.32	4,201,708.43
04/14/20	DEPOSIT	87.51								1,031,143.05	68,880.61	109,909.17	2,534,855.79	457,007.32	4,201,795.94
04/14/20	PAYROLL			20,735.73						1,031,143.05	48,144.88	109,909.17	2,534,855.79	457,007.32	4,181,060.21
04/15/20	INTEREST - LAIF	12,754.78					12,754.78			1,031,143.05	48,144.88	109,909.17	2,547,610.57	457,007.32	4,193,814.99
04/16/20	DISBURSEMENT		65,431.41							965,711.64	48,144.88	109,909.17	2,547,610.57	457,007.32	4,128,383.58
04/20/20	ELECTRONIC BILL PAY		496.80							965,214.84	48,144.88	109,909.17	2,547,610.57	457,007.32	4,127,886.78
04/20/20	ELECTRONIC BILL PAY		3,890.79							961,324.05	48,144.88	109,909.17	2,547,610.57	457,007.32	4,123,995.99
04/21/20	ELECTRONIC BILL PAY		645,000.00							316,324.05	48,144.88	109,909.17	2,547,610.57	457,007.32	3,478,995.99
04/23/20	LAIF ADJUSTMENT	(0.05)					(0.05)			316,324.05	48,144.88	109,909.17	2,547,610.52	457,007.32	3,478,995.94
04/24/20	DEPOSIT - LAWMA	176,303.05								492,627.10	48,144.88	109,909.17	2,547,610.52	457,007.32	3,655,298.99
04/24/20	PAYROLL FEE			49.00						492,627.10	48,095.88	109,909.17	2,547,610.52	457,007.32	3,655,249.99
04/27/20	DEPOSIT - OLSO	213,701.16								706,328.26	48,095.88	109,909.17	2,547,610.52	457,007.32	3,868,951.15
04/27/20	DEPOSIT - USD	389,269.18								1,095,597.44	48,095.88	109,909.17	2,547,610.52	457,007.32	4,258,220.33
04/27/20	DEPOSIT - CSL	121,310.96								1,216,908.40	48,095.88	109,909.17	2,547,610.52	457,007.32	4,379,531.29
04/27/20	PAYROLL TRANSFER				20,000.00					1,196,908.40	68,095.88	109,909.17	2,547,610.52	457,007.32	4,379,531.29
04/28/20	LAIF TRANSFER						(310,000.00)			1,506,908.40	68,095.88	109,909.17	2,237,610.52	457,007.32	4,379,531.29
04/28/20	TRANSFER FEE		15.00							1,506,893.40	68,095.88	109,909.17	2,237,610.52	457,007.32	4,379,516.29
04/29/20	PAYROLL			22,694.29						1,506,893.40	45,401.59	109,909.17	2,237,610.52	457,007.32	4,356,822.00
04/30/20	DISBURSEMENT		541,039.95							965,853.45	45,401.59	109,909.17	2,237,610.52	457,007.32	3,815,782.05
04/30/20	INTEREST	161.37							161.37	965,853.45	45,401.59	109,909.17	2,237,610.52	457,168.69	3,815,943.42
04/30/20	INTEREST	8.04								965,861.49	45,401.59	109,909.17	2,237,610.52	457,168.69	3,815,951.46
04/30/20	INTEREST	0.42			0.42					965,861.49	45,402.01	109,909.17	2,237,610.52	457,168.69	3,815,951.88
04/30/20	INTEREST	0.91				0.91				965,861.49	45,402.01	109,910.08	2,237,610.52	457,168.69	3,815,952.79
04/30/20	DIVIDEND	0.66							0.66	965,861.49	45,402.01	109,910.08	2,237,610.52	457,169.35	3,815,953.45

TOTAL	914,741.01	1,301,358.13	43,539.27	40,000.42	0.91	(297,245.27)	-	1,305.05							
CURRENT BALANCE										965,861.49	45,402.01	109,910.08	2,237,610.52	457,169.35	3,815,953.45

Reconciliation

① Per Bank Statement @04/30/20 \$ 1,513,515.71
Less: Outstanding Checks 547,654.22
\$ 965,861.49

② Per Bank Statement @ 04/30/20 \$ 45,402.01
③ Per Bank Statement @ 04/30/20 \$ 109,910.08
④ Per LAIF Statement @ 04/30/20 \$ 2,237,610.52

⑤ Per Treasurer's Report @04/30/20 \$ 457,169.35
Fair Market Value Increase/Decrease 2,716.89
Per Investment Statement @04/30/20 \$ 459,886.24

The Supplemental Treasurer's Report is prepared monthly by the General Manager. It also serves as EBDA's cash and investments reconciliation.

CD PORTFOLIO

Institution	Description	Purchase Date	Maturity Date	Estimated Annual Yield	Quantity	Current Market Value
BARCLAYS BANK	BARCLAYS BANK CD WILMINGTON DE ACT/365 FDIC INSURED CPN 1.950% DUE 09/21/20 DTD 09/20/17 FC 03/20/18 CUSIP 06740KKU0	9/20/2017	9/21/2020	1.93%	50,000	50,319.00
BARCLAYS BANK Total						50,319.00
CAPITAL ONE BK USA NA	CAPITAL ONE BK USA NA CD GLEN ALLEN VA ACT/365 FDIC INSD CPN 2.000% DUE 11/02/20 DTD 11/01/17 FC 05/01/18 CUSIP 1404206A3	11/1/2017	11/2/2020	1.98%	50,000	50,417.50
CAPITAL ONE BK USA NA Total						50,417.50
CITIBANK NA	CITIBANK NA CD SIOUX FALLS SD ACT/365 FDIC INSD CPN 2.900% DUE 05/24/21 DTD 05/23/18 FC 11/23/18 CUSIP 17312QM22	5/23/2018	5/24/2021	2.82%	50,000	51,267.50
CITIBANK NA Total						51,267.50
COMENITY BANK	COMENITY BANK CD WILMINGTON DE ACT/365 JUMBO CD FDIC INSURED CPN 1.900% DUE 8/31/20 DTD 8/30/17 FC 9/30/17 CUSIP 99000PTY2	8/30/2017	8/31/2020	1.89%	100,000	100,338.00
COMENITY BANK Total						100,338.00
GOLDMAN SACHS BK USA	GOLDMAN SACHS BK USA CD NEW YORK NY ACT/365 FDIC INSURED CPN 1.900% DUE 06/22/20 DTD 06/21/17 FC 12/21/17	6/21/2017	6/22/2020	1.89%	3,000	3,006.81
GOLDMAN SACHS BK USA Total						3,006.81
MORGAN STANLEY BK NA	MORGAN STANLEY BK NA CD SALT LAKE CTY UT ACT/365 FDIC INSD CPN 2.500% DUE 02/08/21 DTD 02/08/18 FC 08/08/18 CUSIP 61747MJ93	1/30/2018	2/8/2021	2.45%	50,000	50,859.50
MORGAN STANLEY BK NA	MORGAN STANLEY BK NA CD SALT LAKE CTY UT ACT/365 FDIC INSD CPN 2.800% DUE 04/05/21 DTD 04/05/18 FC 10/05/18 CUSIP 61747MS69	4/5/2018	4/5/2021	2.73%	50,000	51,107.00
MORGAN STANLEY BK NA Total						101,966.50
Grand Total						357,315.31
Average Estimated Annual Yield				2.25%		
Cash & Sweep Balances						102,570.93
Snapshot Market Value on April 30th 2020						459,886.24

ITEM NO. FM6 THIRD QUARTER EXPENSE SUMMARY, FISCAL YEAR 2019/2020

Recommendation

Review and recommend approval of the Third Quarter Expense Summary.

Background

The Third Quarter Expense Summary for FY 2019/2020 is attached for the Committee's review. Expenses are presented by Program and by Account Number. These categories have been grouped to provide an overview of Authority expenses. The tables include discussion of particular items that varied significantly (>10%) from the budget.

At the end of the third quarter, EBDA's spending is under budget, at 66% spent. Higher chemical costs to address high fecal coliform values in Q2 were more than offset by the lack of wet weather, resulting in the O&M Fund being 12% under budget. The Special Projects fund is right on target at 74% spent. This fund is likely to ultimately be under budget at year end due to underspending and deferral on several Special Projects.

East Bay Dischargers Authority

EXPENSE SUMMARY BY PROGRAM

FY 2019/20 THROUGH MARCH 31, 2020 (75% of YEAR)

	YTD Expenses	Budget	Variance	% of Budget	Last FY Q3 Expenses	Explanations for Variance Over 10%
O&M EFFLUENT DISPOSAL						
General Administration	\$739,421.75	\$1,204,602.00	(\$465,180)	61%	\$738,907.64	Under budget due to salary savings associated with Administrative Assistant's medical leave.
Outfall & Forcemains	\$77,755.69	\$181,181.00	(\$103,425)	43%	\$109,270.10	Under budget due to certain maintenance activities deferred until after wet weather and Shelter-in-Place.
San Leandro Pump Station	\$68,468.52	\$110,636.00	(\$42,167)	62%	\$70,830.64	Under budget due to minimal wet weather.
Marina Dechlor Facility	\$283,213.30	\$479,771.00	(\$196,558)	59%	\$304,098.08	Under budget due to operational efficiencies and minimal wet weather.
Oro Loma Pump Station	\$320,466.37	\$480,726.00	(\$160,260)	67%	\$281,639.58	Under budget due to minimal wet weather.
Hayward Pump Station	\$91,921.26	\$142,181.00	(\$50,260)	65%	\$95,200.83	Under budget due to minimal wet weather.
Alvarado Pump Station	\$214,678.79	\$358,181.00	(\$143,502)	60%	\$221,897.99	Under budget due to minimal wet weather.
Bay & Effluent Monitoring	\$393,887.10	\$500,090.00	(\$106,203)	79%	\$359,374.74	
TOTAL O&M EFFLUENT DISPOSAL	\$2,189,813	\$3,457,368	(\$1,267,555)	63%	\$2,181,220	
SPECIAL PROJECTS						
NPDES Permit Fees	\$492,846.00	\$500,000	(\$7,154)	99%	\$434,654.00	Annual dues were paid in second quarter.
Regional Monitoring Program	\$181,447.50	\$280,000	(\$98,553)	65%	\$177,847.50	
Nutrient Surcharge	\$273,461.00	\$273,000	\$461	100%	\$106,667.00	Annual fee was paid in first quarter.
Water Environment Research Foundation	\$22,276.92	\$25,000	(\$2,723)	89%	\$19,780.00	Annual dues were paid in first quarter.
Transport System Evaluation	\$11,759.32	\$70,000	(\$58,241)	17%	\$46,715.99	Some of the seismic evaluation work was completed in FY 18/19.
JPA Evaluation Studies	\$0.00	\$50,000	(\$50,000)	0%	\$8,291.25	Studies were not identified.
JPA Legal Support	\$100,045.00	\$150,000	(\$49,955)	67%	\$0.00	Of the total \$150k contract for legal support, a significant portion was incurred in FY18/19.
Website Update	\$17,768.70	\$20,000	(\$2,231)	89%	\$0.00	Project is nearing completion.
AQPI	\$0.00	\$29,000	(\$29,000)	0%	\$0.00	One-time payment will be carried over to next year due to project delays.
Disaster Cost Recovery Plan Implementation	\$12,194.50	\$50,000	(\$37,806)	24%	\$0.00	Bulk of expenses were billed in FY 18/19.
Operator Training Modules	\$16,000.00	\$32,000	(\$16,000)	50%	\$0.00	Project is 50% complete. 50% of budget will be carried over to next year.
NPDES Testing - CSL	\$2,408.00	\$16,500	(\$14,092)	15%	\$8,774.20	Agencies are being billed directly for testing beginning in September 2019.
NPDES Testing - OLSO	\$2,169.10	\$15,500	(\$13,331)	14%	\$10,421.70	Agencies are being billed directly for testing beginning in September 2019.
NPDES Testing - HAY	\$5,044.10	\$18,500	(\$13,456)	27%	\$15,186.70	Agencies are being billed directly for testing beginning in September 2019.
NPDES Testing - USD	\$4,551.00	\$18,500	(\$13,949)	25%	\$11,210.80	Agencies are being billed directly for testing beginning in September 2019.
TOTAL SPECIAL PROJECTS	\$1,141,971	\$1,548,000	(\$406,029)	74%	\$839,549	
WATER RECYCLING						
Skywest Golf Course	\$31,228.95	\$120,000	(\$88,771)	26%	\$60,391.53	Under budget as a result of optimization of operations and deferral of capital projects.
TOTAL WATER RECYCLING	\$31,229	\$120,000	(\$88,771)	26%	\$60,392	
TOTAL PROGRAMS	\$3,363,013	\$5,125,368	(\$1,762,355)	66%	\$3,081,160	

East Bay Dischargers Authority

EXPENSE SUMMARY BY ACCOUNT

FY 2019/20 THROUGH MARCH 31, 2020 (75% OF YEAR)

	YTD Expenses	Budget	Variance	% of Budget	Last FY Expenses	Explanations for Variance Over 10%
4010 - Salary	\$339,345.81	\$546,019.00	(\$206,673)	62%	\$356,209.11	Under budget due to the Administrative Assistant's (AA) medical leave. The temporary AA was billed via contract for the first two quarters.
4020 - Benefits	\$174,649.91	\$285,649.00	(110,999)	61%	\$174,321.35	Under budget due to reduced AA payroll contributions to deferred comp and pension, as well as reduction in Workers Comp rate.
4030 - Commissioner Compensation	\$26,640.00	\$45,000.00	(18,360)	59%	\$30,030.00	Budget is based on maximum number of meetings, which is higher than what has been held this year.
4070 - Insurance	\$47,338.75	\$54,000.00	(6,661)	88%	\$43,643.90	Major insurance payments have been made for the year.
4080 - Memberships & Subscriptions	\$137,475.16	\$171,550.00	(34,075)	80%	\$141,052.01	
4100 - Supplies, Variable	\$172,375.26	\$274,000.00	(101,625)	63%	\$162,356.26	Chemical use has been lower this year due to minimal wet weather.
4100 - Supplies, Fixed	\$7,760.56	\$24,000.00	(16,239)	32%	\$10,315.90	Significant spending on supplies for office and facilities has not been required.
4110 - Contract Services	\$31,323.87	\$76,000.00	(44,676)	41%	\$47,966.70	Some maintenance activities were deferred until after the wet season.
4120 - Professional Services	\$460,868.07	\$905,750.00	(444,882)	51%	\$360,360.94	Under budget due to underspending on Special Projects (see by Program table for additional detail).
4140 - Rents & Fees	\$958,321.43	\$1,105,400.00	(147,079)	87%	\$749,757.01	NPDES Permit Fee (\$491k) and Nutrient Surcharge (\$273k) have been paid for the year.
4141 - NPDES Fines	\$0.00	\$9,000.00	(9,000)	0%	\$0.00	No violations occurred through Q3. These funds are contingency.
4150 - Maintenance & Repair	\$431,627.41	\$752,500.00	(320,873)	57%	\$485,900.55	Member Agency labor at the pump stations is down due to dry weather and some deferred maintenance activities due to Shelter-in-Place.
4160 - Monitoring	\$121,152.19	\$170,000.00	(48,848)	71%	\$104,141.10	
4170 - Travel	\$7,844.79	\$18,000.00	(10,155)	44%	\$5,037.46	Several conferences will be occurring in the following quarters.
4190 - Utility, Fixed	\$10,452.30	\$21,500.00	(11,048)	49%	\$11,581.90	Savings due to bundling of phone plans.
4191 - Utility, Variable (PG&E)	\$435,777.11	\$627,000.00	(191,223)	69.5%	\$396,654.58	
4200 - Acquisitions & Other	\$60.25	\$40,000.00	(39,940)	0.2%	\$1,831.50	Under budget due to deferred capital for Skywest.
TOTAL ALL ACCOUNTS	\$3,363,013	\$5,125,368	(\$1,762,355)	66%	\$3,081,160	

**ITEM NO. FM7 STATE CONTROLLER'S OFFICE SPECIAL DISTRICTS LOCAL
GOVERNMENT COMPENSATION REPORT FOR CALENDAR YEAR 2019**

Recommendation

This report is for the Committee's information only and no action is needed.

Background

Government Code section 53891 requires completed Local Government Compensation in California (GCC) reports be submitted each year to the State Controller's Office (SCO) no later than April 30. The report is prepared in conformance with requirements set by the SCO and submitted electronically via the file transfer protocol process. The State Controller gathers pay and benefit information for every compensated employee and all members of the governing body compensated or uncompensated.

While this report is consistent with other reports staff provides to the Commission and provides no new information, it is attached for the Committee's review and knowledge that it was submitted.

State Controller's Office - Local Government Programs and Services Division

Special Districts - Government Compensation Report - Calendar Year 2019

[Refer to the 2019 GCC Reporting Instructions for more details](#)

Preparer Contact Information

Entity Name	Alameda - East Bay Dischargers Authority		
Human Resources Web Page	www.ebda.org		
Employees Hold more than One Position?	No	(Enter 'Yes' or 'No')	'Save As' Filename 2019-12500108500.xlsx
Do the amounts in the Defined Benefit Plan column include payment toward the pension unfunded liability?	No	(Enter 'Yes' or 'No')	

Preparer Name	Juanita Villaseñor
Phone Number	(510)278-5910
E-mail Address	juanita@ebda.org

"----- Employer Contribution: -----"

-- Total Wages Subject to Medicare (Box 5 of W-2): --												Applicable Defined Benefit Pension Formula	Retirement Plan: Employees' Share Paid by Employer	Deferred Benefit Plan: Employer's Share	Compensation /Defined Contribution Plan	Health, Dental, Vision
Line #	Elected Position Enter 'Y'	Department	Classification	Multiple Positions Footnote	Annual Salary Minimum	Annual Salary Maximum	Annual Regular Pay	Overtime Pay	Lump Sum Pay	Other Pay						
1.		Governing Body	Commissioner		0	0	0	0	0	8,160		N/A	N/A	N/A	N/A	N/A
2.		Governing Body	Commissioner		0	0	0	0	0	7,920		N/A	N/A	N/A	N/A	N/A
3.		Governing Body	Commissioner		0	0	0	0	0	7,680		N/A	N/A	N/A	N/A	N/A
4.		Governing Body	Commissioner		0	0	0	0	0	7,440		N/A	N/A	N/A	N/A	N/A
5.		Governing Body	Commissioner		0	0	0	0	0	7,412		N/A	N/A	N/A	N/A	N/A
6.		Governing Body	Commissioner		0	0	0	0	0	1,440		N/A	N/A	N/A	N/A	N/A
7.		Governing Body	Commissioner		0	0	0	0	0	720		N/A	N/A	N/A	N/A	N/A
8.		Governing Body	Commissioner		0	0	0	0	0	240		N/A	N/A	N/A	N/A	N/A
9.		Governing Body	Commissioner		0	0	0	0	0	240		N/A	N/A	N/A	N/A	N/A
10.		Governing Body	Commissioner		0	0	0	0	0	0		N/A	N/A	N/A	N/A	N/A
11.		Governing Body	Commissioner		0	0	0	0	0	0		N/A	N/A	N/A	N/A	N/A
12.		Administration	General Manager		202,663	246,339	227,775	0	0	0	2.5% @ 55		0	25,130	6,984	26,597
13.		Administration	O&M Manager		132,213	160,706	157,246	0	0	11,985	2.5% @ 55		0	17,344	4,148	2,628
14.		Administration	Administrative Assistant		86,807	105,515	52,473	0	0	0	2.5% @ 55		0	5,648	1,184	26,597
15.		Administration	AA Temp		86,807	105,515	30,868	0	0	0	N/A	N/A	N/A	N/A	N/A	N/A
16.		Administration	AA Temp		86,807	105,515	7,234	0	0	0	2% @ 62		0	505	210	0

ITEM NO. FM8 UPDATES TO THE AUTHORITY'S BANK ACCOUNTS

Recommendation

This report is for the Committee's information only and no action is needed.

Background

In accordance with its Investment Policy (see Item No. FM16) and Investment Strategy, the Authority currently manages its funds in a combination of Wells Fargo bank accounts, Wells Fargo Advisors Certificates of Deposit, and LAIF. Historically, the Authority has held three accounts with Wells Fargo – a checking account used for payroll, a checking account used for accounts payable, and a savings account. In 2019, Wells Fargo converted all three of the Authority's accounts to checking. As noted in the Treasurer's Report (see Item No. FM5), the current interest rate on the checking accounts is 0.01%. The Authority's checking accounts are managed through Wells Fargo's small business online banking interface and do not currently include fraud protection services.

Discussion

Staff is planning to implement two changes to the Authority's banking by the end of this fiscal year to improve efficiency and fraud protection:

Streamline Accounts: Historically, staff used the Authority's Wells Fargo savings account for deposits and moved money into the checking accounts as needed to cover expenses. Now that all three accounts are checking accounts, there is no longer value to maintaining a separate sweep account. Therefore, staff plans to merge the deposit account and the checking account to cut back on the need for frequent transfers. Staff plans to keep the payroll account separate for ease of tracking.

Fraud Protection: Consistent with the Authority's other efforts to improve the agency's cyber security, and in recognition of increasing financial risks from check fraud and similar crimes, staff is proposing to enroll in Wells Fargo's fraud protection program for the remaining two accounts. This program will track account activity and flag any suspicious activity for Authority approval. This move to Wells Fargo's fraud prevention program was also precipitated by a notification from Wells Fargo that effective April 23, 2020, any accounts not using their recommended fraud services will be treated as having assumed the risk of any loss that could have been prevented. In converting our accounts to this new Wells Fargo platform, they will no longer be eligible to accrue interest, however they will be provided an earnings allowance of 0.25% - higher than the interest they were accruing. Wells Fargo's proposal based on the Authority's balance and recent account activity shows that the net cost for the fraud prevention services will be approximately \$10 per month. Conversion of the accounts moves them to Wells Fargo's Commercial Electronic Office (CEO) online portal. This online portal is more secure than the Wells Fargo Small Business portal the Authority currently uses.

ITEM NO. FM9 REVIEW OF THE AUTHORITY'S POLICIES ON INTERNAL CONTROLS AND FRAUD PREVENTION AND REPORTING

Recommendation

Review policies and provide direction to staff.

Background

In 2019, Authority staff began a process of reviewing and updating the Authority's Financial Management System Policy and Procedure Manual, adopting each section as a stand-alone Authority Policy, and moving procedures to separate staff documents.

On June 20, 2019, the Commission adopted an Internal Controls and Fraud Prevention Policy and a Reporting Policy. Internal Controls and Fraud Prevention was a new policy that had not been part of the prior manual. The Reporting Policy was updated, incorporating existing concepts.

The Authority's policies are to be reviewed annually, so staff is bringing these policies to the Committee for review.

Discussion

The Internal Controls and Fraud Prevention Policy and Reporting Policy are attached for the Committee's review. Staff is not recommending any changes to the policies at this time.

POLICY NUMBER: 1.5

NAME OF POLICY: Finance – Internal Controls and Fraud Prevention

LAST REVISED: 6/20/19

PREVIOUSLY REVISED: 05/16/13

PURPOSE: The purpose of the Internal Controls Policy is to ensure that EBDA assets, including financial, capital, and intangible, are safeguarded to the best extent possible. While the staff size of the Authority is relatively small, it is important to maintain segregation of duties and other security measures while providing transparency of financial information.

POLICY: It is the policy of the Authority to implement internal financial controls so that assets are protected and incidents of fraud are mitigated.

Adopted controls include:

- Multiple sign-offs on finance-related transactions
- Timely posting of transactions to the general ledger
- Periodic physical inventory (Renewal & Replacement Fund)
- Annual independent financial audit
- Periodic replacement of independent external auditors
- Implement auditor recommendations for internal controls, to the extent possible
- Limited staff access to making banking transactions
- Timely reconciliation of all bank accounts
- Limited staff access to financial system data entry, but full view-access to reports
- Secured check stock
- Individual and guarded system logins and passwords
- Purchasing card spending limits and monthly reconciliation
- Monthly Treasurers Reports to Commission

Internal controls will be implemented with consideration of the cost of implementation.

POLICY NUMBER: 1.4

NAME OF POLICY: Finance - Reporting

LAST REVISED: 6/20/19

PREVIOUSLY REVISED: 05/16/13

PURPOSE: The purpose of the Finance - Reporting Policy is to ensure that EBDA fulfills its legal requirements for disclosure of timely and reliable financial data, providing information vital to the ongoing management of Authority business. As part of the internal control process, reporting helps assure that transactions are conducted in accordance with Generally Accepted Accounting Principles and California Government Code requirements. Financial reporting further fulfills the Authority's duty as a government agency to be transparent and publicly accountable.

POLICY: It is the policy of the Authority that the following financial reports are produced and submitted in a timely manner in order to meet the decision-making needs of the Commission and provide transparency to the public.

Annually: Fiscal Year-End Audited Financial Statements
State Controller's Report of Financial Transactions
State Controller's Government Compensation of California Report
Physical Inventory (Renewal and Replacement Fund)
Expense Reimbursements Over \$100
CalPERS Valuation of Pension Plan
CalPERS CERBT OPEB Statement
Valuation of Retiree Health Benefits (OPEB)

Quarterly: Budget-to-Actual Expense/Revenue Report

Monthly: Treasurer's Report including Schedule of Investments

Periodic: Ad hoc reports as requested by the Commission

The above listing is not meant to be comprehensive, but representative of EBDA's major financial reporting requirements. All financial reports are subject to review by the Commission and other interested parties, and subject to the California Public Records Act.

ITEM NO. FM10 REVIEW OF THE AUTHORITY'S BRINE POLICY

Recommendation

Review draft policy and provide direction to staff.

Background

In 2005, the Commission adopted Resolution 05-01 Adopting a Policy for Disposal of Brine in the East Bay Dischargers Authority's System. At the time, the Authority was contemplating accepting brine from a Zone 7 Water Agency demineralization project. The agreement with Zone 7 was not ultimately executed, and brine from the project was discharged through LAVWMA to EBDA under permit from Dublin San Ramon Services District.

It is expected that over the coming years, the need for sustainable brine discharge options will increase as the region initiates more demineralization and water recycling projects to address water scarcity. In addition, as discussed over the past several months, the Authority is currently negotiating terms for accepting brine from a salt processing facility. Authority staff and the MAC are therefore recommending that the Authority's Brine Policy be updated to reflect current conditions and opportunities.

Per the Amended and Restated Joint Powers Agreement (JPA), the Brine Policy must be approved unanimously by the Commission.

Discussion

A draft of the updated Brine Policy is attached for the Committee's review. This draft incorporates the brine language contained in the JPA and provides an additional level of detail with respect to requirements for future brine agreements and expectations for distribution of revenue from brine projects.

The draft Policy states that revenue from brine projects will be allocated to the Member Agencies based on capacity. Staff is seeking Committee input on this element, which is still under discussion by the MAC. Questions include:

- Is capacity a fair and appropriate approach to allocating revenues?
- Should further details or scenarios should be added? For example, should revenue associated with connection/capacity fees or charges from brine projects be allocated based on pipeline responsibility?

Following the Committee's review and feedback, staff will bring the Policy to the Commission for consideration.

POLICY NUMBER: 2

NAME OF POLICY: Brine

LAST REVISED: DRAFT May 13, 2020

PREVIOUSLY REVISED: April 21, 2005

PURPOSE: The purpose of the Brine Policy is to ensure that any disposal of brine through the Authority's outfall system is protective of the Authority's infrastructure and permit compliance, and that there is an equitable distribution of access for brine disposal for all Member Agencies and fair distribution of any revenue associated with such disposal.

DEFINITION: For the purposes of this policy, brine is defined as a liquid material containing more than double the typical concentration of salt in municipal wastewater. The source of brine may be the byproduct of tertiary treatment such as reverse osmosis concentrate, concentrated Bay water, or other material.

POLICY: Consistent with its Recycled Water Policy, the Authority aims to support water recycling as a component of a resilient water supply for Bay Area residents. The Authority supports use of its forcemain and outfall system as a sustainable mechanism for management and disposal of brine, in service of supporting water recycling and other climate resilient projects.

It is the policy of the Authority to accept brine disposal directly into the Authority's forcemain and outfall system, or into a system connected to the Authority's forcemain and outfall system, provided that the following conditions are met:

1. The addition of brine will not cause significant degradation of effluent quality or result in permit violations of either the Authority or its Member Agencies.
 - a. Brine must be routinely monitored for key regulated constituents to ensure that there are no negative impacts of the brine on the Authority's combined effluent.
 - b. Water quality and NPDES permit compliance issues must be addressed and resolved at no cost to the Authority.
2. The addition of brine will not negatively impact the Member Agencies' or the Authority's infrastructure.

3. For brine that is generated by an entity other than a Member Agency, a formal agreement must be unanimously approved by the Authority's Commission. The agreement will generally include the following:
 - a. Provision for the Authority to unilaterally discontinue accepting brine into the Authority's system when continued acceptance of brine is not in the best interests of the Authority. Specific conditions around such discontinuation will be outlined in the agreement.
 - b. Indemnification of the Authority against liability resulting from such disposal.

Net revenue from non-Agency generated brine shall be allocated to the Member Agencies based on Maximum Flow Rate Capacity as defined in the Amended and Restated Joint Powers Agreement (JPA).

Discharge of Agency-generated brine does not require approval by the Commission and does not require any payment to the Authority. Any discharge of Agency-generated brine to the system downstream of secondary treatment must be consistent with conditions 1 and 2 above.

Section 23(b) of the Amended and Restated JPA is provided here for reference:

(b) Disposal of Brine.

The Authority and the Agencies acknowledge that use of the Authority's Bay Outfall may provide an environmentally beneficial and cost-effective method of disposing of brine. The Agencies desire that both volume and pollutant loading capacity in the Facilities be available for disposal of brine generated from an Agency's production of recycled water.

(1) Non-Agency Generated Brine

Any project or activity that results in utilization of the Facilities to dispose of brine generated outside the Authority's boundaries or from source water not already treated by an Agency will be conducted in accordance with the Authority's Brine Policy, as it may be updated from time to time, and any other relevant Policies and Procedures. The Brine Policy will include a provision that the Commission unanimously approve any agreement that results in utilization of the Facilities for disposal of such brine, including any agreement to which the Authority may not be a party. Such approval will not be unreasonably withheld. The purpose of such approval is, among other things, to ensure that acceptance of brine from non-Agency sources does not limit an Agency's right to a

share of capacity, both volume and pollutant loading, in the Authority Facilities to develop recycled water projects and dispose of brine. Such agreements may also provide for the Authority to receive appropriate revenue from disposal of brine, assurances that the discharge will not lead to effluent violations, and appropriate indemnification against liability resulting from such disposal.

(2) Agency-generated Brine that is not Treated Through an Agency's Full Secondary Treatment Process

Utilization of the Facilities to discharge brine that is generated by an Agency that is not treated through an Agency's full secondary treatment process will be conducted in accordance with the Authority's Brine Policy, as it may be updated from time to time, and any other relevant Policies and Procedures. The Brine Policy will provide a framework that encourages development of recycled water while addressing the possible impacts of Agency brine discharges on other Agencies, the Facilities, and the Authority's regulatory compliance. The requirement for Commission approval in subsection 23(b)(1) does not apply to brine generated by an Agency.

(3) Agency-generated Brine Treated through an Agency's Full Secondary Treatment Process

Brine generated by an Agency that is treated through an Agency's full secondary treatment process will not be subject to approval by the Authority. The requirement for Commission approval in subsection 23(b)(1) does not apply to wastewater treated by an Agency.

ITEM NO. FM11 RESOLUTION ADOPTING THE EAST BAY DISCHARGERS AUTHORITY'S FISCAL YEAR 2020/2021 BUDGET AND APPOINTING THE GENERAL MANAGER TO THE POSITION OF TREASURER

Recommendation

Adopt a resolution approving the Authority's FY 2020/2021 Budget.

Background

The FY 2020/2021 Proposed Budget is attached for the Committee's approval and recommendation to the Commission. The proposed budget reflects only minor changes from the preliminary budget discussed in March.

The budget is presented in the following format:

1. By Program
2. By Account Number

Allocation of the budget to the individual Member Agencies has not been provided at this time because it is highly impacted by LAVWMA's allocation, which is still being negotiated. Item No. FM12 presents allocation options for the Committee's consideration.

