



EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
San Lorenzo, CA 94580-1841
(510) 278-5910
FAX (510) 278-6547

A Joint Powers Public Agency

NOTICE: Pursuant to the Governor's Executive Orders N-25-20 and N-29-20, the Commission meeting scheduled below will be accessible via Zoom video conferencing. Members of the public may participate in the meeting through the Zoom platform or phone number below.

- Zoom link: <https://us02web.zoom.us/j/88436990732>
- Telephone dial-in: 1(669) 900-6833, meeting ID #884 3699 0732

COMMISSION MEETING AGENDA

Thursday, February 18, 2021

9:30 A.M.

EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
San Lorenzo, CA 94580

1. Call to Order
2. ~~Pledge of Allegiance~~ (Deferred Due to Remote Meeting)
3. Roll Call
4. Public Forum

CONSENT CALENDAR

- | | |
|--------|--|
| MOTION | 5. Commission Meeting Minutes of January 21, 2021 |
| | 6. List of Disbursements for January 2021 – See Item FM4 |
| | 7. Treasurer's Report for January 2021 – See Item FM5 |

REGULAR CALENDAR

- | | |
|-------------|---|
| INFORMATION | 8. General Manager's Report
(The General Manager will report on EBDA issues.) |
| INFORMATION | 9. Report from the Managers Advisory Committee
(The General Manager will report on the meeting.) |
| MOTION | 10. Motion to Approve the EBDA-LAVWMA Amended Master Agreement Term Sheet
(The Commission will consider the motion.) |
| INFORMATION | 11. Report from the Financial Management Committee
(The General Manager will report on the meeting.) |

- RESOLUTION 12. Resolution Approving Revisions to the Authority's Records Management Policy and Retention Schedule – See Item FM7**
(The Commission will consider the motion.)
- MOTION 13. Motion Authorizing the General Manager to Execute an Agreement with Cargill for CEQA Analysis – See Item FM8**
(The Commission will consider the motion.)
- INFORMATION 14. Report from the Operations & Maintenance Committee**
(The General Manager will report on the meeting.)
- MOTION 15. Motion Authorizing the General Manager to Execute Amendment to Work Order No. 1, Work Order No. 2, and Work Order No. 3 with Carollo Engineers, Inc. for Engineering Services, for a Total Contract Amount of \$105,626 – See Item OM6**
(The Commission will consider the motion.)
- INFORMATION 16. Report from the Personnel Committee**
(The General Manager will report on the meeting.)
- CLOSED SESSION 17. Closed Session – See Item P7**
(The Commission may meet in closed session pursuant to Government Code §54957(b)(1) to consider the General Manager's performance evaluation.)
- OPEN SESSION 18. Reconvene Open Session – See Item P8**
(The Commission Chair will report any action taken in Closed Session.)
- INFORMATION 19. Items from the Commission and Staff**
(The Commission and staff may address items of general interest.)
- 20. Adjournment**

Any member of the public may address the Commission at the commencement of the meeting on any matter within the jurisdiction of the Commission. This should not relate to any item on the agenda. It is the policy of the Authority that each person addressing the Commission limit their presentation to three minutes. Non-English speakers using a translator will have a time limit of six minutes. Any member of the public desiring to provide comments to the Commission on an agenda item should do so at the time the item is considered. It is the policy of the Authority that oral comments be limited to three minutes per individual or ten minutes for an organization. Speaker's cards will be available in the Boardroom and are to be completed prior to speaking.

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**The next Commission meeting will be held
Thursday, March 18, 2021 at 9:30 a.m.**

GLOSSARY OF ACRONYMS

ACWA	Association of California Water Agencies	DSRSD	Dublin San Ramon Services District
AQPI	Advanced Quantitative Precipitation Information	DTSC	Department of Toxic Substances Control
AMP	Asset Management Plan	EBDA	East Bay Dischargers Authority
ANPRM	Advanced Notice of Proposed Rulemaking	EBRPD	East Bay Regional Park District
BAAQMD	Bay Area Air Quality Management District	EIS/EIR	Environmental Impact Statement/Report
BACC	Bay Area Chemical Consortium	EPA	United States Environmental Protection Agency
BACWA	Bay Area Clean Water Agencies	FOG	Fats, Oils and Grease
BPA	Basin Plan Amendment	GASB	Government Accounting Standards Board
BCDC	Bay Conservation and Development Commission	HEPS	Hayward Effluent Pump Station
BOD	Biochemical Oxygen Demand	JPA	Joint Powers Agreement
CARB	California Air Resources Board	LAVWMA	Livermore-Amador Valley Water Management Agency
CASA	California Association of Sanitation Agencies	LOCC	League of California Cities
CBOD	Carbonaceous Biochemical Oxygen Demand	MAC	Managers Advisory Committee
CDFA	CA Department of Food & Agriculture	MCC	Motor Control Center
CEC	Compound of Emerging Concern	MCL	Maximum Contaminant Level
CEQA	California Environmental Quality Act	MDF	Marina Dechlorination Facility
CFR	Code of Federal Regulations	MG	Million Gallons
CMMS	Computerized Maintenance Management System	MGD	Million Gallons per Day
COH	City of Hayward	MMP	Mandatory Minimum Penalty
CPUC	California Public Utilities Commission	MOU	Memorandum of Understanding
CSL	City of San Leandro	MSS	Mixed Sea Salt
CTR	California Toxics Rule	N	Nitrogen
CVCWA	Central Valley Clean Water Association	NACWA	National Association of Clean Water Agencies
CVSAN	Castro Valley Sanitary District	NBS	Nature-Based Solutions
CWA	Clean Water Act	NGO	Non-Governmental Organization
CWEA	CA Water Environment Association	NOX	Nitrogen Oxides
DO	Dissolved Oxygen	NPDES	National Pollutant Discharge Elimination System
DPR	Department of Pesticide Regulation	NPS	Non-Point Source

GLOSSARY OF ACRONYMS

O&M	Operations & Maintenance	SSO	Sanitary Sewer Overflow
OLEPS	Oro Loma Effluent Pump Station	SWRCB	State Water Resources Control Board
OLSD	Oro Loma Sanitary District	TDS	Total Dissolved Solids
OMB	Office of Management and Budget	TMDL	Total Maximum Daily Load
P	Phosphorous	TN	Total Nitrogen
PAHs	Polynuclear Aromatic Hydrocarbons	TP	Total Phosphorus
PCBs	Polychlorinated Biphenyls	TRC	Total Residual Chlorine
PLC	Programmable Logic Controller	TSO	Time Schedule Order
PFAS	Per and Polyfluoroalkyl Substances	TSS	Total Suspended Solids
POTW	Publicly Owned Treatment Works	UEPS	Union Effluent Pump Station
PPCPs	Pharmaceutical and Personal Care Products	USD	Union Sanitary District
QA/QC	Quality Assurance / Quality Control	UV	Ultraviolet Treatment
Region IX	Western Region of EPA (CA, AZ, NV & HI)	VFD	Variable Frequency Drive
ReNUWit	Re-Inventing the Nation's Urban Water Infrastructure Engineering Research Center	VOCs	Volatile Organic Compounds
RFP	Request For Proposals	WAS	Waste Activated Sludge
RFQ	Request For Qualifications	WDR	Waste Discharge Requirements
RMP	Regional Monitoring Program	WEF	Water Environment Federation
RO	Reverse Osmosis	WET	Whole Effluent Toxicity or Waste Extraction Test
RWB	Regional Water Board	WIN	Water Infrastructure Network
RWQCB	Regional Water Quality Control Board	WLA	Waste Load Allocation (point sources)
SBS	Sodium Bisulfite	WPCF	Water Pollution Control Facility
SCADA	Supervisory Control and Data Acquisition	WQBEL	Water Quality Based Effluent Limitation
SCAP	Southern California Alliance of POTWs	WQS	Water Quality Standards
SEP	Supplementary Environmental Project	WRDA	Water Resource Development Act
SFEI	San Francisco Estuary Institute	WRF	Water Research Foundation
SLEPS	San Leandro Effluent Pump Station	WWTP	Wastewater Treatment Plant
SRF	State Revolving Fund	WWWIFA	Water and Wastewater Infrastructure Financing Agency
SSMP	Sewer System Management Plan		

CONSENT CALENDAR

Consent calendar items are typically routine in nature and are considered for approval by the Commission with a single action. The Commission may remove items from the Consent Calendar for discussion. Items on the Consent Calendar are deemed to have been read by title. Members of the public who wish to comment on Consent Calendar items may do so during Public Forum.

- Item No. 5 Commission Meeting Minutes of January 21, 2021**
- Item No. 6 List of Disbursements for January 2021 – See Item FM4**
- Item No. 7 Treasurer’s Report for January 2021 – See Item FM5**

Recommendation

Approve Consent Calendar

ITEM NO. 5 COMMISSION MEETING MINUTES OF JANUARY 21, 2021

1. Call to Order

Chair Johnson called the telephonic meeting to order pursuant to the Governor's Executive Order N-25-20 at 9:41 A.M. on Thursday, January 21, 2021. Dial-in information for the meeting was provided in the agenda for public attendees.

2. Pledge of Allegiance – Deferred

3. Roll Call

PRESENT:	Jennifer Toy	Union Sanitary District
	Rita Duncan	Oro Loma Sanitary District
	Pauline Russo Cutter	City of San Leandro
	Sara Lamnin	City of Hayward
	Ralph Johnson	Castro Valley Sanitary District

ABSENT: None

OTHERS

PRESENT:	Jacqueline Zipkin	East Bay Dischargers Authority
	Howard Cin	East Bay Dischargers Authority
	Juanita Villaseñor	East Bay Dischargers Authority
	Eric Casher	Legal Counsel East Bay Dischargers Authority
	Paul Eldredge	Union Sanitary District
	Jason Warner	Oro Loma Sanitary District
	Justin Jenson	City of San Leandro
	Alex Ameri	City of Hayward
	David Donovan	City of Hayward
	Roland Williams	Castro Valley Sanitary District

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 December 17, 2020

6. List of Disbursements for December 2020

7. Treasurer's Report for December 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 Toy, Duncan, Cutter, Lamnin, Chair Johnson
Noes:	None
Absent:	None
Abstain:	None

REGULAR CALENDAR

8. General Manager's Report

The General Manager (GM) advised the Commission of the upcoming Form 700 filing period. Although staff is endeavoring to streamline EBDA's process for gathering Form 700 filings, printed forms are required for this processing period. The GM and MAC are recommending that strategic planning be deferred until in-person meetings can safely be held. The Commission suggested reviewing the Member Agency's strategic plans in the interim to feed into the process. The GM will provide the Commissioners with an evaluation spreadsheet and self-assessment for her annual performance review. Completed evaluations should be emailed to the Administrative Assistant.

9. Report from the Managers Advisory Committee (MAC)

The GM deferred the report for the Managers Advisory Committee.

10. Report from the LAVWMA Ad Hoc Committee

The GM provided an update on the status of the LAVWMA term sheet, which is expected to be brought before the Commission for approval in February. LAVWMA has been asked to have a detectible chlorine residual at the connection point to ensure that there is no bacteria in their discharge. Additionally, staff will develop a parallel agreement between EBDA and DSRSD to govern the Zone 7 brine discharge.

11. Report from the Financial Management Committee

The GM reported on the Financial Management Committee, which met on January 19, 2021, noting the Committee's review of December's List of Disbursements, Treasurer's Report and FY 2021/2022 budget schedule. The GM advised that the Fund 13 balance represents expenses paid in advance of receiving funds from member agencies. The Committee supports staff's recommended revisions to the Records Management Policy and Retention Schedule and asked staff to review federal retention guidelines regarding personnel records.

12. Motion Appointing Commissioners Johnson and Duncan as Alternate Authorized Signers on the Authority's Checking Account

The GM provided a staff report on the motion. Commissioner Lamnin moved to approve the motion. The motion was seconded by Commissioner Cutter and carried unanimously, 5-0 by roll call vote.

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

13. Report from the Regulatory Affairs Committee

The GM reported on the January 20, 2021 Regulatory Affairs Committee meeting, reviewing NPDES performance, reporting checklist, and a BACWA report on regional

biosolids trends. On January 14, the NPDES permit reissuance kick-off meeting took place with the Authority's consultant EOA, Inc. and the MAC.

14. Report from the Operations and Maintenance Committee

The O&M Manager reported on the Operations and Maintenance Committee, which met on January 19, 2021, and discussed the status of EBDA facilities. The O&M Manager reviewed NPDES compliance data and then provided an overview of current projects.

The O&M Manager reported on the OLEPS hypochlorite automation project, annual recycled water production from the Skywest system, and force main improvements. Staff expressed appreciation to Calcon, the Authority's contracted instrument technician, for their responsiveness to an emergency call at the MDF over the Christmas holiday.

The GM provided an update on COVID-19 safety, and wastewater-based epidemiology. The GM has registered EBDA with the Alameda County Public Health Department's vaccine availability notification system. Union Sanitary District has moved forward with providing samples to the lab at University of California Berkeley for identification of SARS-CoV-2.

The GM provided an update on the Cargill Brine Project due diligence phase. Additional inspections of core samples from the force main are planned to understand the condition and susceptibility of the pipe to corrosion with the addition of chlorides. A scheduled force main inspection was cancelled due to COVID-19. In February, staff will bring an agreement to the Commission for the CEQA phase of the project. The GM finished with a report on the AQPI project. The agreement to install the East Bay radar is expected to be approved by Sonoma County Water Agency in March.

15. Items from Commission and Staff

Staff was asked to facilitate the discussion of changing the Commission Chair rotation schedule. This will be added to the Personnel Committee agenda for February. Commissioner Lamnin shared a petition from the Alameda County Coalition for Fair Redistricting.

16. Adjournment

Chair Johnson adjourned the meeting at 10:57 A.M.

ITEM NO. 8 GENERAL MANAGER'S REPORT

The General Manager will discuss items of interest concerning EBDA.

ITEM NO. 9 REPORT FROM THE MANAGERS ADVISORY COMMITTEE

**MANAGERS ADVISORY COMMITTEE
AGENDA**

Thursday, February 11, 2021

1:30 P.M.

Via Zoom

- 1. Brine Project**
- 2. EBDA Commission Package**
 - LAVWMA Term Sheet
 - Finance
 - O&M
 - Personnel
- 3. Reserve Policy Discussion**
- 4. Strategic Planning – Intersection with Members' Plans**
- 5. BACWA Nutrients Survey**
- 6. Central San Benchmarking Survey**
- 7. COVID Response and Wastewater-based Epidemiology**
- 8. EBDA Managers Round Robin**

ITEM NO. 10 MOTION TO APPROVE THE EBDA-LAVWMA AMENDED MASTER AGREEMENT TERM SHEET

Recommendation

Adopt the motion approving the Amended Master Agreement Term Sheet between EBDA and the Livermore-Amador Valley Water Management Agency (LAVWMA).

Background

EBDA entered into a Master Agreement with LAVWMA in April 2007 (the “Agreement”). The Agreement allows LAVWMA to discharge through EBDA’s system and lays out the conditions for such discharge. The Agreement was set to expire on January 1, 2020, concurrent with the expiration of the EBDA Joint Powers Agreement (JPA). On October 18, 2019, the Commission adopted Resolution 19-38, extending the LAVWMA Master Agreement for up to six months, through June 30, 2020 to allow time for negotiation of a new amendment or agreement.

On June 18, 2020, the Commission adopted Resolution 20-13, extending the Agreement for another six months through January 1, 2021. As negotiations were still continuing in good faith, the Commission approved another amendment (Resolution 20-27) in December 2020, extending the Agreement through no later than June 30, 2021. Included in this amendment was an additional price premium that is set to take effect on April 1, 2021 if the parties have not yet agreed to key terms.

Discussion

LAVWMA and EBDA staff have reached consensus on the attached Term Sheet outlining key business terms to be incorporated in the Agreement renewal. Under the proposed terms, LAVWMA will retain the same capacity rights in the EBDA system – specifically a firm capacity of 19.72 million gallons per day (MGD), and an additional interruptible capacity of up to 21.48 MGD for a total of 41.2 MGD at peak flow. The ability to interrupt LAVWMA’s flow provides EBDA with flexibility to limit use of diesel engines, for example when tides are high. Because of the capacity reductions for several EBDA member agencies codified in the new JPA, the likelihood that EBDA would ever exceed available capacity overall is extremely low.

LAVWMA will continue to pay for the segments of the EBDA system that they use, including OLEPS, MDF, the force main segment connecting those two facilities, and the outfall. LAVWMA’s share of the EBDA fixed costs will increase from 18.6% to 26.1% under the proposed agreement, and the discount LAVWMA had been receiving on dechlorination costs will be removed. LAVWMA’s cost share will be increasing by approximately \$150k annually.

Under the proposed terms, LAVWMA is also agreeing to assume liability for a portion of the system. The new Agreement will have terms that complement the JPA, making LAVWMA responsible for shared costs associated with a failure of the force main segments they use, proportional to their fixed cost share.

The Term Sheet also lays out consistent terms for management of future brine discharges to those contained in the JPA. EBDA will have the opportunity to review and approve any new brine discharges that are not directly associated with LAVWMA member-agency water recycling or treated through members' secondary processes.

LAVWMA-member Dublin San Ramon Services District has agreed to enter into a parallel agreement with EBDA that outlines terms for management of the ongoing Zone 7 Water Agency brine discharges. That agreement, which will be drafted and approved on the same timeline as the LAVWMA-EBDA Agreement, will require upfront and annual payments to EBDA, as well as the right for EBDA to reconsider terms of discharge under a range of circumstances.

After a lengthy negotiation, EBDA staff believes that the terms outlined in the Term Sheet benefit EBDA and further the positive long-term partnership with LAVWMA. In adopting this Term Sheet, the Commission would be waiving the price premium contained in the most recent extension. All Fiscal Year 2020/2021 payments would be adjusted to reflect the financial terms contained in the new agreement.

EBDA-LAVWMA Amended Master Agreement Term Sheet

FINAL – February 2021

Capacity

- Consistent with the Master Agreement (Section 4.1), LAVWMA shall have a Firm Capacity of 19.72 MGD in the EBDA System, and an Interruptible Capacity of up to 21.48 MGD for a total of 41.2 MGD at peak flow.

LAVWMA's Financial Participation in the EBDA System

- **Operations / Maintenance and Capital Costs** – LAVWMA shall be responsible for its share of all applicable costs attributable to LAVWMA's use of and capacity rights in the EBDA System, which include OLEPS, MDF, Operations Center and force main from OLEPS to Bay Outfall, and exclude Union Effluent Pump Station (UEPS), Hayward Effluent Pump station (HEPS) and their associated force main sections, as well as facilities owned by the City of San Leandro. (See Master Agreement 6.1 and 6.2).
- **Capital Buy-In** – The Agreement shall document that LAVWMA has fulfilled its obligation to pay EBDA capital buy-in charges of approximately \$6M and \$10M to cover LAVWMA's fair and equitable share of the project development and capital costs to expand the EBDA System to accommodate LAVWMA's flow for the life of the EBDA system. [No additional buy in obligations, but LAVWMA will pay for ongoing capital costs as stated above.]
- **Fixed Cost** – LAVWMA fixed cost allocation shall be 26.1%.
- **Renewal and Replacement Fund (RRF)** – RRF allocation = Fixed cost allocation
- **Variable Cost** – LAVWMA variable cost allocation to be based on proportion of total annual flow, consistent with Member Agencies. Cost allocation for chlorination and/or dechlorination may be revised based on the outcomes of the Disinfection Master Plan if agreed to by both Parties.

Liability

Allocation of costs associated with a failure of the Transport System and Outfall as per EBDA JPA:

- First \$1.25M shared based on fixed cost allocation (excluding San Leandro) (and consistent with parameters above).
- Above that, LAVWMA pays a share of OLEPS and MDF segment costs based on share of fixed cost allocation in that segment, as well as share of outfall costs based on fixed cost allocation.

Term

- Through June 30, 2040, with obligation to engage in good faith negotiations to determine if it is appropriate to amend the agreement upon certain events such as: (1) when EBDA Member Agencies negotiate to revise the JPA (see EBDA JPA Section 20(d)), (2) the composition of EBDA's membership changes, and/or (3) LAVWMA's flow quantity or composition significantly changes

(to be defined). Other amendment or termination by mutual agreement.

