

EAST BAY DISCHARGERS AUTHORITY COMMISSION MEETING MINUTES

September 17, 2020

1. Call to Order

Chair Walters called the telephonic meeting to order pursuant to the Governor's Executive Order N-25-20 at 9:33 A.M. on Thursday, September 17, 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 Russo Cutter City of San Leandro
Jennifer Toy Union Sanitary District

ABSENT: None

OTHERS

PRESENT: Jacqueline Zipkin East Bay Dischargers Authority
Howard Cin East Bay Dischargers Authority
Kalena Yambao East Bay Dischargers Authority
Juanita Villasenor East Bay Dischargers Authority
Eric Casher Legal Counsel 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
Landon Lochrie Castro Valley Sanitary District
Anjali Lathi Union Sanitary District
Jeff Carson Dublin San Ramon Sanitary District
Alexandra Barnhill Legal Counsel Livermore-Amador Valley Water Management Agency

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 August 20, 2020**
- 6. List of Disbursements for August 2020**
- 7. Preliminary Treasurer's Report for August 2020**
- 8. Fiscal Year 2019/2020 Year End Expense Summary**

Commissioner Toy moved to approve the consent calendar. 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

REGULAR CALENDAR

9. General Manager's Report

The General Manager (GM) provided an update on State Water Board Permit Fees which may be increasing above EBDA's current budget. The GM then provided an update on microplastics. The GM is planning to attend and report on a webinar series hosted by the Ocean Protection Council on the health effects of microplastics on humans and the environment.

10. Report from the Managers Advisory Committee (MAC)

The GM reported on the MAC meeting of September 10, 2020 noting discussion on emergency response contract procurement and thanking Union Sanitary District who plans to initiate the Request for Proposals (RFP) process and include EBDA, Oro Loma Sanitary District, and Castro Valley Sanitary District in the request.

11. Report from the Financial Management Committee

The GM reported on the Financial Management Committee, which met on September 15, 2020. The GM discussed the Fiscal Year End Expense Summary and provided details on EBDA's budget surplus, noting four special projects that will be carried over as previously approved. The MAC and the Financial Management Committee recommend returning the budget surplus to the member agencies.

Next, the GM provided an overview of the Authority's OPEB and pension fund status. The GM explained that beginning this fiscal year, if the Authority's OPEB funded ratio continues to be over the policy target of 80% funded, the Authority will request disbursements from the fund to reimburse the Authority for retiree health benefits. If under-funded, an additional discretionary payment to reach the target would be included in the next year's budget proposal, and no disbursements would be requested. Similarly, staff will assess status of the Authority's pension fund in the spring and recommend an additional discretionary payment be included in next year's budget if the funded status is below the 95% policy target.

The GM then provided an update on the Authority's inquiries into local alternative banking solutions. The GM explained the Authority recently changed to a new banking structure with Wells Fargo (WF), thus staff recommends staying with WF for an additional six months to provide an accurate comparison between WF's fees and fraud protection services and other local banking alternatives.

Lastly, the GM reported that negotiations with LAVWMA continue. The Financial Management Committee recommends adding an Ad Hoc Committee to advise staff on the negotiation. Chair Walters has appointed Commissioner Cutter and himself to the new Ad Hoc.

12. Report from the Regulatory Affairs Committee

The GM reported on the Regulatory Affairs Committee, which met on September 16, 2020 and discussed key regulatory developments. The GM referenced the reporting checklist then provided an update on Nature-Based Solutions, highlighting the First Mile Horizontal Levee Project and Hayward Feasibility Study. An RFP seeking a consultant to assist with engineering and permitting on these projects has been posted on the Authority's website, with responses due October 16. Staff intends to bring a contract with the recommended consultant to the Commission for consideration in November.

The GM then provided a brief overview of the Recycled Water Summary Report provided by the San Francisco Bay Regional Water Quality Control Board. EBDA's future role in recycled water will be a topic of discussion as part of the Authority's strategic planning process in early 2021.

The GM then reviewed key concepts from the BACWA Key Regulatory Issue Summary, in particular the latest information regarding the chlorine residual Basin Plan Amendment and updates on nutrients. The GM noted her participation in a virtual retreat held by BACWA and Regional Water Board staff focused on regional collaboration for the next nutrients watershed permit. Lastly, the GM provided a brief update on the Cargill Brine Project and noted that the Committee supported approval of the Larry Walker Associates work order for dilution modeling.

13. Motion Authorizing the General Manager to Execute a Work Order with Larry Walker Associates for a Dilution Study Related to Acceptance of Cargill Mixed Sea Salt Brine for Discharge at the EBDA Outfall in the Amount of \$56,617

Commissioner Johnson moved to approve the motion authorizing the GM to execute a work order with Larry Walker Associates. 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

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

The O&M Manager reported on the Operations and Maintenance Committee, which met on September 15, 2020 and discussed the status of EBDA facilities. The O&M Manager reviewed NPDES Compliance data for August, and preliminary data for September, noting hot weather has necessitated higher dosing of sodium hypochlorite.

The O&M Manager provided an overview of current projects. At UEPS, the VFD transformer for Pump No. 2 is set for installation in the coming week. This project, along with installation of the impeller for Pump No. 6, will be the last of the capital improvement projects undertaken by the Authority at UEPS. Union will be responsible for future projects per the terms of the Amended and Restated Joint Powers Agreement. For the HEPS MCC

Project, the Authority is finalizing paperwork with the contractor; a filing notice will then be placed with the county, and after a 30-day waiting period, the retained funds for the project may be released.

For OLEPS, the O&M Manager reviewed the main electrical switchboard upgrade project. The Authority has received quotes for the project, and staff expects to bring a contract to the Commission for consideration next month. For OLSD's Pavement Reconstruction and Rehabilitation Project, EBDA received quotes for the portion of additional asphalt replacement which EBDA has previously agreed to cover.

At Skywest, the O&M Manager reported on the pending insurance claim for the recycled water pipeline leak and provided information on recycled water production. Lastly, for the force main, the 60-inch encapsulating coupling is scheduled to ship at the end of October, which will complete EBDA's commitment to provide spare parts for earthquake preparedness.

15. Items from Commission and Staff

Commissioner Lamnin asked for additional information regarding the cost that the University of California at Berkeley estimates it needs to cover the per-sample analysis when testing effluent for the presence of SARS-CoV-2. The GM identified several factors that may reduce this cost in the future, noting the cost per-analysis may be a worst-case scenario for budgeting purposes. The GM reported letters have been submitted by a large national coalition to the Rockefeller and Gates Foundations requesting funding for wastewater surveillance, also known as wastewater-based epidemiology. The GM plans to attend a working group meeting next week with the wastewater, health, and academic communities on this topic and will report back.

Commissioner Lamnin thanked the GM and reiterated the importance of treating the transparency and control-of-costs of the project the same as any other publicly funded project. Commissioner Lamnin plans to forward information on potential partners who are interested in helping jurisdictions and governments during the pandemic.

The GM then gave an update on the AQPI project. The GM reported the radar network has been useful in collecting data from wildfire smoke which has been shared with the National Weather Service and others. The new date Sonoma County Water District expects to approve the East Bay Agreement and the lease agreement with American Tower for the East Bay radar site is November 10.

The Chair wished everyone stay safe and continue vigilance during the pandemic.

16. Adjournment

Chair Walters adjourned the meeting at 10:34 A.M.



Jacqueline Zipkin
General Manager