

EAST BAY DISCHARGERS AUTHORITY COMMISSION MEETING MINUTES

June 18, 2020

1. Call to Order

Chair Cutter called the telephonic meeting to order pursuant to the Governor's Executive Order N-25-20 at 9:35 A.M. on Thursday, June 18, 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
	Jennifer Toy	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 May 21, 2020
6. List of Disbursements for May 2020
7. Treasurer's Report for May 2020

The Commission minutes of May 21, 2020 were approved with the amendment circulated on June 15, 2020 stating that the Finance Committee also recommended reviewing the Authority's banking practices to evaluate whether any alternative financial institutions, including small local institutions, could meet the Authority's needs. Commissioner Walters moved to approve the consent calendar. 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

REGULAR CALENDAR

8. General Manager's Report

The General Manager (GM) provided an update on the Hayward Area Shoreline Protection Agency (HASPA) Shoreline Master Plan. East Bay Regional Park District staff briefed their Executive Committee on June 4th on design alternatives for the Master Plan, and the HASPA team will be presenting the alternatives to the HASPA board on July 9th. The Master Plan alternatives include a potential Horizontal Levee Project at Oro Loma Marsh, consistent with the "First Mile" project that EBDA has been working on under a grant from EPA. A request for proposals for a design and permitting consultant will be released later this summer for this project. The GM reported she will be part of the Project Implementation Working Group for the Bay Conservation and Development Commission (BCDC)'s BayAdapt program. BayAdapt is an initiative to establish regional agreement on the actions necessary to protect people and the natural and built environment from rising sea levels. The goal of BayAdapt is to develop a regional action plan later this calendar year, and the GM will provide updates to the Commission. The GM will also speak at a workshop sponsored by BCDC and the Regional Water Board on shoreline adaptation funding on July 8th on behalf of the wastewater community.

9. Report from the Managers Advisory Committee (MAC)

The GM reported that at the MAC meeting on June 11, 2020, the managers reviewed the Commission agenda package, discussed the LAVWMA negotiation, and reviewed the brine project opportunity and Brine Policy, including revenue allocation schemes.

10. Report from the Financial Management Committee

The GM reported that the Financial Management Committee met on June 15, 2020 and reviewed the May List of Disbursements and Treasurer's Report, discussed the status and terms for the brine project opportunity, and reviewed the draft Brine Policy. The GM relayed details of the draft Term Sheet for the brine project opportunity. Testing to date has shown that when blended with EBDA's effluent, the brine is unlikely to cause regulatory compliance issues.

The GM reviewed the Brine Policy update, which includes verbiage specifying allocation of any revenue for the member agencies would be determined on a case-by-case basis. The Committee recommends adding Bay protection to the Brine Policy's purpose. The term sheet for the brine project and the Brine Policy will be brought back for adoption next month.

LAVWMA has agreed to the terms of the six-month extension. The GM will meet with LAVWMA to discuss the term sheet for the new agreement next week.

11. Resolution Extending the Authority's Master Agreement with Livermore-Amador Valley Water Management Agency Until No Later Than January 1, 2021

Chair Cutter moved to approve the Resolution extending the Authority's master agreement with LAVWMA. 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

12. Report from the Regulatory Affairs Committee

The GM reported that the Regulatory Affairs Committee met on June 17, 2020 and discussed key regulatory developments. The GM reviewed NPDES Compliance for April and preliminary data for May. The GM relayed that EBDA is currently working on an RFP for the Disinfection Master Plan to optimize chlorine dosing and prevent bacteria outbreaks. The Committee discussed the status of the Basin Plan Amendment for Total Residual Chlorine, which will greatly reduce EBDA's sodium bisulfite dosing. The GM expects the new requirements to be in place for FY 2020/2021. The Committee also reviewed the Bay Area Clean Water Agencies (BACWA) Key Regulatory Issue Summary, and in particular, issues related to PFAS. Finally, the Committee reviewed data submitted to the State Water Resources Control Board on member agencies' water recycling volumes for 2019.