- Provide LAVWMA with notice and an opportunity to consider becoming a Member Agency of EBDA whenever an EBDA member composition changes and upon end of EBDA JPA term. Acceptance as a member would terminate this Agreement.

Operation of Facilities

- The provisions in Section 5 of the current Master Agreement regarding LAVWMA's O&M obligations are acceptable. LAVWMA recognizes that EBDA may want to update some of this language to parallel the terms of its new JPA.
- LAVWMA to maintain water quality and conduct sampling as provided for in current Master Agreement 5.8, 5.9 and 5.10.
- LAVWMA to maintain a detectable level of chlorine at the San Leandro Sample Station. LAVWMA will actively participate in the Disinfection Master Plan conducted by EBDA. The parties agree that the need to maintain a chlorine residual at the San Leandro Sample Station as determined by the Disinfection Master Plan, may result in a new disinfection strategy and associated cost-sharing.
- LAVWMA to coordinate pumping with EBDA O&M Manager to ensure that representative samples can be collected for EBDA's discharge permit.

Brine Management

- Brine generated from wastewater by the City of Pleasanton, the City of Livermore, or Dublin San Ramon Services District (DSRSD) (i.e. the LAVWMA member agencies) does not require approval by the Commission and does not require any payment to EBDA. Any discharge of Agency-generated wastewater-derived brine to the system downstream of secondary treatment must be consistent with conditions 1 and 2 of EBDA's Brine Policy dated July 16, 2020. (Same as member agencies under the EBDA JPA Section 23(b)(2)). Such conditions will be expressly stated in the Amended Master Agreement.
- LAVWMA may discharge brine or any other waste treated by a LAVWMA member agency through its full treatment system into EBDA's system so long as it is properly included in effluent samples and all permit conditions are met. (Same as member agencies under the EBDA JPA Section 23(b)(3)).
- For brine that is generated by an entity other than a LAVWMA member agency, a formal agreement must be unanimously approved by the EBDA Commission. The agreement will generally include the following:
 - Provision for EBDA to unilaterally discontinue accepting brine into the Authority's system when continued acceptance of brine is not in the best interest of the Authority. Specific conditions around such discontinuation will be outlined in the agreement.
 - Indemnification of the Authority against liability resulting from such disposal.
- A separate agreement between DSRSD and EBDA will be adopted concurrently with the EBDA-LAVWMA Master Agreement, for the same Term, to govern the Zone 7 brine discharge. The

agreement will include the following terms:

- DSRSD will pay EBDA a review fee of \$50,000 upon execution of the agreement, in recognition of EBDA's costs to review and approve the discharge.
- For each year that Zone 7 is permitted to discharge to DSRSD's system and into the LAVWMA system, DSRSD will pay EBDA an annual fee in the amounts specified below:
 - 20,000 per year for FY21 – FY30
 - \$25,000 per year for FY31 – FY40.
- EBDA reserves the right to review and approve or reject any significant changes to quantity or quality of Zone 7 brine discharged. In that process, fees may be adjusted. If flow decreases significantly, fees may be adjusted downward.
- EBDA reserves the right to discontinue or limit brine discharges if EBDA determines that acceptance of Zone 7 brine is limiting available capacity (hydraulic or constituent-based) required by any EBDA Member Agency. DSRSD agrees to provide water quality data for the Zone 7 brine as requested by EBDA on contaminants of emerging concern (e.g. PFAS compounds). EBDA agrees to limit requests to no more than once per year.

Dissolution of a Party

- Keep as in current Master Agreement Section 16:
 - If EBDA is modified or terminated pursuant to its JPA, LAVWMA's right to use EBDA system shall continue and any assignee(s) or transferee(s) of ownership to EBDA facilities shall be subject to the new Master Agreement.
 - If LAVWMA is modified or terminated, any assignee or transferee, or the LAVWMA Member Agencies in the case there is no transferee, shall be responsible for LAVWMA's obligations for the remainder of the term. This includes continued payment of Fixed Costs, RRF contributions, and liability.

Infrastructure

Agreement shall clarify ownership of infrastructure at the tie-in as per the following photos:





-- END OF TERM SHEET --



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A Joint Powers Public Agency

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- Zoom link: <https://us02web.zoom.us/j/82767621599>
- Telephone dial-in: 1(669) 900-6833, meeting ID #827 6762 1599

ITEM NO. 11
FINANCIAL MANAGEMENT COMMITTEE AGENDA

Tuesday, February 16, 2021

10:30 A.M.

**East Bay Dischargers Authority
2651 Grant Avenue, San Lorenzo, CA 94580**

Committee Members: Toy (Chair); Duncan

FM1. Call to Order

FM2. Roll Call

FM3. Public Forum

FM4. List of Disbursements for January 2021

(The Committee will review the List of Disbursements for the month of January 2021.)

FM5. Treasurer's Report for January 2021

(The Committee will review the Treasurer's Report for the month of January 2021.)

FM6. State Controller's Special District Financial Transactions Report Fiscal Year 2019/2020

(The Committee will review the report submitted to the State Controller's Office for FY2019/2020.)

FM7. Resolution Approving Revisions to the Authority's Records Management Policy and Retention Schedule

(The Committee will consider the resolution.)

FM8. Motion Authorizing the General Manager to Execute an Agreement with Cargill, Inc. for CEQA Analysis

(The Committee will consider the motion.)

FM9. Adjournment

Agenda Explanation
East Bay Dischargers Authority
Financial Management Committee
February 16, 2021

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**The next Financial Management Committee meeting is scheduled on
Tuesday, March 16, 2021 at 10:30 a.m.**

ITEM NO. FM4 LIST OF DISBURSEMENTS FOR JANUARY 2021

The itemized List of Disbursements for the month of January 2021 totaled \$522,316.23.

Reviewed and Approved by:

Jennifer Toy, Chair	Date
Financial Management Committee	

Jacqueline T. Zipkin	Date
Treasurer	

EAST BAY DISCHARGERS AUTHORITY
Cash Disbursement
January 2021

CHECKS (SORTED BY AMOUNT)

Check #	Check Date	Invoice #	Vendor Name	Description	Invoice Amount	Check Amount
25050	1/29/2021	RET_REL	GSE CONSTRUCTION	HEPS MCC PROJECT - RETENTION	96,150.80	96,150.80
25040	1/29/2021	3021071	REGIONAL MONITORING PROGRAM C/O SFEI	QUARTERLY PARTICIPANT FEE FOR THE RMP 2021 BUDGET	62,009.50	62,009.50
25017	1/14/2021	002680	UNION SANITARY DISTRICT	O&M - OCT	29,575.08	53,491.36
25017	1/14/2021	002681	UNION SANITARY DISTRICT	O&M - NOV	23,916.28	
25034	1/29/2021	6395	ORO LOMA SANITARY DISTRICT	O&M - DEC	41,817.40	41,817.40
25033	1/29/2021	380651	CITY OF SAN LEANDRO	O&M - NOV	41,144.16	41,144.16
25023	1/14/2021	6719	CSRMA	POOLED LIABILITY PROGRAM RENEWAL	37,076.00	37,076.00
25035	1/29/2021	346807	CITY OF HAYWARD	QUARTERLY O&M OCT - DEC	28,861.46	28,861.46
25047	1/29/2021	48903330	UNIVAR	SODIUM BISULFITE - DELIVERED 1/11/2021	5,995.38	11,772.17
25047	1/29/2021	48925420	UNIVAR	SODIUM BISULFITE - DELIVERED 01/22/2021	5,776.79	
25028	1/14/2021	11391634	BROWN & CALDWELL	ENGINEERING SERVICES - BRINE ASSESSMENT	10,762.99	10,762.99
25020	1/14/2021	Oct-20	DEBORAH QUINN	ACCOUNTING SERVICES - OCT	9,961.88	9,961.88
25046	1/29/2021	2020120233	MEYERS NAVE	LEGAL SERVICES - DEC	6,581.70	6,581.70
25025	1/14/2021	48891170	UNIVAR	SODIUM BISULFITE - DELIVERED 12/31/2020	5,884.85	5,884.85
25029	1/14/2021	030	CURRIE ENGINEERS	PROJECT MANAGEMENT SERVICES	2,896.25	4,858.00
25029	1/14/2021	031	CURRIE ENGINEERS	HEPS MCC CONSTRUCTION MANAGEMENT	1,330.00	
25029	1/14/2021	029	CURRIE ENGINEERS	HEPS MCC CONSTRUCTION MANAGEMENT	631.75	
25012	1/14/2021	OCT-DEC2020	KARL D. ROYER	QUARTERLY HEALTH PREMIUM REIMBURSEMENT	3,191.94	3,191.94
25024	1/14/2021	4246044555687620	US BANK	PURCHASING CARD EXPENSES	2,281.96	2,281.96
25015	1/14/2021	466519	VANTAGEPOINT	ICMA DEFERRED COMPENSATION FOR PAY PERIOD ENDED 1/15/2021	1,917.94	1,917.94
25032	1/29/2021	475659	VANTAGEPOINT	ICMA DEFERRED COMPENSATION FOR PAY PERIOD ENDED 01/31/2021	1,917.94	1,917.94
25013	1/14/2021	OCT-DEC2020	CHARLES V. WEIR	QUARTERLY HEALTH PREMIUM REIMBURSEMENT	1,904.76	1,904.76
25026	1/14/2021	2021	BAY PLANNING COALITION	ANNUAL LUNCH SPONSORSHIP	1,500.00	1,500.00
25016	1/14/2021	52205707	CITY OF HAYWARD	BENEFIT PREMIUMS - JAN	1,330.77	1,330.77
25041	1/29/2021	S16040	CRANE WORKS, INC	ANNUAL INSPECTION & TESTING OF 15-TON BRIDGE CRANE	1,240.00	1,240.00
25039	1/29/2021	00013.12-3	LARRY WALKER ASSOCIATES	PROFESSIONAL SERVICES - WORK ORDER NO. 3	1,229.00	1,229.00
25037	1/29/2021	48147	CALCON	MDF SERVICE CALLS	659.92	1,082.17
25037	1/29/2021	48141	CALCON	COMMUNICATION SYSTEM UPGRADE	422.25	
25048	1/29/2021	617598	CALTEST	LAB TESTING SERVICES - DEC	864.90	864.90
25022	1/14/2021	1545366	ALLIANT INSURANCE	POLLUTION LIABILITY INSURANCE RENEWAL	722.75	722.75
25019	1/14/2021	1746192-20	SCIF	WORKERS COMPENSATION PREMIUM - JAN	631.25	631.25
25051	1/29/2021	1283617	HANSON BRIDGETT	LEGAL SERVICES	385.00	385.00
25018	1/14/2021	51027859109143	AT&T	TELEPHONE SERVICE - ADMIN BUILDING	331.57	331.57
25030	1/14/2021	46900	COMPUTER COURAGE	GENERAL WEBSITE UPDATES	218.70	318.70
25030	1/14/2021	46715	COMPUTER COURAGE	WEBSITE HOSTING - JAN	100.00	
25043	1/29/2021	32792574	PITNEY BOWES	POSTAGE METER RESERVE ACCOUNT FOR DIGITAL MAILING SYSTEM	300.00	300.00
25042	1/29/2021	8253	CAYUGA INFORMATION SYSTEMS	IT SERVICES - DEC	225.00	225.00
25045	1/29/2021	208840995	ORKIN	PEST CONTROL SERVICES - MDF	200.00	200.00
25036	1/29/2021	51048304397166	AT&T	TELEPHONE SERVICE - MDF	198.35	198.35
25021	1/14/2021	9870286216	VERIZON WIRELESS	WIRELESS PHONE SERVICES - DEC	182.13	182.13
25044	1/29/2021	13212	TOWN & COUNTRY	JANITORIAL SERVICES - JAN	165.00	165.00
25014	1/14/2021	Dec-20	JUANITA VILLASENOR	REIMBURSABLE EXPENSES	92.17	92.17
25049	1/29/2021	3174714	CALTRONICS	COPIER USAGE 12/18 - 01/17/2021	62.92	62.92
25027	1/14/2021	EBD3067	ALPHA ANALYTICAL LABORATORIES	LAB SAMPLES - DEC	55.00	55.00
25031	1/14/2021	039231690X210104	DIRECTV	AT&T BUNDLE DISCOUNT	32.64	32.64
25038	1/29/2021	9871062596	VERIZON WIRELESS	MODEM FOR SCADA 12/11 - 1/10/2021	22.70	22.70

TOTAL CHECK PAYMENTS

432,758.83

EAST BAY DISCHARGERS AUTHORITY
Cash Disbursement
January 2021

Check #	Check Date	Invoice #	Vendor Name	Description	Invoice Amount	Check Amount
ELECTRONIC PAYMENTS						
1/4/2021		5105948980-0	PG&E	GAS & ELECTRIC SERVICE	31,968.11	31,968.11
1/7/2021		100000016273457	CALPERS	HEALTH PREMIUMS - JAN	7,232.30	7,232.30
1/5/2021		100000016241023	CALPERS	PENSION CONTRIBUTION, CLASSIC 12/16 - 31/2020	4,355.14	4,355.14
1/25/2021		100000016260783	CALPERS	PENSION CONTRIBUTION, CLASSIC 01/01 - 15/2021	4,355.14	4,355.14
1/5/2021		100000016237587	CALPERS	PENSION CONTRIBUTION, PEPRA 12/16 - 31/2020	247.82	247.82
1/11/2021			WELLS FARGO	CLIENT ANALYSIS SERVICE CHARGE	29.66	29.66
TOTAL ELECTRONIC PAYMENTS						48,188.17
PAYROLL						
1/28/2021			ADP, LLC	PAYROLL PERIOD: 1/16-31/2021	22,133.38	22,133.38
1/14/2021			ADP, LLC	PAYROLL PERIOD: 1/01-15/2021	19,072.60	19,072.60
1/4/2021		570663194.00	ADP, LLC	PAYROLL FEES, PERIOD: 12/16-31/2020	90.90	90.90
1/22/2021		571958893.00	ADP, LLC	PAYROLL FEES, PERIOD: 1/16-31/2021	72.35	72.35
TOTAL PAYROLL						41,369.23
TOTAL DISBURSEMENTS						522,316.23

ITEM NO. FM5 TREASURER'S REPORT FOR JANUARY 2021

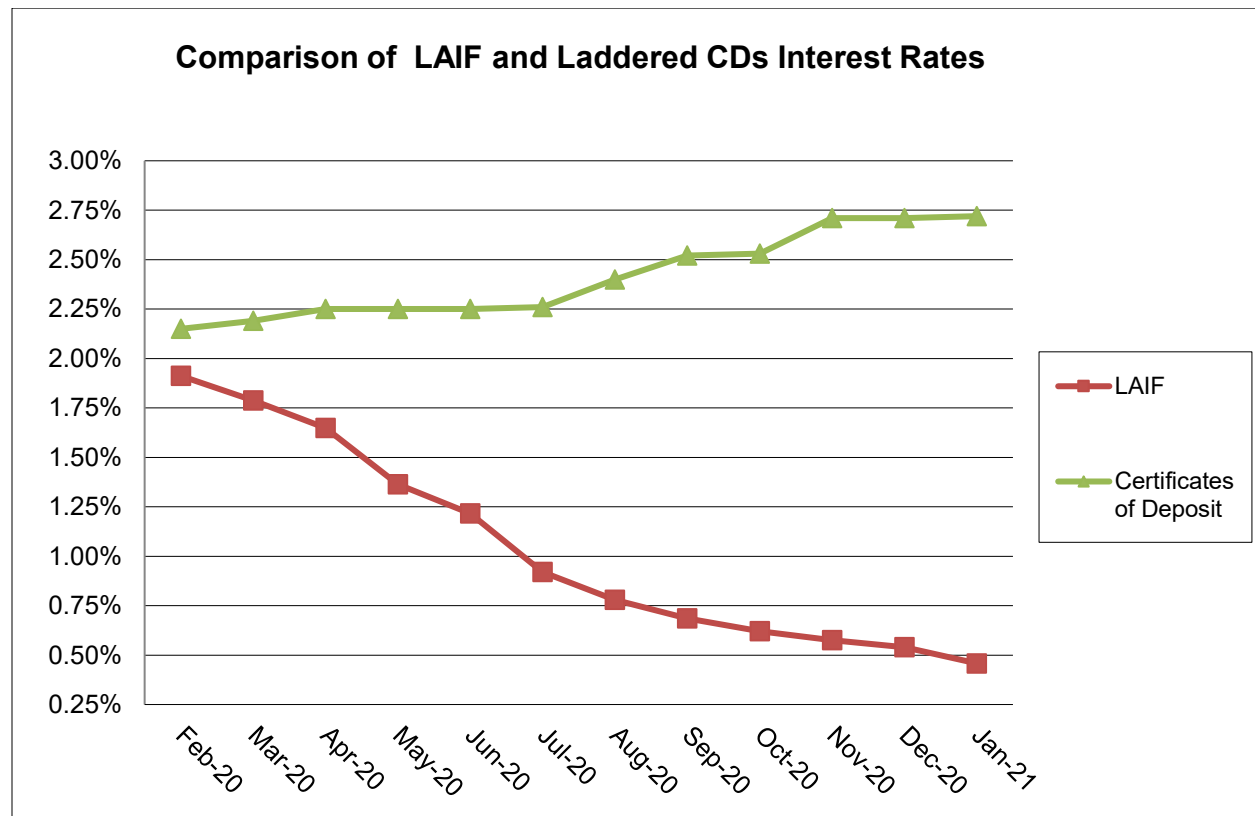
The beginning cash balance on January 1, 2021 was \$2,970,210.43. The ending cash balance on January 31, 2021 was \$3,248,162.49. Total receipts for the month were \$800,268.29 and disbursements totaled \$522,316.23.

EBDA currently has a three-pronged investment approach that includes laddered CDs, Local Agency Investment Fund (LAIF), and Wells Fargo accounts. As directed by the Financial Management Committee, funds are currently being transferred to the Authority's checking account and/or LAIF as CDs mature. Staff will continue to work with the Committee on investment strategy.

Current market value of EBDA's CD investment portfolio is \$150,982.60. The average annual yield of the CDs is 2.72%.

EBDA's LAIF balance of \$2,254,438.51 includes interest earned for the quarter ending December 31, 2020. The interest rate for January was 0.46%.

Approval is recommended.



