

EAST BAY DISCHARGERS AUTHORITY COMMISSION MEETING MINUTES

May 21, 2020

1. Call to Order

Chair Cutter called the telephonic meeting to order pursuant to the Governor's Executive Order N-25-20 at 8:34 A.M. on Thursday, May 21, 2020. Dial-in information for the meeting was provided in the agenda for public attendees.

2. Pledge of Allegiance – Deferred.

3. Roll Call

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|-----------------|----------------|---------------------------------|
| 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 |
| | Jimmy Dang | 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.

CONSENT CALENDAR

5. Commission Meeting Minutes of April 16, 2020
6. List of Disbursements for April 2020
7. Treasurer's Report for April 2020
8. Third Quarter Expense Summary, FY 2019/2020

Commissioner Walters 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

9. General Manager's Report

The General Manager (GM) requested feedback on continuing use of colored paper for hard-copy agenda packets. The Commissioners concurred that white paper is fine for future packets. The GM reported that an agreement transferring ownership of the San Leandro Effluent Pump Station and associated pipeline segment to the City of San Leandro is being drafted, and that the Authority will be ready for all changes included in the Amended and Restated JPA to take effect on July 1st 2020. The GM reported back on a question from last month, noting that the Authority's attorneys had drafted a memo concluding that Prop 218 does not apply to the Authority's brine project opportunity. Lastly, the GM provided an update on the HASPA Shoreline Master Plan; the GM will send information from HASPA's website summarizing the status of the project.

10. Report from the Managers Advisory Committee (MAC)

The MAC met on May 14, 2020. The GM deferred the items discussed with the MAC. See Item No.11.

11. Report from the Financial Management Committee

The Financial Management Committee met on May 18, 2020. The Committee reviewed the List of Disbursements and Treasurer's Report for April, and Third Quarter Expense Summary and recommended approval. The GM reported that EBDA is currently under budget for the year. The GM summarized informational items included in the agenda including the 2019 State Controller Report, adoption of Wells Fargo's fraud prevention services for the Authority's bank accounts, and an annual review of the Authority's Internal Controls & Fraud Prevention and Reporting Policies. The Committee concurs with staff's recommendation not to amend these policies. The Committee also recommended reviewing the Authority's banking practices to evaluate whether any alternative financial institutions, including small local institutions, can meet the Authority's needs.

The Brine Policy was discussed with the MAC and the Finance Committee. The item will continue to be reviewed by the MAC to further discuss appropriate allocations of potential brine revenue and brought back to the Committee for review. The Committee and the MAC also reviewed the status of the LAVWMA negotiation; the Committee and MAC recommend an additional six-month extension with a 30% premium added after three months to LAVWMA's operations & maintenance fees.

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

Commissioner Lamnin moved to approve the Resolution adopting EBDA's Fiscal Year 2020/2021 Budget and appointing the GM as Treasurer with the modification that the Special Studies line item for LIMS be moved to the O&M budget. 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

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.

Commissioner Walters moved to adopt the Resolution increasing the annual contribution to the Renewal and Replacement Fund to \$750,000. The motion was seconded by Chair Cutter and carried unanimously, 5-0 by roll call vote.

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

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.

Commissioner Handley moved to adopt the Resolution authorizing the GM to suspend charges to HARD for Skywest Golf Course for May and June 2020. 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

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

Commissioner Johnson moved to adopt the Resolution establishing the price of recycled water for Skywest Golf Course in FY 2020/2021. The motion was seconded by Commissioner Lamnin and carried unanimously, 5-0 by roll call vote.

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

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

Commissioner Walters moved to adopt the Resolution approving revisions to the investment policy. 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

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

The Operations and Maintenance Committee met on May 19, 2020 and discussed the status of the EBDA facilities. The O&M Manager reviewed NPDES Compliance for March and preliminary data for April and provided an update on current projects. At AEPS, the center pole portion of the Pump No. 2 VFD transformer failed, and EBDA is in the process of obtaining quotes to replace the part. At HEPS, the MCC building stairs and the generator platform were installed. The only remaining item for the HEPS MCC Project is staff training, which will be implemented as the Shelter-in-Place mandate evolves.

At OLEPS, on May 7th the new breaker and MCC bucket completing the backup power connection to OLSD were installed. On May 19th the new speed switch for the generator was installed. New paving was done around the captor tank at EBDA's dechlorination system at OLSD to improve safety and new windows were installed at the EBDA Operations Center.

The GM gave an update on current COVID-19 safety practices for Authority staff, as well as EBDA's potential involvement in conducting influent testing for the SARS-CoV-2 virus in wastewater. Virus levels in influent could be useful in understanding and predicting community outbreaks of COVID-19. Research and efforts to scale up this practice, known as wastewater-based epidemiology, are underway.

The O&M Manager reviewed the reports in the agenda from the May 6th bypass and May 12th recycled water leak incidents at OLEPS and the Skywest pipeline, respectively. EBDA thanked staff at Hayward and USD for their quick response in reducing their flow, and to OLSD's operator for their help in responding to the incident on May 6th. EBDA staff and member agencies are looking into improvements that would reduce the potential for future incidents. The O&M manager also thanked staff from across OLSD's departments for their rapid and thorough response to the May 12th incident.

Finally, the O&M Manager reviewed the draft Renewal & Replacement Fund Project List for FY 2020/2021, which the Committee recommends for approval.

18. Resolution Authorizing the General Manager to Issue a Credit to the City of San Leandro for Capital Reimbursements in the Amount of \$114,227.

Commissioner Walters moved to adopt the Resolution authorizing the GM to issue a credit to the City of San Leandro for capital reimbursements in the amount of \$114,227. 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

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.

Commissioner Lamnin moved to adopt the Resolution authorizing the GM to issue a purchase order to R&B Company in the amount of \$61,727. 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

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.

Commissioner Johnson moved to adopt the Resolution authorizing the GM to issue a purchase order to Miller Pipeline in the amount of \$32,645. The motion was seconded by Chair Cutter and carried unanimously, 5-0 by roll call vote.

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

21. Report from the Personnel Committee

The Personnel Committee met on May 19, 2020 and discussed the agenized items. The GM reviewed the Committee Preference Form for the Commission and asked for input on the draft Rules of the Commission which will be brought back to the Commission for approval via Resolution. The Committee and Commission recommended continuation of Item No. 24 pending further discussion on Cost of Living Adjustments.

22. Fiscal Year 2020/2021 Commission Chair Rotation.

Chair Cutter moved to approve the rotation of the Commission Chair for Fiscal Year 2020/2021. 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

23. Resolution Adopting the Amended Fiscal Year 2019/2020 Compensation Plan.

Commissioner Lamnin moved to adopt the Resolution amending the Fiscal Year 2019/2020 Compensation Plan. The motion was seconded by Commission Handley and carried unanimously, 5-0 by roll call vote.

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

24. Resolution Adopting the Fiscal Year 2020/2021 Compensation Plan.

Item continued until June Commission meeting.

25. Items from Commission and Staff

Chair Cutter thanked the Commissioners for their flexibility in moving the meeting and Commissioner Walters commended the GM for her attention to potential ways EBDA may be able to help track and/or moderate the current COVID-19 pandemic via wastewater testing.

26. Adjournment

With no further business, Chair Cutter adjourned the meeting at 10:28 A.M.



Jacqueline Zipkin
General Manager