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

The Operations and Maintenance Committee met on June 16, 2020 and discussed the status of EBDA facilities. The O&M Manager provided an update on current projects. At HEPS, staff training will take place on the new pump station valves and the equipment inside the MCC building along with thermographic imaging and stress testing of the electrical equipment. SLEPS had an emergency generator failure during routine testing; a new sensor was ordered but failed to fix the issue. A service call is scheduled to trouble shoot the generator failure. A portable generator was ordered and is connected in the meantime. For Skywest, an emergency repair of the bridge approach was completed on June 4th in response to last month's recycled water pipeline leak. An insurance claim is being filed to help recover costs of the repair. Any increase in annual insurance premiums would be paid out of EBDA's current Skywest fund.

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. Standardization of testing, analysis of data, and the capacity for timely processing of samples will require funding. CASA has sent a letter to the CDC requesting funding and requested member agencies follow suit. The GM will send a letter on behalf of EBDA and the member agencies.

The GM gave an update on the AQPI project. Staff from the Bay Planning Coalition met last week with staff from speaker Pelosi's office regarding potential funding of the AQPI Project as part of an upcoming infrastructure funding package. A letter requesting funding on behalf of EBDA and other local water, wastewater, and flood control partners is being submitted.

14. Resolution Approving the Renewal and Replacement Fund Project List for Fiscal Year 2020/2021

Commissioner Walters moved to adopt the Resolution approving the RRF Project List for FY 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

15. Resolution Authorizing the General Manager to Exercise a One-Year Option to Extend the Authority's Purchase Order with Univar Solutions USA, Inc. for Sodium Bisulfite 25% Solution in FY 2020/2021 in the Amount of \$250,000

Chair Cutter moved to adopt the Resolution authorizing the GM to exercise a one-year option to extend the Authority's purchase order with Univar Solutions USA, Inc. in the amount of \$250,000. 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

16. Resolution Authorizing the General Manager to Issue a Purchase Order to Buckles-Smith in the Amount of \$15,372 for a New Variable Frequency Drive Transformer and Field Service for Effluent Pump No. 2 at the Alvarado Effluent Pump Station

Commissioner Walters moved to adopt the Resolution authorizing the GM to issue a purchase order to Buckles-Smith in the amount of \$15,372. 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. Resolution Authorizing the General Manager to Execute a Transfer Agreement with the City of San Leandro

Chair Cutter moved to adopt the Resolution authorizing the GM to execute a transfer

agreement with the City of San Leandro. 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

18. Report from the Personnel Committee

The GM reported that the Personnel Committee met on June 15, 2020 and received a briefing from legal counsel on recent changes to the Brown Act, including changes made by Executive Orders in response to shelter in place orders. The Committee discussed the Compensation Plan for Fiscal Year 2020/2021, and in particular, the cost of living adjustment (COLA). The Committee recommends approval of the Compensation Plan including the 2.5% COLA based on the consumer price index (CPI). The Committee further recommends that the Personnel Plan be updated to state that the COLA will be based on CPI with a floor of 0% and a ceiling of 4%. The floor and ceiling would be reevaluated every three years. The Commission recommended verbiage making clear that this stipulation may be revised based on current conditions at any time. The Personnel Plan will be brought forth in August for adoption with the recommended changes.

The Committee also recommends approval of the Rules of the Commission with one addition to note that the Vice Chair generally assumes the Chair position. The GM noted that per the new Rules commencing in July, resolutions will be reserved for Policy related items and motions will serve to approve items previously approved via resolutions.

19. Resolution Adopting Rules of the Commission

Commissioner Handley moved to approve the Resolution adopting Rules of the Commission. The motion was seconded by Commission Walters and carried unanimously, 5-0 by roll call vote.

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

20. Motion to Accept Committee Appointments and Calendar for FY 2020/2021

The GM thanked Commissioner Handley for his service and dedication during his term and welcomed incoming Commissioner Toy as this year's Committee appointments conclude. Commissioner Johnson moved to accept the committee appointments and calendar for 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

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

Chair Cutter moved to approve the Resolution adopting the Fiscal Year 2020/2021 Compensation Plan. The motion was seconded by Commission Johnson and carried unanimously, 5-0 by roll call vote.

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

22. Items from Commission and Staff

Commissioner Johnson provided an update on his grandson, who successfully walked to receive his high school diploma this month, a huge accomplishment given his prior sustained injury.

23. Adjournment

With no further business, Chair Cutter adjourned the meeting at 10:58 A.M.



Jacqueline Zipkin
General Manager