EAST BAY DISCHARGERS AUTHORITY
TREASURER'S REPORT
JANUARY 31, 2021

FUND	DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	572,261.64	718,221.05	319,695.40	970,787.29
13	PLANNING & SPECIAL STUDIES	(310,384.77)	332,765.31	74,386.49	(52,005.95)
14	RECLAMATION O & M (SKYWEST)	138,123.98		701.18	137,422.80
31	RENEWAL & REPLACEMENT	2,570,209.58	(250,718.07)	127,533.16	2,191,958.35
TOTALS		2,970,210.43	800,268.29	522,316.23	3,248,162.49

Jan-21
2/10/21

SUPPLEMENTAL TREASURERS REPORT

DATE	TRANSACTION	RECEIPT	DISBURSEMENT CHECKING	DISBURSEMENT PAYROLL	PAYROLL TRANSFER	LAIF TRANSFER	CD TRANSFER	CD INTEREST & EXPENSES	WELLS FARGO CHECKING BALANCE	WELLS FARGO PAYROLL BALANCE	LAIF BALANCE	WELLS FARGO CERTIFICATES OF DEPOSIT	TOTAL CASH
01/01/21	BALANCE								535,791.34	31,700.49	2,250,879.58	151,839.02	2,970,210.43
01/04/21	ELECTRONIC BILL PAY		31,968.11						503,823.23	31,700.49	2,250,879.58	151,839.02	2,938,242.32
01/04/21	PAYROLL FEES			90.90					503,823.23	31,609.59	2,250,879.58	151,839.02	2,938,151.42
01/05/21	ELECTRONIC BILL PAY		4,355.14						499,468.09	31,609.59	2,250,879.58	151,839.02	2,933,796.28
01/05/21	ELECTRONIC BILL PAY		247.82						499,220.27	31,609.59	2,250,879.58	151,839.02	2,933,548.46
01/07/21	ELECTRONIC BILL PAY		7,232.30						491,987.97	31,609.59	2,250,879.58	151,839.02	2,926,316.16
01/11/21	DEPOSIT - COH	219,247.11							711,235.08	31,609.59	2,250,879.58	151,839.02	3,145,563.27
01/11/21	ANALYSIS FEE		29.66						711,205.42	31,609.59	2,250,879.58	151,839.02	3,145,533.61
01/14/21	PAYROLL			19,072.60					711,205.42	12,536.99	2,250,879.58	151,839.02	3,126,461.01
01/14/21	DISBURSEMENT		136,528.66						574,676.76	12,536.99	2,250,879.58	151,839.02	2,989,932.35
01/15/21	INTEREST	3,558.93				3,558.93			574,676.76	12,536.99	2,254,438.51	151,839.02	2,993,491.28
01/19/21	PAYROLL TRANSFER				20,000.00				554,676.76	32,536.99	2,254,438.51	151,839.02	2,993,491.28
01/19/21	DEPOSIT - CSL	2,917.37							557,594.13	32,536.99	2,254,438.51	151,839.02	2,996,408.65
01/22/21	DEPOSIT - LAVWMA	232,364.52							789,958.65	32,536.99	2,254,438.51	151,839.02	3,228,773.17
01/22/21	PAYROLL FEES			72.35					789,958.65	32,464.64	2,254,438.51	151,839.02	3,228,700.82
01/25/21	ELECTRONIC BILL PAY		4,355.14						785,603.51	32,464.64	2,254,438.51	151,839.02	3,224,345.68
01/26/21	DEPOSIT - USD	304,801.49							1,090,405.00	32,464.64	2,254,438.51	151,839.02	3,529,147.17
01/28/21	PAYROLL			22,133.38					1,090,405.00	10,331.26	2,254,438.51	151,839.02	3,507,013.79
01/29/21	DISBURSEMENT		296,230.17						794,174.83	10,331.26	2,254,438.51	151,839.02	3,210,783.62
01/29/21	DEPOSIT - CARGILL	37,378.87							831,553.70	10,331.26	2,254,438.51	151,839.02	3,248,162.49
TOTAL		800,268.29	480,947.00	41,369.23	20,000.00	3,558.93	-	-	831,553.70	10,331.26	2,254,438.51	151,839.02	3,248,162.49
CURRENT BALANCE									^①	^②	^③	^④	
Reconciliation													
^①	Per Bank Statement @01/31/21	\$ 1,137,745.75											
	Less: Outstanding Checks	306,192.05											
		\$ 831,553.70											
^②	Per Bank Statement @ 01/31/21	\$ 10,331.26											
^③	Per LAIF Statement @ 01/31/21	\$ 2,254,438.51											
^④	Per Treasurer's Report @01/31/21	\$ 151,839.02											
	Fair Market Value Increase/Decrease	(856.42)											
	Per Investment Statement @01/31/21	\$ 150,982.60											

The Supplemental Treasurer's Report is prepared monthly by the General Manager. It also serves as EBDA's cash and investments reconciliation.



BETTY T. YEE

California State Controller

LOCAL AGENCY INVESTMENT FUND
REMITTANCE ADVICE

Agency Name

EAST BAY DISCHARGERS AUTHORITY

Account Number

70-01-004

As of 01/15/2021, your Local Agency Investment Fund account has been directly credited with the interest earned on your deposits for the quarter ending 12/31/2020.

Earnings Ratio		.00001719170547343
Interest Rate		0.63%
Dollar Day Total	\$	207,014,148.92
Quarter End Principal Balance	\$	2,250,879.58
Quarterly Interest Earned	\$	3,558.93

CD PORTFOLIO

Institution	Description	Purchase Date	Maturity Date	Estimated Annual Yield	Quantity	Current Market Value
CITIBANK NA	CITIBANK NA CD SIOUX FALLS SD ACT/365 FDIC INSD CPN 2.900% DUE 05/24/21 DTD 05/23/18 FC 11/23/18 CUSIP 17312QM22	5/23/2018	5/24/2021	2.87%	50,000	50,457.00
CITIBANK NA Total						50,457.00
MORGAN STANLEY BK NA	MORGAN STANLEY BK NA CD SALT LAKE CTY UT ACT/365 FDIC INSD CPN 2.500% DUE 02/08/21 DTD 02/08/18 FC 08/08/18 CUSIP 61747MJ93	1/30/2018	2/8/2021	2.49%	50,000	50,033.50
MORGAN STANLEY BK NA	MORGAN STANLEY BK NA CD SALT LAKE CTY UT ACT/365 FDIC INSD CPN 2.800% DUE 04/05/21 DTD 04/05/18 FC 10/05/18 CUSIP 61747MS69	4/5/2018	4/5/2021	2.78%	50,000	50,251.50
MORGAN STANLEY BK NA Total						100,285.00
Grand Total						150,742.00
Average Estimated Annual Yield						2.71%
Cash & Sweep Balances						240.60
Snapshot Market Value on January 31, 2021						150,982.60

**ITEM NO. FM6 STATE CONTROLLER'S SPECIAL DISTRICT FINANCIAL
TRANSACTIONS REPORT FISCAL YEAR 2019/2020**

Recommendation

For the Committee's information only; no action is required.

Background

The Special District Financial Transactions Report is required to be submitted each year to the State Controller's Office (SCO) by February 1. The report is prepared in conformance with requirements set by the SCO and submitted electronically.

Discussion

While this report is consistent with the Authority's audited financial statements and provides no new information, it is attached for the Committee's review and knowledge of what has been submitted.

SPECIAL DISTRICTS FINANCIAL TRANSACTIONS REPORT COVER PAGE

Special District of East Bay Dischargers Authority

Reporting Year: **2020**ID Number: **12500108500****Certification:**

I hereby certify that, to the best of my knowledge and belief, the report forms fairly reflect the financial transactions of the special district in accordance with the requirements as prescribed by the California State Controller.

Special District Fiscal Officer

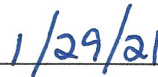

Signature

Fiscal Officer / General Manager

Title


Name (Please Print)

Date



Per Government Code section 53891(a), this report is due within seven months after the close of the fiscal year. The report shall contain underlying data from audited financial statements prepared in accordance with generally accepted accounting principles, if this data is available.

If submitted manually, please complete, sign, and mail this cover page to either address below:

Mailing Address:
State Controller's Office
Local Government Programs and Services Division
Local Government Reporting Section
P.O. Box 942850
Sacramento, CA 94250

Express Mailing Address:
State Controller's Office
Local Government Programs and Services Division
Local Government Reporting Section
3301 C Street, Suite 700
Sacramento, CA 95816

The Financial Transactions Report was successfully submitted to the State Controller's Office on 1/28/2021 7:10:06 PM

Special District of East Bay Dischargers Authority
Special Districts Financial Transactions Report
General Information

Fiscal Year: 2020**District Mailing Address**

Street 1 ☐ Has Address Changed?

Street 2

City State Zip

Email

Members of the Governing Body

	First Name	M. I.	Last Name	Title
Member 1	<input type="text" value="Pauline"/>	<input type="text"/>	<input type="text" value="Cutter"/>	<input type="text" value="Chair"/>
Member 2	<input type="text" value="Daniel"/>	<input type="text"/>	<input type="text" value="Walters"/>	<input type="text" value="Vice-Chair"/>
Member 3	<input type="text" value="Ralph"/>	<input type="text"/>	<input type="text" value="Johnson"/>	<input type="text" value="Commissioner"/>
Member 4	<input type="text" value="Sara"/>	<input type="text"/>	<input type="text" value="Lamnin"/>	<input type="text" value="Commissioner"/>
Member 5	<input type="text" value="Anjali"/>	<input type="text"/>	<input type="text" value="Lathi"/>	<input type="text" value="Commissioner"/>
Member	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

District Fiscal Officers

	First Name	M. I.	Last Name	Title	Email
Official 1	<input type="text" value="Jacqueline"/>	<input type="text" value="T"/>	<input type="text" value="Zipkin"/>	<input type="text" value="Fiscal Officer / General Manager"/>	<input type="text" value="jzipkin@ebda.org"/>
Officials	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Report Prepared By

First Name M. I. Last Name

Telephone Email

Independent Auditor

Firm Name

First Name M. I. Last Name

Telephone

1. Is this district a component unit of a City, County, or Special District (Choose one)? If "Yes", answer question 2. ☐ Yes ☒ No

2. Is this district a blended component unit (BCU) or a discretely presented component unit (DPCU) of a City, County, or Special District (Choose one)? Refer to the Financial Transactions Report (FTR) instructions for definitions of these terms. If the district is a BCU, answer questions 3 - 5.

☐ BCU ☐ DPCU

3. Is financial data of this BCU included in the financial statements or Comprehensive Annual Financial Report (CAFR) of a City, County, or Special District (Choose one)?

☐ City ☐ County ☐ Special District

4. In which City, County, or Special District financial statements or CAFR is the financial data of this BCU included?

City name:

County

name:

Special
District
name:

5. Is financial data of this BCU included in the City, County, or Special District FTR (Choose one)? ☐ Yes ☐ No

Special District of East Bay Dischargers Authority
Special Districts Financial Transactions Report
Sewer Enterprise Fund
Statement of Revenues, Expenses, and Change in Fund Net Position

Fiscal Year: 2020**Operating Revenues**

R01. Service Charges	5,642,894
R02. Permit and Inspection Fees	
R03. Connection Fees	
R04. Standby and Availability Charges	
R05. Service-Type Assessments	
R06. Service Penalties	
R07. Other Operating Revenues	124,469
R08. Total Operating Revenues	\$5,767,363

Operating Expenses

R09. Transmission	
R10. Treatment and Disposal	3,256,167
R11. Taxes	
R12. Personnel Services	
R13. Contractual Services	
R14. Materials and Supplies	
R15. General and Administrative Expenses	1,152,235
R16. Depreciation and Amortization Expenses	955,671
R17. Other Operating Expenses	
R18. Total Operating Expenses	\$5,364,073
R19. Operating Income (Loss)	\$403,290

Nonoperating Revenues

R20. Investment Earnings	70,036
R21. Rents, Leases, and Franchises	
Taxes and Assessments	
SD22. Current Secured and Unsecured (1%)	
SD23. Voter-Approved Taxes	
SD24. Pass-through Property Taxes (ABX1 26)	
SD25. Property Assessments	
SD26. Special Assessments	
SD27. Special Taxes	
SD28. Prior-Year Taxes and Assessments	
SD29. Penalties and Cost of Delinquent Taxes and Assessments	
Intergovernmental – Federal	
R30. Aid for Construction	

R31.	Other Intergovernmental – Federal	
	Intergovernmental – State	
R32.	Aid for Construction	
SD33.	Homeowners Property Tax Relief	
SD34.	Timber Yield	
R35.	In-Lieu Taxes	
R36.	Other Intergovernmental – State	
R37.	Intergovernmental – County	
R38.	Intergovernmental – Other	
R39.	Gain on Disposal of Capital Assets	
R40.	Other Nonoperating Revenues	
R41.	Total Nonoperating Revenues	\$70,036
	Nonoperating Expenses	
R42.	Interest Expense	
R43.	Loss on Disposal of Capital Assets	
R44.	Other Nonoperating Expenses	114,277
R45.	Total Nonoperating Expenses	\$114,277
R46.	Income (Loss) Before Capital Contributions, Transfers, and Special and Extraordinary Items	\$359,049
	Capital Contributions	
R47.	Federal	
R48.	State	
R49.	Connection Fees (Capital)	
R50.	County	
R51.	Other Government	
R52.	Other Capital Contributions	
R53.	Total Capital Contributions	\$0
R54.	Transfers In	1,005,404
R55.	Transfers Out	-1,005,404
	Special and Extraordinary Items	
R55.5	Special Item	
R55.6	Extraordinary Item	
R55.7	Total Special and Extraordinary Items	\$0
R56.	Change in Net Position	\$359,049
R57.	Net Position (Deficit), Beginning of Fiscal Year	\$30,787,261
R58.	Adjustment	
R59.	Reason for Adjustment	
R60.	Net Position (Deficit), End of Fiscal Year	\$31,146,310
	Net Position (Deficit)	
R61.	Net Investment in Capital Assets	28,856,838

R62.	Restricted	
R63.	Unrestricted	2,289,472
R64.	Total Net Position (Deficit)	\$31,146,310

Special District of East Bay Dischargers Authority
Special Districts Financial Transactions Report
Statement of Net Position
Proprietary Funds

Fiscal Year: 2020

		Enterprise	Internal Service
Assets			
Current Assets			
Cash and Investments			
R01.	Unrestricted	3,517,504	
R02.	Restricted		
R03.	Accounts Receivable (net)	2,500	
R04.	Taxes Receivable		
R05.	Interest Receivable (net)	9,289	
R06.	Due from Other Funds		
R07.	Due from Other Governments	45,950	
R08.	Inventories	32,203	
R09.	Prepaid Items	160,910	
R10.	Other Current Assets 1	724	
R11.	Other Current Assets 2		
R12.	Total Current Assets	\$3,769,080	\$0
Noncurrent Assets			
R13.	Cash and Investments, Restricted		
R14.	Investments		
R15.	Loans, Notes, and Contracts Receivable		
Capital Assets			
R16.	Land	442,338	
R17.	Buildings and Improvements	21,857,158	
R18.	Equipment	883,874	
R18.5	Infrastructure	40,144,496	
R19.	Intangible Assets – Amortizable		
R20.	Construction in Progress		
R21.	Intangible Assets – Nonamortizable		
R22.	Other Capital Assets		
R23.	Less: Accumulated Depreciation/Amortization	-34,471,028	
R23.5	Net Pension Asset		
R23.6	Net OPEB Asset		
R24.	Other Noncurrent Assets 1		
R25.	Other Noncurrent Assets 2		
R26.	Total Noncurrent Assets	\$28,856,838	\$0
R27.	Total Assets	\$32,625,918	\$0

Deferred Outflows of Resources

R28. Related to Pensions

		894,246	
R28.5	Related to OPEB	548,842	
R28.6	Related to Debt Refunding		
R29.	Other Deferred Outflows of Resources		
R30.	Total Deferred Outflows of Resources	\$1,443,088	\$0
R31.	Total Assets and Deferred Outflows of Resources	\$34,069,006	\$0

Liabilities

Current Liabilities

R32.	Accounts Payable	1,323,393	
R33.	Contracts and Retainage Payable		
R34.	Interest Payable		
R35.	Due to Other Funds		
R36.	Due to Other Governments		
R37.	Deposits and Advances		
R38.	Accrued Compensated Absences		
R39.	Long-Term Debt, Due Within One Year	0	0
R40.	Other Long-Term Liabilities, Due Within One Year		
R41.	Other Current Liabilities 1		
R42.	Other Current Liabilities 2		
R43.	Total Current Liabilities	\$1,323,393	\$0

Noncurrent Liabilities

R44.	Deposits and Advances, Net of Current Portion		
R45.	Compensated Absences, Net of Current Portion	47,749	
R46.	General Obligation Bonds		
R47.	Revenue Bonds		
R48.	Certificates of Participation		
R49.	Other Bonds		
R50.	Loans (Other Long-Term Debt)		
R51.	Notes (Other Long-Term Debt)		
R52.	Other (Other Long-Term Debt)		
R53.	Construction Financing – Federal		
R54.	Construction Financing – State		
R55.	Lease Principal		
R56.	Net Pension Liability	790,191	
R57.	Net OPEB Liability	579,518	
R58.	Other Noncurrent Liabilities 1		
R59.	Other Noncurrent Liabilities 2		
R60.	Total Noncurrent Liabilities	\$1,417,458	\$0
R61.	Total Liabilities	\$2,740,851	\$0

Deferred Inflows of Resources

R62.	Related to Pensions	117,732	
R62.5	Related to OPEB	64,113	

R62.6	Related to Debt Refunding		
R63.	Other Deferred Inflows of Resources		
R64.	Total Deferred Inflows of Resources	\$181,845	\$0
R65.	Total Liabilities and Deferred Inflows of Resources	\$2,922,696	\$0
R66.	Total Net Position (Deficit)	\$31,146,310	\$0
	Net Position (Deficit)		
R67.	Net Investment in Capital Assets	28,856,838	
R68.	Restricted		
R69.	Unrestricted	2,289,472	
R70.	Total Net Position (Deficit)	\$31,146,310	\$0
R71.	Total Liabilities, Deferred Inflows of Resources, and Net Position (Deficit)	\$34,069,006	\$0

Special District of East Bay Dischargers Authority
Special District Financial Transactions Report
Footnotes

Fiscal Year: 2020		
FORM DESC	FIELD NAME	FOOTNOTES
SewerEnterpriseFund	(R01)ServiceCharges	Member assessments increased due to increased operating expenses for the fiscal year. Fees associated with BACWA membership increased \$166k and Regional Monitoring Program increased \$122k.
SewerEnterpriseFund	(R07)OtherOperatingRevenues	Sale of reclaimed water \$100,000 Other Operating Revenues \$24,469
SewerEnterpriseFund	(R44)OtherNonoperatingExpenses	City of San Leandro - Capital Reimbursement \$114,277
SewerEnterpriseFund	(R54)TransfersIn	Transfer of Capital Assets from Renewal and Replacement Fund \$993,634 to Operations and Maintenance Fund. Transfer of cash \$11,770 from the Capital Projects Fund to the Renewal and Replacement Fund to close the Capital Projects Fund.
SewerEnterpriseFund	(R55)TransfersOut	Transfer of Capital Assets from Renewal and Replacement Fund \$993,634 to Operations and Maintenance Fund. Transfer of cash \$11,770 from the Capital Projects Fund to the Renewal and Replacement Fund to close the Capital Projects Fund.
ProprietaryFunds	(R10)Entpr-OtherCurrentAssets1	Workers compensation deposit held by State Compensation Insurance Fund @ 06/30/2020.

Total Footnote: 6

Supplement to the Annual Report of Special Districts

Special District ID Number:	
Name of District:	

Mark the appropriate box below to indicate the ending date of your agency's fiscal year.
Report data for that period only.

July 2019	October 2019	January 2020	April 2020
August 2019	November 2019	February 2020	May 2020
September 2019	December 2019	March 2020	June 2020

Please complete the fillable PDF and submit to the following email,
ewd.local.finance@census.gov.

If you have any questions regarding this form please contact:

U.S. Bureau of the Census, Local Finance Statistics Branch, 1-800-242-4523

A. Capital Outlay Expenditures for Enterprise Activities

Please report your government's capital outlay expenditures for the following enterprise activities, if applicable:

Airport Enterprise	Amount
Land and Equipment (Census Code G01)	\$
Construction (Census Code F01)	\$

Electric Enterprise	Amount
Land and Equipment (Census Code G92)	\$
Construction (Census Code F92)	\$

Harbor and Port Enterprise	Amount
Land and Equipment (Census Code G87)	\$
Construction (Census Code F87)	\$

Hospital Enterprise	Amount
Land and Equipment (Census Code G36)	\$
Construction (Census Code F36)	\$

Waste Disposal Enterprise	Amount
Land and Equipment (Census Code G80)	\$
Construction (Census Code F80)	\$

Water Enterprise	Amount
Land and Equipment (Census Code G91)	\$
Construction (Census Code F91)	\$

**ITEM NO. FM7 RESOLUTION APPROVING REVISIONS TO THE AUTHORITY'S
RECORDS MANAGEMENT POLICY AND RETENTION SCHEDULE**

Recommendation

Adopt the resolution approving revisions to the Authority's Records Management Policy and Retention Schedule.

Background

In October 1993, the Authority adopted its Records Management Policy and Records Retention Schedule. The Policy provides guidance for the efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all Authority records.

Upon reviewing the Records Management Policy and Records Retention Schedule, staff determined that a comprehensive overhaul of the policy was necessary. Staff considered the Secretary of State (SOS)'s Local Government Records Management Guidelines when drafting revisions to the policy, deviating from them slightly at times, for example where staff prefer a longer retention. A draft Policy and Schedule were reviewed by the Financial Management Committee in January 2021.