Discussion

In summary, expenses are expected to increase by 8% overall, or \$442k as compared to FY 2019/2020. Details of changes by line item are provided in the budget tables. The overall increase is driven by a significant increase to the Renewal and Replacement Fund (RRF) contribution, which is increasing from \$225k to \$750k. This year's RRF contribution reflects the annual contribution called for in the Authority's recently updated Asset Management Plan (\$330k), plus the \$420k that the Authority committed to USD for Union Effluent Pump Station capital expenses under the new JPA. The RRF contribution is further discussed in Item No. FM11. In addition, staff has added a contingency line item of \$200,000 for NPDES Permit Issues to cover any fines that might be assessed as a result of permit violations (see Item No. OM6).

Operations & Maintenance (O&M) expenses are expected to be essentially flat relative to last year, with a very slight decrease of \$28k. Transfer of the San Leandro Pump Station from EBDA to the City of San Leandro per the terms of the new JPA results in savings. However, these savings are offset by increases in labor costs (both EBDA's and the Member Agencies'). Staff has also increased the O&M contracts budget slightly to address small projects that were historically considered capital and funded through the RRF. Under the new JPA, where the capital threshold has been increased from \$3k to \$10k, these projects will be performed as O&M. Only one change was made to the O&M budget following the March review – the insurance cost was increased from \$50k to \$60k in light of projections from CSRMA.

Agenda Explanation
East Bay Dischargers Authority
Financial Management Committee
May 18, 2020

The proposed Special Studies for FY 2020/2021 represent a significant decrease relative to spending in FY 2019/2020 – from \$401k last year to \$157k this year. The project list below was reviewed with the March budget:

Laboratory Information Management System (LIMS)	\$40,000
Brine Project Development	\$30,000
Strategic Planning	\$10,000
Disinfection Master Plan	\$40,000
Contingency – Admin Support	\$22,246

Staff recommends including one additional line item for monitoring of PFAS (Per- and polyfluoroalkyl substances) at an estimated cost of \$15k. As has been discussed in the past with the Regulatory Affairs Committee, the State Water Resources Control Board (State Water Board) is going through a process to collect information on PFAS in California. Mandated sampling was already conducted at airports, landfills, and industrial facilities, and wastewater facilities are slated for Phase 3. Based on recent information from State Water Board staff, EBDA staff expects a mandatory order to be released this Spring or Summer requiring all wastewater treatment facilities to analyze their influent, effluent, and biosolids for PFAS quarterly for one year. San Francisco Bay Regional Water Quality Control Board staff is pushing for a regional study funded by BACWA and administered by the Regional Monitoring Program in lieu of plant by plant sampling in the Bay Area, but it is not clear whether that proposal will be accepted by State Water Board staff. EBDA staff believes it is prudent to put aside some money for this sampling effort in the likelihood that additional analysis and/or funding will be required this year.

Staff is also planning a change to the way the Special Studies fund is managed year to year. Historically, at the end of each Fiscal Year, the Special Studies fund, similar to the O&M fund, has been closed out and unspent funds returned to the Member Agencies. However, because many Special Studies span more than one fiscal year, the Authority has often had to ask for those funds back in the subsequent year's budget to continue a study for which funds were refunded but the project is not yet complete. Staff is recommending carrying over Special Studies funds for projects that are not yet complete. Any unspent funds from completed projects will be returned to the Member Agencies as part of the annual credit. This approach facilitates transparency and efficiency for projects that do not fit neatly into one fiscal year. It is also consistent with the current JPA, which states, "Funds remaining after all Planning and Special Studies are complete and all financial obligations are met shall be returned to each Agency in proportion to its contributions." The Amended and Restated JPA does not contain specific language related to how Special Studies funds are managed.

Agenda Explanation
East Bay Dischargers Authority
Financial Management Committee
May 18, 2020

In particular, staff proposes to carry over the following funds for ongoing projects to FY 2020/2021:

Project	Total Budget	Carryover Funds	Comments
Transport System Inspection	\$70,000	\$20,000	Approx. \$12,000 of the \$70,000 was spent this FY to date and \$20,000 will be held over to complete the project. The remainder will be returned to the Agencies at the end of this FY. If the cost to complete the project is less than \$20,000, the difference will be credited back at the end of next FY.
Operator Training Modules	\$32,000	\$16,000	A \$16,000 50% progress payment was made on 3/16/2020. Work is ongoing, and it does not appear that the Training Modules will be completed by 6/30/2020.
AQPI	\$29,000	\$29,000	MOU approval by Sonoma Water was delayed due to COVID-19

FISCAL YEAR 2020/2021 BUDGET BY PROGRAM

FUND NO	PROGRAM DESCRIPTION	BUDGET FY 20/21	BUDGET FY 19/20	% FY 20/21 to 19/20	\$ Change	Explanations for Changes over \$10,000
12	O&M EFFLUENT DISPOSAL					
12 06	General Administration	1,254,762	1,204,602	104%	50,159	Increases in salaries related to 2.5% COLA and addition of 0.25 FTE for Admin Assistant. Also, insurance costs were moved from the Pump Stations into General Admin and accounting costs were increased.
12 10	Outfall & Forcemains	181,336	181,181	100%	155	
12 12	San Leandro Pump Station	0	110,636	0%	(110,636)	Per the terms of the new JPA, San Leandro Pump Station will be managed by the City of San Leandro.
12 14	Marina Dechlor Facility	506,004	479,771	105%	26,233	Member Agency COLA increase.
12 16	Oro Loma Pump Station	463,920	480,726	97%	(16,806)	Member Agency labor estimate decreased.
12 18	Hayward Pump Station	163,336	142,181	115%	21,155	Member Agency COLA increase and increase in preventative maintenance tasks for the new MCC.
12 20	Union Pump Station	365,336	358,181	102%	7,155	
12 21	Bay & Effluent Monitoring	494,550	500,090	99%	(5,540)	
	TOTAL FUND # 12	3,429,244	3,457,368	99%	(28,124)	
13	SPECIAL PROJECTS					
13 36	NPDES Permit Fees	555,483	500,000	111%	55,483	State Water Board projecting a significant increase in NPDES permit fees.
13 37	NPDES Permit Issues	200,000	0	100%	200,000	Contingency for fines associated with FY19/20 permit violations.
13 48	Regional Monitoring Program	280,000	280,000	100%	-	
13 49	Nutrient Surcharge	269,479	273,000	99%	(3,521)	
13 53	Water Research Foundation	25,000	25,000	100%	-	
13 --	LIMS	40,000			40,000	Incorporation of EBDA into San Leandro's new Laboratory Information Management System.
13 --	Brine Project Development	30,000			30,000	Regulatory strategy and studies to support EBDA engagement in brine project.
13 --	Strategic Planning	10,000			10,000	External support for EBDA strategic planning effort.
13 --	Disinfection Master Plan	40,000			40,000	Expert consultant support for development of a Master Plan to optimize chlorine dosing for consistent control of bacteria in the EBDA system.
13 --	Contingency - Admin Support	22,246			22,246	Contingency for extending the 0.5 FTE Administrative Assistant.
13 --	PFAS Sampling	15,000			15,000	
13 91	NPDES Testing - CSL	1,500	16,500		(15,000)	
13 92	NPDES Testing - OLSD	1,500	15,500	10%	(14,000)	CalTest contract lab analyses for the Member Agencies previously billed through EBDA is now being billed directly. Remaining funds are for Hach WIMS licenses.
13 93	NPDES Testing - HAY	1,500	18,500	8%	(17,000)	
13 94	NPDES Testing - USD	1,500	18,500	8%	(17,000)	
	Other FY 19/20 Special Projects		401,000			
	TOTAL FUND # 13	1,493,208	1,548,000	96%	(54,792)	
	TOTAL OPERATING BUDGET	4,922,452	5,005,368	98%	(82,917)	
31 99	CONTRIBUTION TO R&R FUND	750,000	225,000	333%	525,000	Based on Asset Management Plan, sustainable funding level is estimated to be \$330,000 annually. Per the new JPA, EBDA additionally pays \$420,000 annually to Union to address capital needs at that station.
14	WATER RECYCLING					
14 80	Skywest Golf Course	120,000	120,000	100%	-	
	TOTAL FUND # 14	120,000	120,000	100%	-	
	TOTAL EXPENDITURES	5,792,452	5,350,368	108%	442,083	
	PROGRAMS WITH OTHER FUNDING				-	
14 00	WATER RECYCLING				-	
14 80	Skywest Golf Course	120,000	120,000	100%	-	
	TOTAL FUND # 14	120,000	120,000	100%	-	
	TOTAL AGENCY FUNDING	5,672,452	5,230,368	108%	442,083	

FISCAL YEAR 2020/2021 BUDGET BY ACCOUNT NUMBER

ACCT NUMBER	ACCT TITLE	BUDGET FY 20/21	BUDGET FY 19/20	BUDGET FY 20/21 to 19/20	\$ Change	Explanations for Changes over \$10,000
4010	Salary	543,442	546,019	100%	\$ (2,577)	
4020	Benefits	282,582	285,649	99%	\$ (3,068)	
4030	Commissioner Compensation	45,000	45,000	100%	\$ -	
4070	Insurance	60,000	54,000	111%	\$ 6,000	
4080	Memberships & Subscriptions	155,677	171,550	91%	\$ (15,873)	Removal of ISLE Technology Advisory Group (\$20,000), offset by 2% increase in BACWA fees.
4100	Supplies, Fixed	24,000	24,000	100%	\$ -	
4100	Supplies, Variable	287,000	274,000	105%	\$ 13,000	More granular accounting for hypochlorite purchases and contingency for bacterial outbreaks.
4110	Contract Services	92,320	76,000	121%	\$ 16,320	Increased to address small projects that were done under RRF under the old JPA but will be operating expenses under the new JPA with the change in capital threshold from \$3000 to \$10,000.
4120	Professional Services	645,189	905,750	71%	\$ (260,561)	Reduction in Special Studies, including completion of JPA Support, Disaster Cost Recovery Plan, and Transport System Inspection/Seismic Plan.
4140	Rents & Fees	1,107,242	1,105,400	100%	\$ 1,842	
4141	NPDES Fines	209,000	9,000	2322%	\$ 200,000	Contingency for fines associated with FY19/20 permit violations.
4150	Maintenance & Repair	711,500	752,500	95%	\$ (41,000)	Removal of San Leandro Pump Station.
4160	Monitoring	185,000	170,000	109%	\$ 15,000	Member Agency Cost-of-Living Adjustments (COLAs).
4170	Travel & Training	18,000	18,000	100%	\$ -	
4190	Utility, Fixed	21,500	21,500	100%	\$ -	
4191	Utility, Variable (PG&E)	615,000	627,000	98%	\$ (12,000)	Removal of San Leandro Pump Station.
4200	Acquisitions & Other	40,000	40,000	100%	\$ -	Reduction in planned spending for Skywest Recycled Water Project.
SUB TOTAL ALL ACCOUNTS		5,042,452	5,125,368	98%	\$ (82,917)	
CONTRIBUTION TO R&R FUND		750,000	225,000	333%	\$ 525,000	
TOTAL EXPENDITURES		5,792,452	5,350,368	108%	\$ 442,083	
Deduct Skywest		120,000	120,000			
TOTAL AGENCY FUNDING		5,672,452	5,230,368	108%	\$ 442,083	

**EAST BAY DISCHARGERS COMMISSION
EAST BAY DISCHARGERS AUTHORITY
ALAMEDA COUNTY, CALIFORNIA**

RESOLUTION NO. 20-04

INTRODUCED BY _____

**RESOLUTION ADOPTING THE EAST BAY DISCHARGERS AUTHORITY'S
FISCAL YEAR 2020/2021 BUDGET AND APPOINTING THE GENERAL MANAGER
TO THE POSITION OF TREASURER**

WHEREAS, the East Bay Dischargers Authority Joint Exercise of Powers Agreement ("JPA") requires that a Fiscal Year Budget be adopted annually, to provide an operating guideline and authorize expenditure of funds; and

WHEREAS, the General Manager has prepared a budget for Fiscal Year 2020/2021 which is attached to the accompanying Staff Report and reflects the anticipated need for the effective management of the East Bay Dischargers Authority ("Authority") during the ensuing fiscal year; and

WHEREAS, the Managers Advisory Committee and the Financial Management Committee reviewed the proposed FY 2020/2021 Budget and recommended adoption by the Commission; and

WHEREAS, the Managers Advisory Committee and the Financial Management Committee further recommend that unspent FY 2019/2020 funds for ongoing Special Projects shall be carried over into FY 2020/2021; and

WHEREAS, pursuant to California Government Code Section 6505.6, the Authority may designate its officers or employees to fill the functions of Treasurer; and

WHEREAS, the General Manager is qualified to fulfill the duties and responsibilities of the office of Treasurer as set forth in Government Code Section 6505.5(a) through (d); and

WHEREAS, in accordance with Government Code Section 6505.6, the General Manager as Treasurer shall cause an independent audit to be made by a certified public accountant, or public accountant, in compliance with Government Code Section 6505.

NOW, THEREFORE, BE IT RESOLVED, the Commission of the East Bay Dischargers Authority hereby adopts the Fiscal Year 2020/2021 Budget for the Authority, as outlined in the accompanying Staff Report.

Agenda Explanation
East Bay Dischargers Authority
Financial Management Committee
May 18, 2020

BE IT FURTHER RESOLVED, that the Commission of the East Bay Dischargers Authority hereby appoints the General Manager to the position of Authority Treasurer effective immediately, in addition to the other duties and responsibilities she has as the General Manager, and the General Manager's continued service as Authority Treasurer shall be at the pleasure of the Commission.

BE IT FURTHER RESOLVED, that the sums set forth in the Fiscal Year 2020/2021 Budget for the Authority, as outlined in the accompanying Staff Report are hereby appropriated for expenditure as detailed, and that any and all expenditures for or relating to the Budget, when expended or entered into under authority of or by the General Manager, are hereby approved and authorized, and warrants therefore may be drawn by the General Manager/Treasurer, commencing July 1, 2020, and ending June 30, 2021.

SAN LORENZO, CALIFORNIA, MAY 21, 2020, ADOPTED BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

CHAIR
EAST BAY DISCHARGERS COMMISSION

ATTEST: _____
GENERAL MANAGER
EAST BAY DISCHARGERS AUTHORITY
EX OFFICIO SECRETARY

ITEM NO. FM12 RESOLUTION APPROVING AN INCREASE TO THE ANNUAL CONTRIBUTION TO THE RENEWAL AND REPLACEMENT FUND FOR FISCAL YEAR 2020/2021 TO THE AMOUNT OF \$750,000

Recommendation

Adopt a resolution setting the annual contribution to the Renewal Replacement Fund (RRF) for FY 2020/2021.

Background

In 1990, the Commission adopted Resolution 90-11, Establishing Policies for Renewal and Replacement Fund. The RRF is the Authority's capital fund, and its sustainable funding ensures proactive management of the Authority's critical assets. Each year, in concert with the annual budget process, the Authority sets a contribution level for the RRF. Under both the current Joint Powers Agreement (JPA) and the Amended and Restated JPA, which will take effect on July 1, 2020, contributions to the RRF are allocated based on Member Agencies' capacity in the system (i.e. maximum flowrate).

Discussion

In 2019, the Authority completed an update of its Asset Management Plan (AMP). The AMP update included condition assessment and evaluation of criticality of failure for all of the Authority's major assets. The resulting AMP lays out a program of expenditures for proactive rehabilitation and replacement of the Authority's assets over the next twenty years. The AMP projects that an annual contribution rate of \$330k will provide sustainable funding for expected projects.

It should be noted that the San Leandro Effluent Pump Station will no longer be owned by the Authority as of July 1, 2020. Per the new JPA, the station will be transferred to the City of San Leandro, and therefore improvements to that station will no longer be paid for by the RRF. In exchange, the City of San Leandro will not be contributing to the RRF for projects at the other Authority pump stations. Similar to the current approach with LAVWMA, San Leandro will not contribute to the RRF up front, but will be billed for projects they are responsible for at the end of the year and proceeds will be credited back to the other Member Agencies.

Also of note, capital projects at the Union Effluent Pump Station (previously called the Alvarado Effluent Pump Station) will be undertaken by Union Sanitary District under the new JPA instead of EBDA. To fund those projects, the Authority will set aside \$420k per year for the first ten years of the JPA.

Staff is therefore recommending an RRF contribution of \$750k for FY 2020/2021 - \$330k per the AMP plus \$420k for Union. The breakdown of contributions by the Member Agencies is as follows:

Agenda Explanation
East Bay Dischargers Authority
Financial Management Committee
May 18, 2020

San Leandro*	Oro Loma	CVSan	Hayward	USD**
\$ -	\$ 166,382	\$ 89,590	\$ 127,986	\$ 366,041

*San Leandro will be billed at the end of the year for relevant projects.

**\$420k will be credited back to USD against its total annual bill.

EAST BAY DISCHARGERS COMMISSION
EAST BAY DISCHARGERS AUTHORITY
ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 20-05

INTRODUCED BY _____

**RESOLUTION APPROVING AN INCREASE TO THE ANNUAL CONTRIBUTION TO THE
RENEWAL AND REPLACEMENT FUND FOR FISCAL YEAR 2020/2021 TO THE AMOUNT
OF \$750,000**

WHEREAS, the East Bay Dischargers Authority (Authority) adopted Resolution 90-11, Establishing
Polices for Renewal and Replacement Fund, on May 17, 1990; and

WHEREAS, Resolution No. 90-11 requires that the schedule be recalculated and reviewed annually
based on updates to the master list of items on the schedule; and

WHEREAS, the Authority has developed current replacement costs and capital projects in the context
of the Authority's Asset Management Plan; and

WHEREAS, the Authority's Amended and Restated Joint Powers Agreement (JPA) provides for
allocation of Capital Costs and for funding of the Renewal and Replacement Fund; and

WHEREAS, the Amended and Restated JPA further states that in fiscal years from 2020/2021 through
2029/2030, the Authority will pay Union a total of \$4,200,000, divided in ten equal and annual
installments; and

WHEREAS, the Financial Management Committee recommends an annual contribution of \$750,000 to
the Fund for FY 2020/2021; and

WHEREAS, the Managers Advisory Committee recommends an annual contribution of \$750,000 to the
Fund for FY 2020/2021.

NOW, THEREFORE BE IT RESOLVED, the Commission of the East Bay Dischargers Authority hereby
approves the annual contribution to the Renewal & Replacement Fund for Fiscal Year 2020/2021 in the
amount of \$750,000.

SAN LORENZO, CALIFORNIA, May 21, 2020, ADOPTED BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

CHAIR
EAST BAY DISCHARGERS COMMISSION

ATTEST: _____
GENERAL MANAGER
EAST BAY DISCHARGERS AUTHORITY
EX OFFICIO SECRETARY

ITEM NO. FM13 LAVWMA NEGOTIATION DISCUSSION

Recommendation

Provide direction to staff on LAVWMA fee proposal.

Background

EBDA entered into a Master Agreement with LAVWMA in April 2007 (the “Agreement”). The Agreement allows LAVWMA to discharge through EBDA’s system and lays out the conditions for such discharge. The Agreement was set to expire on January 1, 2020 concurrent with the expiration of the EBDA Joint Powers Agreement (JPA). In October 2019, the Commission adopted Resolution 19-38 extending the existing Agreement through June 30, 2020 to allow time for negotiation of new terms following JPA approval.

Discussion

After reaching consensus with the MAC and incorporating input from the Committee, Authority staff transmitted the attached draft Term Sheet to LAVWMA staff on March 16, 2020. LAVWMA staff and member agencies are currently in the process of reviewing the draft Term Sheet and developing a response. LAVWMA staff relayed that progress in responding has been slowed somewhat, as LAVWMA’s member agencies are very short staffed due to the COVID-19 response.

In parallel, LAVWMA has engaged a consultant to perform hydraulic modeling, which will inform their determination of capacity needs in the EBDA system. LAVWMA anticipates completing that modeling in June 2020, making it unlikely that LAVWMA and EBDA could complete negotiation of a new agreement by the time the current extension expires on June 30, 2020. LAVWMA and EBDA staff have discussed the concept of extending the current agreement by up to another six months, to December 31, 2020, with the condition that the financial terms that are ultimately agreed to in the new agreement will be retroactive to July 1, 2020. Therefore, if costs for LAVWMA go up under the new agreement, LAVWMA would be responsible for reimbursing EBDA the difference between what they paid for the first half of the fiscal year and what they would have paid under the new agreement. Conversely, if LAVWMA’s costs go down, EBDA would credit LAVWMA for overpayment.

At its April 2020 meeting, the Commission expressed support for the concept of extending the agreement with this retroactivity, but suggested that LAVWMA should be charged a non-reimbursable premium on top of the fee structure in the current agreement as an incentive to speed up the negotiation process. The Commission discussed a 15% premium and also that the premium should be linked to something, for example the expected increase under EBDA’s proposed new terms.

The tables on the following pages show LAVWMA fee options for the Commission’s consideration. The share of the FY 2020/2021 budget that each Member Agency will

pay is dependent on the share that LAVWMA pays. The following scenarios have also been shared with LAVWMA staff:

1. Baseline – This scenario shows what LAVWMA would pay if the under the current agreement.
2. Term Sheet – This scenario shows what LAVWMA would pay if the approach outlined in EBDA's Term Sheet were adopted and LAVWMA selected a maximum flow rate capacity of 25 MGD, which was selected based on their peak flows over the last several years. These terms result in a 23% increase overall in LAVWMA's fees, and a 35% increase to the O&M component, which is the component for which EBDA has proposed a change to the allocation.
3. 15% Overall Premium – This scenario shows the allocation of costs if LAVWMA is charged a 15% premium on all costs, as discussed at the last Commission meeting. Note that this shows that the effect of the premium for the whole fiscal year, even though it would only be in effect until a new agreement is adopted.
4. 30% Operations & Maintenance (O&M) Premium – This scenario shows allocation of costs if a 30% premium is added to LAVWMA's current O&M fees. This represents a rounding down from the 35% O&M increase associated with the Term Sheet terms. The overall increase under this scenario is 20%. As with Scenario 3, this shows the effect of the premium as if it were in place for the whole fiscal year.

Agenda Explanation
East Bay Dischargers Authority
Financial Management Committee
May 18, 2020

Scenario 1 – Baseline

ESTIMATED ANNUAL BILLS TO THE EBDA MEMBER AGENCIES FOR FISCAL YEAR 2020/2021									
Baseline (current LAVWMA agreement)									
	Rates for various agencies								
	San Leandro	O.L.S.D.	C.V.S.D.	Hayward	U.S.D.	LAVWMA			
Special Study Rate	13%	18%	6%	30%	33%	varies			
Variable Rate	10.4%	18.4%	7.2%	22.2%	41.9%	17.9%			
Variable Rate - MAs w/o CSL	-	20.5%	8.0%	24.7%	46.7%	-			
Dechlor Rate	10.4%	18.4%	7.2%	22.2%	41.9%	3.1%			
Fixed Rate	13.7%	19.4%	10.2%	14.7%	42.0%	18.60%			
Fixed Rate - MAs w/o CSL	-	22.2%	11.9%	17.1%	48.8%	-			
RRF Rate	varies	22.2%	11.9%	17.1%	48.8%	varies			
RMP Rate	6.8%	9.6%	3.7%	33.3%	27.7%	19.0%			
Nutrient Rate	8.5%	12.2%	6.6%	15.4%	42.5%	14.9%			
NPDES Fee	7.1%	12.1%	6.5%	17.2%	30.6%	26.6%			
	San Leandro	O.L.S.D.	C.V.S.D.	Hayward	U.S.D.	LAVWMA	HARD	MA Total	Grand Total
O&M									
O&M Fixed Charges w/CSL	\$ 194,517	\$ 275,566	\$ 145,603	\$ 208,452	\$ 597,770	\$ 324,908		\$ 1,421,908	\$ 1,746,816
O&M Fixed Charges w/o CSL	\$ -	\$ 24,028	\$ 12,938	\$ 18,483	\$ 52,862	\$ 10,617		\$ 108,311	\$ 118,928
O&M Dechlor Charges	\$ 23,616	\$ 41,908	\$ 16,293	\$ 50,469	\$ 95,378	\$ 7,337		\$ 227,663	\$ 235,000
O&M Variable Charges w/CSL	\$ 23,295	\$ 41,337	\$ 16,071	\$ 49,781	\$ 94,078	\$ 48,938		\$ 224,562	\$ 273,500
O&M Variable Charges w/o CSL	\$ -	\$ 198,928	\$ 77,340	\$ 239,566	\$ 452,741	\$ 86,425		\$ 968,575	\$ 1,055,000
Total O&M	\$ 241,428	\$ 581,766	\$ 268,246	\$ 566,750	\$ 1,292,829	\$ 478,225		\$ 2,951,019	\$ 3,429,244
Last year	\$ 323,915	\$ 645,823	\$ 310,616	\$ 602,618	\$ 987,248	\$ 509,118		\$ 2,870,220	\$ 3,379,338
Special Projects									
NPDES Permit Fee	\$ 53,262	\$ 91,106	\$ 49,057	\$ 129,652	\$ 231,270	\$ 201,135		\$ 554,348	\$ 755,483
RMP Fee	\$ 19,005	\$ 26,844	\$ 10,379	\$ 93,155	\$ 77,466	\$ 53,151		\$ 226,849	\$ 280,000
Nutrient Fee	\$ 22,830	\$ 32,815	\$ 17,670	\$ 41,498	\$ 114,498	\$ 40,167		\$ 229,312	\$ 269,479
WERF Fee	\$ 2,593	\$ 4,602	\$ 1,789	\$ 5,542	\$ 10,474	\$ -		\$ 25,000	\$ 25,000
Special Studies Fee	\$ 19,969	\$ 27,649	\$ 9,216	\$ 46,081	\$ 50,689	\$ 3,641		\$ 153,604	\$ 157,246
Member Agency Testing	\$ 1,500	\$ 1,500	\$ -	\$ 1,500	\$ 1,500	\$ -		\$ 6,000	\$ 6,000
Total Special Projects	\$ 119,160	\$ 184,517	\$ 88,111	\$ 317,428	\$ 485,897	\$ 298,095		\$ 1,195,113	\$ 1,493,208
Last Year	\$ 123,118	\$ 170,110	\$ 75,748	\$ 336,785	\$ 397,170	\$ 183,070		\$ 1,102,930	\$ 1,286,000
						Total Operating Budget		\$ 4,146,132	\$ 4,922,452
Skywest									
Skywest Expenses							\$ 120,000		\$ 120,000
Total Skywest							\$ 120,000		\$ 120,000
Last Year							\$ 120,000		\$ 120,000
						Total Skywest Budget			\$ 120,000
Renewal and Replacement Fund									
RRF Contribution		\$ 166,382	\$ 89,590	\$ 127,986	\$ 366,041	\$ -		\$ 750,000	\$ 750,000
Total RRF	\$ -	\$ 166,382	\$ 89,590	\$ 127,986	\$ 366,041	\$ -		\$ 750,000	\$ 750,000
						Total Capital Contribution		\$ 750,000	\$ 750,000
Overall Total	\$ 360,588	\$ 932,665	\$ 445,947	\$ 1,012,164	\$ 2,144,767	\$ 776,320	\$ 120,000	\$ 4,896,132	\$ 5,792,452
						Total for MAs plus LAVWMA			\$ 5,672,452

Agenda Explanation
East Bay Dischargers Authority
Financial Management Committee
May 18, 2020

Scenario 2 – Term Sheet

ESTIMATED ANNUAL BILLS TO THE EBDA MEMBER AGENCIES FOR FISCAL YEAR 2020/2021									
Term Sheet (assuming LAVWMA capacity = 25 MGD)									
Rates for various agencies									
	San Leandro	O.L.S.D.	C.V.S.D.	Hayward	U.S.D.	LAVWMA			
Special Study Rate	13%	18%	6%	30%	33%	varies			
Variable Rate	10.4%	18.4%	7.2%	22.2%	41.9%	17.9%			
Variable Rate - MAs w/o CSL	-	20.5%	8.0%	24.7%	46.7%	-			
Dechlor Rate	10.4%	18.4%	7.2%	22.2%	41.9%	3.1%			
Fixed Rate	13.7%	19.4%	10.2%	14.7%	42.0%	19.70%			
Fixed Rate - MAs w/o CSL	-	22.2%	11.9%	17.1%	48.8%	-			
RRF Rate	varies	22.2%	11.9%	17.1%	48.8%	varies			
RMP Rate	6.8%	9.6%	3.7%	33.3%	27.7%	19.0%			
Nutrient Rate	8.5%	12.2%	6.6%	15.4%	42.5%	14.9%			
NPDES Fee	7.1%	12.1%	6.5%	17.2%	30.6%	26.6%			
	San Leandro	O.L.S.D.	C.V.S.D.	Hayward	U.S.D.	LAVWMA	HARD	MA Total	Grand Total
O&M									
O&M Fixed Charges w/CSL	\$ 191,887	\$ 271,840	\$ 143,635	\$ 205,633	\$ 589,688	\$ 344,132		\$ 1,402,684	\$ 1,746,816
O&M Fixed Charges w/o CSL	\$ -	\$ 21,186	\$ 11,408	\$ 16,297	\$ 46,608	\$ 23,429		\$ 95,499	\$ 118,928
O&M Dechlor Charges	\$ 20,016	\$ 35,518	\$ 13,809	\$ 42,773	\$ 80,835	\$ 42,049		\$ 192,951	\$ 235,000
O&M Variable Charges w/CSL	\$ 23,295	\$ 41,337	\$ 16,071	\$ 49,781	\$ 94,078	\$ 48,938		\$ 224,562	\$ 273,500
O&M Variable Charges w/o CSL	\$ -	\$ 177,907	\$ 69,167	\$ 214,251	\$ 404,900	\$ 188,775		\$ 866,225	\$ 1,055,000
Total O&M	\$ 235,197	\$ 547,787	\$ 254,090	\$ 528,735	\$ 1,216,110	\$ 647,325		\$ 2,781,919	\$ 3,429,244
Last year	\$ 323,915	\$ 645,823	\$ 310,616	\$ 602,618	\$ 987,248	\$ 509,118		\$ 2,870,220	\$ 3,379,338
Special Projects									
NPDES Permit Fee	\$ 53,262	\$ 91,106	\$ 49,057	\$ 129,652	\$ 231,270	\$ 201,135		\$ 554,348	\$ 755,483
RMP Fee	\$ 19,005	\$ 26,844	\$ 10,379	\$ 93,155	\$ 77,466	\$ 53,151		\$ 226,849	\$ 280,000
Nutrient Fee	\$ 22,830	\$ 32,815	\$ 17,670	\$ 41,498	\$ 114,498	\$ 40,167		\$ 229,312	\$ 269,479
WERF Fee	\$ 2,593	\$ 4,602	\$ 1,789	\$ 5,542	\$ 10,474	\$ -		\$ 25,000	\$ 25,000
Special Studies Fee	\$ 19,969	\$ 27,649	\$ 9,216	\$ 46,081	\$ 50,689	\$ 3,641		\$ 153,604	\$ 157,246
Member Agency Testing	\$ 1,500	\$ 1,500		\$ 1,500	\$ 1,500	\$ -		\$ 6,000	\$ 6,000
Total Special Projects	\$ 119,160	\$ 184,517	\$ 88,111	\$ 317,428	\$ 485,897	\$ 298,095		\$ 1,195,113	\$ 1,493,208
Last Year	\$ 123,118	\$ 170,110	\$ 75,748	\$ 336,785	\$ 397,170	\$ 183,070		\$ 1,102,930	\$ 1,286,000
						Total Operating Budget		\$ 3,977,032	\$ 4,922,452
Skywest									
Skywest Expenses							\$ 120,000		\$ 120,000
Total Skywest							\$ 120,000		\$ 120,000
Last Year							\$ 120,000		\$ 120,000
						Total Skywest Budget			\$ 120,000
Renewal and Replacement Fund									
RRF Contribution		\$ 166,382	\$ 89,590	\$ 127,986	\$ 366,041	\$ -		\$ 750,000	\$ 750,000
Total RRF	\$ -	\$ 166,382	\$ 89,590	\$ 127,986	\$ 366,041	\$ -		\$ 750,000	\$ 750,000
						Total Capital Contribution		\$ 750,000	\$ 750,000
Overall Total	\$ 354,357	\$ 898,687	\$ 431,791	\$ 974,149	\$ 2,068,048	\$ 945,419	\$ 120,000	\$ 4,727,032	\$ 5,792,452
						Total for MAs plus LAVWMA			\$ 5,672,452
						LAVWMA O&M % Increase from Baseline	35%		
						LAVWMA Overall % Increase from Baseline	22%		

Agenda Explanation
East Bay Dischargers Authority
Financial Management Committee
May 18, 2020

Scenario 3 – 15% Overall Premium

ESTIMATED ANNUAL BILLS TO THE EBDA MEMBER AGENCIES FOR FISCAL YEAR 2020/2021									
LAVWMA 15% Increase Overall									
	Rates for various agencies								
	San Leandro	O.L.S.D.	C.V.S.D.	Hayward	U.S.D.	LAVWMA			
Special Study Rate	13%	18%	6%	30%	33%	varies			
Variable Rate	10.4%	18.4%	7.2%	22.2%	41.9%	17.9%			
Variable Rate - MAs w/o CSL	-	20.5%	8.0%	24.7%	46.7%	-			
Dechlor Rate	10.4%	18.4%	7.2%	22.2%	41.9%	3.1%			
Fixed Rate	13.7%	19.4%	10.2%	14.7%	42.0%	18.60%			
Fixed Rate - MAs w/o CSL	-	22.2%	11.9%	17.1%	48.8%	-			
RRF Rate	varies	22.2%	11.9%	17.1%	48.8%	varies			
RMP Rate	6.6%	9.3%	3.6%	32.1%	26.7%	21.8%			
Nutrient Rate	8.2%	11.8%	6.4%	15.0%	41.3%	17.2%			
NPDES Fee	6.7%	11.4%	6.1%	16.2%	28.9%	30.7%			
	San Leandro	O.L.S.D.	C.V.S.D.	Hayward	U.S.D.	LAVWMA	HARD	MA Total	Grand Total
O&M									
O&M Fixed Charges w/CSL	\$ 187,850	\$ 266,121	\$ 140,613	\$ 201,307	\$ 577,282	\$ 373,644		\$ 1,373,172	\$ 1,746,816
O&M Fixed Charges w/o CSL	\$ -	\$ 23,675	\$ 12,748	\$ 18,211	\$ 52,084	\$ 12,210		\$ 106,718	\$ 118,928
O&M Dechlor Charges	\$ 23,502	\$ 41,705	\$ 16,214	\$ 50,225	\$ 94,917	\$ 8,437		\$ 226,563	\$ 235,000
O&M Variable Charges w/CSL	\$ 22,533	\$ 39,985	\$ 15,546	\$ 48,154	\$ 91,003	\$ 56,279		\$ 217,221	\$ 273,500
O&M Variable Charges w/o CSL	\$ -	\$ 196,266	\$ 76,305	\$ 236,359	\$ 446,682	\$ 99,389		\$ 955,611	\$ 1,055,000
Total O&M	\$ 233,885	\$ 567,751	\$ 261,425	\$ 554,256	\$ 1,261,967	\$ 549,959		\$ 2,879,285	\$ 3,429,244
Last year	\$ 323,915	\$ 645,823	\$ 310,616	\$ 602,618	\$ 987,248	\$ 509,118		\$ 2,870,220	\$ 3,379,338
Special Projects									
NPDES Permit Fee	\$ 50,321	\$ 86,076	\$ 46,349	\$ 122,493	\$ 218,501	\$ 231,743		\$ 523,740	\$ 755,483
RMP Fee	\$ 18,351	\$ 25,920	\$ 10,021	\$ 89,948	\$ 74,799	\$ 60,961		\$ 219,039	\$ 280,000
Nutrient Fee	\$ 22,211	\$ 31,925	\$ 17,190	\$ 40,372	\$ 111,392	\$ 46,388		\$ 223,091	\$ 269,479
WERF Fee	\$ 2,593	\$ 4,602	\$ 1,789	\$ 5,542	\$ 10,474	\$ -		\$ 25,000	\$ 25,000
Special Studies Fee	\$ 19,898	\$ 27,550	\$ 9,183	\$ 45,917	\$ 50,509	\$ 4,188		\$ 153,058	\$ 157,246
Member Agency Testing	\$ 1,500	\$ 1,500		\$ 1,500	\$ 1,500	\$ -		\$ 6,000	\$ 6,000
Total Special Projects	\$ 114,874	\$ 177,574	\$ 84,533	\$ 305,772	\$ 467,174	\$ 343,280		\$ 1,149,927	\$ 1,493,208
Last Year	\$ 123,118	\$ 170,110	\$ 75,748	\$ 336,785	\$ 397,170	\$ 183,070		\$ 1,102,930	\$ 1,286,000

ITEM NO. FM14 RESOLUTION AUTHORIZING THE GENERAL MANAGER TO SUSPEND RECYCLED WATER CHARGES TO HAYWARD AREA RECREATION AND PARK DISTRICT (HARD) FOR SKYWEST GOLF COURSE FOR MAY AND JUNE 2020

Recommendation

Adopt a resolution approving a suspension of recycled water charges for May and June 2020.

