

# EAST BAY DISCHARGERS AUTHORITY COMMISSION MEETING MINUTES

October 15, 2020

## 1. Call to Order

Chair Walters called the telephonic meeting to order pursuant to the Governor's Executive Order N-25-20 at 9:32 A.M. on Thursday, October 15, 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  
Juanita Villasenor East Bay Dischargers Authority  
Kalena Yambao 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  
Paul Eldredge Union Sanitary District  
Anjali Lathi Union Sanitary District  
Roland Williams Castro Valley 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 September 17, 2020

6. List of Disbursements for September 2020

7. Preliminary Treasurer's Report for September 2020

Commissioner Cutter moved to approve the consent calendar. 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

## REGULAR CALENDAR

### **8. General Manager's Report**

The General Manager (GM) provided an update on the State Water Board's adoption of new NPDES Permit Fees. The approved increase will be within EBDA's current budget. The GM then reported that the grant preproposal submitted to the Ocean Protection Council for continued work on the horizontal levee pilot program at Oro Loma Sanitary District (OLSD) was not successful, but the San Francisco Estuary Partnership has identified an alternative source of funding.

### **9. Report from the Managers Advisory Committee (MAC)**

The GM reported on the MAC meeting of October 8, 2020, which focused on negotiations of the Livermore-Amador Valley Water Management Agency (LAVWMA) term sheet covered in Item No.10, working through a draft of operating and monitoring requirements for the Cargill Project, and beginning review of the Member Agency agreements for O&M of EBDA facilities.

### **10. Report from the LAVWMA Ad Hoc Committee**

The new Ad Hoc Subcommittee to discuss negotiation of the LAVWMA Master Agreement met on October 5, 2020. The GM recapped the current status of the agreement extension and reported on the recently received draft term sheet from LAVWMA. A response to the term sheet will be submitted to LAVWMA shortly.

### **11. Report from the Financial Management Committee**

The GM reported on the Financial Management Committee, which met on October 13, 2020, noting the Committee's review of the estimated credits that will be provided to the Member Agencies from unspent FY 2019/2020 funds. The GM then reviewed the resolution to suspend recycled water fees for the Skywest Golf Course for which the Committee recommended approval. The GM also reviewed the motion for the Brown and Caldwell contract amendment, as well as the resolution correcting an error in Schedule B of the Joint Powers Agreement. The Authority will review and confirm that the distributed invoices to the member agencies match the correct Schedule B fees, and any adjustments will be made as part of the year-end true-up process. The Committee recommended approval of both items.

### **12. Resolution Authorizing the General Manager to Waive Recycled Water Charges to Hayward Area Recreation and Park District (HARD) for Skywest Golf Course for July, August, and September 2020**

Commissioner Lamnin moved to approve the motion authorizing the GM to waive recycled water charges to HARD. 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

**13. Motion Authorizing the General Manager to Execute Amendment No. 1 to the Contract with Brown and Caldwell for Field Work Related to Acceptance of Cargill Mixed Sea Salt Brine for Discharge at the EBDA Outfall in the Amount of \$68,427, for a Total Not to Exceed Amount of \$170,560**

Commissioner Johnson moved to approve the motion authorizing the GM to execute Amendment No. 1 to the contract with Brown and Caldwell. 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. Resolution Correcting Schedule B of the Amended and Restated Joint Exercise of Powers Agreement to Correct the Oro Loma Sanitary District Fixed Fee Percentage**

Commissioner Lamnin moved to approve the motion correcting Schedule B of the Amended and Restated JPA. 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

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

The O&M Manager reported on the Operations and Maintenance Committee, which met on October 13, 2020 and discussed the status of EBDA facilities. The O&M Manager reviewed NPDES compliance data and then provided an overview of current projects. At UEPS, the VFD transformer for Pump No. 2 was installed, along with new timers and upgraded programming for the cooling fans. For the HEPS MCC Project, the Authority continues to finalize paperwork with the contractor.

For OLEPS, the wet well hypochlorite project is moving forward as the Authority continues to procure product information from Calcon Systems, Inc. for upcoming equipment purchases. The Authority has also received quotes for the main electrical switchboard upgrade project, and staff expects to bring a contract to the Commission for consideration next month. OLSD's Pavement Reconstruction and Rehabilitation Project is also proceeding. EBDA's portion is expected to exceed the projected budget due to additional paving required to correct potential safety issues associated with differential settling between the wet wells and the asphalt.

At Skywest, the insurance claim for the recycled water pipeline leak has been approved, and OLSD should receive the settlement shortly.

Finally, the O&M Manager elaborated on samples taken for inspection of the Force Main during the shutdown for the due diligence phase of the Cargill Brine Project. The O&M Manager thanked the Member Agencies for all of their assistance coordinating the shutdown, and specifically thanked Mitchell and Marcus, Operations Coaches at Union Sanitary District, and Balraj with the City of San Leandro Force Main Crew.

The GM then provided an update on wastewater-based epidemiology, reporting that she attended a meeting with Alameda County Public Health, along with staff from EBMUD and UC Berkeley, to determine which areas and frequency would be most useful for SARS-CoV-2 sampling. When sampling sites are determined, the GM will coordinate with the MAC and particular Member Agency(s). UC Berkeley and wastewater associations are continuing to seek funding.

Lastly, the GM reported on the current status of the AQPI project. Sonoma County Water District expects to approve the East Bay Agreement and the lease agreement with American Tower for the East Bay radar site on November 10.

At 10:27 A.M. Vice Chair Ralph Johnson assumed the role of Chair for the remainder of the meeting.

**16. Report from the Personnel Committee**

The GM reported on the Personnel Committee, which met on October 12, 2020 and discussed updates to the Personnel Policy and the GM's proposed remote work arrangements. The GM reviewed the Committee's recommended changes to the Personnel Policy, which will be incorporated and brought back before the Commission for adoption next month. The GM reported that the Committee was accepting of the proposed remote work arrangements and suggested continued caution with respect to COVID exposure, particularly after travel.

**17. Items from Commission and Staff**

Vice Chair Johnson reported on the Regional Monitoring Program's annual meeting, requesting the GM forward any information on the final report that may be received in the coming months. The Vice Chair also commented on paying attention to nutrients in the San Francisco Bay as temperatures continue to rise, since nutrients in other Bays have been affected by rising temperatures.

**18. Adjournment**

Vice Chair Johnson adjourned the meeting at 10:37 A.M.



Jacqueline Zipkin  
General Manager