Discussion

As directed by the Committee, staff reviewed federal records retention guidelines, particularly as they relate to personnel files. Staff notes that the SOS Guidelines on which much of the Authority's proposed schedule is based do cite the Code of Federal Regulations, where applicable.

Federal Equal Employment Opportunity Commission guidelines for retention of personnel records are generally for shorter retention periods than staff's recommendation of ten years for active files and archival for life of the employee. Based on staff's research, seven and ten years are common retention periods for personnel and payroll records among peer agencies, and the SOS recommendations vary between five years and termination. Additionally, the SOS recommends that PERS and payroll registers be retained permanently. DSRSD retains payroll records permanently and OLSD retains personnel records permanently.

Based on this research, staff continues to recommend the proposed retention schedule for personnel files, as it is consistent with common practice and not in conflict with any state or federal guidelines. Staff has made no changes to the proposed policy or schedule from the draft reviewed last month.

POLICY NUMBER: 4

NAME OF POLICY: Records Management

LAST REVISED: February 18, 2021

PREVIOUSLY REVISED: October 21, 1993

PURPOSE: The purpose of the Records Management Policy is to establish guidelines pertaining to the maintenance, management, retention, and destruction of Authority records in hard copy and electronic format.

POLICY: It is the policy of the Authority to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, and disposition of all Authority records through a comprehensive system of integrated procedures for the management of records.

SCOPE: All records as defined herein are hereby declared to be the property of the Authority. No Authority official or employee has, by virtue of their position, any personal or property right to such records, even though they may have developed them. The unauthorized destruction, removal from files, or use of such records is prohibited.

All directives and guidelines included in or issued as part of the Records Management Policy are applicable to all personnel within the Authority. All information and records, including technical reference materials and publications, created or received by the Authority are included in the scope of this Policy.

Nothing in this policy shall be construed or interpreted as requiring any particular record maintained under the Records Management Policy to be disclosed or inspected by a member of the public under the California Public Records Act (Government Code Section 6250 et seq.) or other applicable laws.

OBJECTIVES:

- The policies, decisions, and transactions of the Authority are fully documented.
- Information is available when and where needed.
- Unnecessary creation and duplication of records is avoided.
- Non-current records do not encumber valuable office space and filing equipment.
- Records are destroyed only in accordance with authorized records retention schedules, which comply with all applicable laws, regulations, and policies.
- Records essential for the continuance of operations are adequately protected from

potential loss in disasters.

- Records with historical value are identified and preserved.

PROCEDURE: All Authority employees will have a current records retention schedule. Records will be transferred, disposed of, and/or destroyed only in accordance with the schedule.

Authority staff, in cooperation with the Commission, will develop and maintain a records retention schedule with retention periods for all records.

The records retention schedule will constitute full authority of the General Manager, or their designee, to transfer, archive, or destroy, with proper authorization, the records series covered by the schedule. Revisions of retention periods shall be submitted for review and approval every five years or when changes are required by law.

Records which, under the provisions of the records retention schedule, have become obsolete or are no longer required in the conduct of current business by the Authority, will be destroyed by or under direct supervision of the General Manager, or their designee, according to approved methods such as recycling or shredding. Inactive or obsolete records will not be maintained in current office files or equipment. For each batch of records destroyed, a Destruction Log will be prepared, signed by the General Manager, and retained permanently.

Authority staff will maintain procedures to ensure the preservation of the historically valuable records of the Authority. This includes suitable archival storage facilities for such records and storage in such manner that the records, unless their use or disclosure is restricted by law or regulation, are open to the public for research purposes.

The General Manager will coordinate a cost-effective, efficient system for storage of the Authority's inactive records. This can be provided through contract services by a commercial facility, or by an in-house system. Additionally, a secure, fire resistant data-media safe, vault or similar facility for storage of the Authority's important and vital records, in paper or electronic form, will be arranged for by the General Manager, or their designee, in an alternate location.

All active electronic records shall be stored on the Authority's network shared drive. The Authority's network shared drive is backed-up to a cloud-based platform. Back-ups occur every 15 minutes, and the retention period is 7 years. Additionally, localized back-ups occur monthly. The back-up drives are rotated each month and stored in a fire proof cabinet onsite.

East Bay Dischargers Authority Records Retention Schedule
Last Updated: February 18, 2021

Category	Record Title	Descriptor	Active	Archive
Administration	Agenda Packets	Commission agenda, Reports, Supporting Documentation	3	P
Administration	Agreements CIP	Construction	5	P
Administration	Agreements/Contracts	Excludes CIP, Encroachment permits	CU + 4	
Administration	Conflict of Interest	FPPC Filings, SEI, Policy	CU + 4	
Administration	Correspondence & Reports	Not attached to agreement or project, includes email correspondence	CU + 5	
Administration	Grant Files	Applications, Reports, Contracts	5	P
Administration	Insurance	Bonds and policies insuring the Authority	5	P
Administration	Insurance Certificates	Filed separately from contracts	T + 5	
Administration	Insurance Claims	Paid/Denied	5	P
Administration	Minutes, Commission Meetings	Official minutes	P	
Administration	Permits NPDES	Permits and compliance documents	P	
Administration	Permits Other	BAAQMD, Recycled Water - permits and compliance docs	P	
Administration	Photos	Construction	P	
Administration	Policies/Procedures		S + 5	
Administration	Project Files	CIP and non, includes Project Claims	T + 5	
Administration	Property Records	Acquisition, Disposition, Deeds, Maps, Specs	P	
Administration	Public Records Request		CL + 2	
Administration	Records Management	Destruction Log	P	
Administration	Reports, Self Monitoring (NPDES)		5	
Administration	Resolutions	Legislative actions	P	
Administration	Risk Management	OSHA Forms, Safety Reports, Actuarial Studies	5	
Administration	Recordings of Commission Meetings		6M	
Administration	NPDES Data	Analytical data and associated methods and qualifiers	5	
Administration	Reclamation	Monthly Reports	5	P
Administration	NPDES Annual Reports		5	P
Finance	Accounts Payable	VPWs, EFTs, Invoices, Supporting Documents	CU + 1	10
Finance	Audit Reports	Basic Financial Statements	AU + 4	P
Finance	Audit Workpapers		AU + 2	
Finance	Treasurers Report	Treasurers Report, including Supplemental Treasurers Report	CU + 2	

East Bay Dischargers Authority Records Retention Schedule
Last Updated: February 18, 2021

Category	Record Title	Descriptor	Active	Archive
Finance	Bank Statements	Bank, Investments, LAIF	CU + 2	
Finance	Budget Workpapers	Draft reports, Supporting Documents	CU + 4	
Finance	Budget	Annual Commission-approved	CU + 4	P
Finance	Cash Receipts	Deposits	CU + 4	
Finance	Checks	Check Copies, including canceled & voided	CU + 4	
Finance	Depreciation Schedules		10	P
Finance	Disbursement Register	Bank Register Reports	CU + 4	P
Finance	Fixed Assets Inventory		10	P
Finance	General Ledgers		CU + 4	P
Finance	Trial Balance		CU + 4	P
Finance	Invoices	Invoices, Related Documents	CU + 4	5
Finance	Journal Entries		CU + 4	P
Finance	Payroll Records	EE File: Deduction Authorizations, Beneficiary Designations, Unemployment Claims, Garnishments, Deferred Compensation, PERS	P	
Finance	Payroll Register		P	
Finance	Payroll Tax	Forms 1096, 1099, W-4 and W-2; DE-542 Federal & State	CU + 4	P
Finance	Payroll Timesheets	EE signed	CU + 4	
Finance	Purchase Orders		CU + 4	
Finance	Purchasing	Bids, RFQ, RFP	AU + 4	
Finance	State Controller Reports	FTR & GCC	CU + 4	P
Human Resources	Employee Programs	Benefits, Workers Comp	5	P
Human Resources	Personnel Data Files	Classifications, Evaluations	10	L
Human Resources	Recruitment Files		3	
O&M	Plans & Specifications	As-builts, (shop drawings if no as-builts)	P	
O&M	Vehicle		L	
O&M	Charts, Operational Data Recording	Flows, Residuals, Trends	5	
O&M	Manuals, Standard Operating Procedures		S	
O&M	Maps	Line Location; Easements; Facility Maps	P	
O&M	SDS (Safety Data Sheets)		S	30
O&M	Preventive Maintenance	Requests, Completed	10	

Legend

AU = Audit
CU = Current Year
P = Permanent
T = Termination
CL = Closed/Completion
L = Life
S = Supersede

ITEM NO. FM8 MOTION AUTHORIZING THE GENERAL MANAGER TO EXECUTE AN AGREEMENT WITH CARGILL, INC. FOR CEQA ANALYSIS

Recommendation

Adopt a motion authorizing the General Manager execute an agreement with Cargill, Inc. (Cargill) for California Environmental Quality Act (CEQA) analysis.

Background

In July 2020, the Commission approved a term sheet with Cargill for a project to discharge mixed sea salt (MSS) brine from Cargill's Newark solar salt facility through EBDA's transport system and outfall to the Bay. The non-binding term sheet set forth certain key terms to be included in a long-term agreement between EBDA and Cargill. At the time the term sheet was adopted, it was expected that EBDA and Cargill would complete due diligence investigations in late 2020 and be ready to approve a long-term agreement for the project in early 2021. The long-term agreement was envisioned to cover both the CEQA phase and project implementation.

As the due diligence work has proceeded, it has become apparent that additional time is needed to perform corrosion-related investigations in the force main to ensure the infrastructure is protected from any deleterious impacts of chloride addition. At the same time, there is a desire to expedite the CEQA analysis so that installation of the pipeline from Cargill to EBDA can be integrated with the City of Union City's planned bike lane project on Union City Boulevard. Thus, staff is recommending bifurcating the CEQA and implementation phases of the project and proceeding with CEQA at this time.

Discussion

Attached is a proposed agreement between Cargill and EBDA for the CEQA phase. In this agreement, EBDA is committing to act as the CEQA Lead Agency to analyze environmental impacts associated with the overall project, which includes construction of a pump station at Cargill's facility, a pipeline connecting Cargill's facility to EBDA's transport system just downstream of Union Sanitary District's treatment plant, and discharge of the MSS brine through EBDA's system. Upon execution of the proposed agreement, EBDA staff plans to release a Request for Proposals for a consultant to perform the CEQA analysis. An agreement with the selected consultant would be brought to the Commission for consideration in the next few months.

Cargill, in coordination with EBDA staff, has done significant outreach to potentially interested stakeholders, including environmental non-governmental organizations and local government agencies, over the past year to introduce them to the project and understand any potential concerns. Stakeholders consulted to date have been very supportive of the project as a positive public-private collaboration and a creative solution to challenges caused by sea level rise. For this reason, and the fact that the project at the core of the CEQA analysis is a pretty standard pipeline construction, staff expects that there will be minimal risk of CEQA challenges.

Agenda Explanation
East Bay Dischargers Authority
Financial Management Committee
February 16, 2021

Cargill is committing in this agreement to reimburse EBDA for all staff and consultant costs associated with CEQA analysis. To ensure full cost recovery, this agreement includes a higher hourly rate for EBDA labor than the rate Cargill has been paying to date, consistent with full cost billing rates used by other agencies.

In the approved term sheet, EBDA and Cargill had negotiated a proposed schedule for payment of the \$5 million project capacity fee. Per that schedule, Cargill was to pay \$1 million upon mutual agreement to initiate CEQA. As noted above, however, that milestone schedule assumed that CEQA would be initiated subsequent to signing a long-term project agreement. The purpose of that initial large payment was to ensure Cargill's continued commitment to following through on the project. Now that the process is being bifurcated, Cargill has expressed a desire to postpone that first large payment until there is an agreement to execute the project. Staff and the MAC believe that Cargill has demonstrated, through their proactive project management and continued investment in the due diligence process, that they continue to be committed implementing this project. Therefore, in this agreement, staff is recommending reducing the deposit to \$100,000 of the capacity fee, and additional large milestone payments will be outlined in the long-term agreement.

In approving this agreement, the Commission is authorizing staff to proceed with the CEQA analysis for the project. This agreement does not commit EBDA to long-term implementation. Recommendations on terms for the long-term agreement will be forthcoming as the due diligence process proceeds.

**CEQA REVIEW AND REIMBURSEMENT AGREEMENT
BETWEEN EAST BAY DISCHARGERS AUTHORITY
AND CARGILL, INCORPORATED**

This Agreement (this “**Agreement**”) is entered into as of February _____, 2021 (the “**Effective Date**”) by and between the East Bay Dischargers Authority, a California joint powers authority (“**EBDA**”) and Cargill, Incorporated, a Delaware corporation (“**Cargill**”, and together with EBDA, the “**Parties**”).

RECITALS

WHEREAS, EBDA is a joint powers authority formed by the City of Hayward, City of San Leandro, Oro Loma Sanitary District, Castro Valley Sanitary District, and Union Sanitary District (collectively the “**Member Agencies**”); and

WHEREAS, EBDA manages the discharge of the treated wastewater of the Member Agencies, as well as treated wastewater from the Livermore Amador Valley Water Management Agency, through a deep water combined outfall into the San Francisco Bay; and

WHEREAS, Cargill operates a solar sea salt facility in Newark, California that intakes and evaporates San Francisco Bay water through a series of solar evaporation ponds, crystallizers, and other cells to produce commercial sea salt products; and

WHEREAS, Cargill desires to harvest additional product value from mixed sea salts (MSS); and

WHEREAS, Cargill desires to dissolve residual salts following the harvest of MSS (the “**MSS Brine**”) and to transport the MSS Brine through a proposed new pipeline to EBDA’s facilities for discharge into the San Francisco Bay (the “**Proposed Project**”); and

WHEREAS, on July 27, 2020, the Parties executed a non-binding term sheet outlining possible terms for the Proposed Project (the “**Non-Binding Term Sheet**”); and

WHEREAS, the Parties desire to enter into a long-term agreement to set forth the requirements for portions of the construction and operation of the Proposed Project (the “**Long-Term Agreement**”); and

WHEREAS, among other discretionary regulatory approvals, the Proposed Project will require EBDA to conduct an environmental impacts analysis under the California Environmental Quality Act (“**CEQA**”), take final legislative action to effectuate the framework contemplated in the Long-Term Agreement, and seek or issue other related development and operational permits (collectively the “**Project Approvals**”); and

WHEREAS, EBDA is the lead agency for CEQA for the Proposed Project under California Public Resources Code Section 21067 (the “**Lead Agency**”); and

WHEREAS, the purpose of this Agreement is to document the mutual understanding and intent of EBDA and Cargill regarding the process for conducting an environmental impacts analysis under CEQA (“**CEQA Review**”) and reimbursement by Cargill for EBDA expenses related to (i) the CEQA Review and (ii) the Project Approvals.

NOW THEREFORE, in consideration of the foregoing, and other valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties hereby agree as follows:

1. Term. This Agreement is effective upon the Effective Date as set forth above. This Agreement may be terminated, without cause, by either party upon written notice provided to the signatories below, provided that EBDA has received all amounts due to EBDA as reimbursement of billed expenses under Sections 3 and 4 below. If not earlier terminated, this Agreement will terminate upon Cargill’s reimbursement to EBDA of all expenses owed under this Agreement for the CEQA Review and the Project Approvals.

2. Environmental Review. EBDA, as the agency with principal responsibility for approving the Proposed Project, is the Lead Agency under CEQA as follows:

2.1 Lead Agency. Cargill and EBDA acknowledge and agree that, under CEQA and the CEQA Guidelines, including Public Resources Code section 21067, CEQA Guidelines sections 15050-15051, and related case law, EBDA is the Lead Agency responsible for environmental review of the Proposed Project. Cargill and EBDA will act in good faith to undertake cooperative actions in connection with the CEQA Review for the Proposed Project, which include, but are not limited to the following efforts:

- a. Processing Duties. EBDA and Cargill will use reasonable good faith efforts to consult, review, provide comments, and perform other tasks required for CEQA Review as expeditiously as possible, to facilitate the timely processing of the environmental documents for the Proposed Project.
- b. Staffing. EBDA and Cargill will each provide and coordinate staffing to review and assist in processing the environmental documents.
- c. CEQA Consultant. EBDA will direct the work of environmental consultants. In furtherance of the Parties’ cooperative approach to the CEQA Review, EBDA may direct the consultant to include analysis of certain issues of concern or within the authority of Cargill, including, for example, potential impacts of the new operations proposed by Cargill on Cargill owned or operated lands. EBDA and Cargill will jointly provide input on any issues of concern to Cargill or within the jurisdiction of EBDA, and EBDA will closely consult and coordinate with Cargill prior to directing the consultant on such issues.
- d. Preparation of Draft Environmental Document. EBDA will be responsible for the content of the draft environmental document required by CEQA,

including, but not limited to, the decision on the type of document to prepare (i.e. Mitigated Negative Declaration or Environmental Impact Report), the scope of the document, description of the environmental setting, appropriate baselines, significance thresholds, impact determinations, mitigation measures, and reasonable range of project alternatives. EBDA will provide Cargill with copies of all administrative drafts and any specialized studies, memoranda, or reports used to prepare the document for review and comment. Cargill will use reasonable good faith efforts to review and provide comments on drafts within the schedule.

- e. Final Environmental Document. EBDA and Cargill will consult regarding the preparation of the final environmental document, including preparation of any Responses to Comments, revisions to the document, and any Mitigation Monitoring and Reporting Program. Cargill and EBDA will each independently review the administrative draft of the final environmental document and provide comments to each other within a reasonable period of time.
- f. Public Notices and Proceedings. EBDA will prepare, publish, and circulate all CEQA-related public notices.
- g. Documents. EBDA and Cargill will consult and cooperate throughout the CEQA Review process to ensure EBDA maintains a complete and organized record of documents to be included in any administrative record.

- 2.2 Independent Judgment and Discretion under CEQA. Nothing in this Agreement is to be interpreted to replace or eliminate EBDA's independent judgment or discretion under CEQA, and nothing is to be interpreted as an approval or a pre-commitment to approve the Proposed Project or the final legislative action to effectuate the Proposed Project, or as a decision to limit the Parties' consideration of project alternatives and mitigation measures.

3. Reimbursement Payments.

- 3.1 Cargill has agreed to provide funds to EBDA to perform the tasks necessary and relating to the Project Approvals, the preparation of CEQA documents, and such other review required for approval of the Proposed Project.
- 3.2 EBDA will invoice Cargill for the reasonable costs EBDA incurs in providing the services necessary and relating to the Proposed Project (the "**Reimbursement Costs**"). All invoices will include line-item descriptions of the Reimbursement Costs. The Reimbursement Costs include, but are not limited to:
 - a. undertaking such review as is required to comply with the requirements of CEQA, including but not limited to all EBDA overhead requirements, as set forth in EBDA master fee schedule included as Attachment 1;

- b. preparation, consideration of, and presentation to the EBDA Commission for its review and possible action, of the Project Approvals, the Long-Term Agreement, and any other required agreements;
 - c. such other EBDA activities that EBDA and Cargill deem necessary to assist Cargill in processing the Project Approvals, as consistent with applicable law.
- 3.3 Reimbursement payments will be required for services related to the Project Approvals that are provided by EBDA staff, outside consultants hired by EBDA, and the EBDA General Counsel.
- 3.4 Cargill agrees to provide reimbursement payments in response to EBDA invoices.

4. Other Payments

- 4.1 First Capacity Fee Installment. Within sixty (60) days of the Effective Date of this Agreement, Cargill hereby agrees to provide payment to EBDA of a first capacity fee installment in the amount of One Hundred Thousand Dollars (\$100,000) (“**First Capacity Fee Installment**”). Notwithstanding the Non-Binding Term Sheet, no other capacity fee installment shall be paid unless pursuant to the Long-Term Agreement. In the event that the Parties do not enter into the Long-Term Agreement, the First Capacity Fee Installment shall be repaid to Cargill in full.

5. Authority and Obligations of EBDA. Cargill fully understands and agrees to the following:

- 5.1 EBDA makes no promise, representation or warranty, express or implied, as to the timing of EBDA's processing of the Proposed Project nor as to the outcome by EBDA as to the processing, including the action by EBDA's Commission on the Project Approvals.