Background

Since 1982, EBDA has been providing recycled water to Skywest Golf Course, which is managed by Hayward Area Recreation and Park District (HARD). EBDA's goal is for Skywest revenues to match expenses so that the member agencies are not subsidizing HARD. Per Resolution 19-15 approved by the Commission in May 2019, the Authority currently delivers recycled water to HARD at a price of \$10,000 per month. This price has been constant since Fiscal Year 2017/2018, when it was increased from \$9,500 to address increasing costs and deficit spending. Over the last several years, Authority staff and HARD staff have worked to optimize operations, leading to a decrease in costs. In addition, capital projects have been deferred due to uncertainty about whether the Authority will continue to service the golf course long term. As a result, the Authority's Skywest fund currently has a balance of \$168k.

Discussion

The Skywest Golf Course is currently closed due to the County's Shelter-in-Place order associated with COVID-19. As such, HARD's finances for the golf course, which were already stretched, will be significantly negatively impacted. In the spirit of collaboration and support for a sister agency, staff recommends suspending the Authority's billing to HARD for recycled water for the remainder of the fiscal year, specifically the months of May and June 2020. Though recycled water service to the golf course continues, costs can easily be covered out of the existing fund balance and the \$20,000 in foregone revenue is not expected to result in a deficit or need for additional funding from the Member Agencies. This would be a temporary suspension of billing specific to the COVID-19 crisis.

EAST BAY DISCHARGERS COMMISSION
EAST BAY DISCHARGERS AUTHORITY
ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 20-06

INTRODUCED BY _____

**RESOLUTION AUTHORIZING THE GENERAL MANAGER TO SUSPEND
RECYCLED WATER CHARGES TO HAYWARD AREA RECREATION AND PARK
DISTRICT (HARD) FOR SKYWEST GOLF COURSE FOR MAY AND JUNE 2020**

WHEREAS, on December 21, 1982, Hayward Area Recreation and Park District (HARD) and East Bay Dischargers Authority (Authority) entered into an Interagency Agreement for Construction and Operation of Skywest Golf Course Reclamation-Irrigation Project; and

WHEREAS, per Resolution 19-15, the Authority set the price of recycled water to be charged to HARD for fiscal year 2019/2020 at \$10,000 per month; and

WHEREAS, the COVID-19 crisis has forced the temporary closure of the Skywest Golf Course and thereby stressed HARD's finances; and

WHEREAS, in the spirit of collaboration, the Authority wishes to support HARD as a fellow public agency during this time of need; and

WHEREAS, the Authority expects to be able to fund continued operation of the project out of its existing fund balance for a period of two months.

NOW, THEREFORE, BE IT RESOLVED, the Commission of the East Bay Dischargers Authority hereby Authorizes the General Manager to suspend recycled water charges to HARD for the Skywest Golf Course Water Recycling Project for the period of May 1, 2020 through June 30, 2020.

SAN LORENZO, CALIFORNIA, MAY 21, 2020, ADOPTED BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

CHAIR
EAST BAY DISCHARGERS COMMISSION

ATTEST: _____
GENERAL MANAGER
EAST BAY DISCHARGERS AUTHORITY
EX OFFICIO SECRETARY

ITEM NO. FM15 RESOLUTION ESTABLISHING THE PRICE OF RECYCLED WATER FOR SKYWEST GOLF COURSE IN FISCAL YEAR 2020/2021

Recommendation

Adopt a resolution establishing the price of recycled water at \$10,000 month in FY 2020/2021.

Background

As discussed in Item No. FM 14, EBDA has been providing recycled water to Skywest Golf Course, which is managed by Hayward Area Recreation and Park District (HARD), since 1982. EBDA's goal is for Skywest revenues to meet expenses so that the member agencies are not subsidizing HARD. As a result of several capital projects, EBDA depleted its set-aside funding for Skywest in 2014 and was running a deficit exceeding \$40,000. Staff worked with HARD to develop a multi-year strategy for setting aside sufficient funds to account for long-term capital repair needs for the Skywest system. The Skywest fund balance has since recovered and has remained positive the last four years.

Discussion

EBDA's expenses for operating Skywest are driven 85% by costs independent of flow. In calendar year 2019, EBDA provided approximately 57 million gallons of recycled water to HARD. This amount was consistent with deliveries for the prior several years. Overall flow is limited by season (when HARD needs flow) and pumping capacity of the pipe. EBDA staff and HARD staff have worked closely over the past two years to optimize operations to the extent practical, including significantly reducing the need for sampling on weekends.

Over the last several years, EBDA has deferred capital projects on the system because of uncertainty over EBDA's long-term recycled water service to Skywest. There are two scenarios in which EBDA's service would be discontinued. First, within the next several years, the City of Hayward may be ready to supply Skywest with higher quality recycled water through Phase 2 of its recycled water project. Second, there is uncertainty about the future of the Skywest Golf Course itself, and HARD is in discussions with the City of Hayward and other stakeholders about whether to continue operations. Because of the deferred capital projects, EBDA has built up the Skywest fund to \$168k.

Staff recommends setting the recycled water rate at \$10,000 per month, consistent with the past four years. The \$10,000 rate is expected to cover operating costs for Fiscal Year 2020/2021 and add \$40,000 the current fund balance available for capital projects. Given the recent pipeline failure (see Item No. OM6), some capital improvements will be needed to shore up the embankment along the pipeline alignment, irrespective of the long-term plan for recycled water service. If service is expected to continue long-term, additional capital projects will be needed. If Skywest recycled water service is discontinued, capital funds will be required for decommissioning or transfer. In the event

Agenda Explanation
East Bay Dischargers Authority
Financial Management Committee
May 18, 2020

that service is discontinued, it is possible that the existing infrastructure could be repurposed for delivery of recycled water to other customers by Oro Loma, or to provide water to a horizontal levee system.

Staff continues to believe supplying EBDA water to Skywest provides financial benefits to HARD, whose cost for potable water would be much higher, and environmental benefits to EBDA and its ratepayers. Staff will continue to keep abreast of HARD's plans for the golf course and update the Commission of changes.

EAST BAY DISCHARGERS COMMISSION
EAST BAY DISCHARGERS AUTHORITY
ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 20-07

INTRODUCED BY _____

**RESOLUTION ESTABLISHING THE PRICE OF RECYCLED WATER FOR
SKYWEST GOLF COURSE FISCAL YEAR 2020/2021**

WHEREAS, on December 21, 1982, Hayward Area Recreation and Park District (HARD) and East Bay Dischargers Authority (Authority) entered into an Interagency Agreement for Construction and Operation of Skywest Golf Course Reclamation-Irrigation Project; and

WHEREAS, Section VII of said Agreement states that the Authority shall set the price of recycled water to be charged to HARD during the next ensuing fiscal year, including the terms and conditions for payment; and

WHEREAS, HARD has been advised that the proposed price of water for the period July 1, 2020 through June 30, 2021 will be \$10,000 per month.

NOW, THEREFORE, BE IT RESOLVED, the Commission of the East Bay Dischargers Authority hereby establishes the price of recycled water for the Skywest Golf Course Water Recycling Project for the period of July 1, 2020 through June 30, 2021 in the amount of \$10,000 per month.

BE IT FURTHER RESOLVED, that payments for said recycled water are due and payable on the tenth day of each month effective July 10, 2020.

SAN LORENZO, CALIFORNIA, MAY 21, 2020, ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIR
EAST BAY DISCHARGERS COMMISSION

ATTEST: _____
GENERAL MANAGER
EAST BAY DISCHARGERS AUTHORITY
EX OFFICIO SECRETARY

ITEM NO. FM16 RESOLUTION APPROVING REVISIONS TO THE AUTHORITY'S INVESTMENT POLICY

Recommendation

Adopt a resolution approving revisions to the Authority's Investment Policy.

Background

In March 2019, the Commission adopted a new Investment Policy, updating a policy and procedure previously adopted in 2013. The Policy lays out the overall guidelines for the Authority's investments, consistent with relevant government codes. Staff had assistance from PFM Asset Management, LLC in updating the Policy.

As part of an annual review of financial policies, staff brought the Policy to the Committee for review in February 2020 recommending a few minor editorial changes to the Policy. The Policy incorporates by reference relevant sections of California Government Code that govern public agency investments. The Policy had said that those sections were to be attached, but staff recommends removing the attachments on the grounds that the references are sufficient. Staff does recommend attaching Figure 1 of the Local Agency Investment Guidelines, which is a helpful summary of the requirements in the Government Code. This document was updated in 2019, so the reference in the Policy has been updated accordingly.

Discussion

In its February 2020 review, the Committee posed questions on the Policy provision related to Standard of Care. Specifically, the Policy required the General Manager/Treasurer to file with the Authority an official bond in the amount of \$250,000. After subsequent review and discussion, the Committee recommends continuing with the public official bonds for the General Manager and Operations & Maintenance Manager, but evaluating the dollar value of such bonds each time they are up for renewal. To provide that flexibility, staff recommends the following additional edit to the Policy:

- **Delegation of Authority:** The authority to manage investment programs is granted to the Investment Committee which is comprised of the two members of the Financial Management Committee appointed by the Commission, and the General Manager/Treasurer. The responsibility for the operation and day-to-day maintenance of the investment program is delegated to the Authority's General Manager/Treasurer. The General Manager/Treasurer shall file with the Authority an official bond ~~in the amount of \$250,000~~. The Authority shall pay the cost of said bonds.

POLICY NUMBER: 1.1

NAME OF POLICY: Finance - Investments

LAST REVISED: ~~5/13/2020~~3/21/2019

PREVIOUSLY REVISED: ~~3/21/2019~~05/16/2013

PURPOSE: All financial assets, including special revenue funds, capital project funds, internal service funds and other funds that may be created from time to time, shall be administered in accordance with the provisions of this Policy and are accounted for in the Annual Financial Report. This Investment Policy is used to guide Authority staff in investment decisions and transactions.

POLICY: It is the policy of East Bay Dischargers Authority (Authority) to invest public funds in a manner which prioritizes security over investment return, while meeting the daily cash flow demands of the Authority, and conforming to California Government Code Sections 53601 through 53686 and other statutes governing the investment of public funds.

DETAILED DISCUSSION:

A. OBJECTIVES:

When investing, reinvesting, purchasing, acquiring, exchanging, selling and managing public funds, the primary objectives, in priority order, of the investment activities shall be:

- 1. Safety:** Safety of principal is the foremost objective of the investment program. Investments of the East Bay Dischargers Authority shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.
- 2. Liquidity:** The investment portfolio will remain sufficiently liquid to enable the East Bay Dischargers Authority to meet all operating requirements which might be reasonably anticipated.

3. Return on Investments: The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio. (CGC 53600.5)

B. STANDARD OF CARE:

- **Prudence:** All investments shall be made within the policy framework of liquidity, safety, and investment return, with the judgment and care a person of prudence and intelligence would, under the circumstances then prevailing, exercise in the management of his/her affairs.
- **Ethics and Conflict of Interest:** District officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Officers and employee involved in the investment process shall abide by CGC Section 109, et seq. and the California Political Reform Act.
- **Delegation of Authority:** The authority to manage investment programs is granted to the Investment Committee which is comprised of the two members of the Financial Management Committee appointed by the Commission, and the General Manager/Treasurer. The responsibility for the operation and day-to-day maintenance of the investment program is delegated to the Authority's General Manager/Treasurer. The General Manager/Treasurer shall file with the Authority an official bond ~~in the amount of \$250,000~~. The Authority shall pay the cost of said bonds.

C. PROCEDURES:

The General Manager/Treasurer shall establish written procedures and a system of internal controls for the operation of the investment program consistent with this investment policy to be incorporated into the Authority's Financial Management System Policy and Procedures Manual. Procedures should include references to: safekeeping, PSA repurchase agreements, wire transfer agreements, collateral/depository agreements and banking services contracts, as appropriate. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Financial Management Committee. The Treasurer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials. The General Manager/Treasurer is a trustee and a fiduciary subject to the prudent investor standard. (CGC 53600.3)

D. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS:

The General Manager/Treasurer will maintain a list of financial institutions, selected on the basis of credit worthiness, financial strength, experience and minimal capitalization that are authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers who are authorized to provide investment and financial advisory services in the State of California. No public deposit shall be made except in a qualified public depository as established by state laws.

For brokers/dealers of government securities and other investments, the General Manager/Treasurer shall select only broker/dealers who are licensed and in good standing with the California Department of Securities, the Securities and Exchange Commission, the National Association of Securities Dealers or other applicable self-regulatory organizations and familiar with the Government Code restrictions on public agency investments and have a substantial experience with other public agency investments.

Before engaging in investment transactions with a broker/dealer, the General Manager/Treasurer shall have received from said firm a signed Certification Form. This form shall attest that the individual responsible for the Authority's account with that firm has reviewed the Authority's Investment Policy and that the firm understands the policy and intends to present investment recommendations and transactions to the Authority that are appropriate under the terms and conditions of the Investment Policy.

E. AUTHORIZED AND SUITABLE INVESTMENTS:

The allowable investment instruments applicable to all local agencies, including the East Bay Dischargers Authority, are shown in the documents listed below and included by reference in this investment policy. ~~The following documents are attached and included at the end of this Section:~~

~~Figure 1, Chapter II. Fund Management, Local Agency Investment Guidelines 2007, California Debt and Investment Advisory Commission.~~

- California Government Code Section 5920-5924
- California Government Code Section 16429.1-16429.4
- California Government Code Section 53500-53505
- California Government Code Section 53600-53609
- California Government Code Section 53630-53686

See CGC 53601 for a detailed summary of the limitations and special conditions that apply to each of the above listed investment securities.

The following table summarizes allowable investments, and ~~iss~~ are attached and included at the end of this Policy:

Figure 1, Chapter II. Fund Management, Local Agency Investment Guidelines 201907, California Debt and Investment Advisory Commission.

F. PROHIBITED INVESTMENTS:

Under the provisions of CGC 53601.6 and 53631.5, the Authority shall not invest any funds covered by this Investment Policy in inverse floaters, range notes, interest-only strips derived from mortgage pools or any investment that may result in a zero interest accrual if held to maturity.

G. COLLATERALIZATION:

All certificates of deposits and repurchase agreements must be collateralized by U. S. Treasury Obligations. Collateral must be held by a third party and valued on a monthly basis. The percentage of collateralization on Repurchase Agreements will adhere to the amount required under CGC 53601(i)(2).

H. DIVERSIFICATIONS:

It is the policy of the Authority to diversify its investment portfolio. With the exception of funds invested in LAIF, United State Treasury Bills, notes, and bonds, the Authority will diversify its investments by security type and, within each type, by institution. Invested assets shall be diversified to eliminate the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer or a specific class of securities. Diversification shall be determined and revised periodically by the Treasurer in consultation with the Financial Management Committee. In establishing specific diversification strategies, the following guidelines shall apply:

- 1) Portfolio maturities shall be matched against projected liabilities to avoid an over concentration in a specific series of maturities.
- 2) Maturities selected shall provide for stability and liquidity.
- 3) Disbursement and payroll dates shall be covered by the scheduled maturity of specific investments, marketable U. S. Treasury Bills or Notes or other cash equivalent instruments, such as money market mutual funds.

I. PERFORMANCE STANDARDS:

The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow needs of the Authority. The Authority shall establish a performance benchmark. Benchmarks may change over time based on changes in market conditions, investment preferences, or cash flow requirements.

J. INTERNAL CONTROLS:

The Authority shall establish a set of internal controls which shall be documented in writing. The internal controls will be reviewed by the Authority and with the independent auditor. The controls shall be designed to prevent employee error, misrepresentations by third parties, and unanticipated changes in financial markets or imprudent actions by officers or employees of the Authority.

K. SAFEKEEPING & CUSTODY:

All security transactions entered into by the Authority shall be conducted on delivery-versus-payment (DVP) basis. All securities purchased or acquired shall be delivered to the Authority by book entry, physical delivery or by third party custodial agreement. (CGC 53601) The Treasurer shall deposit securities in which the Authority holds funds in a safe deposit box in the name of East Bay Dischargers Authority.

L. REPORTING:

The Treasurer shall submit to the Commission a monthly report. The report shall include a complete description of the portfolio, the type of investment, the issuers, maturity dates, par values and the current market values of each component of the portfolio, including funds managed by third party contractors. The report will also include the source of the portfolio valuation. In the case of funds invested in The Local Agency Investment Fund (LAIF), FDIC Insured accounts or county investment pools, current statements from those institutions will satisfy the above reporting requirement. The report will also include a certification that (1) all investment actions executed since the last report have been made in full compliance with the Investment Policy and, (2) the Authority will meet its expenditure obligations for the next six months. [CGC 53646(b)]. The Treasurer shall maintain a complete and timely record of all investment transactions.

M. INVESTMENT POLICY ADOPTION:

The Investment Policy shall be adopted by resolution of the East Bay Dischargers Authority. Moreover, the Policy shall be reviewed on an annual basis, and modifications must be approved by the Commission.

GLOSSARY:

ASK PRICE: The price at which a seller offers to sell a security to a buyer.

ASSET-BACKED SECURITIES: Bonds created from various types of consumer debt.

Returns on these securities come from customer payments on their outstanding loans. The primary types of asset-backed securities are mortgages, home equity loans, auto loans, leases, credit card receivables and student loans.

BANKERS' ACCEPTANCE: A letter of credit issued in a foreign trade transaction which allows exporters to receive payment prior to importation of their goods. Banks provide short-term financing to facilitate the transaction and may sell the obligation to a third party. Bankers' Acceptances are secured by the issuer of the bill, while the underlying goods also serve as collateral.

BANK DEPOSITS: Collateral in the form of currency that may be in the form of demand accounts (checking) or investments in accounts that have a fixed term and negotiated rate of interest.

BENCHMARK: A comparative base for measuring the performance or risk tolerance of the investment portfolio. A benchmark should represent a close correlation to the level of risk and the average duration of the portfolio's investments.

BID PRICE: The price at which a buyer offers to purchase a security from the seller.

BOND: A debt investment in which an investor loans money to an entity (corporate or governmental) that borrows the funds for a defined period of time at a fixed interest rate called a coupon payment. Bonds are used by companies, municipalities, states and the U.S. government to finance a variety of projects and operating activities.

BROKER: A broker aligns buyers and sellers of securities and receives a commission when a sale occurs. Brokers generally do not hold inventory or make a market for securities.

CALIFORNIA LOCAL AGENCY OBLIGATIONS: Bonds that are issued by a California county, Authority, Authority and county, including a chartered Authority or county, school district, community college district, public district, county board of education, county superintendent of schools, or any public or municipal corporation.

CD (CERTIFICATE OF DEPOSIT): Time deposits issued by a bank, savings or federal credit union, or state-licensed branch of a foreign bank. Negotiable Certificates of Deposits rely on the credit rating of the issuing entity.

COLLATERAL: Securities, evidence of deposit, or other property that a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

COLLATERALIZATION: Process by which a borrower pledges securities, property, or other deposits for the purpose of securing the repayment of a loan and/or security.

COMMERCIAL PAPER: Short-term unsecured promissory note issued by a company or financial institution. Commercial paper is issued at a discount and matures at face value. Usually a maximum maturity of 270 days, and given a short-term debt rating by one or more nationally recognized statistical rating organizations (NRSROs).

COUNTY POOLED INVESTMENT FUNDS: The aggregate of all funds from public agencies placed in the custody of the county treasurer or chief finance officer for investment and reinvestment.

COUPON: The annual rate of interest that a bond's issuer promises to pay the bondholder, expressed as a percentage of the bond's face value.

CREDIT RISK: Credit risk is the likelihood that an issuer will be unable to make scheduled payments of interest or principal on an outstanding obligation.

CUSTODIAN: An agent such as a broker or a bank that stores a customer's investments for safekeeping. The custodian does not have fiduciary responsibilities.

DEALER: A dealer, as opposed to a broker, acts as a principal in security transactions, selling securities from, and buying securities for his/her own position.

DEFAULT: To default is to fail to repay principal or make timely interest payments on a bond or other debt investment security, or failure to fulfill the terms of a note or contract.

DELIVERY VERSUS PAYMENT (DVP): A securities industry procedure whereby payment for a security must be made at the time the security is delivered to the purchaser's agent.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

DURATION: The weighted average time to maturity of a bond where the weights are the present values of future cash flows. Duration measures the price sensitivity of a bond to changes in interest rates.

FIDUCIARY: An individual who holds something in trust for another and bears liability for its safekeeping.

FLOATING RATE INVESTMENTS: Notes whose interest rate is adjusted according to the interest rates of other financial instruments. These instruments provide protection against rising or falling interest rates, but may pay lower yield than fixed rate notes.

FUTURES: Commodities, which are sold in the present time and are to be delivered at a future date.

INTEREST ONLY STRIPS: Securities with cash flow based entirely on the monthly interest payments received from a mortgage, Treasury, or bond payment. No principal is included in these types of securities.

INVERSE FLOATING RATE INVESTMENTS: Variable-rate notes (such as inverse floating rate notes) whose coupon and value increase as interest rates decrease.

INVESTMENT PROGRAM: The process of modern portfolio management. The process includes establishing investment policy, analysis of the economic and capital markets environment, portfolio monitoring and rebalancing, and measuring performance.

LIQUIDITY: The ease with which investments can be converted to cash at their present market value. Liquidity is significantly affected by the number of buyers and sellers trading a given security and the number of units of the security available for trading.

LOCAL AGENCY BONDS: These bonds are issued by a county, Authority, Authority and county, including a chartered Authority or county, school district, community college district, public district, county board of education, county superintendent of schools, or any public or municipal corporation.

LOCAL AGENCY INVESTMENT FUND (LAIF): A voluntary investment fund open to state and local government entities and certain non-profit organizations in California in which organization pools their funds for investment. LAIF is managed by the State Treasurer's Office.

MARKET RISK: Market risk is the risk that investments will change in value based on changes in general market prices.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: A written contract which includes provisions specific to the governmental agency that is signed by an authorized officer with each counterparty. A master agreement will often specify details to the nature of transactions, the relationship of the parties to the agreement, parameters pertaining to the ownership and custody of collateral, and remedies in the event of default by either party.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MEDIUM TERM NOTES (MTN): Unsecured, investment-grade senior debt securities of major corporations that are sold either on a continuous or an intermittent basis. MTNs are highly flexible debt instruments that can be structured to respond to market opportunities or to investor preferences.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

MORTGAGE-BACKED SECURITIES: A debt instrument with a pool of real estate loans as the underlying collateral. The mortgage payments of the real estate assets are used to pay interest and principal on the bonds.

MORTGAGE PASS-THROUGH SECURITIES: A securitized participation in the interest and principal cash flows from a specified pool of mortgages. Principal and interest payments made on the mortgages are passed through to the holder of the security.

MUTUAL FUNDS: An investment company that pools money and can invest in a variety of securities, including fixed-income securities and money market instruments. **Money market mutual funds** invest exclusively in short-term (1-day to 1-year) debt obligations such as Treasury bills, certificates of deposit, and commercial paper. The principal objective is the preservation of capital and generation of current income.

OFFER: The price asked by a seller of securities. See Ask Price and Bid Price.

OPTION: A contract that provides the right or obligation, depending on the buyer or seller's position within the contract, to buy or to sell a specific amount of a specific security within a predetermined time period at a specified price. A call option provides the right to buy the underlying security. A put option provides the right to sell the underlying security. The seller of the contracts is called the writer.

PORTFOLIO: A collection of securities held by an investor.

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. Primary dealers include Securities and Exchange Commission (SEC)-registered securities broker-dealers, banks, and a few unregulated firms.

PRINCIPAL ONLY STRIPS: Securities with cash flow based entirely on the principal payments received from an obligation.

RANGE NOTES: A range note is a bond that pays interest if a specified interest rate remains above or below a certain level and/or remains within a certain range.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price.

REPURCHASE AGREEMENT (RP, Repo): A contractual transaction between an investor and an issuing financial institution (bank or securities dealer). The investor exchanges cash for temporary ownership or control of collateral securities, with an agreement between the parties that on a future date, the financial institution will repurchase the securities.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held by the bank in the customer's name.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES AND EXCHANGE COMMISSION (SEC): A federal government agency comprised of five commissioners appointed by the President and approved by the Senate. The SEC was established to protect the individual investor from fraud and malpractice in the marketplace. The Commission oversees and regulates the activities of registered investment advisers, stock and bond markets, broker/dealers, and mutual funds.

STATE OBLIGATIONS: Registered treasury notes or bonds of the 50 United States, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the 50 United States.

STRIPS: Bonds, usually issued by the U.S. Treasury, whose two components, interest and repayment of principal, are separated and sold individually as zero-coupon bonds. Strips are an acronym for Separate Trading of Registered Interest and Principal of Securities.

SUPRANATIONALS: International financial institutions that are generally established by agreements among nations, with member nations contributing capital and participating in management. Supranational bonds finance economic and infrastructure development and support environmental protection, poverty reduction, and renewable energy around the globe.

TRUSTEE: An individual or organization, which holds or manages and invests assets for the benefit of another. The trustee is legally obliged to make all trust-related decisions with the trustee's interests in mind, and may be liable for damages in the event of not doing so.

U.S. AGENCY OBLIGATIONS: Federal agency or United States government-sponsored enterprise obligations (GSEs), participations, or other instruments. The obligations are issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises. Issuers include: Fannie Mae, Farmer Mac, Federal Farm Credit Banks, Freddie Mac, Federal Home Loan Banks, Financing Corporation, Tennessee Valley Authority, Resolution Trust Funding Corporation, World Bank, Inter-American Development Bank, and PEFCO.

U.S. TREASURY OBLIGATIONS (TREASURIES): Securities issued by the U.S. Treasury and backed by the full faith and credit of the United States. Treasuries are considered to have no credit risk and are the benchmark for interest rates on all other securities in the U.S. and overseas. The Treasury issues both discounted securities and fixed coupon notes and bonds.

Treasury Bills: All securities issued with initial maturities of one year or less are issued as discounted instruments, and are called Treasury Bills (T-bills). The Treasury currently issues 3-month and 6-month T-bills at regular weekly auctions. It also issues "cash management" bills as needed to smooth cash flows.

Treasury Notes: All securities issued with initial maturities of 2- to 10-years are called Treasury Notes (T-notes), and pay interest semi-annually.

Treasury Bonds: All securities issued with initial maturities greater than 10-years are called Treasury Bonds (T-bonds). Like Treasury Notes, they pay interest semi-annually.

WAL: Weighted Average Life: The average life of all the securities that comprise a portfolio, typically expressed in days or years.

YIELD: The rate of annual income return on an investment, expressed as a percentage. Yield does not include capital gains.

Income Yield is obtained by dividing the current dollar income by the current market price for the security.

Net Yield or Yield to Maturity is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

ZERO-COUPON BOND: A bond on which interest is not payable until maturity (or earlier redemption), but compounds periodically to accumulate to a stated maturity amount. Zero-coupon bonds are typically issued at a discount and repaid at par upon maturity.

FIGURE 1**ALLOWABLE INVESTMENT INSTRUMENTS PER STATE GOVERNMENT CODE (AS OF JANUARY 1, 2019)^A APPLICABLE TO ALL LOCAL AGENCIES^B**

See "Table of Notes for Figure 1" on the next page for footnotes related to this figure.

