

EAST BAY DISCHARGERS AUTHORITY COMMISSION MEETING MINUTES

July 16, 2020

1. Call to Order

Chair Walters called the telephonic meeting to order pursuant to the Governor's Executive Order N-25-20 at 9:31 A.M. on Thursday, July 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
	Jennifer Toy	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
	Paul Eldredge	Union Sanitary District
	Don Brown	Cargill, Inc.
	Tim Oolman	Cargill, Inc.

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 June 18, 2020
6. List of Disbursements for June 2020
7. Preliminary Treasurer's Report for June 2020

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

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

REGULAR CALENDAR

8. General Manager's Report

The General Manager (GM) provided an update on the current status of the LAVWMA Agreement negotiations. The Commission requested updates on the status of negotiations in order to provide direction on future action related to the LAVWMA Agreement.

9. Report from the Managers Advisory Committee (MAC)

The GM reported on the MAC meeting on July 9, 2020, which focused primarily on the LAVWMA negotiations and continued discussions regarding brine project revenue allocation schemes.

10. Report from the Financial Management Committee

The GM reported on the Financial Management Committee, which met on July 14, 2020 and reviewed the June List of Disbursements and Preliminary Treasurer's Report. The Committee also reviewed the draft Electronic Signature Policy and recommends the selected certification service be integrated into the Policy. The Commission suggested that if language is added stating the specified vendor, it should also state that EBDA may consider changing vendors via Commission approval, should the need arise in the future.

The Committee also discussed the status of the Skywest Golf Course. The Commission agrees with the Committee's recommendation to hold bills to Hayward Area Recreation and Park District (HARD) for the coming months until water use and Skywest project funding needs become clearer. At that time, the Commission can consider if a waiver for all or a portion of recycled water charges is appropriate.

11. Resolution Authorizing Closure of the Authority's Construction Fund

Commissioner Cutter moved to approve the Resolution authorizing closure of the Authority's Construction Fund and reallocating to the Authority's Renewal and Replacement Fund retroactively as of June 30th 2020. The motion was seconded by Commissioner Johnson and carried unanimously, 5-0 by roll call vote.

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

12. Resolution Approving the Authority's Brine Policy

Commissioner Cutter moved to approve the Resolution Approving the Authority's Brine Policy. The motion was seconded by Commissioner Lamnin and carried unanimously, 5-0 by roll call vote.

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

13. Motion Authorizing the General Manager to Sign a Non-Binding Brine Project Term Sheet with Cargill, Incorporated

The GM reported on the item, noting that approval of the Term Sheet will launch EBDA into further due diligence ensuring regulatory compliance and infrastructure safety before entering into any long-term contract with Cargill, Incorporated. The GM reported that staff has had preliminary discussions with Regional Water Board staff and BayKeeper. The GM then introduced Don Brown and Tim Oolman representing Cargill, Incorporated, who look forward to continued positive working relations with EBDA.

Commissioner Johnson moved to approve the motion authorizing the GM to sign a Non-Binding Brine Project term-sheet with Cargill, Inc. The motion was seconded by Commissioner Toy and carried unanimously, 5-0 by roll call vote.

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

14. Report from the Regulatory Affairs Committee

The GM reported that the Regulatory Affairs Committee met on July 15, 2020 and discussed key regulatory developments. The GM reviewed the latest concepts from the Regional Water Board on the third Nutrients Watershed Permit. The GM reported she will meet with representatives from BACWA to develop positions and negotiating strategies for the permit, which is likely to be adopted in 2025 or later.

The GM then reported on her involvement in the BayAdapt process that the Bay Conservation and Development Commission (BCDC) is leading for regional adaptation to sea level rise. Lastly, the GM reported on her participation in a workshop on July 8th by BCDC and the Regional Water Board on shoreline adaptation funding.

15. Resolution Committing the Authority to Jointly Funding a Laboratory Information Management System (LIMS) with the City of San Leandro

Commissioner Lamnin moved to approve the Resolution committing the Authority to jointly funding a Laboratory Information Management System (LIMS) with the City of San Leandro. The motion was seconded by Commissioner Cutter and carried unanimously, 5-0 by roll call vote.

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

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

The O&M Manager reported on the Operations and Maintenance Committee, which met on July 14, 2020 and discussed the status of EBDA facilities. The O&M Manager reviewed

NPDES Compliance data and gave an overview of current projects. At OLEPS, a new automated wet well hypochlorite system will be installed, the exterior equipment painting was completed, and Effluent Pump No. 1 gear drive was refurbished. The O&M Manager thanked the OLSD Maintenance Department and specifically Jeff Schier for his work and care in the refurbishment of the gear drive.

The O&M Manager then reported that at SLEPS, the Transfer Agreement is complete and EBDA staff will continue to work collaboratively with City staff to ensure that ongoing projects are completed and the transition goes smoothly. For Skywest, an insurance claim is pending for potential reimbursement of costs associated with the recycled water pipeline leak and embankment repair. Lastly, the O&M Manager reviewed the current status of the transport system repair coupling and seals and current EBDA office repairs.

The GM then gave an update on current COVID-19 safety practices for Authority staff, and EBDA's involvement through BACWA in proactive efforts to establish regional monitoring of the SARS-CoV-2 virus in wastewater influent. The goal is to have a grant-funded regional program by late-September where Bay Area wastewater plants could collectively send up to 100 samples a day to the University of California at Berkeley and receive results within 24 hours. The GM explained this approach, known as wastewater-based epidemiology, could help public health officials predict and curb community outbreaks of COVID-19.

17. Items from Commission and Staff

The Chair and Commission welcomed back Commissioner Toy and reiterated the importance of staying vigilant during the current pandemic.

18. Adjournment

Chair Walters adjourned the meeting at 10:39 A.M.



Jacqueline Zipkin
General Manager