6. Authority and Obligation of Cargill. Cargill agrees:

- 6.1 To pay EBDA within a net ninety (90) days from the date of any invoice provided by EBDA to Cargill.
- 6.2 To comply fully with all applicable local, regional, state, and federal rules, regulations, resolutions, ordinances, and laws with respect to the permitting of the Proposed Project.
- 6.3 To cooperate fully, in accordance with this Agreement, with EBDA in its processing of Cargill's Project Approvals.

7. Amendment. This Agreement, including any exhibits hereto, may be amended only by mutual written agreement of the Parties.

8. **No Agency, Joint Venture or Partnership.** EBDA and Cargill hereby renounce the existence of any form of agency relationship, joint venture or partnership between EBDA and Cargill and agree that nothing contained herein or in any document executed in connection herewith shall be construed as creating any such relationship between EBDA and Cargill.
9. **Venue and Applicable Law.** Any action by any party to this Agreement shall be brought in the appropriate court of competent jurisdiction within the County of Alameda, State of California, notwithstanding any other provision of law which may provide that such action may be brought in some other location. This Agreement shall be construed and enforced in accordance with the laws of the State of California.
10. **Entire Agreement.** Each party acknowledges that this Agreement sets forth all covenants, promises, conditions and understanding between the Parties regarding the matters set forth herein, and there are no promises, conditions, or understanding either oral or in writing between the Parties other than as set forth herein. No subsequent alteration, amendment, change or addition to this Agreement shall be binding upon the Parties unless reduced to writing and signed by them.
11. **Effect of Waiver.** No waiver by a party of any provision of this Agreement shall be considered a waiver of any other provision or any subsequent breach of the same or any other provision, including the time for performance of any such provision. The exercise by a party of any remedy provided in this Agreement or at law shall not prevent the exercise by that party of any other remedy provided in this Agreement or at law.
12. **Interpretation of Agreement.** This Agreement constitutes the entire agreement between the Parties and supersedes all prior discussions, negotiations, and agreements whether oral or written. Any amendment to this Agreement, including an oral modification supported by new consideration, must be reduced to writing and signed by both Parties before it will be effective. Both Parties have had an equal opportunity to participate in the drafting of this Agreement. The usual construction of an agreement as to the drafting party shall not apply to this Agreement.

SIGNATURES ON FOLLOWING PAGE

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the Effective Date.

APPROVED AS TO FORM:

EAST BAY DISCHARGERS AUTHORITY:

By: _____
Eric S. Casher
Authority Legal Counsel

By: _____
Jacqueline T. Zipkin, P.E.
General Manager

CARGILL, INCORPORATED:

By: _____
Signature

Name

Title

ATTACHMENT 1 – EBDA MASTER FEE SCHEDULE

- EBDA labor shall be billed on an hourly basis using the following hourly rates:

General Manager	\$335
Operations and Maintenance Manager	\$220
Administration	\$145

- All contract expenses incurred by EBDA in support of Project Approvals including, but not limited to, consultant and legal fees shall be billed at cost plus 10%.
- Any other expenses incurred by EBDA shall be billed at cost.



EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
San Lorenzo, CA 94580-1841
(510) 278-5910
FAX (510) 278-6547

A Joint Powers Public Agency

NOTICE: Pursuant to the Governor's Executive Orders N-25-20 and N-29-20, the Operations & Maintenance Committee meeting scheduled below will be accessible via Zoom video conferencing. Members of the public may participate in the meeting through the Zoom platform or phone number below.

- Zoom link: <https://us02web.zoom.us/j/86310622623>
- Telephone dial-in: 1(669) 900-6833, meeting ID #863 1062 2623

ITEM NO. 14

OPERATIONS & MAINTENANCE COMMITTEE AGENDA

Tuesday, February 16, 2021

9:00 A.M.

**East Bay Dischargers Authority
2651 Grant Avenue, San Lorenzo, CA 94580**

Committee Members: Cutter (Chair); Johnson

OM1. Call to Order

OM2. Roll Call

OM3. Public Forum

OM4. EBDA Performance

(The Committee will be updated on EBDA's NPDES report.)

OM5. Status Report

(The Committee will be updated on EBDA's O&M activities.)

OM6. Motion Authorizing the General Manager to Execute Amendment to Work Order No. 1, Work Order No. 2, and Work Order No. 3 with Carollo Engineers, Inc. for Engineering Services, for a Total Contract Amount of \$105,626

(The Committee will consider the motion.)

OM7. Adjournment

Any member of the public may address the Commission at the commencement of the meeting on any matter within the jurisdiction of the Commission. This should not relate to any item on the agenda. It is the policy of the Authority that each person addressing the Commission limit their presentation to three minutes. Non-English speakers using a translator will have a time limit of six minutes. Any member of the public desiring to provide comments to the Commission on an agenda item should do so at the time the item is considered. It is the policy of the Authority that oral comments be limited to three minutes per individual or ten minutes for an organization. Speaker's cards will be available in the Boardroom and are to be completed prior to speaking.

Agenda Explanation
East Bay Dischargers Authority
O&M Agenda
February 16, 2021

In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in an Authority meeting, or you need a copy of the agenda, or the agenda packet, in an appropriate alternative format, please contact the Administrative Assistant at the EBDA office at (510) 278-5910 or juanita@ebda.org. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the Authority staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

In compliance with SB 343, related writings of open session items are available for public inspection at East Bay Dischargers Authority, 2651 Grant Avenue, San Lorenzo, CA 94580. For your convenience, agenda items are posted on the East Bay Dischargers Authority website located at <http://www.ebda.org>.

**The next O&M Committee meeting will be held
Tuesday, March 16, 2021, at 9:00 a.m.**

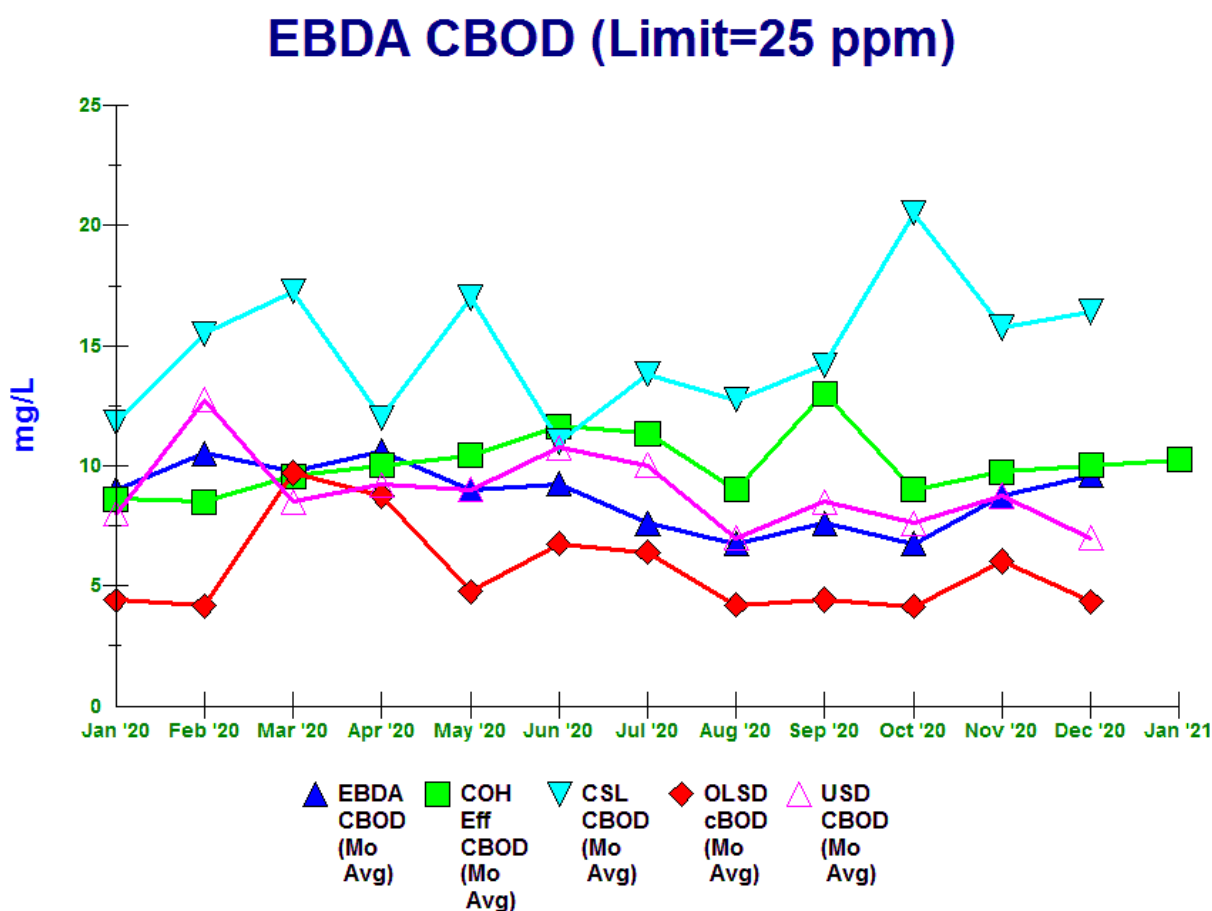
ITEM NO. OM4 EBDA PERFORMANCE

Recommendation

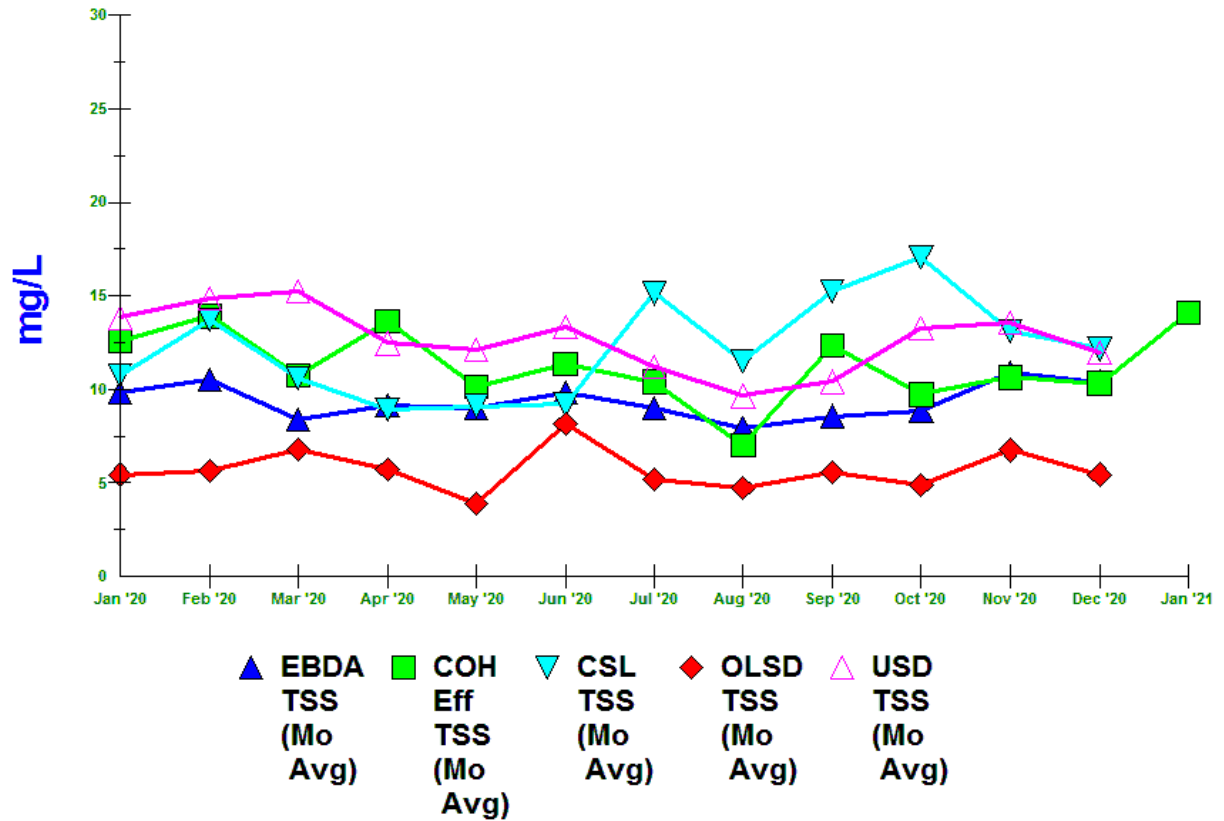
For the Committee's information only; no action is required.

Permit Compliance Issues

There were no NPDES permit violations in December and preliminary data from January are also free of permit exceedances. Member Agency CBOD and TSS performance are shown below. A table with bacterial indicators is also included.



EBDA TSS (Limit 30 ppm)



EBDA EFF TSS

EBDA Bacterial Indicators

Date	FECAL	ENTERO
	MPN/ 100mL	MPN/ 100mL
Limit (90th Percentile)	1100	
Limit (Geomean)	500	240
February 2020 Geomean	5	< 3
March 2020 Geomean	8	< 2
April 2020 Geomean	4	2
May 2020 Geomean	40	2
June 2020 Geomean	28	3
July 2020 Geomean	27	3
August 2020 Geomean	23	3
September 2020 Geomean	41	5
October 2020 Geomean	30	9
November 2020 Geomean	11	4
12/1/2020	27	3
12/2/2020	14	< 2
12/7/2020	3	2
12/8/2020	17	2
12/9/2020	4	2
12/14/2020	4	6
12/15/2020	1600	3
12/21/2020	< 2	2
12/22/2020	2	< 2
12/28/2020	4	< 2
12/29/2020	7	< 2
December 2020 Geomean	9	2
1/4/2021	4	4
1/5/2021	7	< 3
1/6/2021	2	12
1/11/2021	3	< 2
1/12/2021	4	3
1/13/2021	2	4
1/18/2021	2	< 2
1/19/2021	2	< 2
1/20/2021	70	2
1/25/2021	9	4
1/26/2021	8	2
January 2020 Geomean	5	3

ITEM NO. OM5 STATUS REPORT

Union Effluent Pump Station (UEPS – Formerly AEPS)

Radio Communications

EBDA has been experiencing issues receiving data communications from UEPS. Calcon Systems, Inc. (Calcon) attempted to repair the existing equipment but was unsuccessful. Calcon installed a new radio at the top of the UEPS surge tower, and at the EBDA office. The new radio at the EBDA office was defective and returned to the manufacturer. Calcon is waiting for the manufacturer to send a replacement.

Hayward Effluent Pump Station (HEPS)

No change; all equipment is operational.

Oro Loma Effluent Pump Station (OLEPS)

Wet Well Hypochlorite (Hypo) System

On February 3, 2021, Calcon installed the new programmable logic controller (PLC) for the new OLEPS hypo system. In the next several weeks, Calcon will install the flow meter and pump.

Main Electrical Switchboard Upgrade

Staff is in the process of executing a contract with Graybar Electric Company, Inc. for the OLEPS Main Electrical Switchboard Upgrade, as approved by the Commission. After negotiations between Graybar and EBDA's legal counsel, terms have now been agreed to, and the contract will be executed shortly.

San Leandro Effluent Pump Station (SLEPS)

No change; all equipment is operational.

Skywest Pump Station

Recycled Water Production

During the month of January 2021, the Skywest Recycled Water System operated two days and produced 0.89 million gallons of recycled water.

Hypo Pump Replacement

Due to a change in the source water used for the Skywest Recycled Water System associated with OLSD's nutrient improvements, it has become necessary to pump additional sodium hypochlorite (hypo) to meet the target chlorine residual. Because the existing hypo pump was at its maximum, OLSD's RAS hypo pump was used as a second pump to supplement hypo flow. In January, EBDA received a new loaner hypo pump from Misco Water with a larger capacity. EBDA will test the pump for the next several months. If it meets the system requirements, the pump will be purchased this summer.

Marina Dechlorination Facility (MDF)

No change; all equipment is operational.

Force Main

San Leandro Force Main Shutdown

On February 10, 2021, as part of the Cargill Brine Project inspection, the northern portion of the transport system will be shutdown to assess the condition of the concrete pipe. See Special Projects for additional details.

Operations Center

No change; all equipment is operational.

Miscellaneous Items

Underground Service Alerts

EBDA received five (5) Underground Service Alert (USA) tickets during the month of January 2021. Four required an Electronic Positive Response (EPR) with calls/emails to the excavators, and one required field verification.

Wet Weather

Total rainfall for the month of January 2021 (in inches) was as follows:

Oakland	Hayward	Livermore
2.42	2.90	2.74

Noteworthy daily rainfall for the month of January 2021 (in inches) was as follows:

Date	Oakland	Hayward	Livermore
1/27/2021	0.86	0.61	0.55
1/28/2021	0.11	0.52	0.60
1/29/2021	0.74	1.10	1.09

During the month of January 2021, there were a series of rain events over a three-day period, from January 27-29. Fortunately, the majority of the heavy rain occurred during low flows and low tide. The one exception was on January 28, when MDF recorded a peak flow of 133.3 MGD at 10:06 am, and one OLEPS diesel pump was required to operate for approximately five hours. The average daily flow at MDF on January 28 was 99.7 MGD. For reference, the average daily flow for the month of January 2021 was 69.2 MGD, and the average daily flow for December 2020 was 64.5 MGD.

During the rain event, all Member Agencies stayed at or under their JPA maximum flows. OLSD/CVSan diverted flow to their equalization basin to keep their flow to OLEPS under

30 MGD and the COH used their effluent channel as flow equalization and diverted flow to the Hayward Ponds to keep their flow to HEPS at 15 MGD.

COVID-19 Response

Authority staff is continuing to implement the Pandemic Response Plan, which includes staff working from home and alternating time in the office to ensure social distancing. Signage regarding closure of the office to the public and the Authority's social distancing measures is posted on the office door. All meetings are being conducted by phone and web conference until further notice. Water and wastewater utility workers have been classified by the Centers for Disease Control as recommended for vaccination during Phase 1C; however, vaccines have not yet become widely available in California for this tier. EBDA has signed up for notification by Alameda County when vaccines become available.

Staff is also continuing to track research efforts utilizing data on the prevalence of SARS-CoV-2 virus in wastewater influent to identify and anticipate COVID-19 community trends, termed wastewater-based epidemiology. EBDA staff has been meeting with representatives from UC Berkeley, Alameda County Public Health Department (Public Health), and East Bay Municipal Utility District to develop a monitoring strategy for Alameda County. Public Health is still working to prioritize locations for which wastewater surveillance data will be most helpful and determine how they would use the data.

As a pilot program, Union Sanitary District has begun twice weekly sampling of their Alvarado basin, which encompasses the City of Union City, with samples analyzed by UC Berkeley. In addition, the City of San Leandro has submitted an expression of interest in the latest phase of the National Wastewater Surveillance System, a program funded through the federal Health and Human Services. They are awaiting notification of whether they will be included.

Special Projects

Cargill Brine Project Due Diligence

EBDA staff is continuing to work with Cargill to assess risks of adding brine to the EBDA transport system, particularly with respect to accelerating corrosion. The team is taking a two-pronged approach to addressing corrosion risks:

- Condition and Vulnerability Assessment: The team is continuing to perform inspections of the transport system to understand the current state of the pipe and delineate which conditions and locations might be at greatest risk for accelerating corrosion and thus require mitigation such as lining. Working with San Leandro, EBDA plans to implement a shutdown of the northern portion of the transport system on February 10, 2021 to perform an inspection. During this inspection, core samples of concrete pipe will be collected and analyzed to assess chloride penetration and the susceptibility of the concrete to corrosion induced by the brine

addition. Based on the results of the core samples, a plan for further inspections will be developed.

- Corrosion Mitigation Strategy: In parallel, Cargill's consultant is beginning to develop a strategy and cost estimate for lining or coating vulnerable sections of the transport system to protect against corrosion. Hydraulic modeling of the system provided by Carollo Engineers, Inc. (see Item No. OM6) will inform that analysis, as will the results of the inspection described above.