INVESTMENT TYPE	MAXIMUM REMAINING MATURITY ^C	MAXIMUM SPECIFIED % OF PORTFOLIO ^D	MINIMUM QUALITY REQUIREMENTS	GOVERNMENT CODE SECTIONS
Local Agency Bonds	5 years	None	None	53601(a)
U.S. Treasury Obligations	5 years	None	None	53601(b)
State Obligations: CA and Others	5 years	None	None	53601(d)
CA Local Agency Obligations	5 years	None	None	53601(e)
U.S. Agency Obligations	5 years	None	None	53601(f)
Bankers' Acceptances	180 days	40% ^E	None	53601(g)
Commercial Paper: Non-pooled Funds ^F	270 days or less	25% of the agency's money ^G	Highest letter and number rating by an NRSRO ^H	53601(h)(2)(C)
Commercial Paper: Pooled Funds ^I	270 days or less	40% of the agency's money ^G	Highest letter and number rating by an NRSRO ^H	53635(a)(1)
Negotiable Certificates of Deposit	5 years	30% ^J	None	53601(i)
Non-negotiable Certificates of Deposit	5 years	None	None	53630 et seq.
Placement Service Deposits	5 years	30% ^K	None	53601.8 and 53635.8
Placement Service Certificates of Deposit	5 years	30% ^K	None	53601.8 and 53635.8
Repurchase Agreements	1 year	None	None	53601(j)
Reverse Repurchase Agreements and Securities Lending Agreements	92 days ^L	20% of the base value of the portfolio	None ^M	53601(j)
Medium-term Notes ^N	5 years or less	30%	"A" rating category or its equivalent or better	53601(k)
Mutual Funds and Money Market Mutual Funds	N/A	20% ^O	Multiple ^{P,Q}	53601(l) and 53601.6(b)
Collateralized Bank Deposits ^R	5 years	None	None	53630 et seq. and 53601(n)
Mortgage Pass-through and Asset Backed Securities	5 years or less	20%	"AA" rating category or its equivalent or better	53601(o)
County Pooled Investment Funds	N/A	None	None	27133
Joint Powers Authority Pool	N/A	None	Multiple ^S	53601(p)
Local Agency Investment Fund (LAIF)	N/A	None	None	16429.1
Voluntary Investment Program Fund ^T	N/A	None	None	16340
Supranational Obligations ^U	5 years or less	30%	"AA" rating category or its equivalent or better	53601(q)

TABLE OF NOTES FOR FIGURE 1

A	<i>Sources: Sections 16340, 16429.1, 27133, 53601, 53601.6, 53601.8, 53630 et seq., 53635, and 53635.8.</i>	M	<i>spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity dates of the same security.</i>
B	<i>Municipal Utilities Districts have the authority under the Public Utilities Code Section 12871 to invest in certain securities not addressed here.</i>	N	
C	<i>Section 53601 provides that the maximum term of any investment authorized under this section, unless otherwise stated, is five years. However, the legislative body may grant express authority to make investments either specifically or as a part of an investment program approved by the legislative body that exceeds this five year remaining maturity limit. Such approval must be issued no less than three months prior to the purchase of any security exceeding the five-year maturity limit.</i>	O	<i>Reverse repurchase agreements must be made with primary dealers of the Federal Reserve Bank of New York or with a nationally or state chartered bank that has a significant relationship with the local agency. The local agency must have held the securities used for the agreements for at least 30 days.</i>
D		P	
E		Q	
F		R	<i>"Medium-term notes" are defined in Section 53601 as "all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, 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."</i>
G		S	
H	<i>Percentages apply to all portfolio investments regardless of source of funds. For instance, cash from a reverse repurchase agreement would be subject to the restrictions.</i>	T	<i>No more than 10 percent invested in any one mutual fund. This limitation does not apply to money market mutual funds.</i>
I		U	
J	<i>No more than 30 percent of the agency's money may be in bankers' acceptances of any one commercial bank.</i>		<i>A mutual fund must receive the highest ranking by not less than two nationally recognized rating agencies or the fund must retain an investment advisor who is registered with the SEC (or exempt from registration), has assets under management in excess of \$500 million, and has at least five years' experience investing in instruments authorized by Sections 53601 and 53635.</i>
K	<i>Includes agencies defined as a city, a district, or other local agency that do not pool money in deposits or investment with other local agencies, other than local agencies that have the same governing body.</i>		<i>A money market mutual fund must receive the highest ranking by not less than two nationally recognized statistical rating organizations or retain an investment advisor registered with the SEC or exempt from registration and who has not less than five years' experience investing in money market instruments with assets under management in excess of \$500 million.</i>
L	<i>Local agencies, other than counties or a city and county, may purchase no more than 10 percent of the outstanding commercial paper of any single issuer.</i>		<i>Investments in notes, bonds, or other obligations under Section 53601(n) require that collateral be placed into the custody of a trust company or the trust department of a bank that is not affiliated with the issuer of the secured obligation, among other specific collateral requirements.</i>
	<i>Issuing corporation must be organized and operating within the U.S., have assets in excess of \$500 million, and debt other than commercial paper must be in a rating category of "A" or its equivalent or higher by a nationally recognized statistical rating organization, or the issuing corporation must be organized within the U.S. as a special purpose corporation, trust, or LLC, have program wide credit enhancements, and have commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally recognized statistical rating agency.</i>		<i>A joint powers authority pool must retain an investment advisor who is registered with the SEC (or exempt from registration), has assets under management in excess of \$500 million, and has at least five years' experience investing in instruments authorized by Section 53601, subdivisions (a) to (o).</i>
	<i>Includes agencies defined as a county, a city and county, or other local agency that pools money in deposits or investments with other local agencies, including local agencies that have the same governing body. Local agencies that pool exclusively with other local agencies that have the same governing body must adhere to the limits set forth in Section 53601(h)(2)(C).</i>		<i>Local entities can deposit between \$200 million and \$10 billion into the Voluntary Investment Program Fund, upon approval by their governing bodies. Deposits in the fund will be invested in the Pooled Money Investment Account.</i>
	<i>No more than 30 percent of the agency's money may be in negotiable certificates of deposit that are authorized under Section 53601(i).</i>		<i>Only those obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development (IBRD), International Finance Corporation (IFC), and Inter-American Development Bank (IADB), with a maximum remaining maturity of five years or less.</i>
	<i>No more than 30 percent of the agency's money may be invested in deposits, including certificates of deposit, through a placement service (excludes negotiable certificates of deposit authorized under Section 53601(i)).</i>		
	<i>Reverse repurchase agreements or securities lending agreements may exceed the 92-day term if the agreement includes a written codicil guaranteeing a minimum earning or</i>		

EAST BAY DISCHARGERS COMMISSION
EAST BAY DISCHARGERS AUTHORITY
ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 20-08

INTRODUCED BY _____

**RESOLUTION APPROVING REVISIONS TO THE AUTHORITY'S
INVESTMENT POLICY**

WHEREAS, the East Bay Dischargers Authority (Authority) is a Joint Powers Agency that has the fiduciary responsibility to manage funds and assets of its member agencies; and

WHEREAS, it is the policy of the Authority to invest public funds in a manner that conforms to California Government Code and other statutes governing the investment of public funds; and

WHEREAS, said Investment Policy shall be reviewed annually and any changes must be approved by the Commission of the East Bay Dischargers Authority (Commission) by resolution; and

WHEREAS, a separate investment strategy shall be developed for investment of the funds under Authority control; and

WHEREAS, updates to the Policy have been developed to ensure proper references to state documents and to provide flexibility to the Commission in setting the value of public official bonds; and

WHEREAS, the revised Policy has been reviewed by the Financial Management Committee and recommended for approval by the Commission.

NOW, THEREFORE, BE IT RESOLVED, the Commission of the Authority hereby adopts revisions to the Investment Policy.

SAN LORENZO, CALIFORNIA, MAY 21, 2020, ADOPTED BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

CHAIR
EAST BAY DISCHARGERS COMMISSION

ATTEST: _____
GENERAL MANAGER
EAST BAY DISCHARGERS AUTHORITY
EX OFFICIO SECRETARY



EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
San Lorenzo, CA 94580-1841
(510) 278-5910
FAX (510) 278-6547

A Joint Powers Public Agency

Pursuant to the Governor's Executive Order N-25-20 the Operations & Maintenance Meeting scheduled for May 19th at 9:00 a.m. will be telephonic. The dial-in number for the meeting is +1 669 900 6833 with meeting I.D. #996 7616 1047. Members of the public are encouraged to dial in to the meeting using the same number.

ITEM NO. 17

OPERATIONS & MAINTENANCE COMMITTEE AGENDA

Tuesday, May 19, 2020

9:00 A.M.

**East Bay Dischargers Authority
2651 Grant Avenue, San Lorenzo, CA 94580**

Committee Members: Cutter (Chair); Walters

OM1. Call to Order

OM2. Roll Call

OM3. Public Forum

OM4. EBDA Performance

(The Committee will be updated on EBDA's NPDES report.)

OM5. Status Report

(The Committee will be updated on EBDA's O&M activities.)

OM6. May 6, 2020 Bypass and May 12, 2020 Recycled Water Leak Incident Reports

(The Committee will discuss the incidents and responses.)

OM7. Draft Renewal and Replacement Fund Project List for Fiscal Year 2020/2021

(The Committee will discuss the Draft RRF Project List for FY 2020/2021)

OM8. Resolution Authorizing the General Manager to Issue a Credit to the City of San Leandro for Capital Reimbursements in the Amount of \$114,277

(The Committee will consider a resolution to issue a credit.)

OM9. Resolution Authorizing the General Manager to Issue a Purchase Order to R&B Company for a 60-Inch Romac Encapsulating Force Main Repair Coupling in the Amount of \$61,727

(The Committee will consider a resolution to issue a purchase order.)

OM10. Resolution Authorizing the General Manager to Issue a Purchase Order to Miller Pipeline for Flexible Internal Force Main Seals in the Amount of \$32,645

(The Committee will consider a resolution to issue a purchase order.)

OM11. Adjournment

Agenda Explanation
East Bay Dischargers Authority
O&M Agenda
May 19, 2020

(Any member of the public may address the Commission at the commencement of the meeting on any matter within the jurisdiction of the Commission. This should not relate to any item on the agenda. It is the policy of the Authority that each person addressing the Commission limit their presentation to three minutes. Non-English speakers using a translator will have a time limit of six minutes. Any member of the public desiring to provide comments to the Commission on an agenda item should do so at the time the item is considered. It is the policy of the Authority that oral comments be limited to three minutes per individual or ten minutes for an organization. Speaker's cards will be available in the Boardroom and are to be completed prior to speaking.)

(In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in an Authority meeting, or you need a copy of the agenda, or the agenda packet, in an appropriate alternative format, please contact the Administrative Assistant at the EBDA office at (510) 278-5910 or kyambao@ebda.org. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the Authority staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.)

(In compliance with SB 343, related writings of open session items are available for public inspection at East Bay Dischargers Authority, 2651 Grant Avenue, San Lorenzo, CA 94580. For your convenience, agenda items are posted on the East Bay Dischargers Authority website located at <http://www.ebda.org>.)

**The next O&M Committee meeting will be held
Tuesday, June 16, 2020, at 9:00 a.m.**

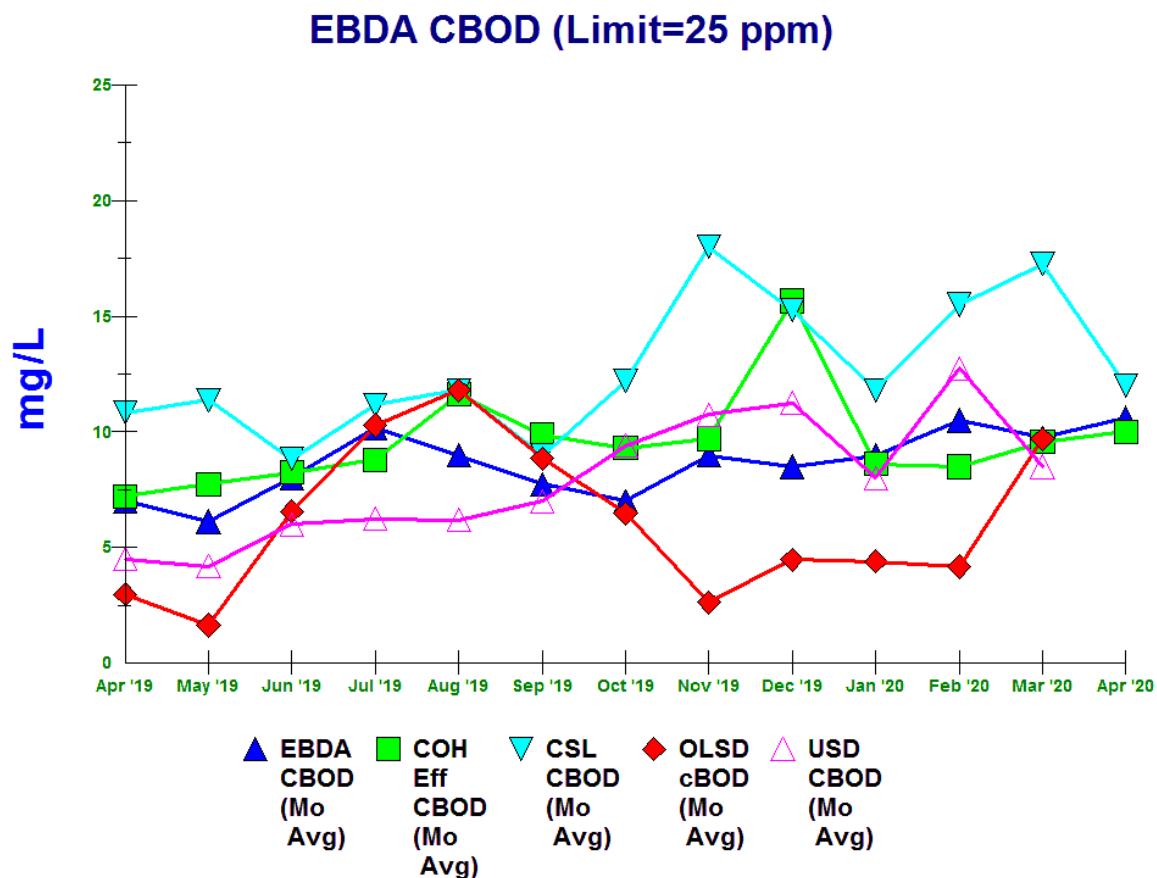
ITEM NO. OM4 EBDA PERFORMANCE

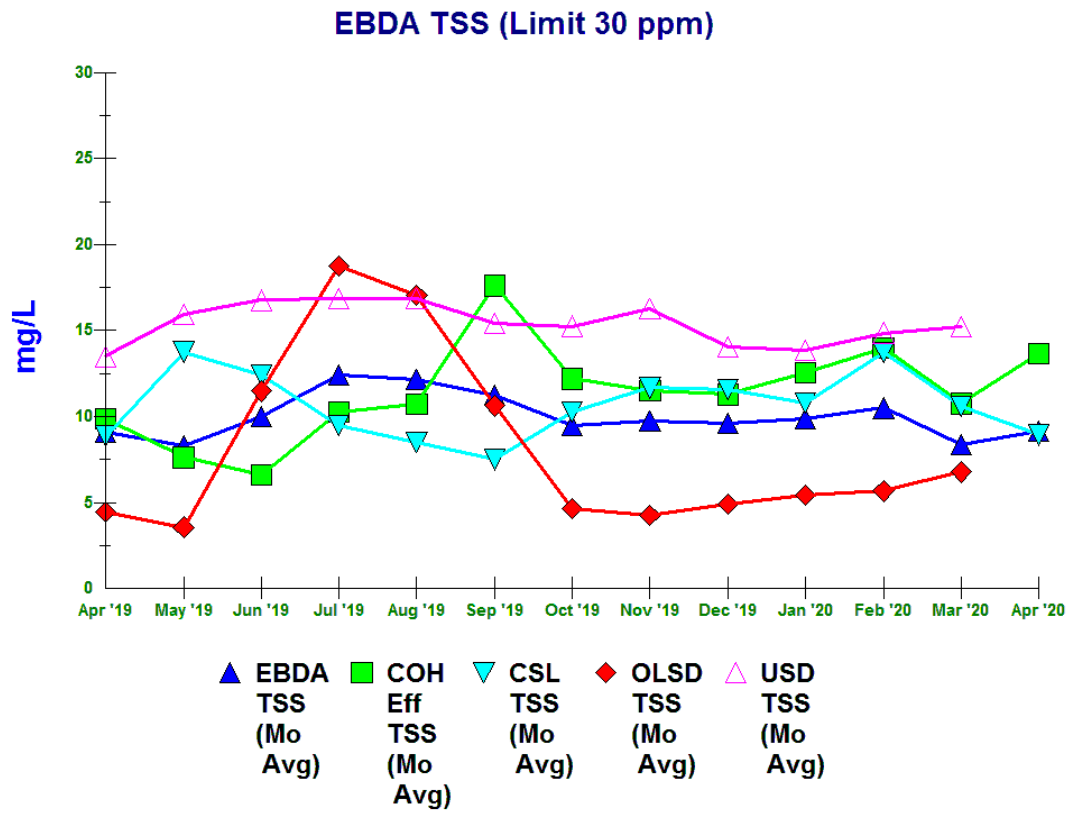
Recommendation

For the Committee's information only; no action is required.

Permit Compliance Issues



There were no NPDES permit violations in March and preliminary data from April are also free of permit exceedances. Member Agency CBOD and TSS performance are shown below. A table with bacterial indicators is also included. Following anomalous fecal coliform detections in November and December, results this calendar year have been back to expected levels for the lower temperature season. EBDA staff continues to appreciate Member Agency lab staff, and especially San Leandro lab staff for diligently continuing all sampling and analyses during the Shelter-in-Place order to ensure protection of the Bay.





EBDA EFF TSS

EBDA Bacterial Indicators

	FECAL	ENTERO
Date	MPN/ 100mL	MPN/ 100mL
Limit (90th Percentile)	1100	
Limit (Geomean)	500	240
May 2019, Geomean	14	2
June 2019, Geomean	16	3
July 2019, Geomean	9	< 3
August 2019, Geomean	32	< 3
Sept 2019, Geomean	12	3
Oct 2019, Geomean	35	2
Nov 2019, Geomean	32	 2
Dec 2019, Geomean	18	< 2
January 2020 Geomean	7	< 2
February 2020 Geomean	5	< 3
3/2/2020	13	2
3/3/2020	23	2
3/4/2020	13	< 2
3/9/2020	10	2
3/10/2020	8	2
3/16/2020	3	< 2
3/17/2020	2	7
3/23/2020	12	< 2
3/24/2020	4	< 2
3/30/2020	3	< 2
3/31/2020	33	< 2
March 2020 Geomean	8	< 2
4/6/2020	3	< 2
4/7/2020	4	4
4/8/2020	33	< 2
4/13/2020	2	< 2
4/14/2020	< 2	2
4/15/2020	< 2	< 2
4/20/2020	5	2
4/21/2020	4	2
4/22/2020	< 2	2
4/27/2020	3	< 2
4/28/2020	7	2
April 2020 Geomean	4	 2

ITEM NO. OM5 STATUS REPORT

Alvarado Effluent Pump Station (AEPS)

Effluent Pump No. 2 Variable Frequency Drive (VFD)

On April 29, 2020, USD notified EBDA that the VFD for Effluent Pump No. 2 blew a 250 Amp fuse. Rockwell Automation Field Service inspected the VFD on May 5, 2020. The Field Service Engineer determined that the center pole lower portion of the transformer was burned and needed to be replaced. EBDA staff is in the process of obtaining quotes for repair or replacement of the center pole of the transformer.



Effluent Pump No. 2 VFD Transformer

Hayward Effluent Pump Station (HEPS)

Motor Control Center (MCC) Replacement Project

On May 1, 2020, GSE Construction, Inc. (GSE) completed the installation of the new stairs into the MCC building and the new platform around the generator.



MCC Building East End Stairs



MCC Building West End Stairs



Generator Platform

The last outstanding items on this project are thermographic imaging of the electrical equipment in the new MCC building and training on the new MCC equipment and pump station valves. The thermographic imaging and training are postponed until the COVID-19 Shelter-in-Place order is lifted and Member Agency staff resume normal operations.

Oro Loma Effluent Pump Station (OLEPS)

Bypass Incident

On May 6, 2020, OLEPS flow was discharged through the Oro Loma emergency outfall due to a power failure. Additional details are provided in Item No. OM6.

Emergency Generator Tachometer Upgrade

On May 19, 2020, Scot Campbell with Bay Power, LLC, is scheduled to complete the installation of the new electronic tachometer/speed switch. The work was originally scheduled for March 19, 2020, however this upgrade was postponed due to the COVID-19 Shelter-in-Place order. The generator is currently in service; this installation will improve reliability.

Electrical Improvements

On May 7, 2020, the new breaker and MCC bucket arrived and was installed in OLSD's new blower building. OLEPS now has a redundant source of emergency power from OLSD. The breaker was originally scheduled to arrive on Thursday and be installed on Friday, but due to the bypass incident, EBDA requested that the contractor work overtime to complete the installation on Thursday, May 7.

Dechlorination System Asphalt Pad

On April 22, 2020, the paving subcontractor for OLSD's Nutrient Optimization Project installed a Captor tank access pad at the OLEPS dechlorination system. Staff requested a quote to install a concrete pad, but it was deemed too expensive at \$8,688. The quote for the asphalt pad was \$2,147. The new asphalt pad will improve safety when working around the tank with a forklift. A safety orange water-filled barrier will be placed at the end of the pad closest to the tank to complete the project.



Captor Tank Access Pad

San Leandro Effluent Pump Station (SLEPS)

No change; all equipment is operational.

Skywest Pump Station

Recycled Water Production

During the month of April 2020, the Skywest Recycled Water System produced 2.64 million gallons of recycled water.

Recycled Water Pipeline Leak

On May 12, 2020, a failed coupling was discovered on the Skywest recycled water pipeline resulting in a leak to Bockman Canal. See Item No. OM6 for further details.

Marina Dechlorination Facility (MDF)

No change; all equipment is operational.

Force Main

Transport System Repair Couplings & Seals

Staff is recommending approval of resolutions to procure couplings and seals to be used in the event of a force main failure. See Items No. OM8, OM9 & OM10.

Operations Center

EBDA Office Dry Rot Repair & Window Replacement

Dry rot was discovered under the windows in the General Manager's and O&M Manager's offices. The FY 2018/2019 RRF project list approved by the Commission included \$40,000 for office upgrades, which included addressing this issue. Staff plans to replace the bottom portion of these two windows, as well as an additional two in the common area – with windows that will open, allowing fresh air to circulate in the office.

On April 30, 2020, the replacement office windows were ordered. Once the windows are installed, the dry rot will be mitigated. The cost of the new windows is approximately \$2,500 including installation, and the cost of the dry rot repair is approximately \$2,000.

Miscellaneous Items

Underground Service Alerts

EBDA received thirty-five (35) Underground Service Alert (USA) tickets during the month of April 2020. Three required field verification.

Wet Weather

During the month of April 2020, there were no significant rain events that required the operation of an OLEPS diesel pump or discharge to the Hayward Ponds.

COVID-19 Response

Authority staff is implementing its Pandemic Response Plan, which includes staff primarily working from home and alternating time in the office to ensure social distancing. Signage regarding closure of the office to the public and the Authority's social distancing measures has been posted on the office door. All meetings are being conducted by phone and web conference.

The Authority is not currently incurring any costs that are expected to be recoverable through FEMA. Staff therefore does not recommend that the Authority declare a State of Emergency at this time, but will continue to monitor the situation, including state and federal guidance on eligibility for cost recovery.

Staff is also continuing to track research efforts utilizing data on the prevalence of SARS-CoV-2 virus in wastewater to track and anticipate COVID-19 community trends. To date, Oro Loma has participated in a study by the University of Arizona, and agencies are evaluating participation in a study by the private company BioBot, among others. The Stanford/Berkeley study currently has sufficient participants, but staff will keep in touch with researchers and offer assistance as needed. More information on research related to COVID-19 and wastewater can be found here: <https://casaweb.org/research/>. This site is part of an overall resource page that the California Association of Sanitation Agencies has set up for agencies here: <https://casaweb.org/covid-19/>.

Special Projects

Advanced Quantitative Precipitation Information (AQPI) Project

The regional AQPI project, to improve prediction of rainfall events in the Bay Area, continues to move forward. The Cooperative Agreement for installation of the X-band radar in the East Bay has been approved by the East Bay agencies, but approval by Sonoma County Water District, the implementing agency, has been slowed due to the COVID-19 emergency. Approval is now slated for June, with installation of the X-band at Rocky Ridge now estimated for September. Because of the delay, Sonoma Water does not anticipate billing agencies for their portion of the costs until work is underway. Staff expects EBDA's contribution to be made in FY 2020/2021 rather than FY 2019/2020 as originally predicted. Therefore, staff is recommending carrying over the \$29,000 budget item as noted in Item No. FM11.

Planning is also underway on a regional partnership agreement to fund the O&M of the system beyond 2021, when the original Department of Water Resources grant concludes. A User Group to discuss format and delivery of data for maximum benefit to wastewater agencies is also being formed.

ITEM NO. OM6 MAY 6, 2020 BYPASS AND MAY 12, 2020 RECYCLED WATER LEAK INCIDENT REPORTS

Recommendation

For the Committee's information only; no action is required.

Discussion

On May 6, 2020, the Authority had an unauthorized bypass of treated wastewater to San Francisco Bay via the Oro Loma emergency overflow structure, which the Authority is permitted to use only in wet weather. The attached report submitted to the Regional Water Board on May 13, 2020 provides full details of the incident and corrective action measures being undertaken.

On May 12, 2020, a leak in the Skywest recycled water line was identified along Bockman Canal that resulted in recycled water entering the Canal. 3200 gallons of chlorinated recycled water leaked into the Canal. Oro Loma staff staunched the leak by positioning a Vactor truck and pumped the Canal water back to the plant to ensure no chlorinated water or dechlorinating agent reached the Bay.

EBDA staff would like to thank the rapid response and superior efforts of Member Agency staff in these two events. In particular, Oro Loma operations, maintenance, collections, and lab staff went above and beyond to protect the Bay.



EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
San Lorenzo, CA 94580-1841
(510) 278-5910
FAX (510) 278-6547

A Joint Powers Public Agency

To: James Parrish, Regional Water Quality Control Board
From: Jacqueline Zipkin, P.E.
Date: May 13, 2020
Re: Unanticipated Bypass Notification – May 6, 2020 Shallow Water Discharge
5-day Report

Introduction

On the evening of May 6, 2020, East Bay Dischargers Authority (EBDA) had an unanticipated bypass of wastewater through its shallow water emergency outfall at Oro Loma Sanitary District. Approximately 35,000 gallons of chlorinated secondary effluent was discharged, followed by approximately 132,000 gallons of dechlorinated fully compliant secondary effluent (total release of 167,000 gallons).

EBDA provided notification of the incident to California Office of Emergency Services (Control Number 20-2481) and to Regional Water Board staff as required in our NPDES Permit (Order No. R2-2017-0016, NPDES No. CA0037869). The permit states:

A written report shall also be provided within five (5) days of the time the Discharger becomes aware of the circumstances. The report shall contain a description of the noncompliance and its cause; the period of noncompliance, including exact dates and times, and if the noncompliance has not been corrected, the anticipated time it is expected to continue; and steps taken or planned to reduce, eliminate, and prevent reoccurrence of the noncompliance.

Within five business days following the two-hour notification, the Discharger shall submit a written report that includes, in addition to the information listed in Provision V.E.2.a, above, the following:

- i. Methods used to delineate the geographical extent of the unauthorized discharge within receiving waters;
- ii. Efforts implemented to minimize public exposure to the unauthorized discharge;
- iii. Visual observations of the impacts (if any) noted in the receiving waters (e.g., fish kill, discoloration of receiving water) and extent of sampling if conducted;
- iv. Corrective measures taken to minimize the impact of the unauthorized discharge;
- v. Measures to be taken to minimize the potential for a similar unauthorized discharge in the future;

CHAIR	VICE-CHAIR	COMMISSIONER	COMMISSIONER	COMMISSIONER	GENERAL MANAGER
Pauline Russo Cutter	Daniel Walters	Anjali Lathi	Ralph Johnson	Sara Lamnin	Jacqueline T. Zipkin
City of San Leandro	Oro Loma S.D.	Union S.D.	Castro Valley S.D.	City of Hayward	LEGAL COUNSEL
					Eric S. Casher

- vi. Summary of Spill Prevention Plan or Operation and Maintenance Manual modifications to be made, if necessary, to minimize the potential for future unauthorized discharges; and
- vii. Quantity and duration of the unauthorized discharge, and the amount recovered.

This report serves as our 5-day written report to fulfill the above requirements.

Background and Overview of Station Operation

EBDA's Oro Loma Effluent Pump Station (OLEPS) receives chlorinated secondary effluent from Union Sanitary District (USD)'s Alvarado Wastewater Treatment Plant, City of Hayward (COH)'s Water Pollution Control Plant, and Oro Loma Sanitary District (OLSD)'s Wastewater Treatment Plant. Flows are pumped north from OLEPS to the Marina Dechlorination Facility (MDF), where they are combined with secondary effluent from the Livermore-Amador Valley Water Management Authority (LAVWMA) and the City of San Leandro (CSL)'s Water Pollution Control Plant, dechlorinated with sodium bisulfite, and discharged to San Francisco Bay via EBDA's deep water outfall (see Attachment 1 for an isometric diagram of the EBDA system).

During dry weather low flows, OLEPS typically operates using one of two electric pumps. Two diesel pumps are available at the station to pump high wet weather flows and to function as back-up to the electric pumps. The diesel pumps do, however, need some electric power to run. In the event of a power outage, they start automatically and shut down after a period of time if backup power is not available. Backup power is needed to run their fans and lube pumps to keep them functioning properly.

EBDA maintains a station emergency generator at OLEPS to provide auxiliary power to the diesel engines in the event of a power failure. As detailed later in this report, that generator was identified by EBDA as a vulnerability due to its age, and an electrical upgrade for the facility was underway at the time of this incident to connect OLEPS to OLSD's backup power system. As an additional precautionary measure in case of a failure of primary power and the station generator, a portable generator supplied by OLSD was connected at OLEPS.

When the pumps at OLEPS fail to run, the wet well fills and ultimately overflows to the EBDA's Oro Loma shallow water outfall. EBDA's permit allows for discharge of compliant effluent through the shallow water outfall when wet weather flows exceed the capacity of the EBDA system to discharge through MDF. An emergency dechlorination system dechlorinates the effluent prior to discharge. Under wet weather conditions, the dechlor system (pump and valve) operates automatically. The system is connected to station power, and thus when station power fails, the dechlor valve must be manually opened to initiate dechlor chemical flow by gravity.

See Attachment 2 for a schematic of OLEPS and Attachment 3 for a map of relevant facilities.

Incident Description

At 11:04 pm on May 6, 2020, PG&E power to OLEPS failed. The station generator was out of service due to a repair underway (see later section for additional details). The portable generator, which had been successfully tested the previous day, failed to stay running. Upon determining that the

generator would not run reliably, the following corrective actions were initiated to minimize the likelihood and impact of a discharge:

- Requested that COH divert flows to Hayward Ponds
- Requested that USD reduce flows
- Attempted to divert OLSD flows to OLSD equalization (EQ)
- Manually opened the dechlor valve at the emergency outfall structure to initiate gravity chemical feed
- Secured OLSD influent pumps

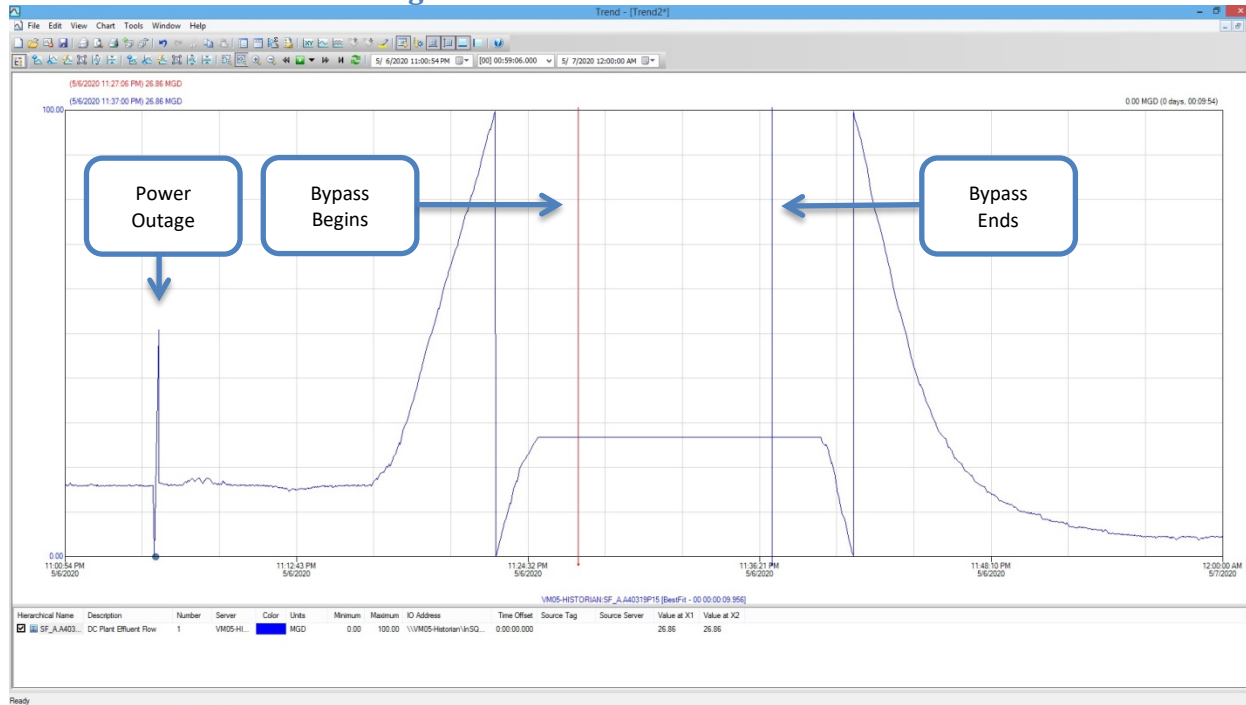
At approximately 11:27pm, the OLEPS wet well began overflowing to the emergency outfall. PG&E power was restored at approximately 11:33pm and the electric pumps resumed pumping to MDF. With the power restored, the dechlor system started automatically and the manual valve was closed.

