

# EAST BAY DISCHARGERS AUTHORITY COMMISSION MEETING MINUTES

**November 19, 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, November 19, 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
Deborah Quinn	East Bay Dischargers Authority
Eric Casher	Legal Counsel East Bay Dischargers Authority
Roland Williams	Castro Valley Sanitary District
Jason Warner	Oro Loma Sanitary District
Rita Duncan	Oro Loma Sanitary District
Paul Eldredge	Union Sanitary District
Anjali Lathi	Union Sanitary District
Justin Jenson	City of San Leandro
Alex Ameri	City of Hayward
David Donovan	City of Hayward
David Alvey	Maze & Associates

## **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 October 15, 2020**

## **6. List of Disbursements for October 2020**

## **7. Treasurer's Report for October 2020**

## **8. Final Adjusted Treasurer's Reports for June, July, August, and September 2020**

## **9. First Quarter Expense Summary, Fiscal Year 2020/2021**

Commissioner Toy moved to approve the consent calendar. 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

## **REGULAR CALENDAR**

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

The General Manager (GM) deferred her report to David Alvey of the audit firm Maze and Associates, who gave a presentation on the Authority's Basic Financial Statements (See Item No. 14 below).

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

The GM reported on the MAC meeting of November 12, 2020, which focused on negotiations of the Livermore-Amador Valley Water Management Agency (LAVWMA) Agreement, covered in Item No.12, the upcoming request for proposals for a Disinfection Master Plan, and results of the first corrosion field assessment related to the brine project. Initial fieldwork revealed that additional field assessments would be necessary to fully assess corrosion risk for the force main.

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

The Ad Hoc Committee met on November 2, 2020, and provided feedback on terms. The GM recapped the status of the current agreement extension, which is set to expire on December 31, 2020, and requested input from the Commission on potential term-extension parameters.

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

The GM reported on the Financial Management Committee, which met on November 17, 2020, noting the Committee's review of Consent Calendar Items 5 through 9, and Committee review of the audited Basic Financial Statements. The Committee recommends approval of the Basic Financial Statements. The GM then reviewed the First Quarter Expense Summary and draft Purchasing Policy. The Committee recommends adding language to the Purchasing Policy to prevent piecemealing of projects, and bringing the Policy for adoption next month. The Committee also recommends bringing resolutions on informal bidding and emergency delegation of authority. The Commission discussed the GM's purchasing policy approval threshold. The GM will circulate EBDA's contracting history for the Commissioners to consider prior to taking action on the Purchasing Policy.

### **14. Motion to Accept the Audited Basic Financial Statements for Fiscal Year Ending June 30, 2020**

David Alvey of Maze and Associates presented the Basic Financial Statements, including explanations of internal control testing. EBDA received a clean, unmodified audit opinion for the Fiscal Year ending June 30, 2020. Mr. Alvey also noted that there were no findings in the Memorandum on Internal Controls and praised EBDA for its segregation of duties, particularly given the small size of the agency.

Commissioner Cutter moved to accept the audited Basic Financial Statements for fiscal year ending June 30, 2020. 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 Regulatory Affairs Committee**

The GM reported on the Regulatory Affairs Committee, which met on November 16, 2020, and discussed key regulatory developments and compliance. The GM discussed upcoming issues and schedule for the Authority's National Pollutant Discharge Elimination System (NPDES) Permit renewal, noting approval of the Chlorine Residual Basin Plan Amendment by the Regional Water Board. Staff is recommending contracting with EOA Inc. on the upcoming permit renewal and bringing a resolution forward for approval next month. The GM recommends using funds from the NPDES Permit Issues budget item to cover this item. The Commission supported staff's recommendation. The GM then reported on the procurement process for a consultant to provide design and permitting services for the First Mile Horizontal Levee and Hayward Nature-based Solutions Feasibility Study. Staff plans to bring a resolution for the procurement forward next month.

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

The O&M Manager reported on the Operations and Maintenance Committee, which met on November 17, 2020, and discussed the status of EBDA facilities. The O&M Manager reviewed NPDES compliance data. The O&M Manager then provided an overview of current projects.

At OLEPS, EBDA's portion of OLSD's Pavement Reconstruction and Rehabilitation Project is now complete. The O&M Manager reported on recycled water production at Skywest, and delivery of the 60-inch Force Main Repair Coupling which will be stored at OLEPS until a permanent storage location is determined. Delivery of the coupling completes EBDA's commitment to provide spare parts for earthquake preparedness. The O&M Manager then provided details on a minor force main leak occurring in a manhole on November 3, 2020, which developed at the site of the recent brine project due-diligence inspection. The leak was repaired on November 13, 2020, and caused no compliance issues.

The GM then provided an update on wastewater-based epidemiology, reporting on potential locations for SARS-CoV-2 sampling determined by Alameda County Public Health Department. The GM will continue to coordinate with the MAC and any particular Member Agency(s) regarding sampling opportunities.

The GM also reported on the current status of the AQPI project. The anticipated approval date of the East Bay Agreement and the lease agreement with American Tower for the East Bay radar site was delayed. Approval is not anticipated until the new year. Staff are preparing for installation of the radar at Rocky Ridge in anticipation of the agreements' approvals. Precipitation data continues to be available from NOAA in the meantime.

The O&M Manager concluded the report with a summary of the Renewal and Replacement Fund expenditures for FY 2019/2020, and a staff report on the motion to execute a contract with Graybar Electric Company. As a final note, the O&M Manager reported that EBDA submitted a grant proposal to the Office of Emergency Services for a generator replacement project at OLEPS.

**17. Motion Authorizing the General Manager to Execute a Contract with Graybar Electric Company, Inc. for the OLEPS Main Electrical Switchboard Upgrade in the Amount of \$103,632.**

Commissioner Cutter moved to approve the motion authorizing the GM to execute a contract with Graybar Electric Company, Inc. 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

**18. Report from the Personnel Committee**

The GM reported on the Personnel Committee, which met on November 16, 2020. The GM reported on staff's recommended staffing plan, which includes sunsetting the current part-time Administrative Assistant position and developing a new part-time administrative classification. Staff will consider future accounting needs, as well as opportunities for Member Agency support, in creation of the proposed position. The GM also reported on the draft Commissioner Compensation Policy. The Committee supports the Policy, including leaving the current daily rate of compensation at \$240. The Commission discussed raising the allowable number of compensated meetings per month from 4 to 6.

**19. Resolution Approving Revisions to the Personnel Policy**

The GM provided a staff report on the Resolution for which the Committee recommended approval. Commissioner Lamnin moved to approve the resolution approving revisions to the Personnel Policy. 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

**20. Items from Commission and Staff**

The Commission thanked the temporary administrative assistant for her assistance during staffing constraints and thanked Chair Walters for his service and contribution while serving on the Commission. Commissioner Cutter then reported on a potential grant opportunity, which she will send to the GM for distribution to the member agencies.

**21. Adjournment**

Chair Walters adjourned the meeting at 11:09 A.M.

  
Jacqueline Zipkin  
General Manager