EBDA staff is also continuing to work with Cargill to plan for installation of a pipeline connecting Cargill's Newark facility to the EBDA system. The team is coordinating with the City of Union City, whose planned bike path project on Union City Boulevard corresponds with the proposed alignment for the pipeline. Staff is also preparing to hire a consultant to begin environmental analysis for the project under the California Environmental Quality Act (CEQA). An agreement with Cargill for cost reimbursement during the CEQA phase is included as Item No. FM8.

Advanced Quantitative Precipitation Information (AQPI) Project

The regional AQPI project, with a goal of improving prediction of rainfall events in the Bay Area, continues to move forward. The Cooperative Agreement for installation of the X-band radar in the East Bay has been approved by the East Bay agencies, but approval by Sonoma County Water District (Sonoma Water), the implementing agency, was slowed by the COVID-19 emergency and wildfires. The East Bay agreement, as well as the lease agreement with American Tower for the site, will likely be approved by Sonoma Water in March 2021. As they await approval of the agreement, the team is preparing for installation of the X-band at Rocky Ridge.

As implementation of this current phase continues, the AQPI team is actively seeking federal and state funding for the long-term implementation of the program. EBDA staff signed onto a letter to House and Senate Appropriations Committee Members requesting that funding be allocated to the National Oceanographic and Atmospheric Administration (NOAA) for AQPI (see attached). Informational meetings are also being planned with California state legislators. A meeting with Assemblymember Quirk is planned for March 15, 2021 and others are being scheduled.



Dear House and Senate CJS Appropriations Committee Members,

On behalf of our coalition of California water management agencies, we respectfully request you consider additional funding for the NOAA OAR Weather and Air Chemistry Research account to support a critical new weather forecasting system known as the Advanced Quantitative Precipitation Information (AQPI) system. Funding this program at \$28.2 million over 5 years, starting at \$4.8 million for Fiscal Year 2022 to implement AQPI Phase 2, will enable better forecasting of extreme storm events to help Bay Area communities prepare for flooding and droughts.

When big atmospheric river storms hit California, current weather forecasting technology does not provide the detailed information needed to inform emergency response and enhance reservoir flood operations, flood protection, and combined sewer-stormwater systems. Standard weather radars, originally designed for low topographical areas on the east coast and the great plains, are often unable to give an accurate picture of what is happening just above the complex landscape of California's coastal mountain ranges, where precipitation can be heaviest.

NOAA funds other demonstration programs like the VORTEX-SE that addresses tornado forecasting. In the San Francisco Bay Area, there is a unique regional issue similar to VORTEX-SE, and AQPI is necessary for the success and growth of the region because existing technology is outdated and better forecasting is needed for public safety, and because advanced warning of storms can help to minimize economic costs. Currently, over 90% of flood damages in California are due to atmospheric rivers.

The State of California has already supported Phase 1 of the AQPI system with nearly \$20 million in state funding. Phase 1 is anticipated to be completed in 2022, after 5 years of development including the installation of five new radar units throughout the San Francisco Bay Area. We are working closely with UC San Diego's Scripps Institution of Oceanography to ensure that the AQPI system will include tools specifically designed to translate the new data and improved forecasting that it generates, which can then be used by on-the-ground emergency and water managers to support mitigation of risk and damage caused by extreme storm events.

This 5-year funding request for Phase 2 provides a viable plan to operate the system, demonstrate its value, and enhance its performance based on feedback and direction from the local, regional, state and national agencies it supports and depends upon. Phase 2 includes management, outreach, communication, operations, maintenance, and research advancing the science of precipitation, streamflow, and coastal flood forecasting to improve AQPI and better

meet stakeholder needs. Lessons learned in the Bay Area from this program will have application to other west-coast flood-prone urban and surrounding communities.

Phase 2 would allow additional scanning radars and low-cost vertically pointing radars to be added to the AQPI observational network, as well as at least one regional precipitation forecast model, customized to California and the Bay area.

Therefore, AQPI is necessary for the safety of the San Francisco Bay area's 7.76 million residents. Accurate and timely precipitation information is critical for making decisions regarding public safety, infrastructure operations, and resource allocations. Improved precipitation monitoring and prediction in the San Francisco Bay region can enhance public safety through early warning and storm tracking when hazardous weather events come onshore. Having early warnings can help to minimize economic costs. Advanced notice of these extreme weather events can help to plan for and minimize damage and associated costs of recovery.

We appreciate your consideration of this request and urge you to support our region's economy and safety by funding this request.

Sincerely,



Supervisor Diane Burgis
Chair, Board of Supervisors
County of Contra Costa



Michael Carlin
Acting General Manager
San Francisco Public Utilities Commission



John A. Coleman
Chief Executive Officer
Bay Planning Coalition



Robert Shaver
General Manager
Alameda County Water District



Jacqueline Zipkin
General Manager
East Bay Dischargers Authority



Pat Echols
Interim Director
Department of Public Works
County of Marin



Grant Davis
General Manager
Sonoma Water

ITEM NO. OM6 Motion Authorizing the General Manager to Execute Amendment to Work Order No. 1, Work Order No. 2, and Work Order No. 3 with Carollo Engineers, Inc. for Engineering Services, for a Total Contract Amount of \$105,626

Recommendation

Adopt the proposed motion to approve the amended work order and two new work orders for Carollo Engineers, Inc.

Background

Carollo Engineers, Inc. (Carollo) is a Walnut Creek-based engineering consulting firm specializing in water and wastewater. The Authority has had Carollo perform engineering services for a number of years. Recent projects include development of a transport system hydraulic model and scenario analysis in preparation for Joint Powers Agreement (JPA) negotiations, and the Union Effluent Pump Station Cavitation Study.

In July 2020, the Authority entered into an agreement with Carollo to provide engineering services on a work order basis. The agreement provided a vehicle to engage Carollo to perform specific tasks on a time and materials basis, each of which would be outlined in a work order including a cost ceiling. Staff issued the first work order under this contract to Carollo in July 2020. That work order (Work Order No. 1) was to use their existing hydraulic model to perform scenario analyses associated with the Cargill brine project. Work performed under that work order, which had a cost ceiling of \$9,900, will be reimbursed by Cargill.

Discussion

Under the proposed motion, staff is asking the Commission to consider three actions associated with the Carollo agreement.

Amend Work Order No. 1 to Increase Scope for Cargill Project

As part of the Cargill project due diligence process, additional hydraulic modeling scenarios are required. This additional modeling will focus on assessing the extent of pipe that may be under conditions conducive to corrosion with the presence of increased chlorides. Staff is proposing to increase the Work Order scope by \$10,000, for a total scope of \$19,900. Any work performed under this Work Order will be reimbursed by Cargill.

Approve Work Order No. 2 for General Engineering Services

Staff is recommending adopting a second work order for small engineering tasks as may be required from time to time for capital projects. For example, staff expects to request Carollo's assistance in specifying replacement pumps for the Hayward Effluent Pump Station (HEPS) and in analyzing hydraulics associated with raising the weir at the Oro Loma overflow structure. Funds for these tasks have been approved in the Renewal and Replacement Fund. Staff is recommending a cost ceiling for this task of \$20,000 to cover work to be performed through June 2022.

Approve Work Order No. 3 for Disinfection Master Plan

In December 2020, staff issued a Request for Proposals (RFP) to seven engineering firms for development of a Disinfection Master Plan. The goal of the Master Plan is to develop a strategy for sodium hypochlorite dosing and monitoring to prevent bacteria outbreaks and ensure consistent permit compliance while optimizing chemical dosage – both for disinfection and for dechlorination.

The Authority received one proposal in response to the RFP, from Carollo. A selection committee made up of the General Manager as well as staff representatives from LAVWMA, City of San Leandro, and City of Hayward reviewed Carollo's proposal and deemed it responsive. The selection committee was pleased with Carollo's proposed approach and believes that they have the skills and tools required to perform the work.

Carollo proposed a cost of \$65,726 for the Disinfection Master Plan, which they expect to complete in October 2021. Staff is recommending that this scope and cost be approved as Work Order No. 3 under Carollo's existing contract. The Authority's approved FY 2020/2021 budget included \$40,000 for this work as a Special Study. If approved, the additional \$25,726 will be included in the FY 2021/2022 budget proposal.

The following table summarizes the proposed contract budget:

	Cost Ceiling	Source of Funds
Work Order 1 (July 2020) - Cargill	\$9,900	Cargill
Work Order 1 Amendment – Cargill	\$10,000	Cargill
Work Order 2 – General Engineering	\$20,000	RRF (Fund 31)
Work Order 3 – Disinfection Master Plan	\$65,726	Special Studies (Fund 13)
Total	\$105,626	

1st AMENDMENT TO CAROLLO ENGINEERS WORK ORDER 1

This **1st Amendment** (the “Amendment”) to Work Order 1 (Work Order) under the Agreement for Contractual Services (the “Agreement”), is entered into this ____**th day of February, 2021** (the “Effective Date”), by and between **East Bay Dischargers Authority** (“EBDA”), and the Carollo Engineers, Inc. (“**Consultant**”), sometimes referred to as the “Party” or collectively the “Parties. Both the Agreement and the Amendment are entered into in San Lorenzo, California.

1. **EFFECT OF THE AMENDMENT.** The terms and conditions of this Amendment are intended by the Parties to modify the Work Order dated July 31, 2020 (“Work Order”). To the extent there is any inconsistency between the terms of this Amendment and the terms of the Work Order, the terms of this Amendment shall control.
2. **SCOPE OF WORK.** The Scope of Work as described the Work Order is unchanged. Consultant shall work at the direction of staff to perform as-needed engineering services. Services under this Work Order shall be in support of the Authority’s due diligence work to assess impacts and opportunities associated with accepting mixed sea salt brine from Cargill, Inc.
3. **COMPENSATION.** Compensation will be subject to the terms of the Agreement. The total compensation for work done pursuant to the Work Order will be increased by Ten Thousand Dollars (\$10,000), for a total compensation of Nineteen Thousand Nine-hundred Dollars (\$19,900). In no event will Contractor’s compensation for this Work Order exceed \$19,900 without a subsequent amendment signed by both Parties.
4. **HOURLY FEES.** Fees for work performed by Consultant on an hourly basis shall not exceed the amounts shown on the compensation schedule attached to the Work Order.
5. **EFFECTIVE DATE.** This Amendment shall be effective as of the Effective Date.

The Parties have executed this Amendment to the Agreement as of the Effective Date.

[SIGNATURES ON FOLLOWING PAGE]

AUTHORITY:

Signature

Jacqueline Zipkin, P.E.

Name

General Manager

Title

CONSULTANT:

Signature

Rick L. Chan, P.E.

Name

Senior Vice President

Title

EXHIBIT A — WORK ORDER

Consultant: Carollo Engineers, Inc.

Work Order Number: 2

Date Issued: February 18, 2021 (“Effective Date”)

This Work Order is issued by Authority to Consultant as of the date set forth above and is subject to all terms and conditions of the Consulting Services Agreement by and between the Authority and the Consultant.

1. **Scope of Work** (the “**Work**”). Consultant agrees to furnish all management, supervision, labor, equipment, materials, and supplies required to perform the following Work as set forth herein, subject to the terms of the Agreement:
 - 1.1 General Description of the Work: As-needed engineering services, which may include hydraulic analysis, engineering calculations, optimization of operational strategies, or other engineering advice related to the Authority’s operations and infrastructure.
2. **Work Order Price**. Authority shall pay the Consultant the following amounts, pursuant to the terms of the Consulting Services Agreement:
 - 2.1 Time and materials. Authority shall pay Consultant an amount not to exceed twenty thousand (\$20,000). Consultant shall submit monthly applications for payment based upon hours spent at the hourly rates included in the Compensation Table as set forth in Attachment 1 to this Work Order. Consultant shall invoice the actual cost (with no markup) of materials actually used for the performance of the Work. Authority shall pay Consultant’s approved monthly applications for payment within thirty (30) days of receipt.
3. **Reimbursable Expenses**. Authority shall compensate Consultant for Reimbursable Expenses included in the Compensation Table as set forth in Attachment 1 to this Work Order, which shall be reimbursed upon showing of paid invoices (or other suitable proof of payment). Reimbursable Expenses are paid in addition to the compensation stated in the Work Order.
4. **Schedule and Time for Completion**. Consultant shall complete the Scope of Work by the following dates:
 - 4.1 **Commencement of the Work**. Consultant shall commence work on or after the Effective Date.
 - 4.2 **Completion of the Work**. Consultant shall complete its services under the Work Order by June 30, 2022.

5. **Authority's Representative.** Authority's Representative for the Work to be performed under this Work Order is Howard Cin, Operations and Maintenance Manager.

The Parties have executed this Work Order as of the date signed by the Authority.

AUTHORITY:

CONSULTANT:

Signature

Signature

Jacqueline Zipkin, P.E.
Name

Rick L. Chan, P.E.
Name

General Manager
Title

Senior Vice President
Title

ATTACHMENT 1
COMPENSATION SCHEDULE

**CAROLLO ENGINEERS, INC.
FEE SCHEDULE**

**As of January 1, 2020
California**

	<u>Hourly Rate</u>
Engineers/Scientists	
Assistant Professional	\$188.00
Professional	230.00
Project Professional	273.00
Lead Project Professional	293.00
Senior Professional	315.00
Technicians	
Assistant Technicians	142.00
Technicians	170.00
Senior Technicians	198.00
Support Staff	
Document Processing / Clerical	125.00
Project Equipment Communication Expense (PECE) Per DL Hour	13.00
Other Direct Expenses	
Travel and Subsistence	at cost
Mileage at IRS Reimbursement Rate Effective January 1, 2020	\$.575 per mile
Subconsultant	cost + 10%
Other Direct Cost	cost + 10%
Expert Witness	Rate x 2.0

This fee schedule is subject to annual revisions due to labor adjustments.

EXHIBIT A — WORK ORDER

Consultant: Carollo Engineers, Inc.

Work Order Number: 3

Date Issued: February 18, 2021 ("Effective Date")

This Work Order is issued by Authority to Consultant as of the date set forth above and is subject to all terms and conditions of the Consulting Services Agreement by and between the Authority and the Consultant.

1. **Scope of Work** (the "**Work**"). Consultant agrees to furnish all management, supervision, labor, equipment, materials, and supplies required to perform the following Work as set forth herein, subject to the terms of the Agreement. The Scope of Work is contained in the proposal included as Attachment 1.
2. **Work Order Price**. Authority shall pay the Consultant the following amounts, pursuant to the terms of the Consulting Services Agreement:
 - 2.1 Time and materials. Authority shall pay Consultant an amount not to exceed \$65,726. Consultant shall submit monthly applications for payment based upon hours spent at the hourly rates included in the Compensation Table as set forth in Attachment 2 to this Work Order. Consultant shall invoice the actual cost (with no markup) of materials actually used for the performance of the Work. Authority shall pay Consultant's approved monthly applications for payment within thirty (30) days of receipt.
3. **Reimbursable Expenses**. Authority shall compensate Consultant for Reimbursable Expenses included in the Compensation Table as set forth in Attachment 1 to this Work Order, which shall be reimbursed upon showing of paid invoices (or other suitable proof of payment). Reimbursable Expenses are paid in addition to the compensation stated in the Work Order.
4. **Schedule and Time for Completion**. Consultant shall complete the Scope of Work by the following dates:
 - 4.1 **Commencement of the Work**. Consultant shall commence work on or after the Effective Date.
 - 4.2 **Completion of the Work**. Consultant shall complete its services under the Work Order by December 31, 2021.
5. **Authority's Representative**. Authority's Representative for the Work to be performed under this Work Order is Jackie Zipkin, General Manager.

The Parties have executed this Work Order as of the date signed by the Authority.

AUTHORITY:

Signature

Jacqueline Zipkin, P.E.
Name

General Manager
Title

CONSULTANT:

Signature

Rick L. Chan, P.E.
Name

Senior Vice President
Title

Signature

Name

Title

ATTACHMENT 1

SCOPE OF WORK

Task 1 – Existing Information Gathering

Task 1 is focused on review of existing data. No new sampling is part of Task 1. Task 1 will begin with a site visit to each of the chlorine dosing locations, monitoring locations, and bacteria sampling stations to gain a better understanding of the system. While EBDA has authority over the Transport System, the disinfection operations at all six of the WWTPs is a necessary component of this systematic analysis. As such, each of the WWTPs will be engaged either by EBDA with support by Carollo or by Carollo directly to understand (by email survey and phone):

1. Undisinfected Secondary Effluent Water Quality

- Nitrogen speciation.
- BOD, TOC, Turbidity, TSS.
- Bacterial counts.

2. Disinfection Practices.

- Dimensions of chlorine contact basins and any records of tracer testing.
- Contact Time at average dry weather flow (ADWF) and peak wet weather flow (PWWF).
- Type of disinfection (e.g., sodium hypochlorite, UV, etc).
- Disinfection monitoring and control system, including location of monitoring provided to EBDA.
- Internal WWTP performance goals and monitoring results (up to one calendar year of data).
- Daily and seasonal variability.

3. Laboratory methods (e.g., bacterial analysis methods).

4. Bench, pilot, or full-scale disinfection studies.

Carollo will also consult with DSRSD to gather information regarding the LAVWMA Pump Station and Sample Station. Further, the Transport System bacterial monitoring results, sodium hypochlorite dosing and residual amounts and frequency, and corresponding flow values in the Transport System will be compiled by EBDA and provided to Carollo for analysis.

Last, the Transport System flows are dynamic, being a coupling of variable flows from the different WWTPs and the controlled pumping across the system. Using information that already exists in the hydraulic model and examining a year of data, Carollo will document a range of detention times in various key pipe segments for low flow events, documenting potential locations for loss of chlorine residual.

Task 1 Deliverables:

For this work, Carollo will provide the following, with the support and review of EBDA:

- Develop a survey for the WWTPs, submit the survey to the WWTPs for their input, meet one time by phone with each of the WWTPs to review the survey, and summarize the results;
- Review and summarize one year of data from the Transport System, provided to Carollo by EBDA.
- Evaluate and document the effluent travel times within the collection system for one calendar year of time, documenting low flow periods where effluent stagnation is anticipated (resulting in lost

chlorine residual and bacterial regrowth) as well as the frequency and duration of flushing events, which may coincide with compliance challenges.

Task 2 – New Data Gathering

Task 1 is anticipated to result in some information gaps, in particular related to a need for additional chlorine residual levels and bacterial counts within the Transport System. With EBDA review and support, limited sampling (a few sampling events over a short period of time) will be requested to be performed by EBDA, with lab costs covered directly by EBDA. This sampling is anticipated to occur in the early Summer of 2021. Some additional data gathering from the six WWTPs may also prove useful. With EBDA support, Carollo may recommend limited data gathering at one or more of the WWTPs, with sampling and laboratory work performed by the participating WWTPs or by EBDA.

Task 2 Deliverables:

For this work, Carollo will provide the following, with the support and review of EBDA:

- Develop a request for each WWTP and for EBDA to collect additional information; and
- Evaluate and summarize the new information.

Task 3 – Summary Report

Carollo will compile the information gained in Tasks 1 and 2 and develop summaries and recommendations.

Task 3 Deliverables:

For this work, Carollo will, with the support and review of EBDA, develop a Summary Report, Draft and Final, that includes:

- Effluent disinfection methods, challenges, and operational safety factors for compliance with bacterial limits for all WWTPs;
- Transport System challenges pertaining to chlorine residual and regrowth;
- Standard Operating Procedure (SOP) for compliance troubleshooting and remediation within the Transport System; and Standard Operating Procedure (SOP) for routine chlorine dosing in the Transport System to prevent bacterial outbreaks, including optimal residual levels leaving each WWTP and locations and levels for EBDA addition of sodium hypochlorite.

Task 4 – Meetings and Management

Carollo will manage the project and provide monthly updates via MS Teams and billings to EBDA staff (EBDA General Manager and Operations and Maintenance Manager). Carollo will also participate in two meetings of the Managers Advisory Committee (MAC), once at the start of the project and once when preliminary recommendations have been developed. It is anticipated that these meetings will be via MS Teams or other online platform due to COVID precautions). Carollo staff will meet with EBDA staff, either in person or via MS Teams (depending upon COVID precautions) to present and review the Draft Report.