EBDA estimates that the discharged ceased at 11:37pm based on a visual observation made by the EBDA O&M Manager at 11:36pm that the overflow was ongoing, and a level reading at 11:38pm showing that the level had dropped below overflow level.

A complete timeline of the incident is included as Attachment 4.

Due to the power outage, OLEPS wet well levels and flow data for the time of the incident are not available. The start of the overflow was therefore estimated using Figure 1 below, which is the OLSD's effluent flow meter trend from OLSD's SCADA system. The spike on the left side of the diagram represents the power outage. The subsequent erroneous increase in flow is the result of the OLSD's contact tanks backing up. Once the "flow" reaches the top of the chart, the level in the contact tanks reaches the blanking distance of the instrument, causing the drop to zero and the subsequent flat line. Approximately three minutes after that, at 11:27, the bypass begins. Conversely, the bypass ends at 11:37, and three minutes later the level in the contact tanks drops below the blanking distance, the "flow" drops to zero and back up to the top of the chart, and gradually returns to indicating the correct flow. Because staff has confidence in the time at which the overflow ceased, we were able to work backwards to determine the time at which it started. The time period between the end of the overflow and the point at which the instrument comes back onto the chart is the same as the time period between when the instrument begins to go off the chart and when the overflow begins.

Figure 1 - OSLD Effluent Meter Trend



In past events that have occurred under similar flow conditions, OLEPS has been offline for 20 minutes without overflow. This experience provides additional support for the assumption that the overflow began during the 23rd minute the station was offline.

Figure 2 is a photo of the outfall shortly after the incident. No sampling was conducted due to inability to access the discharge safely in the middle of the night.

Figure 2 - Outfall shortly after the incident at approximately 00:09



Discharge Quality and Quantity

Because flow to the outfall is not metered, a minute by minute calculation was performed to estimate the quantity of discharge using the following approach:

OLEPS influent = USD flow + OLSD flow

OLEPS effluent = MDF flow – (LAVWMA flow + San Leandro flow)

Discharge quantity = OLEPS influent - OLEPS effluent

Attachment 5 graphically illustrates this approach.

The detailed calculation is included as Attachment 6 and incorporates data from MDF, USD, CSL, LAVWMA, and OLSD's SCADA systems. For OLSD effluent, the SCADA data could not be used because, as noted above, the OLSD effluent flow meter reads erroneously high when levels increase as they did in this incident. To address this, OLSD's effluent value from prior to the power failure was used and assumed to be constant throughout the event. This assumption is conservative, in that as the incident was occurring and flow was backing up in OLSD's plant, the actual effluent value would likely have decreased.

The calculation shows that an estimated 35,347 gallons were discharged during the two minutes of overflow prior to manual activation of the dechlorination system. Subsequently, another 131,597 gallons of fully treated and dechlorinated wastewater was discharged before pumping was restored. The discharge mixed with Bay water and was not recovered. The flow values for MDF beyond the timeline of the incident show the OLEPs flows returning to MDF, providing further support that the OLSD discharge had ceased.

At the time the discharge began, chlorine residual was 2.6 mg/L. Two minutes after the discharge began, staff was able to initiate the dechlorination system and began adding calcium thiosulfate (Captor®). Approximately 8 gallons of Captor were added, resulting in a quantity over four times the amount sufficient to dechlorinate the total volume discharged (see Attachment 7 for calculation). At 02:34, an additional 6 gallons of captor was added at the outfall as a drawdown test of the dechlor system.

The photos in Figure 3 were taken the morning after the incident. As can be seen, significant debris is present in the outfall structure, which would have added to the mixing of the chlorinated effluent with the subsequent dechlorinated effluent with its extra Captor and the Bay water. High tide the night of the incident occurred at 12:29 am, adding to the mixing and dilution.

Figure 3 – Outfall the day following the incident at approximately 13:04



At the time visual inspections were completed the night of the incident (Figure 2) and the next day (Figure 3), no impacts were observed. Samples were not taken the following day due to the expectation that the discharge had been fully mixed and drawn out to open water overnight.

The risk of public exposure was deemed low risk due to the following factors:

- The discharge was secondary treated wastewater
- There is no safe public access to the Bay at this location
- The incident occurred in the middle of the night, and no signs of it were present by the next morning

Preventive Measures

As described above and shown in Attachment 2, OLEPS has multiple layers of redundancy to prevent unauthorized discharges and any associated impacts. The status of each element is outlined in this section.

Diesel Pumps

As noted above, the diesel pumps provide the first line of backup in the event of a power failure. The diesel pumps start automatically when a power failure is detected, but they shut down after a period of time if auxiliary power fails to start, which is needed for the fan and lube pump to protect the engine. The pumps worked as intended on the night of the incident.

Station Generator

The OLEPS Station Generator is a Pavid Manufacturing 75kW standby diesel engine-driven standby generator (see Figure 4). Though it is approximately 40 years old, it has historically been very reliable. Due to its age, EBDA had initiated a station electrical upgrade, described in a subsequent section. OLSD staff continued to maintain and test the generator under contract to EBDA. Recent generator run logs indicating that the generator was run on a monthly basis are included as Attachment 8. The most recent successful test was May 4, 2020.

Figure 4 – OLEPS Station Generator



On May 5, 2020, staff identified a bad rectifier anode on the voltage regulator for the EBDA standby generator. An OLSD maintenance mechanic was running the generator late in the day when it stopped producing power. The maintenance mechanic, OLSD Maintenance Manager & the EBDA O&M Manager worked until approximately 16:45 to identify the issue. It was too late to try to source to part at that time, so it was ordered on the morning of May 6, 2020 for next day delivery. The rectifier order and packing slip are included as Attachment 9.

This incident occurred on the night of May 6, 2020 while EBDA was awaiting the part. On May 7, 2020, the new rectifier arrived and was installed in the voltage regulator, which tested normal. The mechanic that installed the rectifier then assisted with the installation of the backup bower breaker from OLSD

and assisted with the testing of that new system until late that day. On May 8, 2020 staff installed the repaired voltage regulator, ran the standby generator with no problems, and returned it to service.

Portable Generator

In recognition that the station generator was vulnerable due to its age, a 104kW Baldor portable generator was hooked up to OLEPS on February 9, 2020 as an interim measure for redundant power while the electrical upgrades were completed. Regular maintenance was performed on the portable generator in accordance with OLSD's procedures for all their generators.

Attachment 10 shows recent work orders for the portable generator. On March 10, 2020 the batteries were replaced and the generator was test run without incident. The monthly preventative maintenance (PM) to exercise the generator was completed on April 17, 2020, the engine ran with no problems. On April 24, 2020, the OLEPS outlet that the portable generator battery charger was plugged into was replaced.

With the failure of the station generator, staff test ran the portable generator at 18:10 on the night of May 5, 2020 (see Attachment 11 for notes from OLSD's operations e-logger). The portable generator operated without incident.

On the night of the incident, May 6, 2020, when PG&E power failed, the operator's first action was to start the portable generator. For unknown reasons, during the incident, the generator would start but failed to stay running. Staff has since been unable to recreate the conditions for the generator failure. The portable generator was tested several times since the incident, including right after power was restored, and it started each time without issues.

OLSD Backup Power

In June 2019, in recognition of the need to increase redundancy and reliability of power at OLEPS, EBDA's Commission approved an electrical improvements project as part of its FY 2019/2020 Renewal and Replacement Fund Project List. In September 2019, EBDA staff requested that Beecher Engineering, Inc., EBDA's contract electrical engineer, prepare a report outlining the OLEPS standby power requirements and whether OLSD could provide the required standby power for the station. On September 20, 2019, Beecher provided a Memorandum indicating that OLSD can provide the required standby power to OLEPS. Under this approach, OLSD's backup generator will provide power to OLEPS in the event of a PG&E power failure and a failure of the OLEPS emergency generator.

EBDA then moved forward to implement the project. The first step was installation of underground conduits between OLSD's new Blower Building and OLEPS, which was completed in December 2019. The next phase of the OLEPS emergency power project included installing new conduits inside OLEPS, and installing wires in the conduits to connect the redundant source of emergency power from OLSD. Those elements were completed on April 3, 2020. The last critical phase of the project was connecting a 150-amp circuit breaker at the new OLSD blower MCC to the EBDA manual transfer switch outside the EBDA building. EBDA provided the specifications for the breaker and MCC bucket to the contractor on January 28, 2020. The contractor provided EBDA with a submittal on April 9, 2020, which EBDA approved and returned that same day. The breaker and MCC bucket had been scheduled to arrive on May 7, 2020 and be installed May 8, 2020. Following this incident, EBDA asked the contractor to work overtime to complete the project on May 7, 2020.

OLSD power is now connected to OLEPS. The operational strategy is for the station to default to OLSD backup power in the event of a PG&E power failure. If OLSD backup power fails, the operator will switch the manual transfer switch and start up the OLEPS generator. The portable generator also continues to be staged at OLEPS but is not connected at this time.

In its FY 2020/2021 Renewal and Replacement Fund Project List, which will be reviewed by EBDA's Commission the week of May 18, 2020, staff has included an additional project to improve electrical reliability at OLEPS. This next phase of the project includes replacement of the breakers and refurbishment of the Main Switchboard, as well as two new automatic transfer switches (ATS's). Once these improvements are installed, the operational approach will be for the OLEPS generator to be the primary source of backup power in the event of PG&E failure. If the station generator fails to start, the power feed would transfer automatically to OLSD's backup power. Replacement of the station generator is also included as part of the improvements project and will be evaluated in further detail before the project proceeds.

Storage Volume

Initially when the OLEPS pumps are offline, the OLEPS wet well will begin to fill. Subsequently if the pumps remain offline, the flow will eventually back up into the OLSD contact tanks, which can hold roughly four times the volume (see aerial photo in Attachment 3). The system overflows to the emergency outfall only when this volume is exceeded.

Staff has added a project to the FY 2020/2021 Renewal and Replacement Fund Project List to evaluate raising the weir at the emergency outfall structure, thus increasing the storage volume and buying additional time before the overflow level is reached.

Dechlorination

Under normal conditions, flow is pumped to MDF for dechlorination using sodium hypochlorite (SBS). An emergency dechlorination station at the Oro Loma outfall is equipped with Captor for dechlorination of any discharge through the outfall. The dechlorination system is also connected to OLEPS station power. If there is no power to the system, a bypass valve must be manually opened to initiate gravity dechlorination. The operator's priority was to start the portable generator, which he worked on for a number of minutes. When he ultimately determined that the generator would not start, he attempted to divert OLSD's flow to their EQ. Immediately after that, he went to the outfall and manually opened the dechlor valve. At that time, the overflow had been occurring for two minutes.

Staff is considering additional improvements to ensure reliability of the dechlor system as a fail-safe in the event of a discharge. In particular, OLSD is currently in construction on a sophisticated dechlor system as part of the improvements for its newly permitted shallow water discharge. EBDA staff will work with OLSD staff to determine whether there is a way to connect OLSD's system to EBDA's emergency outfall.

During the incident, additional SBS was also added at MDF as a preventative measure due to the expectation of large flow variations.

Operations and Planning

As part of a plant-wide effort to develop state-of-the-art electronic Standard Operating Procedures (SOPs), EBDA has partnered with OLSD to revamp the OLEPS SOP. The \$32,000 OLEPS SOP project is currently underway with completion expected in the next few months. Station improvements and lessons learned from this incident will be incorporated in the new SOP.

On May 7-11, 2020, the EBDA O&M Manager trained all shifts of OLSD operators on the new OLEPS backup power system and procedures for power outages.

On March 16, 2020, EBDA staff circulated the draft OLEPS Emergency Bypass SOP included as Attachment 12. This SOP was followed during the May 6, 2020 incident, and based on lessons learned, staff has proposed the modifications shown in Attachment 13. This updated SOP will be reviewed with OLSD staff and incorporated in the overall OLEPS SOP update.

In addition, staff is evaluating strategies to automate flow diversions upstream of the station in the event of a power failure. In this event, flows from OLSD, Hayward, and Union were curtailed by operators at those stations upon notification by EBDA's O&M Manager that there was a problem at OLEPS. Staff is investigating approaches such as automatically shutting off OLSD's influent pumps and Hayward's effluent pumps upon receipt of an alarm that OLEPS is without power (with some delay built in for generator startup).

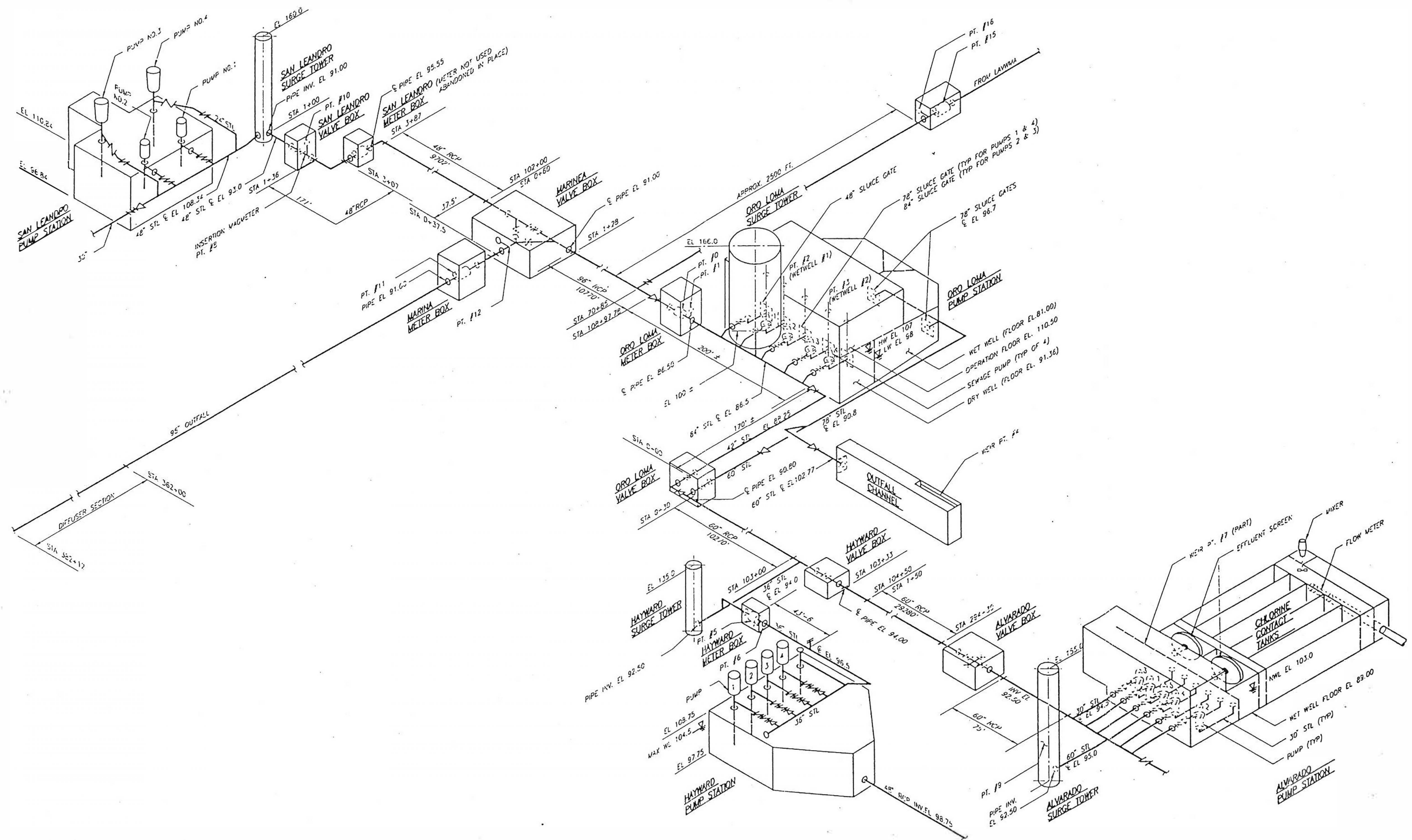
Summary and Next Steps

In summary, the discharge of treated wastewater to San Francisco Bay via the Oro Loma shallow water outfall on May 6, 2020 resulted from a power failure compounded by failure of a portable generator at OLEPS. As of May 8, 2020, the station is connected to OLSD for backup power, the station generator is functioning and connected, and a portable generator is staged as an additional backup.

While there was an initial release of chlorine in the treated wastewater, EBDA believes that it was likely neutralized by sufficient dechlorinating agent in the subsequent discharge, and the full discharge was well-mixed, entering the Bay at nearly high tide. Risk to human health was extremely low, and no impacts to fish or wildlife were observed.

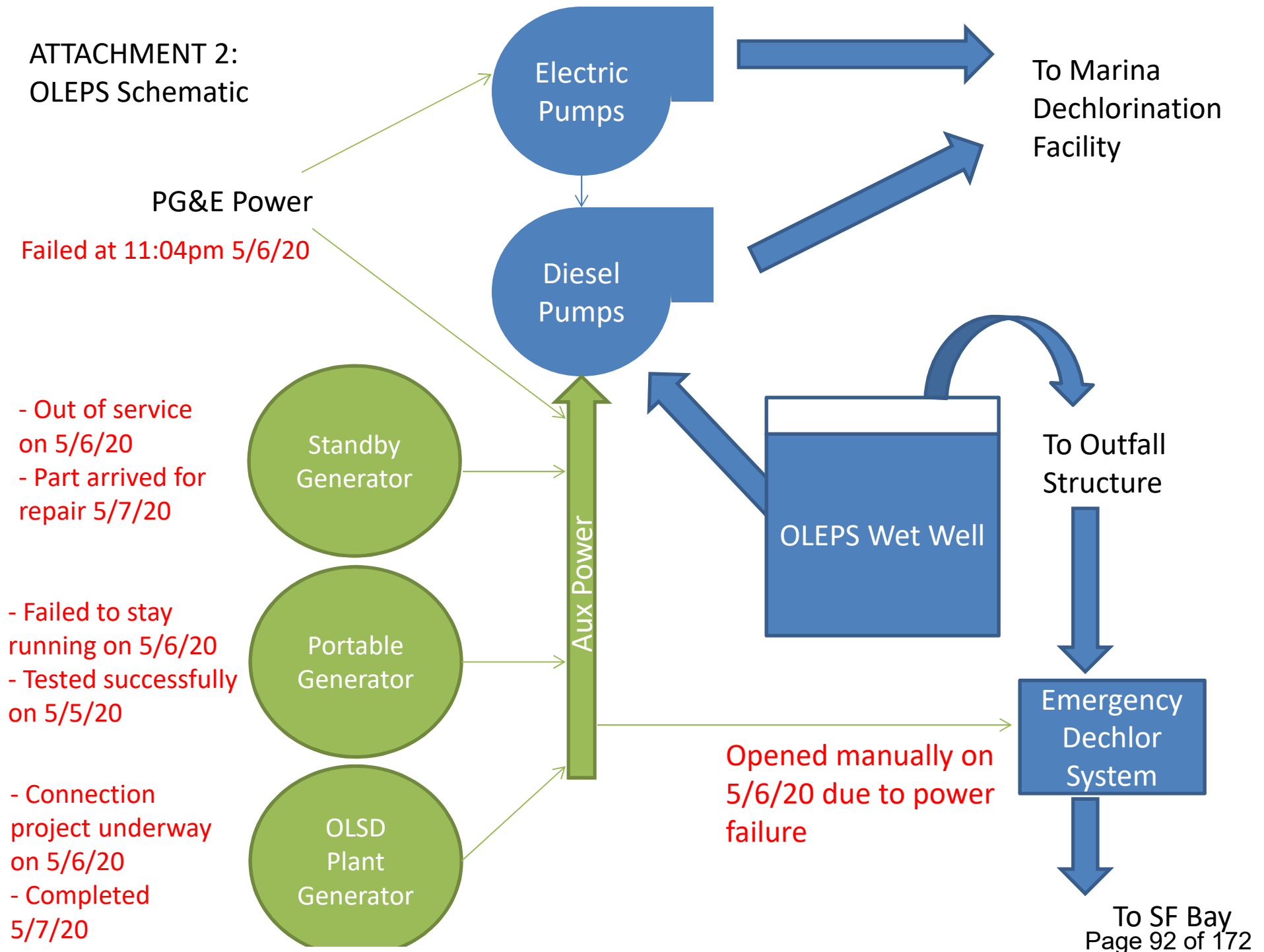
EBDA plans to implement the following improvements to further reduce the risk of future occurrences:

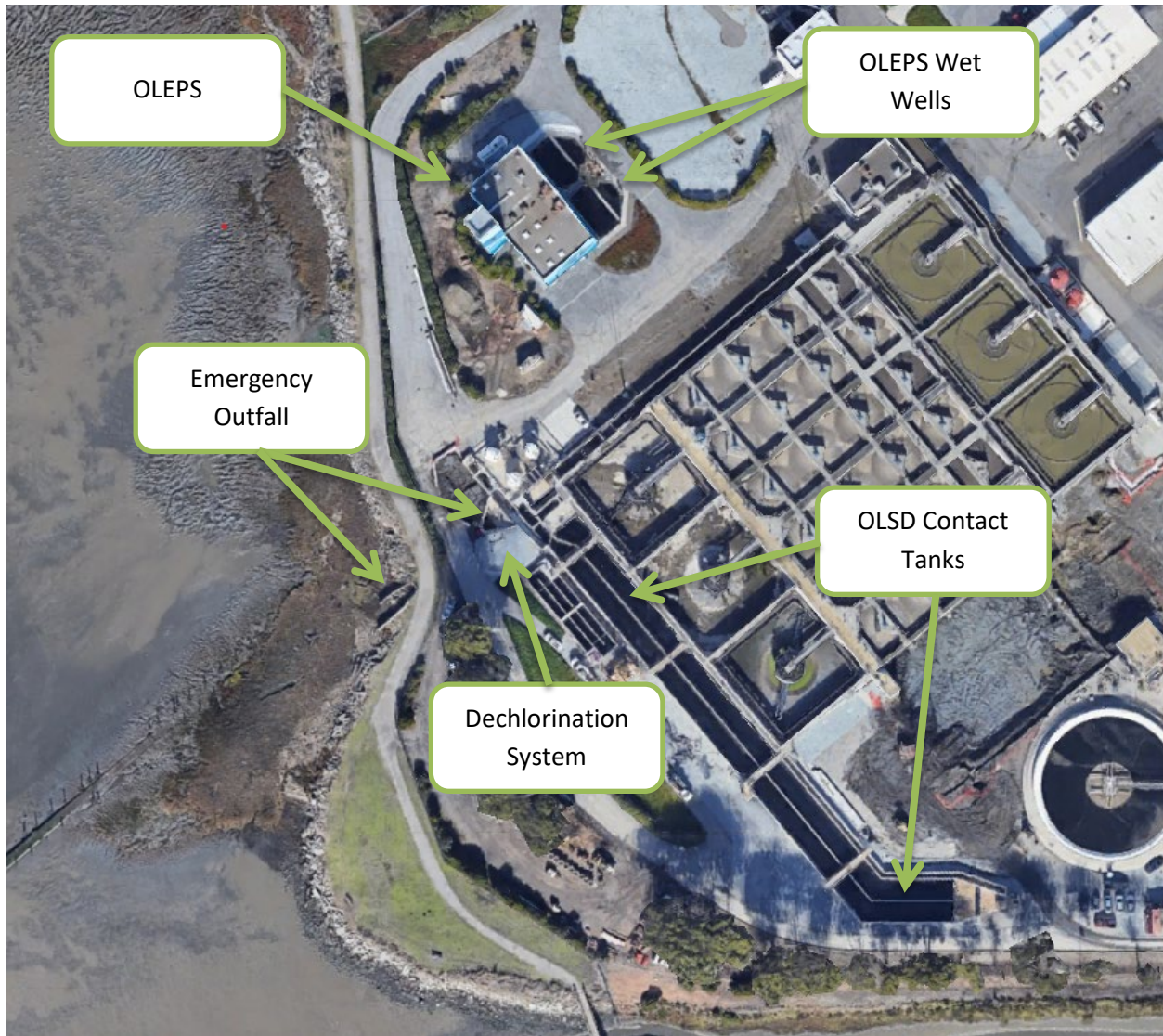
- Replace the breakers and refurbish the Main Switchboard at OLEPS
- Install of two new automatic transfer switches at OLEPS
- Evaluate the replacement of the OLEPS emergency generator
- Evaluate connection of the OLSD dechlor system to the emergency outfall
- Automate diversions of upstream flows in the event of a failure at OLEPS
- Raise the weir to the emergency outfall



ATTACHMENT 1 - THE EBDA SYSTEM

ATTACHMENT 2:
OLEPS Schematic

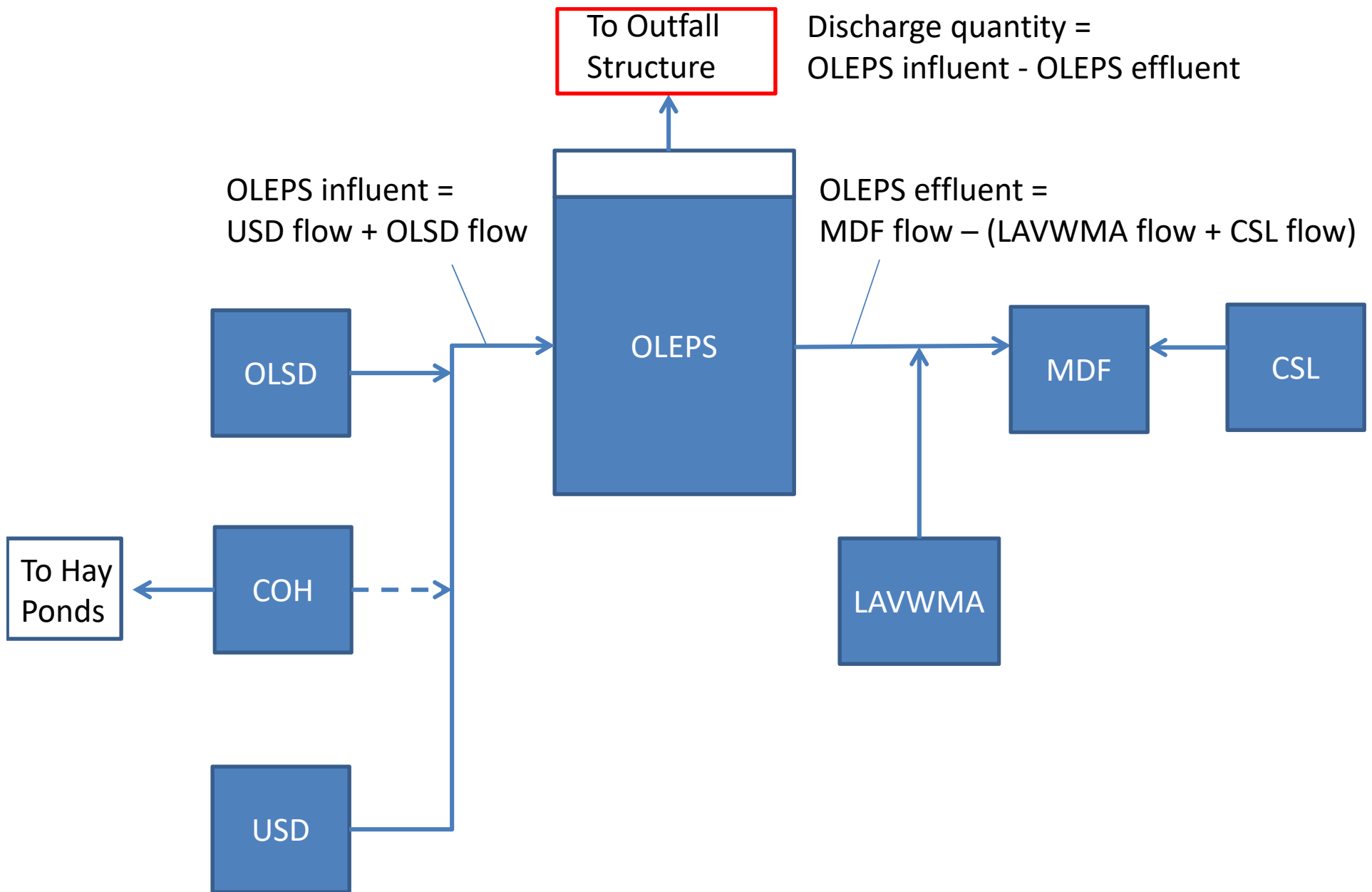




ATTACHMENT 3 – MAP

ATTACHMENT 4 – May 6, 2020 Incident Timeline

23:04 – Power failure at OLEPS
23:08 – O&M Received alarms & called OLSD operator – start portable generator
23:10 – O&M called COH operator to secure flow from HEPS – turn off pumps
23:13 – From COH – pumps were secured – no HEPS flow to OLEPS
23:12 ~ O&M Increased sodium bisulfite dose at MDF
23:15 – O&M called OLSD operator – portable generator would not stay running –
OLSD operator asked to divert OLSD flow to EQ
23:16 – O&M called COH operator to divert flow to the Hayward Ponds
23:18 – O&M called USD operator to reduce flow
23:20 – From USD – started reducing flow
23:20 – From COH – HEPS flow diverted to the Hayward Ponds
23:27 – O&M called OLSD operator – manual dechlor on & influent pumps off
23:28 ~ From OLSD – Manual dechlor on
23:33 – From OLSD – influent pumps were secured
23:33 – O&M adjusting dechlor
23:33 ~ Power back on
23:34 – O&M called OLSD operator – power back on
00:00 – O&M called USD operator to return flow slowly
00:02 – From USD – started returning flow gradually
00:03 – From OLSD – started one influent pump
00:09 – Inspected outfall area
00:31 – O&M called COH operator to return flow
02:35 – Additional Captor added at outfall



ATTACHMENT 5: OLEPS and EBDA System Flow Schematic

ATTACHMENT 6 - Discharge Calculation

Time	USD Flow	OLSD Flow	OLEPS Influent	MDF Flow	LAVWMA Flow	CSL Flow	OLEPS Effluent	Discharge Quantity MGD	Discharge Quantity Gallons	Total	
23:27	30.5	16.1	46.6	36.1	9.8	5.7	20.6	26.0	18,056	35,347	Total gallons of secondary treated chlorinated water
23:28	30.6	16.1	46.7	36.8	10.0	5.0	21.8	24.9	17,292		
23:29	30.8	16.1	46.9	37.9	10.4	4.8	22.7	24.2	16,806		
23:30	30.6	16.1	46.7	37.8	10.4	5.2	22.2	24.5	17,014		
23:31	30.3	16.1	46.4	38.3	10.8	6.0	21.5	24.9	17,292		
23:32	30.1	16.1	46.2	38.5	11.1	6.3	21.1	25.1	17,431		
23:33	29.6	16.1	45.7	38.7	11.0	6.7	21.0	24.7	17,153		
23:34	28.9	16.1	45.0	38.7	11.4	6.3	21.0	24.0	16,667	131,597	Total gallons of fully treated wastewater
23:35	28.0	16.1	44.1	40.4	11.3	5.9	23.2	20.9	14,514		
23:36	27.2	16.1	43.3	38.0	10.3	5.6	22.1	21.2	14,722		
23:37				41.3							
23:38				48.7							
23:39				67.0							
23:40				83.2							
23:41				94.4							
23:42				102.1							
										166,944	Total gallons

ATTACHMENT 7 - Captor Dosage

Dosage Rates for Dechlorination										
Gallons of Captor [®] per million gallons of water Parts per Million Chlorine										
	1	2	3	4	5	6	7	8	9	10
pH										
6.5	5.4	10.9	16.3	21.7	27.1	32.5	37.9	43.4	48.8	54.2
6.8	5.3	10.5	15.8	21.0	26.3	31.5	36.8	42.0	47.1	52.5
7.0	5.1	10.3	15.4	20.6	25.7	30.8	36.0	41.1	46.2	51.4
7.2	5.0	10.0	15.1	20.1	25.1	30.1	35.2	40.2	45.2	50.2
7.4	4.9	9.8	14.7	19.6	24.5	29.4	34.3	39.2	44.2	49.1
7.6	4.8	9.6	14.4	19.2	24.0	28.7	33.5	38.3	43.1	47.9
7.8	4.7	9.3	14.0	18.7	23.4	28.0	32.7	37.4	42.1	46.7
8.0	4.6	9.1	13.7	18.2	22.8	27.3	31.9	36.5	41.0	45.6
8.5	4.3	8.4	12.8	17.1	21.3	25.6	29.9	34.1	38.4	42.7
9.0	4.0	8.0	11.9	15.9	19.9	23.9	27.8	31.8	35.8	39.8
9.5	3.7	7.4	11.1	14.8	18.4	22.1	25.8	29.5	33.2	36.9
10.0	3.4	6.8	10.2	13.6	17.0	20.4	23.8	27.2	30.6	34.0

These rates are approximate and may be affected by factors such as temperature, reaction time and dissolved compounds in water which may react with Captor.