Task 4 Deliverables:

- Agenda and meeting minutes for all meetings.
- Progress reports and invoices.

ATTACHMENT 2
COMPENSATION SCHEDULE

Task	Notes	Nicola Fontaine	Ryan Orgill	Andrew Salveson	Amos Branch	Assistant Professional	Support Staff	Labor Cost	PECE	Travel	Total Task
		(\$188/hr)	(\$188/hr)	(\$273/hr)	(\$188/hr)	(\$188/hr)	(\$125/hr)	(by Task)	(by Task)	(by Task)	(by Task)
Task 1 - Existing Information Gathering	EBDA system site visit included for two Carollo staff	7	12	16	26	60	0	\$24,108	\$1,573	\$500	\$26,181
Task 2 - New Data Gathering		5	0	5	20	22	0	\$10,201	\$676	\$0	\$10,877
Task 3 - Summary Report		4	2	2	32	22	8	\$12,826	\$806	\$0	\$13,632
Task 4 - Meetings and Management	Includes two MAC meetings, one draft report meeting with EBDA staff, and monthly progress update meetings spanning 9 months of schedule	23	2	9	13	24	0	\$14,113	\$923	\$0	\$15,036
Totals		39	16	32	91	128	8	\$61,248	\$3,978	\$500	\$65,726
TOTAL										\$65,726	

**CAROLLO ENGINEERS, INC.
FEE SCHEDULE**

**As of January 1, 2020
California**

	<u>Hourly Rate</u>
Engineers/Scientists	
Assistant Professional	\$188.00
Professional	230.00
Project Professional	273.00
Lead Project Professional	293.00
Senior Professional	315.00
Technicians	
Assistant Technicians	142.00
Technicians	170.00
Senior Technicians	198.00
Support Staff	
Document Processing / Clerical	125.00
Project Equipment Communication Expense (PECE) Per DL Hour	13.00
Other Direct Expenses	
Travel and Subsistence	at cost
Mileage at IRS Reimbursement Rate Effective January 1, 2020	\$.575 per mile
Subconsultant	cost + 10%
Other Direct Cost	cost + 10%
Expert Witness	Rate x 2.0

This fee schedule is subject to annual revisions due to labor adjustments.

NOTICE: Pursuant to the Governor's Executive Orders N-25-20 and N-29-20, the Personnel Committee meeting scheduled below will be accessible via Zoom video conferencing. Members of the public may participate in the meeting through the Zoom platform or phone number below.

- Zoom link: <https://us02web.zoom.us/j/85741391377>
- Telephone dial-in: 1(669) 900-6833, meeting ID #857 4139 1377

ITEM NO. 16

PERSONNEL COMMITTEE AGENDA

**Friday, February 12, 2021
10:30 a.m.**

**East Bay Dischargers Authority
2651 Grant Avenue, San Lorenzo, CA 94580**

Committee Members: Lamnin (Chair), Toy

- P1. Call to Order**
- P2. Roll Call**
- P3. Public Forum**
- P4. Draft Classification Plan**
(The Committee will review the draft plan and associated staffing recommendations.)
- P5. FY 2021/2022 Budget Assumptions for Wages and Benefits**
(The Committee will review proposed recommendations.)
- P6. Review of the Commission Chair Rotation Policy**
(The Committee will review the policy.)
- P7. Closed Session**
(The Committee may meet in closed session pursuant to Government Code §54957(b)(1) to consider the General Manager's performance evaluation.)
- P8. Reconvene Open Session**
(The Chair will report any action taken in Closed Session.)
- P9. Adjournment**

Any member of the public may address the Commission at the commencement of the meeting on any matter within the jurisdiction of the Commission. This should not relate to any item on the agenda. It is the policy of the Authority that each person addressing the Commission limit their presentation to three minutes. Non-English speakers using

Agenda Explanation
East Bay Dischargers Authority
Personnel Committee
February 12, 2021

a translator will have a time limit of six minutes. Any member of the public desiring to provide comments to the Commission on an agenda item should do so at the time the item is considered. It is the policy of the Authority that oral comments be limited to three minutes per individual or ten minutes for an organization. Speaker's cards will be available in the Boardroom and are to be completed prior to speaking.

In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in an Authority meeting, or you need a copy of the agenda, or the agenda packet, in an appropriate alternative format, please contact the Administrative Assistant at the EBDA office at (510) 278-5910 or juanita@ebda.org. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the Authority staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

In compliance with SB 343, related writings of open session items are available for public inspection at East Bay Dischargers Authority, 2651 Grant Avenue, San Lorenzo, CA 94580. For your convenience, agenda items are posted on the East Bay Dischargers Authority website located at <http://www.ebda.org>.

<p>The next Personnel Committee meeting will be held Monday, April 12, 2021 at 9:00 a.m.</p>

ITEM NO. P4 DRAFT CLASSIFICATION PLAN

Recommendation

Review draft Classification Plan and proposed staffing recommendations and provide feedback to staff.

Background

The Authority currently has three full-time staff positions – General Manager, Operations & Maintenance Manager, and Administrative Assistant. The Authority also contracts with a part-time Accountant.

The Administrative Assistant position is a unique role. Because the agency is small, that position wears several hats – Clerk of the Commission, Finance/Accounting Clerk, Office Manager, Human Resources (HR) Manager, and Administrative Lead. Over the past two and a half years due to the Administrative Assistant's medical leave, the Authority has had a combination of temporary staff supporting these functions.

Though the Authority is a small agency, the administrative workload is not entirely scalable to the operating budget or number of staff. The reporting requirements for public agencies are the same irrespective of the size of the agency. The level of effort associated with ensuring consistent compliance with all non-water quality regulations falls to the Administrative Assistant and is significant.

As part of the FY 2020/2021 budget, the Commission authorized a temporary part-time Administrative Assistant position. Consistent with staff's recommendation, that position was discontinued at the end of December 2020. At the Committee's November 2020 meeting, the Committee supported staff's recommendation to develop a new Classification Plan that reclassifies the Administrative Assistant position to better characterize current duties. The new Classification Plan would also create a new part-time entry-level administrative position to provide support for the administrative and accounting functions.

Discussion

A draft Classification Plan is attached for the Committee's review and discussion. Staff has made minor tweaks to the General Manager and Operations and Maintenance Manager position descriptions, e.g., changing the General Manager's duty from negotiating to implementing the Joint Powers Agreement.

Substantive changes to the position descriptions are in the administrative classes. Staff is recommending reclassifying the Administrative Assistant position as Administration Manager. The position retains the higher-level work associated with Clerk of the Commission functions as well as HR and administration, and continued support for the finance function. Staff further recommends adding an Administrative Technician position to support the Administration Manager and the contract accountant. This would be a lower-level administrative position directed by the Administration Manager.

Reclassifying the current Administrative Assistant and adding an Administrative Technician meets several Authority needs:

- Frees current personnel up to focus on higher-level functions.
- Provides an opportunity for cross-training so that single individuals do not have all the Authority's knowledge of admin and accounting functions, thus reducing risk.
- Provides sufficient manpower to ensure that a backlog of administrative tasks does not accumulate.
- Creates opportunities for succession planning.

Salary data for similar positions at other special districts is presented below, including recommendations for the proposed positions. The Administrative Manager proposed salary represents a 7% increase from the current Administrative Assistant position salary. When agreed upon, the salary ranges for the new positions would be adopted into the Authority's Compensation Plan.

Position	Agency	Monthly Range
Director of Admin Services	Carpinteria SD	9,875 – 12,003
Director of Admin Services	Novato SD	11,034 – 13,412
Administrative Services Manager	OLSD	10,636 – 14,253
Director of Admin Services	CASA Survey (small agencies)	8,546 – 9,610
Administrative Manager - proposed	EBDA	7,933 – 9,644
Administrative Assistant	CVSan	5,986 – 7,276
Executive Assistant	CSDA Survey (median)	5,765 – 7,570
Administrative Technician	CVSan	5,423 – 6,592
Administrative Assistant - current	EBDA	7,415 – 9,013
Administrative Technician - proposed	EBDA	4,893 – 5,947
Administrative Assistant	CSDA Survey (median)	3,839 – 5,292
Administrative Support Specialist	OLSD	4,893 – 6,558
Analyst	Tam CSD	6,067 – 7,280
Accounting Technician I	USD	6,370 – 7,743
Administrative Specialist I	USD	6,226 – 7,568

Staff is recommending that the Administrative Technician be hired as a part-time position at the start. That will enable the Authority to continue to assess workload without committing to funding a full-time regular employee. Relative to the 1.5 FTE for the Administrative Assistant position included in the FY 2020/2021 budget, funding 1 FTE at the new Administrative Manager rate and 0.5 FTE at the proposed Administrative Technician rate results in a slight overall savings for the Authority.

If there is support for the new part-time position, funds could be moved from the Special Projects contingency to the Operations and Maintenance budget to support filling the position in Q4 of this fiscal year. The agreed-upon staffing approach would also be integrated into the FY 2021/2022 budget.

EAST BAY DISCHARGERS AUTHORITY COMPENSATION PLAN

Last updated: February 10, 2021

Per the Authority's adopted Personnel Policy:

The Classification Plan shall have written class specifications, which shall include concise descriptive titles, physical requirements and working conditions as required by the Americans with Disabilities Act, general descriptions of the essential duties and responsibilities of the class including job definitions, and statements of the required and desirable qualifications.

Each class specification outlines the main characteristics and qualification requirements of positions allocated to the class and gives examples of duties which employees holding such positions may properly be required to perform. The class specification is descriptive and explanatory, but not restrictive. The listing of particular examples of duties does not preclude the assignment of other tasks and duties of related kind or character or of lesser skills. The statement of desirable qualifications in a class specification is intended to be used as a guide in selecting candidates for employment as an aid in the preparation of competitive examination, and for use in determining the relative value of positions in one class with positions in other classes. Such personal characteristics as honesty, sobriety and industry are deemed to be included in all class requirements and need not be specifically mentioned.

CLASS TITLE: GENERAL MANAGER

BASIC FUNCTION: Under general policy direction, plans, organizes, coordinates and directs the operations and programs of the East Bay Dischargers Authority.

DISTINGUISHING CHARACTERISTICS: This class is responsible for the overall management of the Authority under the policy direction of the Commission.

REPRESENTATIVE DUTIES:

(It is important to note that the duties listed below are “representative only” and are not intended to cover the full range or scope of duties in this class.)

1. Coordinates member agency implementation of the Joint Powers Agreement.
2. Ensures that the Authority's wastewater discharge meets prescribed water quality standards and reporting requirements established by the Regional Water Quality Control Board and the Environmental Protection Agency.
3. Prepares monthly, quarterly, and annual National Pollutant Discharge Elimination System (NPDES) reports for the Regional Water Quality Control Board and the Environmental Protection Agency.
4. Plans, coordinates, and directs the work of Authority staff.
5. Prepares agendas and minutes for the Commission committees and regular Commission meetings.
6. Serves as Treasurer for the Authority. Prepares the annual budget and maintains expenditures within allocated limits as approved by the Commission.
7. Reviews and approves all plans, specifications, and contract documents for construction and Authority-wide maintenance projects.
8. Reviews, monitors, and comments on water quality standards, regulations and related information that impacts the Authority and its member agencies.
9. Disseminates information to the Commission and member agency managers on regulatory requirements and other information critical to the effective and efficient operation of the Authority.
10. Serves on various boards and committees of professional organizations and associations, and keeps informed on legal, technical, legislative and administrative trends in the field of wastewater treatment and discharge requirements.

11. Represents the Commission in dealings with the public, member agencies, state and federal regulatory agencies, and professional organizations and associations.
12. Drafts, distributes and reviews responses to RFPs for Authority construction, maintenance, and services, and selects or recommends selection of contractors to the Commission.
13. Enforces all safety regulations and policies.
14. Trains, develops and evaluates subordinate staff.
15. Develops plans for future operation, capital asset replacements, and other projected needs of the Authority.

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF:

Public administration including supervision, budget preparation and personnel; wastewater sampling techniques and mathematical and statistical analysis; pipeline design, chemical and bacteriological characteristics of industrial and domestic water and wastewater; pertinent health rules, regulations, and laws affecting treatment and discharge of wastewater; wastewater treatment plant operations and the treatment process; safety practices and requirements.

ABILITY TO:

Analyze, evaluate, develop coordinate and direct Authority programs, projects and operations; plan, coordinate, evaluate and direct the work of others; establish and maintain effective working relationships with others; read and interpret construction plans and blueprints; maintain records and prepare reports; communicate effectively both verbally and in writing.

EDUCATION AND EXPERIENCE:

Any combination equivalent to:

- 1) Possession of a baccalaureate degree from an accredited college or university with a major in Science or Engineering.
- 2) A minimum of five years of supervisory experience in the administration, operation and maintenance of wastewater systems.

LICENSES: Possession of a valid California Motor Vehicle Operator's License. Grade V Operators Certificate or Professional Engineering license a plus.

WORK DIRECTION, LEAD AND MANAGERIAL RESPONSIBILITIES: This class

reports to and receives policy direction from the East Bay Dischargers Authority Commission. Responsibilities include the management of the operation, maintenance and repair of the Authority's wastewater collection, treatment and discharge systems.

PHYSICAL EFFORT: Normal office environment.

CONTACTS: Commission and committee members; members of the public; co-workers; member agency managers and staff; other wastewater system agencies managers and staff; contractors, governmental regulatory agencies; environmental interest groups

WORKING CONDITIONS: Normal office environment.

NOTE: THIS CLASS IS EXEMPT UNDER FLSA PROVISIONS

DRAFT

CLASS TITLE: OPERATIONS AND MAINTENANCE MANAGER

BASIC FUNCTION: Under general direction, is responsible for the operation and maintenance of a regional wastewater treatment and discharge system that includes four pump stations, dechlorination facility, radio/computer monitoring and control system, and force main and outfall to San Francisco Bay.

DISTINGUISHING CHARACTERISTICS: This position has primary responsibility for the operation and maintenance of EBDA facilities. This class is distinguished from member agency Wastewater Treatment Plant Superintendents and related positions by its overall responsibility for the efficient and effective operation of the entire system, and the requirement to be available to monitor the system and respond to emergencies that can occur at any time.

REPRESENTATIVE DUTIES:

(It is important to note that the duties listed below are “representative only” and are not intended to cover the full range or scope of duties in this class.)

1. Ensures that the wastewater system meets the standards and regulatory reporting requirements established by the Regional Water Quality Control Board and EPA and further operates as required under the National Pollutant Discharge Elimination System permit.
2. Develops and implements preventative maintenance programs for wastewater systems. Evaluates performance of pumps, motors, control systems, and chlorination and dechlorination, and schedules operations to minimize power consumption and costs. Tracks and optimizes chemical usage.
3. Oversees and directs SCADA electrical and instrumentation.
4. Develops, tracks, and implements EBDA’s asset management program.
5. Plans and coordinates the work on Authority construction and maintenance projects.
6. Analyzes data, makes recommendations, and prepares a variety of reports for submission to the General Manager, Commission and state and federal regulatory agencies, including Bay Area Air Quality Management District and Alameda County Health Department.
7. Coordinates with EBDA and LAVWMA member agencies to actively manage joint facilities during wet-weather events.

8. Negotiates contracts with and oversees the work of engineering consultants and contractors.
9. Oversees and coordinates the operations and maintenance activities of member agencies, and meets regularly with their plant superintendents to coordinate EBDA activities.
10. Reports status of EBDA system monthly to the EBDA Commission and managers.
11. Enforces all safety regulations and policies.
12. Assists in the preparation of the annual budget, and monitors operations and maintenance costs.
13. Responds to Underground Service Alert notices when EBDA facilities are impacted.
14. Trains, develops, and evaluates subordinate or contractor staff as necessary.
15. Performs related duties as may be assigned.

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF: The methods, materials and equipment used in the installation, maintenance, and repair of wastewater treatment systems, wastewater treatment plant operations and the treatment process; safety practices and requirements; budget preparation and personnel administration; wastewater sampling techniques and statistical analysis; chemical and bacteriological characteristics of wastewater; pertinent rules, regulations, and laws affecting treatment and disposal of wastewater.

ABILITY TO: Plan, coordinate and direct the work of others; establish and maintain effective working relationships; maintain good public relations; read and interpret construction plans and blueprints; maintain records and prepare reports; identify and describe material resources required for system repairs; establish and implement effective preventive maintenance programs; oversee the maintenance and repair of electrical control systems, SCADA systems, and mechanical equipment including pumps and motors; and ability to communicate written and oral material for public and technical oversight.

EDUCATION AND EXPERIENCE:

Any combination equivalent to: 1) Possession of a baccalaureate degree in Civil or Mechanical Engineering or closely related field and 2) Five years of experience in the operation and maintenance of water or wastewater treatment

facilities (two years supervisory experience desirable), or an acceptable combination of the above education and experience.

Substitution: Additional qualifying experience can be substituted for the required education on a year for year basis; a minimum of two years of college is required.

LICENSES:

- 1) Possession of a Valid California Class C Motor Vehicle Operator's License.
- 2) Grade III WTPO Certification from SWRCB (preferred).

WORK DIRECTION, LEAD AND SUPERVISORY RESPONSIBILITIES: The Operations and Maintenance Manager reports to and receives work direction from the General Manager. Responsibilities include coordinating and overseeing the work of member agency employees, temporary workers and contractors engaged in the operation, maintenance and repair of the Authority's wastewater treatment systems.

PHYSICAL EFFORT: May perform physically demanding manual work including lifting, pushing or pulling heavy objects; shoveling, climbing, standing and walking for sustained periods of time; and operating, repairing and maintaining water supply and wastewater plant equipment such as pumps, motors and other mechanical equipment.

CONTACTS: Commissioners, co-workers, members of the public, member agency staff, contractors and governmental regulatory agencies' staff.

WORKING CONDITIONS: Subject to adverse weather conditions, toxic agents, and hazards associated with the operation and maintenance of wastewater plant equipment and chemicals.

NOTE: THIS CLASS IS EXEMPT UNDER FLSA PROVISIONS.

CLASS TITLE: ADMINISTRATION MANAGER

BASIC FUNCTION: Under general direction, performs professional and technical administrative duties and responsibilities in human resources, payroll, records management, purchasing, and accounting, and provides secretarial services to the General Manager and the Authority Commission.

DISTINGUISHING CHARACTERISTICS: This class is distinguished by its responsibility for the office management and related administrative activities of the Authority under policy guidelines established by the General Manager and the Commission.

REPRESENTATIVE DUTIES:

(It is important to note that the duties listed below are “representative only” and are not intended to cover the full range or scope of duties in this class.)

1. Performs a wide variety of administrative and secretarial duties, and assists the General Manager and Operations and Maintenance Manager in the conduct of the Authority’s business operations.
2. As Clerk of the Commission, assists in the preparation of Commission agendas, resolutions, and reports; attends and facilitates Commission meetings; and prepares, distributes, and maintains the minutes thereof.
3. Administers personnel programs, including contacts with PERS regarding retirement, health, and related benefit programs; performs salary and benefit surveys; and conducts special studies as directed.
4. Reviews and revises administrative manuals, policies, and records as directed by the General Manager or Commission, and as required by changes in federal and state regulations.
5. Performs confidential secretarial duties and responsibilities for the General Manager and for Commission members as needed, including scheduling of meetings and arranging travel.
6. Assists in the preparation of the budget.
7. Responsible for the preparation of payroll and accounts receivable.
8. Provides administrative and technical support to the Authority’s accountant, including generating financial reports and assisting with the annual audit process.
9. Maintains Authority files and records utilizing a specialized computer database system.

10. Maintains the Authority's website.
11. Prepares letters, memoranda, and miscellaneous correspondence.
12. Trains, develops, directs, and evaluates subordinate staff.

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF: Principals and practices of public administration; automated office methods including computer-based management and word processing systems; technical accounting and payroll administration.

ABILITY TO: Maintain accurate records and prepare reports; establish and maintain effective working relationships with co-workers and the public; communicate effectively both orally and in writing; plan, coordinate, evaluate, and direct the work of subordinate staff; read and interpret governmental laws, regulations, and related materials; maintain complex filing systems; process invoices and maintain accurate records relating thereto; direct the work of others.