EBDA typical pH	7.3
ppm Chlorine	2.6
Dosage at 2ppm	9.9
Dosage at 3ppm	14.9
Dosage at 2.6ppm	10.8 gal Captor per MG
EBDA Discharge	0.2 MG
Captor Dose Required	1.8 gal Captor
Actual Captor Dose	8 gal Captor
Overdose	4.4 times

ATTACHMENT 8



ORO LOMA SANITARY DISTRICT DIESEL ENGINE HOURS LOG STANDBY GEN - EBDA

MONTH: December 2019

[illegible]



Jan 2020

[illegible]



FEB. 2020

[illegible]



MONTH: March 2020

[illegible]



MONTH: APR 2020

[illegible]



MONTH: May 2020

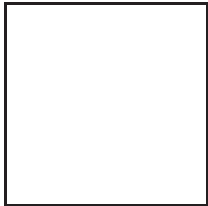
[illegible]

ATTACHMENT 9

Gene Palop

From: Jeff Schier
Sent: Wednesday, May 6, 2020 10:20 AM
To: Gene Palop
Subject: FW: Your Elliott Electronic Supply order # W00038441 confirmation

From: Sales/Customer Support [mailto:sales@elliottelectronicsupply.com]
Sent: Wednesday, May 6, 2020 9:40 AM
To: Jeff Schier
Subject: Your Elliott Electronic Supply order # W00038441 confirmation



Invoice #W00038441
placed on May 6, 2020 9:35:22 AM MST

Hello, jeff schier

Thank you for your order. If you need to change your order or have any questions, please contact us immediately by phone at (520)884-7394 Monday - Friday, 9am - 5pm PST. You may also check the status of your order anytime by logging in to your account by clicking [here](#).

Billing Information:

jeff schier
oro loma
2600 grant ave
san lorenzo california, California, 94580
United States
T: 510 276 4700

Payment Method:

Credit Card / Debit Card - Visa | MC | Amex | Discover

Credit Card Type: Visa
Credit Card Number: xxxx-1783
Processed Amount: \$103.04

Shipping Information:

jeff schier
oro loma
2600 grant ave
san lorenzo california, California, 94580
United States
T: 510 276 4700

Shipping Method:

UPS - Next Day Air

Qty	Item	Model	Price	Subtotal
4	RECTIFIER 400V 40A DO-5 ANODE CASE	NTE5991	\$7.10	\$28.40
			Subtotal	\$28.40

Shipping & Handling	\$74.64
Grand Total	\$103.04
Thank you, Elliott Electronic Supply	

Elliott Electronic Supply
1301 S Tyndall Ave
Tucson, Arizona 85713
US
(520)884-7394
sales@ElliottElectronicSupply.com
<https://www.elliotelectronicssupply.com/>

Packing Slip

Date : 05/06/2020
Order# : W00038441
Shipping : Next Day Air
Method

Billing Details

jeff schier
oro loma
2600 grant ave
san lorenzo california, California 94580
United States
510 276 4700
jschier@oroloma.org

Shipping Details

jeff schier
oro loma
2600 grant ave
san lorenzo california, California 94580
United States
510 276 4700
jschier@oroloma.org

SKU	Details	Quantity
076824926731 7	RECTIFIER 400V 40A DO-5 ANODE CASE =NTE5991	4
Total		4

Shipping Method : Next Day Air
Tracking ID :
Order Notes : PO#

E.B.D.A EBBLDG001

Emergency generator, parts for diode bridge

ATTACHMENT 10

Preventive Maintenance Work Order

Plant Number: 000
Work Order No: P131811
PM ID Number: 486
Project ID:
Slot Number:
PM Group: MM0063

Asset Location:
Asset Short Desc: GENR MI
Chg CC-Lab Acct: 9800-LABOR
Originator: Gene Palop
Phone No:
Work Group: MM
Supervisor ID:
Assigned To: Brian Charvet
Scheduled To:
Planner:

Frequency Code: 30-M Last PM Usage:
Work Requested: 30 MINUTE GENERATOR AND ENGINE TEST RUN

Date: 5/8/2020 14:27:01
Plan Priority: 3
Safety? N
Asset Type:
Asset Code:
Work Location:
Origination Date: 3/6/2020 16:53
Due Date: 3/20/2020
Schedule Date:
Completion Date: 4/17/2020
Work Area: MI
Fault Code:
Work Type:
Status: CLO
Compliance Type:
Last PM Date: 04/17/2020

BEFORE PERFORMING THIS TASK DO THE FOLLOWING

UN-PLUG TRICKLE CHARGER WHERE APPLICABLE AND CHECK BATTERY CONDITION

CHECK OIL AND COOLANT LEVEL, ADD AS NEEDED
PERFORM WALK AROUND INSPECTION FOR LEAKS, BROKEN; FITTINGS, WIRES, CLAMPS
BELTS, ETC. ALSO CHECK TIRE PRESSURE
IF ENGINE CHECKS OUT OKAY FOLLOW STARTING SOP IF SUPPLIED

WHERE APPLICABLE LEAVE TRICKLE UN-PLUGED FOR 24 HOURS

Supp Requirement:

Meter Reading: _____

CORRECTIVE ACTION

Completed all tasks.

Filled Gens with with Fuel that needed it.

Found GFCI outlet at ERDA that isn't functioning properly-Had rich test it and I let Howard know.

Completed By: _____

Completed Date: ____/____/____

SIGN OFF: Production ____/____/____

Maintenance: ____/____/____

Signed: _____

Signed: _____

STATUS CHANGES

Status: ____ Date: ____/____/____ Time: ____:____

Status: ____ Date: ____/____/____ Time: ____:____

LABOR

MATERIAL

Employee Id	Activity Code	Craft	Hours	Type	Stock No	Qty	Account
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____	_____

Preventive Maintenance Work Order

Work Order: P131811

Date: 5/8/2020 14:27:01

Work Requested:
(continued)

INSPECT BRAKE FLUID ON TRAILERS WITH HYDRAULIC BRAKES

PM Group Asset List

Page 1 of 1

Date: 5/8/2020 14:27:02

PM Group: MM0063

Work Order: P131811

PM Group Description: GENR MI

Asset Number	Asset Type	Asset Short Description	Asset Location	Asset Status	Work Area	Critical Factor	Charge Percent
MAGENR001	E	Generator, Honda EU2000i (Maintenance	MAINTENANCE	ISF	MA	3	8.33
MIGENR001	E	Generator, 5KW Generac	EQUIPMENT BARN	ISF	MI	1	8.33
MIGENR002	E	Generator, 10KW Trailer Mount	EQUIPMENT BARN	ISF	MI	1	8.33
MIGENR004	E	Generator, 150KW Kohler	EQUIPMENT BARN	ISF	MI	1	8.33
MIGENR005	E	Generator, 80KW Kohler	EQUIPMENT BARN	ISF	MI	1	8.33
MIGENR006	E	Generator, 5KW Honda	EQUIPMENT BARN	ISF	MI	1	8.33
MIGENR007	E	Generator, 6KW Magnum Lighting	EQUIPMENT BARN	ISF	MI	1	8.33
MIGENR008	E	Generator, 104KW Baldor TS130	EQUIPMENT BARN	ISF	MI	1	8.33
MIGENR009	E	Generator, 17KW Pac-Coleman	EQUIPMENT BARN	ISF	MI	1	8.33
MIGENR012	E	Generator, 4KW Winco	EQUIPMENT BARN	ISF	MI	3	8.33
MIWELD001	E	Generator, Gas-Powered Welder	EQUIPMENT BARN	ISF	MI	1	8.33
MIGENR010	E	Generator, Subaru 13KW	HYPO PAD	ISF	MI	1	8.33

12 Asset(s) Listed

PLANNED ACTIVITIES

Work Order: P131811

5/8/2020 14:27:02

Activity Code	Predecessor	Activity Short Description	Work Group	Work Requested	Activity Sched Date	Completion Date
MAIN		Routine Maintenance		Perform Routine Repair	3/13/2020	4/17/2020

LABOR

Craft Code		Actual Hours	Completion Date
E	ELECTRICIAN	0.50	
M	MECHANICAL	2.50	

Maintenance Work Order

Plant Number: 000
Work Order No: C111167

Date: 5/8/2020 16:23:30

Project ID:
Slot Number:
Asset Number: EBBLDG001

Asset Location: EBDA
Asset Short Desc: Building General Repairs, EBDA
Chg CC-Lab Acct: 2490-LABOR

Originator: Brian Charvet

BCHARVET

Phone No: 8001

Work Group: EM

Supervisor ID:

Assigned To: RICH GOODMAN

Scheduled To:

Planner:

Plan Priority: 3

Safety? N

Asset Type: Facility

Asset Code:

Work Location:

Origination Date: 4/17/2020 14:23

Due Date: 4/17/2020 14:23

Schedule Date:

Completion Date: 4/24/2020

Work Area: EB

Fault Code:

Work Type:

Status: CLO

Compliance Type:

Work Requested: Outside GFCI outlet near north wet well needs replacement, outlet has power, but test/reset function does not work on it. Currently the trickle charger for the Baldor is plugged into it.

Supp Requirement:

Meter Reading: _____

CORRECTIVE ACTION

replaced receptacle, tested good

Completed By: _____

Completed Date: ____/____/____

SIGN OFF: Production ____/____/____

Maintenance: ____/____/____

Signed: _____

Signed: _____

STATUS CHANGES

Status: ____ Date: ____/____/____ Time: ____:

Status: ____ Date: ____/____/____ Time: ____:

LABOR

Employee Id	Activity Code	Craft	Hours	Type
-------------	---------------	-------	-------	------

_____	_____	_____	_____	_____
-------	-------	-------	-------	-------

_____	_____	_____	_____	_____
-------	-------	-------	-------	-------

_____	_____	_____	_____	_____
-------	-------	-------	-------	-------

MATERIAL

Stock No	Qty	Account
----------	-----	---------

_____	_____	_____
-------	-------	-------

_____	_____	_____
-------	-------	-------

_____	_____	_____
-------	-------	-------

PLANNED ACTIVITIES

Work Order: C111167

5/8/2020 16:23:30

Activity Code	Predecessor	Activity Short Description	Work Group	Work Requested	Activity Sched Date	Completion Date
MAIN		Routine Maintenance		Perform Routine Repair		4/24/2020

LABOR

Craft Code		Actual Hours	Completion Date
E	ELECTRICIAN	1.00	

ATTACHMENT 11 – OLSD Operations E-Logger Entries for 5/5/20

Copy

Link To #028924

Location Treatment Plant

Crew Operations

Shift Day 10Hr

Created By Joe Carlini – 5/5/2020 8:01 AM

Modified By Joe Carlini – 5/5/2020 5:59 PM

25 Joe 26 Jose

Plant round normal operations

Secured hypo in OLEPS at 08:55

Dumped trucks as required

Tested old RAS pumps to 2b4 ok

Maintenance de-ragged #7 recip pump

Reset GFI at ferric pump

Second influent pump on at 10:45

Removed duck from CCC

Jeff S working on control panel for EBDA stand-by generator the repair will not be completed today so the Baldor generator has been set up to run in its place, Howard will be in tonight to run the generator with Don informed Manuel

Backflushed grease line

Location Treatment Plant

Crew Operations

Shift Day 10Hr

Copy

Link To #028926

Location Treatment Plant -> EB-EBDA (OLEPS)

Crew Operations

Shift Night 12Hr

Created By Don Pride – 5/5/2020 7:08 PM

Modified By Don Pride – 5/5/2020 7:08 PM

1830 pump 1 in service @ oleps @ 71.8%, flow @ 47.8 MGD, level @ 4.5', psi @ 9.0

1810 standby gen @ oleps o/s, test ran Baldore gen with HC, baldor to be used in the event of a power outage @ oleps

Attachment 12

EBDA OLEPS Emergency Bypass SOP

March 16, 2020 DRAFT

If OLEPS experiences a catastrophic failure such as a loss of power or the OLEPS wet well level is above the Lag Diesel Start Level and the wet well continues to increase, the following steps shall be implemented:

The OLSD Operator will:

1. Inform the EBDA O&M Manager
2. Divert OLSD flow to EQ
3. Insure that the OLEPS Dechlorination System is operating properly. If the catastrophic failure is a loss of power and backup power is not available, the OLSD Operator will need to open the bypass value on the OLEPS Dechlorination System and start dechlorinating the flow manually.
4. Grab a sample of the flow leaving the Emergency Overflow Spillway and perform a chlorine titration

The EBDA O&M Manager will:

1. Secure the HEPS flow and contact the COH Operator to divert HEPS flow
2. Contact USD to reduce their flow as much as possible

Attachment 13

EBDA OLEPS Emergency Bypass SOP

May 8, 2020 DRAFT

If OLEPS experiences a catastrophic failure such as a loss of power or the OLEPS wet well level is above the Lag Diesel Start Level and the wet well continues to increase, the following steps shall be implemented:

The OLSD Operator will:

1. Inform the EBDA O&M Manager
2. ~~Divert OLSD flow to EQ~~ Secure OLSD Influent Pumps
3. Insure that the OLEPS Dechlorination System is operating properly. If the catastrophic failure is a loss of power and backup power is not available, the OLSD Operator will need to open the bypass valve on the OLEPS Dechlorination System and start dechlorinating the flow manually.
- 3-4. Divert OLSD flow to EQ
- 4-5. Grab a sample of the flow leaving the Emergency Overflow Spillway and perform a chlorine titration

The EBDA O&M Manager will:

1. Secure the HEPS flow and contact the COH Operator to divert HEPS flow
2. Contact USD to reduce their flow as much as possible



EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
San Lorenzo, CA 94580-1841
(510) 278-5910
FAX (510) 278-6547

A Joint Powers Public Agency

To: James Parrish, Regional Water Quality Control Board
From: Jackie Zipkin, P.E.
Date: May 13, 2020
Re: Unanticipated Bypass Notification – May 12, 2020 Recycled Water Leak
24-hour Report

Introduction

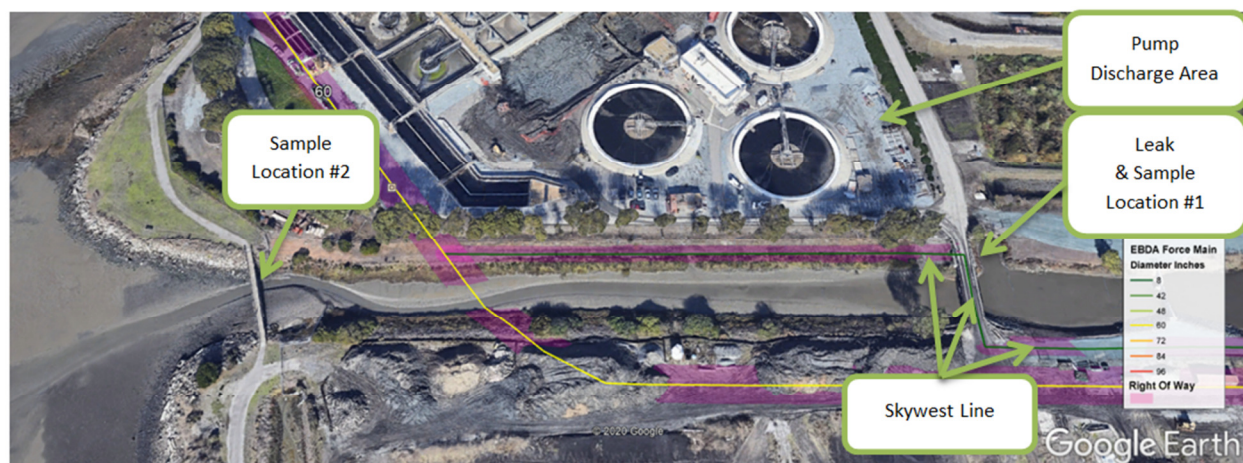
East Bay Dischargers Authority (EBDA) operates a recycled water system that delivers disinfected secondary treated wastewater from Oro Loma Sanitary District (OLSD) to the Skywest Golf Course operated by the Hayward Area Recreation and Park District (HARD). On the morning of May 12, 2020 at 9:45 am, OLSD staff notified EBDA of a leak in the Skywest recycled water pipeline, which runs along the bank of the Bockman Canal. SCADA trends indicate that the leak started at 6:50 am, and EBDA estimates that approximately 3200 gallons leaked into Bockman Canal. The cause of the leak was a failed coupling on the pipeline. All leaked flow was recovered and pumped back to OLSD's Wastewater Treatment Plant.

EBDA notified the California Office of Emergency Services (Control Number 20-2535), and verbally notified Regional Water Board Staff. This report constitutes EBDA's 24-hour notification per our NPDES Permit (Order No. R2-2017-0016, NPDES No. CA0037869).

Incident Timeline

06:50 – Estimated time leak began
09:45 – OLSD notified EBDA of a leak at the bridge at the Bockman Canal
09:48 – Skywest system secured (i.e. pumping ceased)
10:10 – OLSD Vactor truck in position and preventing leak from entering the canal
10:28 – Sample taken from leaking pipe at Location #1 (see map below)
10:34 – Sample taken from Location #2
10:55 – Pumping from Location #1 back to the OLSD Plant
12:40 – Sample taken from Location #2
14:15 – Leak repaired, pumping canal back to the plant secured
14:45 – Skywest system on to test repair, no leaks

CHAIR	VICE-CHAIR	COMMISSIONER	COMMISSIONER	COMMISSIONER	GENERAL MANAGER
Pauline Russo Cutter	Daniel Walters	Anjali Lathi	Ralph Johnson	Sara Lamnin	Jacqueline T. Zipkin
City of San Leandro	Oro Loma S.D.	Union S.D.	Castro Valley S.D.	City of Hayward	LEGAL COUNSEL

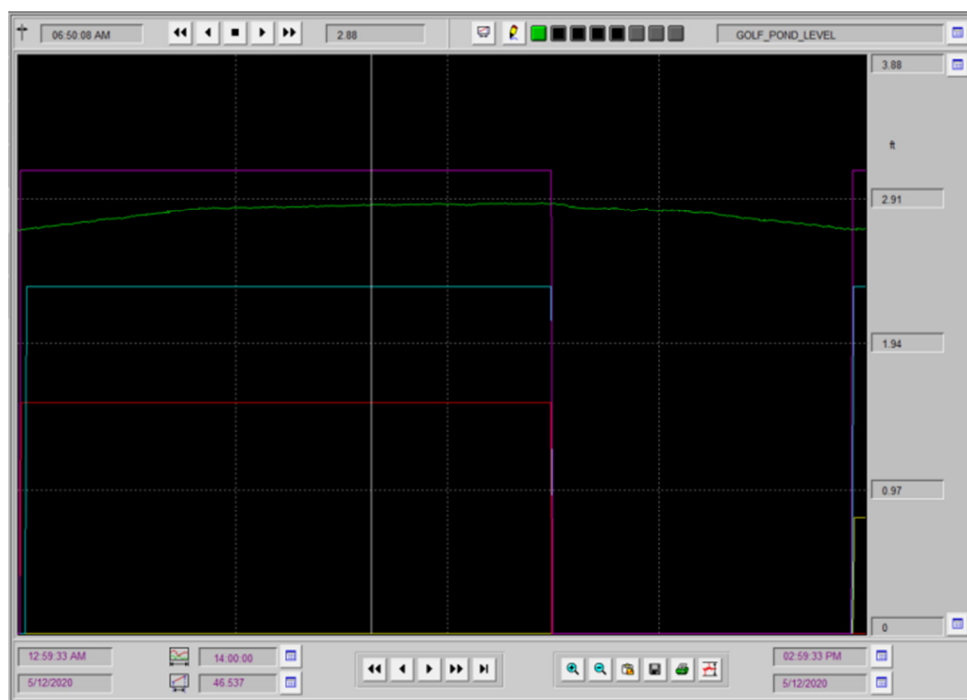


Map of the Bockman Canal Area

Distance from Location #1 to Location #2 is approximately 800 feet.

Discharge Quality and Quantity

The Skywest system started pumping at 01:00, and the golf course started transferring water from the West Pond to the East Pond at 04:00. The West Pond level continued to increase until approximately 06:50 at which time the Pond level stopped increasing, indicating the start of the leak (see SCADA Trends figure below).



SCADA Trends

OLSD staff estimated a volumetric leak rate of 16 gallons per minute (gpm). The leak was present from approximately 6:50 am to 10:10 am, at which time OLSD began using

a Vactor truck to stop the leak from entering the canal. Therefore, the leak estimate is 16 gpm x 200 minutes = 3200 gallons.

Dechlorinating agent calcium thiosulfate (Captor®) was added to canal in the area of the leak at the rate of 4 gpm to ensure that all chlorine was neutralized. In addition, staff began pumping from the canal at 600 gpm or 36,000 gallons per hour. A total of 120,000 gallons of canal water was pumped back to the plant, not including the Vactor truck pumping the leak itself. The pumping reversed the direction of the canal. All of the chlorinated flow and Captor was ultimately pumped back to OLSD's Treatment Plant.

Samples were taken at the location of the leak and downstream in the Canal (see previous map) shortly after the leak was discovered, and later after pumping had been in place for several hours. Results are presented below.

Sample Location	Sample Time	Cl Result (mg/L)
Location #1	10:28	20.9
Location #2	10:34	0.25
Blank of lab pure water	10:46	0.07
Location #2	12:40	0.06

As shown in the photos below, there is no public access to the Canal or Bay at this location, and no impacts to fish or wildlife were observed.

Cause and Preventative Measures

The cause of the leak was a failed coupling at the bridge. At this location, differential settling caused the pipeline to jut out, stressing the coupling. OLSD has hired a structural engineer to assess the conditions at the bridge and recommend improvements.

Incident Photos



OLSD Vactor Crew At The Location Of The Leak



Sample From Location #2



Pumping From Leak Area Back To The OLSD Plant



Captor Addition Near Location #1



Exposing The Leak



The Leak



The Repair



West From Bridge Near Location #1 At 10:25



West From Bridge Near Location #2 At 10:34



West From Bridge Near Location #2 At 10:34



East From Bridge Near Location #2 At 10:34



West From Bridge Near Location #1 At 11:14



West From Bridge Near Location #2 At 11:22



West From Bridge Near Location #2 At 12:40

**ITEM NO. OM7 DRAFT RENEWAL AND REPLACEMENT FUND PROJECT LIST
FOR FISCAL YEAR 2020/2021**

Recommendation

Review proposed Renewal and Replacement Fund Project List and provide direction to staff.

Background

Each year, the Commission is asked to approve a list of capital projects to be undertaken in the upcoming fiscal year using funds from the Authority's Renewal and Replacement Fund. The project list is developed using the Authority's Asset Management Plan (AMP) with input from the Managers Advisory Committee (MAC).

Discussion

The Authority's draft RRF Project List for FY 2020/2021 is presented on the following page for the Committee's review and comment, with project explanations on the subsequent page. Staff plans to bring the final FY 2020/2021 project list to the Commission for consideration in June 2020. Per Item No. FM12, staff is recommending that the agencies' contribution to the RRF for FY 2020/2021 is \$750,000, consistent with the AMP 20-year projection of funding needs.

RRF Projects for FY 2020/2021

<u>Facility</u>	<u>Renewal Replacement Fund Items</u>	<u>Projected Completion Date</u>	<u>Estimated Costs</u>	<u>Actual Costs</u>
UEPS	Payment #1 of 10 Per JPA	July 2020	\$ 420,000	\$
OLEPS	Electrical Upgrades - Main Switchboard, 75 kW Generator, & 2 New Automatic Transfer Switches	June 2021	\$ 260,000	\$
OLEPS	Wet Well Hypo System	December 2020	\$ 40,000	\$
OLEPS	Emergency Outfall Upgrade	December 2020	\$ 30,000	\$
OLEPS	Water System Upgrade	December 2020	\$ 25,000	\$
OLEPS	Paving Repair/Upgrade	December 2020	\$ 10,000	\$
MDF	Control Panel Automation	December 2020	\$ 15,000	\$
		FY2020/2021 Sub-Total	\$ 800,000	\$
		Small Projects Fund	\$ 100,000	\$
		FY2020/2021 Total	\$ 900,000	\$

UEPS (Formerly AEPS) – Payment #1 of 10 per JPA – \$420,000

The Amended and Restated Joint Powers Agreement (JPA) states that “in fiscal years from 2020/21 through 2029/30, the Authority will pay Union a total of Four Million, Two-Hundred Thousand dollars (\$4,200,000), divided in ten equal and annual installments, as a credit toward their annual budget contribution for Operation and Maintenance Costs, for all Capital Costs associated with the Union Effluent Pump Station during the Term of the Agreement.”

OLEPS – Electrical Upgrades – \$260,000

Replacement of the breakers and refurbishment of the Main Switchboard, 2 new automatic transfer switches (ATS's). Replacement of the 75 kW generator is also included and will be evaluated in further detail before the project proceeds. These upgrades will improve reliability of the station in the event of a power outage.

OLEPS – Wet Well Hypochlorite System – \$40,000

Installation a new hypochlorite (hypo) pump, flow meter and programmable logic controller (PLC) to allow EBDA to automatically add hypo to the OLEPS wet well for bacteria control.

OLEPS – Emergency Outfall Upgrade – \$30,000

Investigate the option of increasing the height of the overflow weir and implement if deemed feasible.

OLEPS – Water System Upgrade – \$25,000

As part of a recent project, EBDA connected a #4 water line from OLSD to OLEPS. This project will complete the connection of the #4 water line inside OLEPS. The #4 water line will be used in the event the OLEPS water system fails. The current contingency plan if the OLEPS water system fails is for OLSD staff to drag hoses from OLEPS to OLSD to provide cooling water for the pump gear drive. The new #4 water line will eliminate that need.

OLEPS – Paving Repair/Upgrade – \$10,000

As part of the RRF Project List for Fiscal Year 2018/2019, \$25,000 was budgeted to repair/replace the asphalt behind OLEPS next to the 8,000 gallon diesel storage tank. As part of OLSD's Nutrient Optimization Project, the area between OLSD and OLEPS was paved in FY 2019/2020, and a portion of this project budget was used to pay for that time-sensitive paving project. The proposed additional \$10,000 is to replenish that project fund to complete the paving behind OLEPS.

MDF – Control Panel Automation – \$15,000

This project will connect the Sewage Pump Control Panel and the main vault Sump Pump Control Panels the station PLC for better control and monitoring.

Small Projects Fund (formerly Contingency Fund) – \$100,000

The purpose of the Small Projects Fund is to provide additional funding for unidentified projects and/or equipment that may need to be replaced or refurbished in FY 2020/2021. Much of the smaller ancillary equipment and components that the Authority owns are operated with the intent to 'run to failure'. This is a common practice at wastewater facilities with these types of assets, which include fans, valves, actuators, and small pumps and motors. While preventive maintenance is completed on a regular basis, forecasting an exact date of failure is not possible. The criteria for 'run to failure' are both that the equipment can be readily procured and that there is sufficient redundancy to meet system firm capacity. In some cases, staff will purchase critical items and have them on the shelf, reducing system equipment downtime.

ITEM NO. OM8 RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ISSUE A CREDIT TO THE CITY OF SAN LEANDRO FOR CAPITAL REIMBURSEMENTS IN THE AMOUNT OF \$114,277

Recommendation

Adopt a resolution authorizing the General Manager to issue a credit to the City of San Leandro (San Leandro) for reimbursement of capital items agreed upon during the recent Joint Powers Agreement (JPA) negotiations in the amount of \$114,277.

Background

Under the Amended and Restated JPA, San Leandro will be taking ownership and responsibility for the San Leandro Effluent Pump Station (SLEPS) and the force main from SLEPS to the Marina Dechlorination Facility. As part of the negotiation, the Authority agreed to reimburse San Leandro for planned capital expenditures on those facilities. Authority attorneys are currently in the process of drafting a Transfer Agreement to transfer ownership of the facilities, which will be brought to the Commission for consideration in June.

Discussion

Planned capital expenditures for which staff is recommending that the Authority credit San Leandro are as follows:

Force Main

The Draft Transport System Seismic Reliability Plan developed by Brown & Caldwell (B&C) recommended that EBDA procure encapsulating repair couplings to be used in the event of a force main failure. The JPA Term Sheet specified that the Authority would purchase couplings and seals for the 48-inch and 60-inch segments of the force main to mitigate risk being assumed by the Member Agencies under the new JPA. Purchase of the 60-inch coupling is addressed in Item No. OM9, and purchase of the seals is addressed in Item No. OM9.

San Leandro requested that in lieu of purchasing the coupling on their behalf, the Authority credit the City for the dollar value associated with the coupling. The Authority received a quote for a 48-inch Romac encapsulating force main repair coupling of \$51,938.

SLEPS

For SLEPS, staff is recommending reimbursing San Leandro for two planned projects:

- Electrical Improvements. In the Draft Facilities Electrical Evaluation Report, Beecher Engineering, Inc. recommended \$34,000 of electrical improvements at SLEPS. The goal of these improvements was to improve reliability during power failures. Rather than implementing the specific recommended projects, San

Leandro plans to put the \$34,000 toward connecting the station to their plant back-up power.

- Pump Rebuilds. The RRF project list for FY 2016/2017 included \$75,000 to rebuild the SLEPS Effluent pumps. \$46,661 was spent on the rebuild of two of the pumps. EBDA, in consultation with San Leandro staff, decided to delay the rebuild of last two pumps due to low run hours. As part of the station transfer to San Leandro ownership, staff is recommending crediting the City the remaining funds to complete the rebuilds in the future.

The credit breakdown is as follows:

48-Inch Romac Encapsulating Force Main Repair Coupling	\$51,938
SLEPS Electrical Improvements	\$34,000
SLEPS Effluent Pump Refurbishment	\$28,339
Total	\$114,277

EAST BAY DISCHARGERS COMMISSION
EAST BAY DISCHARGERS AUTHORITY
ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 20-09

INTRODUCED BY _____

**RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ISSUE A CREDIT TO THE
CITY OF SAN LEANDRO FOR CAPITAL REIMBURSEMENTS IN THE AMOUNT OF
\$114,277**

WHEREAS, the EBDA Member Agencies negotiated an Amended and Restated Joint Powers Agreement (JPA) that will take effect on July 1, 2020; and

WHEREAS, under the Amended and Restated JPA, the City of San Leandro will take over ownership and responsibility of the San Leandro Effluent Pump Station (SLEPS); and

WHEREAS, in negotiating the Amended and Restated JPA, the Authority agreed to reimburse the City of San Leandro for certain planned capital expenditures associated with the facilities being transferred; and

WHEREAS, in lieu of purchasing an encapsulating force main repair coupling, the Authority wishes to reimburse the City of San Leandro for the cost of such coupling in the amount of \$51,938; and

WHEREAS, in lieu of completing electrical improvements at SLEPS, the Authority wishes to reimburse the City of San Leandro for the cost of planned improvements in the amount of \$34,000; and

WHEREAS, in lieu of completing pump rebuilds at SLEPS, the Authority wishes to reimburse the City of San Leandro for the cost of planned rebuilds in the amount of \$28,339.

WHEREAS, the Operations & Maintenance Committee has recommended reimbursement of the City of San Leandro for these capital expenditures in the form of a credit.

NOW, THEREFORE BE IT RESOLVED, that the Commission of the East Bay Dischargers Authority hereby approves the reimbursement of the City of San Leandro in the amount of \$114,277.

BE IT FURTHER RESOLVED, that the Commission authorizes the General Manager to issue a credit to the City of San Leandro on behalf of the Authority in the amount of \$114,277.

SAN LORENZO, CALIFORNIA, MAY 21, 2020, ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

**CHAIR
EAST BAY DISCHARGERS COMMISSION**

ATTEST: _____
**GENERAL MANAGER
EAST BAY DISCHARGERS AUTHORITY
EX OFFICIO SECRETARY**

ITEM NO. OM9 RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ISSUE A PURCHASE ORDER TO R&B COMPANY FOR A 60-INCH ROMAC ENCAPSULATING FORCE MAIN REPAIR COUPLING IN THE AMOUNT OF \$61,727

Recommendation

Adopt a resolution authorizing the General Manager to issue a purchase order to R&B Company for a 60-inch Romac encapsulating force main repair coupling in the amount of \$61,727.

Background

Under the Amended and Restated Joint Powers Agreement (JPA), Union Sanitary District (USD) and City of Hayward (Hayward) will be taking responsibility for failures on the segments of force main they use. As part of the negotiation, the Authority agreed to purchase couplings and seals that can be used to repair the force main in the event of a failure to mitigate that increased risk. In the Draft Transport System Seismic Reliability Plan, Brown & Caldwell recommended procurement of 48-inch and 60-inch encapsulating repair couplings for the San Leandro and Union/Hayward segments of the force main, respectively.

EBDA received the following three quotes for one 48-inch & one 60-inch Encapsulating Repair Couplings:

R&B Company	\$113,663.70
Pace Supply Corp.	\$117,146.10
Victaulic	\$422,313.00

The R&B Company quote breakdown is as follows:

R&B Company Quote		
60-Inch Coupling	\$56,500.00	
Tax	\$5,226.25	
60-Inch Coupling Total		\$61,726.25
48-Inch Coupling	\$47,540.00	
Tax	\$4,397.45	
48-Inch Coupling Total		\$51,937.45
Total Quote		\$113,663.70

As discussed in Item No. OM8, staff is proposing to reimburse San Leandro for the cost of the 48-inch coupling. Staff recommends purchasing one 60-inch coupling from R&B Company. R&B Company recently supplied USD with two encapsulating repair couplings for their 33-inch & 39-inch force mains. The 60-inch coupling purchased by EBDA will be stored at either USD or Hayward.

R&B COMPANY
 SCOTT SILVERTHORN
 3486 INVESTMENT BLVD, STE A
 HAYWARD, CA 94545
 PH#510-571-1053

Date 4/3/2020

** PRICE QUOTE **

CUSTOMER: EAST BAY DISCHARGERS
 AUTHORITY
 2651 GRANT AVE
 SAN LORENZO, CA 94580

PROJECT: EAST BAY DISCHARGERS
 AUTHORITY
 REVISION 1
 REVISION 2*

ATTN: HOWARD CIN
 PH# 510-362-2501
 FAX# 510-278-6547
 EMAIL HCIN@EBDA.ORG

QUANTITY	SIZE	DESCRIPTION	SELL	PER	EXTENSION
1	48"	ROMAC ENCAPSULATING PIPE JOINT FS425S-59.50 X 68.00 X 48.00 REPAIR SLEEVE C306RCP PIPE, BELL OD 68.00 PIPE OD 59.50 TO BE VERIFIED BE CUSTOMER SLEEVE LENGTH IS 48.00 40 PSI MAX WORKING PRESSURE STEEL BODY, C-213 EPOXY COATED, 316 STAINLESS STEEL BOLTS/NUTS AND EPDM RUBBER GASKETS	\$ 47,540.00	EA	\$ 47,540.00
1	60"	ROMAC ENCAPSULATING PIPE JOINT FS425S-72.00 X 84.00 X 48.00 REPAIR SLEEVE C306RCP PIPE, BELL OD 84.00 PIPE OD 72.00 TO BE VERIFIED BY CUSTOMER SLEEVE LENGTH IS 48.00 40 PSI MAX WORKING PRESSURE STEEL BODY, C-213 EPOXY COATED, 316 STAINLESS STEEL BOLTS/NUTS AND EPDM RUBBER GASKETS	\$ 56,500.00	EA	\$ 56,500.00

**NOTE: NO TOOLS ARE INCLUDED IN THE PRICES ABOVE.
 SPECIAL ORDER PRODUCT, CUSTOMER VERIFY OD's
 AND CUSTOMER MUST DETERMINE THE PRODUCT
 SUITABILITY AND APPLICATION.**

****PRICE INCLUDES SHIPPING**

SUB TOTAL	\$	104,040.00
TAX 9.25	\$	9,623.70
TOTAL	\$	113,663.70

EAST BAY DISCHARGERS COMMISSION
EAST BAY DISCHARGERS AUTHORITY
ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 20-10

INTRODUCED BY _____

RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ISSUE A PURCHASE ORDER TO R&B COMPANY FOR A 60-INCH ROMAC ENCAPSULATING FORCE MAIN REPAIR COUPLING IN THE AMOUNT OF \$61,727

WHEREAS, in May 2019, the Commission approved Resolution 19-13 approving the Joint Powers Agreement Term Sheet, which stated that East Bay Dischargers Authority (EBDA) will purchase spare parts as informed by the 2019 Seismic Reliability Plan to improve the Authority's ability to respond to seismic impacts to the transport system, including a 60-inch coupling; and

WHEREAS, the East Bay Dischargers Authority requested quotes for encapsulating force main repair couplings; and

WHEREAS, staff received three quotes for 60-inch encapsulating force main repair couplings; and

WHEREAS, staff has determined that the quote from R&B Company was the lowest qualified, responsive, and responsible quote; and

WHEREAS, the Operations & Maintenance Committee has recommended approval of a purchase order to R&B Company.

NOW, THEREFORE BE IT RESOLVED, the Commission of the East Bay Dischargers Authority hereby accepts the quote from R&B Company.

BE IT FURTHER RESOLVED, the General Manager is hereby authorized to issue a purchase order on behalf of the Authority in the amount of \$61,727 to R&B Company in accordance with the accepted quote.

SAN LORENZO, CALIFORNIA, MAY 21, 2020, ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIR
EAST BAY DISCHARGERS COMMISSION

ATTEST: _____
GENERAL MANAGER
EAST BAY DISCHARGERS AUTHORITY
EX OFFICIO SECRETARY

**ITEM NO. OM10 RESOLUTION AUTHORIZING THE GENERAL MANAGER TO
ISSUE A PURCHASE ORDER TO MILLER PIPELINE FOR FLEXIBLE INTERNAL
FORCE MAIN SEALS IN THE AMOUNT OF \$32,645**

Recommendation

Adopt a resolution authorizing the General Manager to issue a purchase order to Miller Pipeline for flexible internal force main seals in the amount of \$32,645.

Background

Under the Amended and Restated Joint Powers Agreement (JPA), Member Agencies will be taking responsibility for failures on the segments of force main they use. As part of the negotiation, the Authority agreed to purchase couplings and seals that can be used to repair the force main in the event of a failure to mitigate that increased risk. In the Draft Transport System Seismic Reliability Plan, Brown & Caldwell recommended procurement of encapsulating repair couplings, as discussed in Items No. OM8 and OM9, as well as flexible seals. Brown & Caldwell specifically recommended WEKO-Seals.

To ensure that flexible seals could reasonably be installed in large diameter pipelines like EBDA's, staff discussed the purchase with Underwater Recourses, Inc. (URI). URI is the local company that provided divers for the EBDA outfall inspection several years ago. URI has experience installing the WEKO-Seal flexible internal force main seals provided by Miller Pipeline.

EBDA is purchasing three WEKO-Seals (14.5" wide) and one EPDM Sleeve (48" wide) for each of the different force main sizes: 48-inch, 60-inch and 96-inch. This stockpile of parts will allow EBDA to repair several different combinations of leaks or failures. The 48-inch seals will be given to the City of San Leandro, as they will be taking ownership of the 48-inch force main segment. The 60-inch seals will be stored at Union Sanitary District or City of Hayward, and the 96-inch seals will be stored by EBDA.



April 20, 2020

Howard Cin
East Bay Dischargers Authority

Quote No: 1008-2519

Phone: 510.278.5910
Fax:
E-Mail: hcinebda.org

RE: **Proposal WEKO SEAL - Internal Joint Seals**
48", 60", 96" WEKO Seal/Sleeve Repairs (OTC)

Dear Mr. Cin:

General

Thank you for contacting Miller Pipeline for your pipeline rehabilitation needs. We are pleased to provide for your consideration the following information and material pricing for our WEKO-SEAL.

These seals are manufactured from non-toxic (EPDM) rubber compound, which is designed to internally and economically stop joint leakage or infiltration. WEKO-SEALS are flexible internal rubber leak clamps that ensure a noncorrodible, bottle tight seal around the full inside circumference of the pipe joint area.

Scope of Service

Our scope and unit price proposal includes the following work elements:

1. Provide WEKO-SEALS custom manufactured to the specifications for the pipe size and special conditions provided.
2. Installation of materials sold under this proposal will be installed by others.

Proposal

Item No:	Description	Estimated Quantity	U/M	Unit Price	Amount
1	Furnish 48" Extra-Wide (14.6") EPDM WEKO-SEAL w/ (3) type 316-SS Retaining bands, shims, wedges, and lubricant.	3	EA	\$995.00	\$2,985.00
2	Furnish 60" Extra-Wide (14.6") EPDM WEKO-SEAL w/ (3) type 316-SS Retaining bands, shims, wedges, and lubricant.	3	EA	\$1,175.00	\$3,525.00
3	Furnish 96" Extra-Wide (14.6") EPDM WEKO-SEAL w/ (3) type 316-SS Retaining bands, shims, wedges, and lubricant.	3	EA	\$2,125.00	\$6,375.00

4	Furnish 48" OD x 48" long EPDM Sleeve w/ (6) each 316-SS Retaining bands, shims, and wedges.	1	EA	\$3,000.00	\$3,000.00
5	Furnish 60" OD x 48" long EPDM Sleeve w/ (6) each 316-SS Retaining bands, shims, and wedges.	1	EA	\$3,930.00	\$3,930.00
6	Furnish 96" OD x 48" long EPDM Sleeve w/ (6) each 316-SS Retaining bands, shims, and wedges.	1	EA	\$7,320.00	\$7,320.00
7	Sales Tax for San Lorenzo, CA			9.25%	\$2,510.00
8	NTE Estimated Freight from Indianapolis, IN to Customer Location	1	LS	\$3,000.00	\$3,000.00
				Sub Total	\$32,645.00

Equipment Rental:

Equipment rented through this proposal will be issued on a default weekly basis, but can be extended to a monthly rate for orders requiring longer durations. To accommodate shipping delays, a period of two (2) weeks has been allotted for initial weekly rentals. Each additional week thereafter will be billed at the weekly rate identified below. If breakage occurs during use, please notify Miller Pipeline immediately for damage claim documentation. Damaged found to be the fault of the Lessee will be billed at cost. All rentals extending past a thirty (30) day rental period, excluding monthly rentals, will automatically be billed replacement value, without prior written approval – no exceptions. Lessee will be required to pay all shipping to and from Miller Pipeline - Indianapolis, IN 46234. In an attempt to better service our customer's rental needs, our intentions through this effort are prompt rental returns.

Hydraulic Expander/Tester Rental Rates	
Weekly Rental Rate	\$370/WEEK
Monthly Rental Rate	\$840/MONTH
Replacement Value	\$4,950.00

Please return rented equipment to Miller Pipeline 8930 Crawfordsville Rd, Indianapolis, IN 46234

Cancellation/Return Policy:

- 1) Order placed with Miller Pipeline may not be canceled once authorization to manufacture has been given.
- 2) Only unopened parcels that are not custom in nature may be returned for a 25% restocking fee. No returns on open parcels and/or orders with custom materials or sizing.
- 3) Orders requiring NEXT DAY delivery will require a \$125.00 Expedite Fee.

General Conditions

1. All shipping charges FOB Indianapolis, Indiana and/or vendor locations.
2. The proposal pricing does not include sales taxes. All applicable taxes will be added to the pricing unless Miller Pipeline is provided with a tax-exempt statement from the buyer.
3. This proposal will expire in thirty (30) days without a signed contractual agreement. Furthermore, this proposal will become part of any contractual agreement. After expiration of this proposal, our pricing is subject to adjustment or can be withdrawn.
4. WEKO SEAL Limited Warranty
Miller Pipeline warrants for a period of 1 year from the date of purchase that any goods purchased from Miller Pipeline will be of good quality consistent with industry standards and materials and equipment agreed upon to be utilized. UNDER NO CIRCUMSTANCES SHALL MILLER PIPELINE HAVE ANY LIABILITY WHATSOEVER FOR INCIDENTAL, CONSEQUENTIAL, SPECIAL OR PUNITIVE DAMAGES, such as, but not limited to, loss of profit or revenue; cost of capital; or claims resulting from contracts between Customer and its customers and/or suppliers. Unless expressly provided for herein, in no event shall Miller Pipeline or any affiliate of Miller Pipeline assume responsibility or liability for (a) penalties, penalty clauses or liquidated damages clauses of any description, (b) certifications or (c) indemnification of Customer or others for costs, damages or expenses arising out of or related to the products provided hereunder.
5. The submitted pricing is subject to adjustment if the actual job site requirements and/or conditions differ from the information known at the time of this proposal.
6. Payment shall be made within thirty (30) days after the date of invoice submitted by Miller Pipeline. For international transactions, payment must be made via wire transfer or irrevocable letter of credit (USD) prior to manufacturing of goods.

Closing

We thank you for the opportunity to offer this firm proposal and look forward to providing this service. If you have any need for further assistance, please do not hesitate to contact me.

Sincerely,



Daniel Watters
Phone : 317.653.5298
Daniel.watters@millerpipeline.com

EAST BAY DISCHARGERS COMMISSION
EAST BAY DISCHARGERS AUTHORITY
ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 20-11

INTRODUCED BY _____

**RESOLUTION AUTHORIZING THE GENERAL MANAGER TO ISSUE A PURCHASE
ORDER TO MILLER PIPELINE FOR FLEXIBLE INTERNAL FORCE MAIN SEALS IN
THE AMOUNT OF \$32,645**

WHEREAS, in May 2019, the Commission of the East Bay Dischargers Authority (EBDA) approved Resolution 19-13 approving the Joint Powers Agreement Term Sheet, which stated that EBDA will purchase spare parts as informed by the 2019 Seismic Reliability Plan to improve the Authority's ability to respond to seismic impacts to the transport system, including flexible internal force main seals; and

WHEREAS, staff determined that Miller Pipeline is the only supplier of WEKO-Seals, the specific flexible seals recommended by EBDA's consultants;

WHEREAS, EBDA requested a quote from Miller Pipeline for flexible internal force main seals; and

WHEREAS, staff has determined that the quote from Miller Pipeline was a qualified, responsive, and responsible quote; and

WHEREAS, the Operations & Maintenance Committee has recommended approval of a purchase order to Miller Pipeline.

NOW, THEREFORE BE IT RESOLVED, the Commission of the East Bay Dischargers Authority hereby accepts the quote from Miller Pipeline.

BE IT FURTHER RESOLVED, the General Manager is hereby authorized to issue a purchase order on behalf of the Authority in the amount of \$32,645 to Miller Pipeline in accordance with the accepted quote.

SAN LORENZO, CALIFORNIA, MAY 21, 2020, ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIR
EAST BAY DISCHARGERS COMMISSION

ATTEST: _____
GENERAL MANAGER
EAST BAY DISCHARGERS AUTHORITY
EX OFFICIO SECRETARY



EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
San Lorenzo, CA 94580-1841
(510) 278-5910
FAX (510) 278-6547

A Joint Powers Public Agency

Pursuant to the Governor's Executive Order N-25-20 the Personnel Committee Meeting scheduled for May 19th at 2:30 p.m. will be telephonic. The dial-in number for the meeting is +1 669 900 6833 with meeting I.D. #914 0364 6880. Members of the public are encouraged to dial-in to the meeting using the same number.

ITEM NO. 21

PERSONNEL COMMITTEE AGENDA

**Tuesday, May 19, 2020
2:30 p.m.**

**East Bay Dischargers Authority
2651 Grant Avenue, San Lorenzo, CA 94580**

Committee Members: Handley (Chair), Lamnin

- P1. Call to Order**
- P2. Roll Call**
- P3. Public Forum**
- P4. Budget Oversight**
(The Committee will discuss processes for oversight of staff's administration of the Authority budget.)
- P5. Fiscal Year 2020/2021 Commission Chair Rotation**
(The Committee will discuss the rotation of the Commission Chair for FY 2020/2021.)
- P6. Committee Preference Form for Fiscal Year 2020/2021**
(A Committee Preference form for will be provided for the Commissioners.)
- P7. Review Draft Rules of the Commission**
(The Committee will consider and provide input on a draft of the Rules.)
- P8. Resolution Adopting the Amended Fiscal Year 2019/2020 Compensation Plan**
(The Committee will consider a resolution amending the Compensation Plan.)
- P9. Resolution Adopting the Fiscal Year 2020/2021 Compensation Plan.**
(The Committee will consider a resolution adopting the Compensation Plan.)
- P10. Adjournment**

Agenda Explanation
East Bay Dischargers Authority
Personnel Committee
May 19, 2020

(Any member of the public may address the Commission at the commencement of the meeting on any matter within the jurisdiction of the Commission. This should not relate to any item on the agenda. It is the policy of the Authority that each person addressing the Commission limit their presentation to three minutes. Non-English speakers using a translator will have a time limit of six minutes. Any member of the public desiring to provide comments to the Commission on an agenda item should do so at the time the item is considered. It is the policy of the Authority that oral comments be limited to three minutes per individual or ten minutes for an organization. Speaker's cards will be available in the Boardroom and are to be completed prior to speaking.)

(In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in an Authority meeting, or you need a copy of the agenda, or the agenda packet, in an appropriate alternative format, please contact the Administrative Assistant at the EBDA office at (510) 278-5910 or kyambao@ebda.org. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the Authority staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.)

(In compliance with SB 343, related writings of open session items are available for public inspection at East Bay Dischargers Authority, 2651 Grant Avenue, San Lorenzo, CA 94580. For your convenience, agenda items are posted on the East Bay Dischargers Authority website located at <http://www.ebda.org>.)

**The next Personnel Committee meeting is scheduled for July
2020. Date & time to be determined.**

ITEM NO. P4 BUDGET OVERSIGHT

Recommendation

Provide input and direction to staff.

Background

At this month's meeting, the Commission will be asked to consider adoption of the Authority's Fiscal Year 2020/2021 Budget. In parallel, the Commission has been discussing potential changes to the Authority's Purchasing Policy. Specifically, the Commission has been considering whether to raise the approval authority provided to staff, which was set at \$10,000 in the 1974 Joint Powers Agreement. The Financial Management Committee recommended raising the General Manager's approval threshold to \$75,000 for expenditures included in the annual budget. Yet other Commissioners have expressed a desire for the more detailed oversight that comes with leaving a lower threshold in place.

Discussion

Staff is seeking input from the Personnel Committee on mechanisms, in lieu of or in addition to the purchasing threshold, by which the Commission can exert oversight of the Authority's expenditures and budget. For example, should the budget be presented with a higher level of detail? Are there mechanisms short of contract approval that could be used to ensure that the Commission is well-informed on purchases and projects? The intent of this discussion is to gather ideas that will inform future conversations on budget management, Commission oversight, and Purchasing Policy thresholds.

ITEM NO. P5 FISCAL YEAR 2020/2021 COMMISSION CHAIR ROTATION

Recommendation

Approve, by motion, the rotation of the Chair to Daniel Walters and Vice Chair to Ralph Johnson commencing July 1, 2020.

Background

In July 1999, the Commission approved Resolution 99-11 Establishing Policy for Commission Chair Rotation. The policy established an equitable system for rotation of the Commission Chair by agency in the following order: Union Sanitary District, Oro Loma Sanitary District, Castro Valley Sanitary District, City of San Leandro, and City of Hayward. The Vice-Chair shall be from the Agency scheduled to be the Chair in the following year. In fiscal year 2019/2020 the Chair and Vice-chair were Commissioners Pauline Russo Cutter, City of San Leandro, and Daniel Walters, Oro Loma Sanitary District, respectively.

Discussion

For Fiscal Year 2020/2021, if the historical rotation is followed, the Chair would be Daniel Walters, Oro Loma Sanitary District, and the Vice-chair would be Ralph Johnson, Castro Valley Sanitary District. Following approval, both officer positions will be effective July 1, 2020.

ITEM NO. P6 COMMITTEE PREFERENCE FORM FOR FISCAL YEAR 2020/2021

The Committee Preference form allows Commission members to indicate individual preferences for Committee assignments in FY 2020/2021. Completed forms should be emailed to kyambao@ebda.org by Friday, May 29, 2020. The FY 2020/2021 Chairperson will consider Commissioners' preferences and provide Committee assignments at the June 2020 Commission meeting.

- | | |
|-------------------------|-------------------------|
| 1 = highly interested | 3 = not very interested |
| 2 = somewhat interested | 4 = not interested |

	Financial Management Committee
	Operations and Maintenance Committee
	Personnel Committee
	Regulatory Affairs Committee

Committee meetings are generally held the week of the third Thursday of the month, though that can be modified based on the preferences of the Committee members. For the purposes of this form, please assume that week and rank your availability in the table below. If there is a different time or day that works better for you, please write that in.

- 1 = I can meet at this time
2 = I can meet at this time but prefer to meet at (write in time).
3 = I cannot meet at this time but I can meet at (write in time).

	Monday	Tuesday	Wednesday
8:00 a.m. to 9:00 a.m.			
9:00 a.m. to 10:00 a.m.			
10:00 a.m. to 11:00 a.m.			
11:00 a.m. to 12:00 p.m.			
12:00 p.m. to 1:00 p.m.			
1:00 p.m. to 2:00 p.m.			
2:00 p.m. to 3:00 p.m.			
3:00 p.m. to 4:00 p.m.			
4:00 p.m. to 5:00 p.m.			

ITEM NO. P7 REVIEW DRAFT RULES OF THE COMMISSION

Recommendation

Provide input to staff on Draft Rules of the Commission.

Background

While EBDA has adopted individual policies regarding conduct of Commission business, the Authority does not have formal Rules of the Commission. The Joint Powers Agreement (JPA) also contained content regarding the conduct of the Commission and meeting protocols. That language was removed in the Amended and Restated JPA in favor of creating Rules of the Commission that would cover the details of Commission business and could be more easily modified than the JPA. The Rules of the Commission document is intended to be a high-level guidance manual for the workings of the Commission.

Draft Rules were reviewed at the Personnel Committee's March 2020 meeting, and Committee and Commission input has been incorporated in the attached draft.

Discussion

Attached for the Committee's review is an updated draft of the Rules of the Commission, prepared with the assistance of the Hanson Bridgett attorneys who assisted with JPA drafting. At its March 2020 meeting, the Committee provided the following feedback, which was incorporated into the updated draft:

- Voting Protocols - The Committee recommended that all motions, including procedural motions, should be subject to the majority and weighted voting process outlined in the JPA.
- Resolutions versus Motions - The Committee supported the concept of reserving resolutions for significant policy decisions and adopting contracts and other more routine items of business by motion.

In addition, the following edits were made in response to Committee feedback:

- Minimum number of meetings per year increased from one (required minimum in the JPA) to six.
- Clarification that the Chair has discretion to pull an item from the consent calendar at the request of a member of the public.
- Noted that roll call vote shall only be taken when voice vote is not unanimous.
- Reordered the list of agencies in Attachment 2 to make it alphabetical.

EAST BAY DISCHARGERS AUTHORITY

RULES OF THE COMMISSION

DRAFT

| ~~February~~ May 2020

16249308.6

EAST BAY DISCHARGERS AUTHORITY

RULES OF THE COMMISSION

	Page
RULE I. OFFICERS OF THE COMMISSION	1
A. Chair.....	1
B. Vice-Chair.....	2
C. General Manager.....	2
D. Treasurer and Auditor	2
E. Term.....	2
RULE II. MEETINGS OF THE COMMISSION.....	3
A. Call of Meetings.....	3
1. Regular Meetings	3
2. Special Meetings.....	3
3. Emergency Meetings	3
B. Notice of Meetings.....	3
C. Agenda of Meetings.....	3
D. Meetings Open to the Public.....	3
E. Order of Business.....	4
F. Procedure	4
1. Role of Chair.....	4
2. Convening the Meeting and Quorum.....	4
3. Consent Calendar	4
4. General Principles for Discussion or Debate	5
5. Motions	5
6. Voting	6
7. Time Limit on Meetings	6
8. Adjournment	6
9. Minutes	7
RULE III. COMMITTEES OF THE COMMISSION	8
A. Standing Committees.....	8
1. Financial Management Committee.....	8
2. Operations and Maintenance Committee.....	8
3. Personnel Committee.....	8
4. Regulatory Affairs Committee.....	8
B. Ad Hoc Committees.....	8
C. Committee Members and Alternates	8
RULE IV. COMMUNICATIONS TO THE COMMISSION.....	9
A. General.....	9
1. Agenda Items	9
2. Non-Agenda Items	9
B. Time Limits on Public Comments.....	9
RULE V. COMMISSIONER COMMUNICATIONS.....	10
A. Communications with Staff.....	10
B. Communications on behalf of EBDA	10
C. Communications with the Public	10

RULE VI. SUSPENSION/AMENDMENT/REPEAL 11

ATTACHMENT 1 - Chart Of Motion Practice

ATTACHMENT 2 - Member Agency Votes Under Weighted Voting Calculation

ATTACHMENT 3 - Commission Voting

DRAFT

WARNING: This section retains the original formatting, including headers and footers, of the main document. If you delete the section break above this message (which is visible ONLY in Normal View), any special formatting, including headers and footers for the Table of Contents/Authorities section will be lost.

If you delete the section break above the Table of Contents/Authorities, you will overwrite the headers and footers of the main document with Table of Contents/Authorities headers and footers.

To delete the Table of Contents/Authorities, begin your selection at the section break above the TOC/TOA section and continue through the end of this message.

DRAFT

EAST BAY DISCHARGERS AUTHORITY COMMISSION

RULES OF THE COMMISSION

The Commission of the East Bay Dischargers Authority (“EBDA”) adopts these Rules pursuant to Section 7(j) of the Amended and Restated Joint Exercise of Powers Agreement dated July 1, 2020 (“Amended and Restated JPA”).

The Commission is the legislative body that governs EBDA and is accountable to the member agencies for the following actions:

- Establish policies for EBDA operations;
- Establish and oversee the EBDA's finances and its budgets, programs, and performance; and
- Provide the resources needed by staff to carry out EBDA policy.

These Rules are designed solely to facilitate the Commission’s conduct of its own meetings and proceedings. They are not intended to, and do not, create procedural or substantive rights in any person.

The Rules are subordinate to state and federal law.

RULE I. OFFICERS OF THE COMMISSION

- A. Chair. The Commission shall elect a Chair from among its members annually at the regular meeting in June. Until otherwise determined by the Commission, current Commission policy is to provide for the equitable rotation of the Chair position among members (see Resolution 99-11).

The Chair shall preside at all meetings of the Commission.

The Chair's duties shall include calling meetings to order, adjourning meetings, announcing the business before the Commission in order in which it is to be acted upon, recognizing members and non-members entitled to the floor, putting to vote all questions moved and seconded, announcing results of votes, maintaining the rules of order, executing documents on behalf of the Commission when duly approved for action, and such other powers and duties as are provided elsewhere in these Rules or delegated by the Commission. The Chair shall be entitled to exercise his or her full voting rights on all questions before the Commission and need not relinquish the chair to discuss a question before the Commission.

The Chair may appoint members of the Commission to standing and ad hoc committees of the Commission and may designate the chairs of such committees. The Chair may also appoint members of the Commission to serve as the

representative of EBDA to other groups and organizations, unless the law requires such appointments to be made by action of the full Commission.

- B. Vice-Chair. The Commission shall elect a Vice-Chair from among its members annually at the regular meeting in June.

The Vice-Chair shall perform the duties of the Chair in the Chair's absence or incapacity. In the case of a vacancy of the office of the Chair, the Vice-Chair shall succeed to that office. In the case of a vacancy of the office of the Vice-Chairperson, an election shall be held at the next regular meeting to fill the vacancy.

- C. General Manager. The General Manager's duties and authority shall be as specified in Section 7(f) of the Amended and Restated JPA.

- D. Treasurer and Auditor. The Treasurer's and Auditor's duties and authority shall be as specified in Section 7(g) of the Amended and Restated JPA.

- E. Term. The term of officers shall be for one year commencing on July 1 of each and every Fiscal Year.

RULE II. MEETINGS OF THE COMMISSION

A. Call of Meetings

1. Regular Meetings. The Commission will hold at least ~~one~~six regular meetings~~s~~ each year. The date upon which, and the hour and place at which each such regular meetings~~s~~ will be held, will be fixed by resolution of the Commission. The date and/or time of a particular regular meeting may be changed by the Commission as needed to accommodate scheduling conflicts, subject to the notice requirements in Rule II.B below.
2. Special Meetings. Special meetings of the Commission may be called by the Chair or by a majority of the members of the Commission¹. The notice of the meeting shall state the particular business to be conducted. The Commission may not consider other business at such meetings.
3. Emergency Meetings. The majority of the members of the Commission may call an emergency meeting in the case of an “emergency situation,” as defined in the Brown Act.

- B. Notice of Meetings. A notice stating the time and place of the meeting shall be sent to each Commissioner no later than the time the agenda is required to be distributed by Rule II.C. If the date, time or place of a regular meeting is changed, notice of the change shall be sent at least 72 hours in advance of the regular meeting date or the rescheduled date, whichever is earlier, to each member and to all newspapers of general circulation and radio and television stations that have requested notice of meetings pursuant to the Brown Act.

- C. Agenda of Meetings. The General Manager shall prepare the agenda of all meetings of the Commission, in consultation with the Chair.

A copy of the agenda shall be posted in a location freely accessible to the public, EBDA's website, and delivered to each member, at least 72 hours before each regular meeting and at least 24 hours before each special meeting.

A copy of the agenda, and of all documents (other than those exempt from disclosure under the Public Records Act) distributed to the members with the agenda, shall be available for public inspection at EBDA's office at least 72 hours before each regular meeting and at least 24 hours before each special meeting. A copy of the agenda and such supporting documents shall also be available for public review at the meeting.

- D. Meetings Open to the Public. All meetings of the Commission shall be open and public and conducted in accordance with the Brown Act.

¹ Special meetings may be called in accordance with Government Code Section 54956; weighted voting does not apply.

E. Order of Business. The Order of Business shall generally be as follows:

Call to Order
Pledge of Allegiance
Roll Call
Public Forum
Consent Calendar
Regular Calendar
Reports
Commissioners' Comments and/or Agenda Requests
Closed Session (if any)
Adjournment

A member may request that an item be taken out of order. The Chair may take any item out of order in response to a request by a member or on his or her own initiative, subject to the right of a member to appeal.

F. Procedure.

1. Role of Chair. Authority for conduct of meetings is assigned to the Chair, who shall be responsible for timely, fair and reasonable conduct of the meeting's business. Decisions of the Chair on questions of procedure are final, except that any ruling may be appealed to a vote of the Commission.

In the event both the Chair and Vice-Chair are absent from a meeting which otherwise would constitute a quorum and a Chair pro tem was not designated by the Chair at the last regular meeting, any member may call the meeting to order and a chair pro tem may be elected by majority vote, as set forth in Section 7(c)(1) of the Amended and Restated JPA, to serve until the Chair or Vice-Chair is present. In such case, the Chair pro tem is authorized only to conduct meetings of the Commission pursuant to these Rules and is not authorized to add items the Agenda for any meeting of the Commission or exercise any other duties of the Chair or Vice-Chair of the Commission.

2. Convening the Meeting and Quorum. A majority of the full Commission (or, in the absence of a member, that member's alternate) constitutes a quorum for the conduct of business. The Chair shall be responsible for ascertaining and announcing the presence of a quorum and the due convening of the meeting. In the event a majority of the Commission is not also a majority of the commissioner and weighted voting calculations pursuant to Section 7(c)(1) of the Amended and Restated JPA, the Commission may convene and hold a meeting to receive reports and information, but it may not take action to approve any item.
3. Consent Calendar. Matters to be included on the Consent Calendar are those that are regularly presented to the Commission and are routine in

nature, such as approval of minutes. All matters on the Consent Calendar may be acted upon by a single vote. Any Commission member may request that a matter on the Consent Calendar be removed for comment only, prior to a single vote on the entire Consent Calendar. If any member requests that a matter on the Consent Calendar be considered and acted upon separately, the matter shall be removed from the Consent Calendar. In the event a member of the public requests that a matter on the Consent Calendar be considered and acted upon separately, the Chair has full discretion to determine whether or not such matter shall be removed from the Consent Calendar. Such matters shall be separately considered immediately after approval of the remainder of the Consent Calendar, subject to the Chair's authority to take up the matter later in the meeting.

4. General Principles for Discussion or Debate. Discussion of any issue is subject to regulation by the Chair to assure adequate consideration of relevant points of view in the best interests of EBDA. The objectives of discussion are to:
 - Determine the will of the Commission.
 - Assure sufficient discussion and consideration of issues so that all pertinent points of view are considered.
 - Maintain the dignity and decorum of the meeting so that each recognized speaker's views are made known to the members and to ensure that appropriate respect is accorded all members and the public.
 - Present the consideration of business in a manner understood by all participants.
5. Motions. The Commission prefers a flexible format for meetings and does not insist that its meetings be conducted strictly in accordance with formal rules of procedure. The conduct of the Commission's meetings will be informed by Robert's Rules of Order, but the Commission will not be obligated to strictly comply with Robert's Rules.

The following rules of motion practice are to be applied as a guide to the Chair in disposition of motions. If a member believes that adequate order is not being maintained or that the procedures being followed do not allow for adequate and orderly discussion of an item, the member may raise a point of order to the Chair. If the member is not satisfied with the ruling of the Chair, the member may appeal to the full Commission.

All matters requiring Commission action must be presented in the form of a motion. In order for a vote to be taken on a motion, the motion must be seconded by another member. When a motion has been made and

seconded, it shall be stated by the Chair for consideration by the Commissioners.

In general, every agenda item requiring action will be presented with a written staff report and clear recommendation; however, approval action may be by motion and reflected in the minutes. In certain circumstances, statutory law requires Commission action by written resolution, such as matters related to CalPERS. Furthermore, in practice, the Commission may choose to adopt significant governing policies, such as a Reserve Policy and Procurement Policy, by written resolution. In each case, the Chair will call for a motion to adopt such action.

Under these Rules, motions should be limited to those set forth on the Chart of Motion Practice (Attachment 1). Motions on Attachment 1 are listed in order of precedence. When a motion is pending, any motion listed above it on the chart is in order, but those below it are out of order.

6. Voting. The affirmative vote of (a) three or more commissioners; and (b) greater than fifty percent of the weighted votes based on Maximum Flow Rate Capacity is required to adopt any action, including passing a main motion, except for unanimous or other special voting protocols as set forth in Sections 7(c)(2) and 7(c)(3) of the Amended and Restated JPA. ~~is necessary to pass a main motion. A voice vote shall be taken first on all motions subject to weighted voting. If the voice vote is not unanimous, A~~ roll call vote shall be taken ~~on all motions subject to weighted voting.~~

A roll call shall be taken on the vote on all main motions associated with an ordinance or resolution and on any other motion when requested by a member. All votes will be recorded.

The number of votes assigned to each member for purposes of weighted voting is shown on Attachment 2.

~~Voting related to implementation of these Rules, meeting motion practice, extension of time limit on meetings, etc., will be by a majority of the Commission and weighted voting will not apply.~~

7. Time Limit on Meetings. When a meeting of the Commission has lasted two and one quarter hours or more, no new item of business may be taken up for discussion or action unless the Commission votes to extend the meeting. This provision may be invoked by the Chair or any member. However, it has no effect on the validity of any action taken by the Commission unless and until it is invoked.
8. Adjournment. Upon completion of the meeting's agenda, or upon conclusion of a meeting pursuant to Rule II.G.7, the Chair shall adjourn the meeting. Adjournment may be accomplished by a motion or announcement of the Chair.

9. Minutes. The General Manager shall prepare minutes of each Commission meeting, which shall be submitted for ~~approval~~action at a subsequent meeting. Minutes shall record the ayes and nays on roll call votes. Minutes should not include the text of ordinances and resolutions, which shall be maintained by the General Manager in separate volumes. Minutes are intended to be a record of Commission action and a brief summary of discussion; they should not be an exhaustive record of deliberation.

DRAFT

RULE III. COMMITTEES OF THE COMMISSION

- A. Standing Committees. The Commission may establish standing committees that have continuing jurisdiction over a particular subject matter, or a set meeting schedule pursuant to the Brown Act. Rules II.B, C, D, and E shall apply to all meetings of a standing committee. Until otherwise determined by the Commissions, the current policy is that the physical presence of a single Standing Committee member is sufficient to constitute a quorum (see Resolution 05-13). Standing committees may include, but shall not be limited to the following:
1. Financial Management Committee. The Financial Management Committee advises the Commission and General Manager regarding financial matters applicable to EBDA and its related budget and expenses.
 2. Operations and Maintenance Committee. The Operations and Maintenance Committee advises the Commission and General Manager on long range objectives of EBDA and the operation and maintenance of its facilities.
 3. Personnel Committee. The Personnel Committee advises the Commission and General Manager regarding personnel matters before the Commission.
 4. Regulatory Affairs Committee. The Regulatory Affairs Committee advises the Commission and General Manager on regulations and legislation at the local, State and Federal level which may affect EBDA, requirements of regulatory agencies, coordination with environmental and water quality organizations in and about San Francisco Bay, and other EBDA policy decisions.
- B. Ad Hoc Committees. The Commission, or the Chair on his or her own initiative, may establish ad hoc advisory committees to undertake special, specific or limited assignments on behalf of the Commission pursuant to the Brown Act.
- C. Committee Members and Alternates. Following the submission of each member's preference, the Chair may appoint members to standing and ad hoc committees of the Commission and may designate the chairs of such committees. Such appointments are effective on July 1 of each and every Fiscal Year. In the event of an absence of a Committee member, including the designated chair, that commissioner's agency appointed alternate will represent the Committee member, including serving as chair, if designated. In the event of a vacancy of a designated chair of a committee, the Commission Chair will designate a new committee chair.

RULE IV. COMMUNICATIONS TO THE COMMISSION

- A. General. Members of the public should address comments and questions to the Chair.
1. Agenda Items. Members of the public may speak on any item on the agenda, after receiving recognition from the Chair.
 2. Non-Agenda Items. Members of the public may speak on matters not on the agenda during Public Forum. The Commission will take no immediate action on matters which are not on the Agenda. Such items raised by the public may be referred to staff for review and analysis and may be reported back to the Commission at a subsequent meeting. Members and staff may also briefly respond to statements or questions made during Public Forum or take any other action permitted by law.
- If a speaker refers to any document, writing, record, picture, or other exhibit, the General Manager shall request a copy so that it can be included in the record.
- B. Time Limits on Public Comments. The Chair may impose time limits on each speaker.

RULE V. COMMISSIONER COMMUNICATIONS

- A. Communications with Staff. Members should endeavor to direct all questions and requests to the General Manager for delegation to staff, as needed. Members, by making a request to the General Manager, shall have access to information relative to the operations of EBDA, including but not limited to statistical information, information serving as the basis for certain actions of staff, justification for staff recommendations, etc. Members should receive any information from staff as preliminary and be cautious with the use of the information until the General Manager makes a formal recommendation for action.
- B. Communications on behalf of EBDA. Individual members have no authority and should not make any promises on behalf of the Commission or EBDA. Only the Commission may commit EBDA to an action or a policy. If a member is speaking on behalf of EBDA at another agency's public meeting, he/she should always clearly state that what he/she is saying has been approved by the Commission and not deviate from the message and/or position. If a member speaks as a private citizen at a public gathering, he/she should clearly state that he/she is doing so in an individual capacity.
- C. Communications with the Public. Commissioners may always speak with members of the public regarding EBDA matters. It is advisable to inform the General Manager as soon as practicable regarding complaints and concerns from members of the public. Only the Chair and General Manager are authorized to speak with the media regarding EBDA matters. All media requests should be directed to the General Manager.

RULE VI. SUSPENSION/AMENDMENT/REPEAL

A Rule may be suspended at any Commission meeting by a majority vote of the Commission. The Rules may be amended or repealed by a vote of the Commission.

DRAFT

ATTACHMENT 1				
CHART OF MOTION PRACTICE				
Motion	Second Required?	Debatable?	Amendable?	Vote Required*
MEETING CONDUCT (PRIVILEGED) MOTIONS				
Point of Privilege	No	No	No	None
Point of Order	No	No	No	None
To Appeal Ruling of Chair	No	Yes	No	Majority <u>+</u> <u>Weighted</u>
To Recess	Yes	Yes	Yes	Majority <u>+</u> <u>Weighted</u>
To Adjourn	Yes	Yes	No	Majority <u>+</u> <u>Weighted</u>
DISPOSITION (SUBSIDIARY) MOTIONS				
To Withdraw a Motion	No	No	No	None
To Postpone Consideration (Table)	Yes	Yes	Yes	Majority <u>+</u> <u>Weighted</u>
To Refer to Committee	Yes	Yes	Yes	Majority <u>+</u> <u>Weighted</u>
To Amend	Yes	Yes	Yes	Majority <u>+</u> <u>Weighted</u>
To Limit or Close Debate (Call the Question)	Yes	Yes	Yes	2/3
MAIN MOTIONS				
To Take Action; To Reconsider	Yes	Yes	Yes	Majority <u>+</u> <u>Weighted</u>

Comment [J21]: Note that no motion to adjourn is necessary in the following situations (chair simply declares the meeting adjourned in these situations):

- When the hour adopted for adjournment has arrived
- The body has reached the end of the agenda and no one offers any additional business to discuss when prompted by the chair
- Emergency requiring participants to leave the meeting

* For privileged and subsidiary motions, required vote refers to those present and voting. Main motions require a majority of the full Commission, whether or not present and voting. Except where noted, for purposes of this motion practice, weighted voting does not apply.

ATTACHMENT 2 -

MEMBER AGENCY VOTES
UNDER WEIGHTED VOTING CALCULATION

<u>Name of Agency</u>	<u>No. of Votes</u>
<u>Castro Valley</u>	<u>10.30</u>
<u>Hayward</u>	<u>14.72</u>
<u>Oro Loma</u>	<u>19.14</u>
<u>San Leandro</u>	<u>13.74</u>
Union	42.10
Oro Loma	19.14
Castro Valley	10.30
Hayward	14.72
San Leandro	13.74

In the event one or more Agencies adjusts its Maximum Flow Rate Capacity as set forth in Section 11 of the Amended and Restated JPA, this attachment will be recalculated, and all agencies will be informed, pursuant the Amended and Restated JPA. After such recalculation, a revised Attachment 2 will be automatically incorporated in these Rules.

ATTACHMENT 3

COMMISSION VOTING

A. Weighted Voting:

Except as set out in B and C below, every action will be subject to two vote calculations.

- 1) A calculation of commissioner's votes where each commissioner is allocated one vote; and
- 2) A calculation of weighted votes as set forth in Attachment 2.

B. Unanimous Voting:

The following actions require unanimous approval:

- 1) Amendment of the Amended and Restated JPA;
- 2) Termination ~~of the JPA~~ during the Term;
- 3) Approval of modifications to, or extension of, the Master Agreement between the Livermore-Amador Valley Water Management Agency ("LAVWMA") and the Authority, dated April 26, 2007;
- 4) Approval of any agreement that would result in the utilization of the Facilities to dispose of brine pursuant to Section 23(b)(1) of the Amended and Restated JPA;
- 5) Changes to the ownership of Authority Facilities; and
- 6) Approval of the Authority Policies and Procedures regarding purchasing and brine.

C. Other Actions:

For the purpose of Commission actions related to effluent violations addressed in Section 16(b) of the Amended and Restated JPA, the unanimous vote requirement will not include the violating Agency(ies) and the commissioner from the violating Agency(ies) will not be permitted a vote.

~~For the purpose of voting related to implementation of these Rules, meeting motion practice, extension of time limit on meetings, and other procedural actions, voting will be by a majority of the Commission and weighted voting will not apply.~~

**ITEM NO. P8 RESOLUTION ADOPTING THE AMENDED FISCAL YEAR 2019/2020
COMPENSATION PLAN**

Recommendation

Adopt a resolution approving revisions to the FY 2019/2020 Compensation Plan.

Background

Each year, the Authority adopts a Compensation Plan that lays out the compensation package for employees. The FY 2019/2020 Compensation Plan was adopted in June 2019. The Plan includes discussion of the Authority's retirement plans. The Authority's employees are members of the CalPERS pension system, and the Authority contributes 100% of the required Employer Normal Cost. The required employee contribution is paid entirely by Authority employees. Required contributions are different for Classic Members (enrolled before 2013) and Public Employees' Pension Reform Act or PEPRA Members (enrolled after 2013).

Discussion

In the Authority's FY 2019/2020 Compensation Plan, the contribution rates listed for PEPRA employees were incorrect. This was the first year that the Authority employed any PEPRA Members. Staff recommends deleting the specific rates to correct this error and readopting the Plan.

**EAST BAY DISCHARGERS AUTHORITY
FY2019/2020 COMPENSATION PLAN
JULY 1, 2019 TO JUNE 30, 2020**

MONTHLY SALARY RANGE					
	Step 1	Step 2	Step 3	Step 4	Step 5
Administrative Assistant	7,233.94	7,595.63	7,975.41	8,374.18	8,792.89
General Manager	16,888.59	17,733.02	18,619.68	19,550.68	20,528.21
Operations & Maintenance Manager	11,017.77	11,568.66	12,147.10	12,754.48	13,392.20

SUMMARY OF BENEFITS	
Benefit	EBDA Provided Portion
Medicare Tax	Employer contribution only, 1.45% of monthly salary.
P.E.R.S. Classic Member ¹ (2.5% @ 55 Formula; 1 year final compensation)	Authority shall contribute 100% of the required Employer normal cost (10.069%). The required Employee contribution is 8% of monthly salary.
CalPERS PEPRA Plan ² (2% @ 62 Formula; 3 years final compensation)	Authority shall contribute the required Employer contribution of 6.555% of payroll and the employee shall contribute 6.250% per payroll period. Authority shall contribute 100% of the required Employer Normal Cost Rate as determined by the CalPERS annual actuarial valuation. New Member ² shall contribute the plan's Employee Contribution Rate.
Medical Coverage	Insurance premiums paid by Authority; the maximum premium paid for medical shall not exceed the premium for Kaiser California Bay Area Employee and 2+ Dependents. No recompense will be made for employees who enroll as Employee Only or Employee +1 Dependent.
Post-Retirement Medical (October 1, 2015)	Employer-paid medical premiums up to \$473 per month are paid to CalPERS on behalf of those who retire from EBDA. The premiums up to \$473 per month include the PEMHCA minimum. Any medical premium costs that exceed \$473 per month are borne by the retiree. Note: the minimum qualification for retiree health benefits is five years of continual employment at EBDA.
Dental & Vision Care	Employer pays dental and vision insurance premiums up to date of permanent separation from EBDA.

Agenda Explanation
East Bay Dischargers Authority
Personnel Committee
May 19, 2020

Life Insurance	Maximum policy value is equal to 1x the employee's annual salary.
Disability Insurance (2/3 salary after all accrued leave is depleted)	Employer pays Short Term and Long Term Disability insurance premiums up to the date of permanent separation from EBDA. Note: EBDA does not pay into State Disability Insurance.
Deferred Compensation	The Authority contributes 2.32% of each full-time employee's base salary to a deferred compensation plan determined by the Authority provided that the employee also contributes 0.32% of his/her base salary. The Authority contributes an additional \$0.50 for each \$1.00 voluntarily contributed by the employee up to a maximum additional Authority contribution of \$500.00 per calendar year per full-time employee.
Holidays	11 paid holidays plus 28 hours of personal holiday annually.

MISCELLANEOUS	
Compensatory Time Off	<p>Unclassified, exempt employees do not receive additional payment for overtime. In lieu of payment, the General Manager may adjust working hours to compensate the employee for time worked in excess of 40 hours per week.</p> <p>Classified, non-exempt employees are compensated at the rate of one and one-half times the employee's regular rate of pay for all hours worked in excess of 40 hours per week.</p>
Calculation Method of Hourly Rate	Hourly rate equivalents shall be determined by dividing the employee's actual monthly salary rate by 173.33, which is considered to be the average number of working hours per month. The Authority shall pay any Fair Labor Standards Act overtime worked by non-exempt employees in a manner consistent with the Fair Labor Standards act.
Use of Authority Vehicle	The General Manager may authorize the use of Authority vehicles by employees for business travel when determined that such use would be in the best interest of the Authority.
Flexible Spending Accounts (FSA)	Benefit eligible employees may enroll in the Authority's FSA to make pre-tax salary contributions up to the IRS limits.

¹ Definition of a Classic Member-A classic member is defined as:

- An existing member of a California public retirement system as of December 31, 2012. Please note, however, that because new member determination is based on an appointment-by-appointment basis, upon appointment, new hires will be required to self-certify their classic member status by submitting a form that tests against the new member definition and which may ultimately result in a change in status to new member.

² Definition of a New Member-A new member is defined as any of the following:

- A new hire who is brought into a California public retirement system membership for the first time on or after January 1, 2013, and who has no prior membership in a California public retirement system.
- A new hire who was an active member of a California public retirement system and who, after a break in service of more than six months, returned to active membership in that system.

EAST BAY DISCHARGERS COMMISSION
EAST BAY DISCHARGERS AUTHORITY
ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 20-12

INTRODUCED BY _____

**RESOLUTION ADOPTING THE AMENDED
FISCAL YEAR 2019/2020 COMPENSATION PLAN**

WHEREAS, the East Bay Dischargers Authority Personnel Policy provides that annually, prior to the beginning of the fiscal year, a Compensation Plan shall be presented to the Commission; and

WHEREAS, the FY 2019/2020 Compensation Plan was adopted in June 2019 under Resolution 19-27; and

WHEREAS, staff identified an error in the required pension contribution rates listed in the adopted FY 2019/2020 Compensation Plan; and

WHEREAS, the Authority's policy is to pay 100% of the required employer contribution and to require the employee to pay 100% of the required employee contribution to employee's pension plans, noting that those required rates may change from time to time; and

WHEREAS, staff recommends, and the Personnel Committee supports removing specific contribution levels from the plan; and

WHEREAS, the Personnel Committee reviewed the Amended Compensation Plan and recommends its adoption, effective retroactive to July 1, 2019.

NOW, THEREFORE, BE IT RESOLVED, the Commission of the East Bay Dischargers Authority hereby adopts the Amended FY 2019/2020 Compensation Plan attached hereto.

SAN LORENZO, CALIFORNIA, MAY 21, 2020, ADOPTED BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

CHAIR
EAST BAY DISCHARGERS COMMISSION

ATTEST: _____
GENERAL MANAGER
EAST BAY DISCHARGERS AUTHORITY
EX OFFICIO SECRETARY

**ITEM NO. P9 RESOLUTION ADOPTING THE FISCAL YEAR 2020/2021
COMPENSATION PLAN**

Recommendation

Adopt a resolution approving the FY 2020/2021 Compensation Plan.

Background

Each year, the Authority adopts a Compensation Plan that lays out the compensation package for employees, including salaries and benefits.

Discussion

For the FY 2020/2021 Compensation Plan, staff is recommending the following updates, which were reviewed with the Personnel Committee at its March 2020 meeting:

- **Cost-of-Living Adjustment:** As discussed at the February 2020 Financial Management Committee Meeting, EBDA's Compensation Plan has traditionally provided a Cost-of-Living Adjustment (COLA) based on the December to December Consumer Price Index (CPI) for the San Francisco Bay Area. The Authority's Personnel Policy, last amended in January 2020, states the following under Compensation Plan:

In preparing the tentative plan, the General Manager shall take into consideration class-by-class salary comparisons with Member Agencies and other comparable agencies to be designated by the Personnel Committee and across-the-board compensation adjustments received by Member Agencies since the last EBDA adjustment. Appropriate consideration shall be given to adjustments of the cost of living as measured by the National Consumer Price Index Pacific Cities, the base figure for comparison shall be the SF-Oakland-SJ city for the period of January 1 through December 30 of the previous year. Adjustments in the cost of living shall be considered once a year as the General Manager prepares the Compensation Plan. The approved salary adjustments shall be applied to all of the classifications, effective the following July 1, to the current salary of each employee on that date and the salary ranges for each classification shall be adjusted a like amount by adoption of an amended Compensation Plan.

The most recent December to December CPI is 2.5%, which is reflected in the budget presented in Item No. FM10 and the proposed FY 2020/2021 Compensation Plan. Member Agencies' COLA projections at the time of writing are as follows:

- CVSan – No COLA due to COVID-19-based economic concerns
- Hayward – Executive staff are foregoing a planned 2.5% COLA due to COVID-19-based economic concerns. Negotiations with bargaining groups are underway
- Oro Loma – COLA based on CPI to be reported mid-May
- San Leandro – Negotiations ongoing, resolution expected in June

- USD – COLA based on CPI to be reported in December. Increases for unclassified staff are set by the Board and based on merit.
- **Clarifying CalPERS Rates:** To prevent the potential for mistakes on the CalPERS rates as happened last year (See Item No. P7), staff proposes to refer simply to the Employer Normal Cost Rate. The FY 2020/2021 Employer Normal Cost Rate for the Authority's Miscellaneous Plan is 12.361%. Classic Plan members contribute 100% of the Employee Contribution Rate of 8%. The Authority's PEPRA Plan Employer Normal Cost Rate for FY 2020/2021 is 7.732% and plan members contribute 6.75%.

**EAST BAY DISCHARGERS AUTHORITY
FY2020/2021 COMPENSATION PLAN
JULY 1, 2020 TO JUNE 30, 2021**

MONTHLY SALARY RANGE					
	Step 1	Step 2	Step 3	Step 4	Step 5
Administrative Assistant	7,414.80	7,785.52	8,174.80	8,583.53	9,012.71
General Manager	17,310.80	18,176.35	19,085.17	20,039.45	21,041.42
Operations & Maintenance Manager	11,293.21	11,857.88	12,450.78	13,073.34	13,727.01

SUMMARY OF BENEFITS	
Benefit	EBDA Provided Portion
Medicare Tax	Employer contribution only, 1.45% of monthly salary.
CalPERS Miscellaneous Plan (2.5% @ 55 Formula; 1 year final compensation)	Authority shall contribute 100% of the required Employer Normal Cost Rate as determined by the CalPERS annual actuarial valuation. Classic Member ¹ shall contribute 100% of the plan's Employee Contribution Rate.
CalPERS PEPRA Plan (2% @ 62 Formula; 3 years final compensation)	Authority shall contribute 100% of the required Employer Normal Cost Rate as determined by the CalPERS annual actuarial valuation. New Member ² shall contribute 100% of the plan's Employee Contribution Rate.
Medical Coverage	Insurance premiums paid by Authority; the maximum premium paid for medical shall not exceed the premium for Kaiser California Bay Area Employee and 2+ Dependents. No recompense will be made for employees who enroll as Employee Only or Employee +1 Dependent.
Post-Retirement Medical (October 1, 2015)	The Authority contributes up to a maximum of \$473 per month for enrollment in a CalPERS health benefit plan for EBDA annuitants. The fixed employer contribution of \$473 per month includes the PEMHCA minimum. The minimum qualification for retiree health benefits is five years of continual employment at EBDA.
Dental & Vision Care	Employer pays dental and vision insurance premiums up to date of permanent separation from EBDA.
Life Insurance	Maximum policy value is equal to 1x the employee's annual salary.
Disability Insurance (2/3 salary after all accrued leave is depleted)	Employer pays Short Term and Long Term Disability insurance premiums up to the date of permanent separation from EBDA. Note: EBDA does not pay into State Disability Insurance.

Agenda Explanation
East Bay Dischargers Authority
Personnel Committee
May 19, 2020

Deferred Compensation	The Authority contributes 2.32% of each full-time employee's base salary to a deferred compensation plan determined by the Authority provided that the employee also contributes 0.32% of his/her base salary. The Authority contributes an additional \$0.50 for each \$1.00 voluntarily contributed by the employee up to a maximum additional Authority contribution of \$500.00 per calendar year per full-time employee.
Holidays	11 paid holidays plus 28 hours of personal holiday annually.

MISCELLANEOUS	
Compensatory Time Off	<p>Unclassified, exempt employees do not receive additional payment for overtime. In lieu of payment, the General Manager may adjust working hours to compensate the employee for time worked in excess of 40 hours per week.</p> <p>Classified, non-exempt employees are compensated at the rate of one and one-half times the employee's regular rate of pay for all hours worked in excess of 40 hours per week.</p>
Calculation Method of Hourly Rate	Hourly rate equivalents shall be determined by dividing the employee's actual monthly salary rate by 173.33, which is considered to be the average number of working hours per month. The Authority shall pay any Fair Labor Standards Act overtime worked by non-exempt employees in a manner consistent with the Fair Labor Standards act.
Use of Authority Vehicle	The General Manager may authorize the use of Authority vehicles by employees for business travel when determined that such use would be in the best interest of the Authority.
Flexible Spending Accounts (FSA)	Benefit eligible employees may enroll in the Authority's FSA to make pre-tax salary contributions up to the IRS limits.

¹ Definition of a Classic Member -A classic member is defined as:

- An existing member of a California public retirement system as of December 31, 2012. Please note, however, that because new member determination is based on an appointment-by-appointment basis, upon appointment, new hires will be required to self-certify their classic member status by submitting a form that tests against the new member definition and which may ultimately result in a change in status to new member.

² Definition of a New Member -A new member is defined as any of the following:

- A new hire who is brought into a California public retirement system membership for the first time on or after January 1, 2013, and who has no prior membership in a California public retirement system.
- A new hire who was an active member of a California public retirement system and who, after a break in service of more than six months, returned to active membership in that system.

Revised: 02/05/2020

EAST BAY DISCHARGERS COMMISSION
EAST BAY DISCHARGERS AUTHORITY
ALAMEDA COUNTY, CALIFORNIA

RESOLUTION NO. 20-13

INTRODUCED BY _____

**RESOLUTION ADOPTING THE
FISCAL YEAR 2020/2021 COMPENSATION PLAN**

WHEREAS, the East Bay Dischargers Authority Personnel Policy provides that annually, prior to the beginning of the fiscal year, a Compensation Plan shall be presented to the Commission; and

WHEREAS, the FY 2020/2021 Compensation Plan, prepared in consideration of salary comparisons with member agencies and changes to the San Francisco-Oakland Consumer Price Index, provides a 2.5% cost-of-living adjustment for all classifications listed in the Compensation Plan; and

WHEREAS, the Authority's policy is to pay 100% of the required employer contribution and to require the employee to pay 100% of the required employee contribution to employee's pension plans, noting that those required rates may change from time to time; and

WHEREAS, staff recommends, and the Personnel Committee supports, removing specific required pension contribution levels from the Compensation Plan and instead stating that the Authority will pay 100% of the required Employer Normal Cost Rate and the Employee will pay 100% of the Employee Contribution Rate; and

WHEREAS, the Personnel Committee reviewed the Compensation Plan and recommends its adoption effective July 1, 2020.

NOW, THEREFORE, BE IT RESOLVED, the Commission of the East Bay Dischargers Authority hereby adopts the FY 2020/2021 Compensation Plan attached hereto.

SAN LORENZO, CALIFORNIA, MAY 21, 2020, ADOPTED BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

CHAIR
EAST BAY DISCHARGERS COMMISSION

ATTEST: _____
GENERAL MANAGER
EAST BAY DISCHARGERS AUTHORITY
EX OFFICIO SECRETARY

ITEM NO. 25 ITEMS FROM THE COMMISSION AND STAFF

The Commission and staff may comment on items of general interest.

ITEM NO. 26 ADJOURNMENT

Attachment No. 1

Handouts for May 21st Commission Agenda

Survey on COLA Adjustment in 2020
 May 18, 2020

Agency	Is your agency seeking to reduce or defer MOU scheduled COLA adjustment for employees due to the pandemic?	When is your COLA taking place this year?	What is the percentage?
Alameda County Water District	Not considering any changes	July	3.00%
Castro Valley Sanitary District	We are in the middle of negotiations and proposed to the Union to strike a one year deal since we are facing such uncertain times. The unit wants 3% COLA retro to March. We are taking it back to the Board, but I have a feeling they will not accept that.	December	2.75%
Central Contra Costa Sanitary District	No change	April	2.90%
Contra Costa Water District	No change	July	3.00%
Delta Diablo	No change	July	2.00%
Dublin San Ramon Water District	Not considering any changes	December	2.75%
Fairfield Suisun Sewer District	Proposing COLA increase for Board adoption in June. No MOU, annual COLA adjustment is min 2% & 5% max. This year’s COLA proposal is 2%; we use the SF April CPI.	July	Proposing 2%
Napa Sanitation District	MOU’s expire June 30, 2020. Board has halted negotiations and offered a one year extension of with no COLA for FY 20-21.	N/A	Likely 0%
Oro Loma Sanitary District	No change at this time.	June	1.50%
Ross Valley Sanitary District	No change	July	3.00%
Union Sanitary District	No change for SEIU (100/137 employees), COLA was negotiated in March prior to COVID-19. Contract doesn’t expire until December 31, 2022, COLA for each year is based on the CPI from December to December with 3.25% min and 4.5% max. 37 unrepresented employees typically receive an increase each September and same as what SEIU's. Not sure if the Board will approve an increase for the unrepresented employees in June.	March for SEIU; Septermber for unrepresented	3.25% for SEIU; TBD in June for unrepresented
Vallejo Flood and Wastewater District	No change	July	2.00%
West Bay Sanitary District	No change	July	4.00%
West Valley Sanitation District	No change at this time for represented; unrepresented TBD in June	July	3.25% for represented; TBD in June for unrepresented

Impact of COLA on EBDA FY 20/21 Budget

No COLA

Position	GM	O&M MGR	ADMIN. ASST.	PART TIME*	STD/LTD	PERS	W/C INS	MEDICARE	TOTAL
Hourly Rate	112.79	77.26	50.73	41.74					
Budgeted Salary	\$ 234,603	\$160,701	\$ 105,518	\$ 43,410	\$ 3,029	\$ 70,175	\$ 7,922	\$ 8,703	\$ 634,061

1.75% COLA

Position	GM	O&M MGR	ADMIN. ASST.	PART TIME	STD/LTD	PERS	W/C INS	MEDICARE	TOTAL	Total Increase	% of O&M Budget
Hourly Rate	114.76	78.61	51.62	42.47							
Budgeted Salary	\$ 238,709	\$163,513	\$ 107,365	\$ 44,169	\$ 3,081	\$ 71,376	\$ 8,053	\$ 8,852	\$ 645,118	\$ 11,057	0.32%

2.5% COLA

Position	GM	O&M MGR	ADMIN. ASST.	PART TIME	STD/LTD	PERS	W/C INS	MEDICARE	TOTAL	Total Increase	% of O&M Budget
Hourly Rate	115.61	79.20	52.00	42.78							
Budgeted Salary	\$ 240,478	\$164,727	\$ 108,155	\$ 44,490	\$ 3,103	\$ 71,891	\$ 8,109	\$ 8,916	\$ 649,868	\$ 15,807	0.46%

Total EBDA O&M Budget

\$ 3,469,244

*Note that half of the part time position salary is currently included in the budget as a Contingency Special Study