EDUCATION AND EXPERIENCE:

Any combination equivalent to: 1) Possession of a baccalaureate degree from an accredited college or university with a major in business or public administration or a related field; 2) a minimum of three years of experience in local government administration or office management.

Substitution: Additional qualifying experience can be substituted for the required education on a year for year basis; a minimum of two years of college is required.

LICENSES: Possession of a valid California Motor Vehicle Operator's License.

WORK DIRECTION: This class reports to and receives policy direction from the General Manager, provides support as needed to the Operations and Maintenance Manager, supervises the Administrative Technician, and closely coordinates financial management with consultants and auditors.

PHYSICAL EFFORT: Normal office environment.

CONTACTS: Commission members; members of the public; co-workers; member agency staff; vendors; financial consultant and auditors; governmental regulatory agencies.

WORKING CONDITIONS: Normal office environment

NOTE: THIS CLASS IS EXEMPT UNDER FLSA PROVISIONS

CLASS TITLE: ADMINISTRATIVE TECHNICIAN

BASIC FUNCTION: Under general direction, performs a variety of office support activities including administrative and accounting duties; performs related work as required and other duties as assigned, following established policies and procedures.

DISTINGUISHING CHARACTERISTICS: This class is distinguished by its role in supporting administrative and accounting functions as directed by the Administration Manager.

REPRESENTATIVE DUTIES:

(It is important to note that the duties listed below are “representative only” and are not intended to cover the full range or scope of duties in this class.)

Accounting:

1. Provides support for the accounting functions, including accounts payable, accounts receivable, and general journal entries.
2. Processes vendor invoices for payment, including maintaining vendor files and reconciling discrepancies.
3. Assists in the preparation of quarterly and year-end financial reporting.
4. Processes bank deposits and credit card receipts, allocates revenue to appropriate accounts.
5. Assists in processing payroll, including reviewing timesheets and entering data.

Administration:

6. Maintains and stores a variety of records, files, logs and reports; periodically reviews and purges files in accordance with the Authority's Records and Information Management Policy.
7. Provides technical support in website content, records management, and project administration.
8. Proofreads and checks materials for accuracy and completeness, and ensures materials are in compliance Authority policies.
9. Assists with the Clerk of Commission duties, as needed.
10. Performs other related duties as assigned.

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF: Basic administrative accounting principles, practices, and procedures relating to payroll, accounts payable/receivable, or other standard accounting office functions; correct English language usage; records management principles and practices; standard office practices and procedures; a variety of computer software applications; the operation of office equipment.

ABILITY TO: Perform detailed administrative accounting work accurately; learn and apply the methods, policies, and procedures pertaining to the work; understand and carry out written and oral instructions in English; maintain confidentiality of information; use tact and discretion in establishing and maintaining effective working relationships; work under time pressures and critical deadlines; use initiative and sound independent judgement within established guidelines; work independently under limited supervision.

EDUCATION AND EXPERIENCE:

EDUCATION: Equivalent to the completion of the twelfth grade; completion of community college or business college courses is desirable, with coursework in business, accounting, finance, office procedures, or office administration.

EXPERIENCE: Two years of clerical experience, including experience with or understanding of accounts payable and payroll processing.

Substitution: A baccalaureate degree may be substituted for clerical experience.

LICENSES: Possession of a valid California Motor Vehicle Operator's License.

WORK DIRECTION, LEAD AND MANAGERIAL RESPONSIBILITIES: This class reports to and receives policy direction from the Administrative Manager.

PHYSICAL EFFORT: Normal office environment. The employee may occasionally lift and/or move up to 50 pounds. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

WORKING CONDITIONS: Indoors in a climate-controlled office environment working around computer monitors. Works with or around others, or alone. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

CONTACTS: Commission members; members of the public; co-workers; member agency staff; vendors; financial consultant and auditors.

ITEM NO. P5 FY 2021/2022 BUDGET ASSUMPTIONS FOR WAGES AND BENEFITS

Recommendation

The Committee may provide guidance/approval to staff on wages and benefits assumptions.

Background

Each year's budget makes a number of assumptions on wages and benefits. The proposed assumptions for FY2021-2022 are summarized below for the Committee's input.

Discussion

1. **Salary.** As shown in the table below, data from the BLS Urban CPI for San Francisco-Oakland-Hayward exhibits significant variability. Staff recommends setting the cost-of-living adjustment (COLA) at 2% based on EBDA's history of using a December to December comparison.

Table A. San Francisco-Oakland-Hayward, CA, CPI-U 2-month and 12-month percent changes, all items index, not seasonally adjusted

Month	2016		2017		2018		2019		2020	
	2-month	12-month	2-month	12-month	2-month	12-month	2-month	12-month	2-month	12-month
February	0.9	3.0	0.8	3.4	1.4	3.6	0.5	3.5	0.9	2.9
April	0.7	2.7	1.1	3.8	0.8	3.2	1.2	4.0	-0.5	1.1
June	0.6	2.7	0.3	3.5	0.9	3.9	0.2	3.2	0.7	1.6
August	0.7	3.1	0.2	3.0	0.6	4.3	0.1	2.7	0.0	1.6
October	0.9	3.6	0.6	2.7	0.7	4.4	1.0	3.0	0.5	1.1
December	-0.3	3.5	-0.1	2.9	0.1	4.5	-0.5	2.5	0.4	2.0

2. **Medical Premiums.** Premium rates are estimated to increase 5.4% based on the National Health Expenditure projections for 2019-2028.
3. **PEMHCA.** The Authority's fixed contribution under the Public Employees' Medical and Hospital Care Act (PEMHCA) is \$473 per month for each annuitant. The PEMHCA rate was last updated in 2018, and the Commission may consider increasing it up to 3% annually.
4. **Dental Insurance.** Rates are established on a calendar year basis by the provider and will remain flat through 2021. Budget assumes a 2% increase in 2022.
5. **Vision Insurance.** Rates will remain flat through 2021. Budget assumes a 2% increase in 2022.
6. **Disability Insurance.** Disability insurance includes Long & Short-Term effective January 1, 2018. Premiums are unchanged.
7. **CalPERS.** Annual valuation reports indicate the FY21/22 Employer Normal Cost Rates for the classic and PEPRA plans will be 12.20% and 7.59% respectively. EBDA pays 0% of the Employee contribution rate.
8. **Deferred Compensation.** Employer contribution expenditures are assumed to increase 2%, commensurate with salary increases.
9. **Workers Compensation.** Premiums are based on classification rates multiplied by all discount modifiers from the CDI website. Rates are expected to increase less than 0.5%.

ITEM NO. P6 REVIEW OF THE COMMISSION CHAIR ROTATION POLICY

Recommendation

Review the policy and provide direction to staff.

Background

In Resolution 99-11, the Authority adopted a Commission Chair Rotation Policy, which states the following:

1. Effective July, 1999, the Chair shall rotate annually by agency in the following order: Union Sanitary District, Oro Loma Sanitary District, Castro Valley Sanitary District, City of San Leandro, and City of Hayward.
2. The Vice-Chair shall be from the Agency scheduled to be the Chair in the following year.

The Amended and Restated Joint Powers Agreement (JPA) states, “The members of the Commission will select from the Commission a Chair and Vice-Chair who will hold office for a period of one year, commencing July 1 of each and every Fiscal Year; provided, however, that in the event that an Agency removes from the Commission a member serving as an officer or an officer resigns his or her position, the Commission will select a member of the Commission to fill that vacant office for the remainder of that Fiscal Year.”

Discussion

Over the past few years, several EBDA Commissioners have been replaced by their Member Agencies following the November election process. These changes in the December timeframe have necessitated mid-year changes to Chair and Committee roles and assignments. The Commission therefore suggested that staff consider changing the Chair rotation and Committee assignment processes to a calendar year basis to align with election cycles.

Because the JPA explicitly specifies that the Chair selection process occurs on a fiscal year basis, Authority Counsel has advised that changing the Chair selection timing would necessitate a modification of the JPA, which would need to be approved by the Member Agencies’ governing bodies. Staff is therefore presenting the following options for the Committee’s consideration in making a recommendation to the Commission:

- Move forward with a JPA amendment to revise the Chair selection process to follow a calendar year schedule.
- Retain the fiscal year schedule for the Chair selection process and continue to make adjustments following elections as required.

Committee assignments have generally been made on a fiscal year basis, however that timeline is not codified in the JPA. Therefore, the Commission may consider whether to change the Committee assignment process to a calendar year basis, irrespective of the timing of Chair selection.

ITEM NO. P7 CLOSED SESSION

The Committee may meet in closed session to discuss the following:

Public Employee Performance Evaluation (Government Code §54957(b)(1))

Title: General Manager

EBDA General Manager 2020/21 Performance Plan

Updated February 19, 2020

Self-Assessment January 21, 2021

Key Objectives

1. **Maintain Consistent NPDES Compliance.** The GM will work closely with the Member Agencies to continue EBDA's record of consistent permit compliance.

Maintained consistent compliance. Key accomplishments included:

- *Avoided any compliance concerns related to bacterial contaminants – enterococcus and fecal coliform. Implemented a strategy of managing chlorine residual in close communication with Member Agencies to prevent outbreaks. Initiated Disinfection Master Plan to further optimize chlorine dosing and minimize bacterial risks. Request for Proposals was issued in December 2020, with contract approval expected in February or March 2021.*
- *Continued regular meetings of EBDA's Lab Committee.*
- *Selected and began implementation of a new Laboratory Information Management System for managing compliance data, in collaboration with City of San Leandro.*
- *Provided Regional Water Board staff with thorough explanatory reports following two unauthorized bypass events in May 2020. The reports outlined EBDA's preventative and mitigating actions sufficiently that Water Board staff did not refer either event for enforcement.*
- *Kicked off process for 2022 permit renewal, including onboarding an experienced consultant for application preparation and negotiation assistance, and holding a kick-off meeting with the MAC to review information needs, schedule, and strategy.*

2. **Develop Strategic Plan.** Work with the Commission to develop a Strategic Plan for the Authority.

Delayed due to COVID and to accommodate new Commissioner following 2020 election. Kick-off planned for mid-2021 or when in-person meetings resume.

3. **Develop Authority Policies.** The recently adopted JPA calls for a number of Authority policies to be revisited or developed. The GM will work with the MAC and the Commission to develop or revise policies including the following:

- *Rules of the Commission*
- *Brine Policy*
- *Recycled Water Policy*
- *Purchasing Policy*
- *Reserve Policy*
- *Wet Weather Standard Operating Procedure (SOP)/Policy*
- *Reimbursement Policy*
- *Appeals Policy*

Completed the following new and revised policies:

- *Rules of the Commission*
- *Brine Policy*
- *Purchasing Policy*
- *Wet Weather Standard Operating Procedure (SOP)*
- *Commissioner Compensation (Reimbursement) Policy*
- *Personnel Policy*
- *Investment Policy*
- *Records Management Policy (currently under review)*

4. **Complete LAVWMA Agreement Renewal.** The current agreement with LAVWMA is scheduled to expire on June 30, 2020. The GM will work with the MAC and the Commission to develop positions and a Term Sheet for renewal of the agreement and then will negotiate language with a goal of completing the new agreement prior to expiration.

After significant back and forth, including legal engagement, EBDA and LAVWMA staff have now conceptually agreed to terms, and Term Sheet approval by EBDA's Commission and LAVWMA's Board is expected in February 2021. Following Term Sheet approval, the agreement will be drafted, with a goal of adoption by June 2021.

During this negotiation process, successfully approved two additional extensions to the existing agreement, including updated financial provisions.

5. **Continue to participate in SF Bay nutrient management efforts.** Nutrient management is perhaps the most significant driver of wastewater agency decision-making over the next decade in the Bay Area. The GM will work with the EBDA Member Agencies to continue to understand and inform their strategies with respect to nutrient management. Over the past several years, BACWA worked closely with Regional Water Board staff to come to agreement on a second nutrient watershed permit, which was adopted in 2019. GM efforts over the next year will include:

- Playing a lead role, working through BACWA, in developing the regional study on nature-based solutions (NBS) to nutrients, and the regional water recycling study.

As a member of the Contract Management Group for the NBS study, I have participated in periodic status meetings and provided critical input to San Francisco Estuary Institute staff on their desktop feasibility evaluation process and on draft reports and figures. I have also played a critical role serving as a liaison between the BACWA team, the team working on Phase 2 of the Adaptation Atlas, and the Transforming Shorelines team (see below). These three projects are integrally linked, and ensuring they continue to complement each other and not overlap is key to effective use of funds. See goal 9 regarding water recycling.

- Participating in the Nutrient Management Strategy Steering Committee to drive

the science efforts toward actionable information.

Through the Steering Committee, I have continued to provide direction to ensure that the scientific work is focused on answering management questions. This includes modeling to evaluate subembayment boundaries and the contribution of each discharger to each subembayment.

- Work with BACWA to begin exploration with the Regional Water Board on terms for the fourth watershed permit, including seeking written commitment to extend the term of the current permit beyond 2024 to allow time for implementation of the science plan.

Engaged in active debate among BACWA members on negotiation strategy, including whether or not to push back on the concept of subembayment nutrient limits in the next watershed permit. I drove development of a BACWA survey of current and planned nutrient reductions that will enable us to assess regional and sub-regional compliance with proposed limits and inform our negotiation strategy.

- Serving as agency Project Manager for the Transforming Shorelines Project. This project, funded by an EPA Water Quality Improvement Fund grant, will include design of the full-scale horizontal levee south of Oro Loma, continue research at Oro Loma's horizontal levee pilot, advance pilot wetlands projects at San Leandro and Hayward, and build capacity for nature-based solutions among Bay Area wastewater agencies. The focus for this year is selection of a consultant to support EBDA's technical efforts under the EPA grant and initiating design efforts on the full-scale horizontal levee. These efforts will include extensive coordination with HASPA on its Shoreline Master Plan, as well as with East Bay Parks, who is the landowner.

In close coordination with East Bay Parks, HASPA, and San Francisco Estuary Partnership, facilitated a Request for Proposals process for the First Mile and Hayward feasibility projects. Led negotiation with preferred consultant, resulting in contract approval in December 2020. The projects are being kicked off in January 2021.

Also participated as a panel speaker in a workshop with the Regional Water Board and Bay Conservation and Development Commission organized by the Executive Officers of those organizations. The workshop was focused on funding needs and strategies for implementing multi-benefit shoreline projects.

6. **Continue to participate in BACWA's efforts regarding potential chlorine residual Basin Plan Amendment.** BACWA is working with Regional Water Board staff on the concept of revising the chlorine residual effluent limit in the Basin Plan, which is currently 0.0 mg/L. Consistently meeting this limit as written leads to significant overdosing of sodium bisulfite by EBDA and other agencies, resulting in extra costs and extra chemicals to the Bay. The GM will work with BACWA's consultant, along

with BACWA and Regional Water Board leadership to advance this effort, with an ultimate goal of an effluent limit that is protective of the Bay while not resulting in conservative overdosing of dechlor chemicals.

Basin Plan Amendment was adopted by the Regional Water Board on November 18, 2020. Following testimony by the EBDA GM and several other BACWA representatives, the Water Board was very supportive and enthusiastic about the adoption as a positive example of collaboration between the Water Board and the wastewater community. The new chlorine residual effluent limit will be incorporated in EBDA's NPDES Permit Renewal in 2022, with a possibility of sooner implementation through a regional permit amendment if state and federal approvals of the Basin Plan Amendment move quickly.

7. **Keep EBDA Commission and agency staff up to date on regulatory issues and regional drivers**. An important role of the EBDA GM is to serve as the liaison between the Member Agencies and the regional wastewater community, and to provide progressive thought leadership on emerging issues and encourage innovation. The GM will engage with the Bay Area's regulators, scientists, and wastewater managers to influence policy direction in support of the EBDA agencies' goals. She will also work with the EBDA agencies to support their visions related to climate change resiliency, recycled water, energy independence, nutrient management, and other forward-looking initiatives in the context of regional drivers and opportunities. The GM will engage through BACWA and CASA in tracking and influencing new regulations for the benefit of the EBDA agencies. The GM will also assist agencies with project-specific regulatory and permitting strategy as requested.

I actively engaged in efforts to influence regulations, primarily through CASA and BACWA. I served as the Chair of CASA's Air, Climate, and Energy Work Group, and participated in CASA's Regulatory Work Group. I also participated in BACWA's Permits and Recycled Water Committees in addition to serving on the BACWA Executive Board. Through this engagement, I provided comments on new regulatory proposals and met regularly with regulatory agency staff. I discussed the status of new regulations frequently with MAC members, seeking their input on wastewater sector positions. I kept the Commission informed of developments through staff reports and Regulatory Affairs Committee discussions.

Key regulatory initiatives I provided input on (in addition to nutrients and chlorine) included:

- *State Water Board Toxicity Provisions – These provisions will change the way toxicity is regulated in EBDA's permit. We successfully secured provisions allowing reduced monitoring for agencies like EBDA with good compliance records. The Provisions were adopted in December 2020.*
- *Microplastics – Engaged in ongoing discussions with the Ocean Protection Council on strategies to prevent plastics from entering waterways. Maintained focus on pollution prevention and stormwater management, not wastewater treatment.*
- *PFAS – Participated in successful effort to exempt Bay Area wastewater agencies from statewide PFAS monitoring requirements for influent, effluent, and biosolids.*

Instead, Bay Area agencies are engaging in a regional study to more holistically evaluate sources of PFAS loading to the Bay and potential impacts.

8. **Implement strategy for emergency response.** Recent natural disasters have highlighted the need for wastewater utilities to be prepared to respond to emergencies. In particular, affected agencies have emphasized the need to thoughtfully prepare documentation for FEMA so that recovery-related expenses can be reimbursed, and as part of the JPA negotiation, the EBDA Commission encouraged focus on readiness to respond to force main breaks in the event of an earthquake. The GM will implement the recommendations in the Disaster Cost Recovery Plan and Transport System Seismic Reliability Plan. These include procuring couplings and seals to have on hand for force main repairs. Efforts will also include issuing RFPs and establishing on-call lists of contractors and engineers that have been pre-qualified and are available to assist in a disaster. This pre-qualification procurement process is critical for FEMA reimbursement.

Couplings and seals have been procured and are being stored at EBDA and Member Agency facilities for use in emergencies. The GM is working closely with USD staff on development of one or more requests for proposals to pre-qualify engineers and contractors for emergency work. OLSD and CVSan are also participating in the joint procurement process.

9. **Water Recycling.** Momentum has continued to build in California in support of increased water recycling. The GM will continue to facilitate and encourage water recycling by the Member Agencies and across the Bay Area. This includes participating in BACWA's Recycled Water Committee to stay up to date on legislation and regulations and keeping Member Agencies informed. It includes continued engagement in ReNUWI's Bay Area One Water Network, and in implementation of EPA's Water Reuse Action Plan. Finally, it includes working through BACWA and other venues to encourage regional collaboration between water and wastewater agencies for recycled water planning.

Continued engagement in BACWA's Recycled Water Committee and the Bay Area One Water Network. Opportunities for relationship-building between water and wastewater agencies were somewhat limited by the pandemic, but discussions on how to better coordinate continued.

Supported Member Agencies in discussions with senior Water Board staff regarding grants and loans and how best to position plant upgrades and water recycling projects for funding.

Implemented first year of statewide recycled water volume reporting through Geotracker database, and streamlined Member Agency data request for future years.

10. **Personnel Management and Planning.** EBDA's small staff team is critical to ensuring success on all of the above objectives. The GM will work with each staff member to establish and meet performance goals and to mentor staff members to

support them in reaching their full potential. Work this year will also include developing and presenting to the Commission an updated EBDA Staffing Plan for implementation in the FY20/21 budget. This Plan will include a summary of administrative workload and associated FTE requirements, as well as a strategy for transitioning accounting services upon the current accountant's retirement.

Continued to mentor and guide EBDA staff through regular communication. This included implementing COVID response protocols, remote work arrangements, and staggered schedules to keep staff safe.

Developed and implemented an interim Staffing Plan, including extension of the temporary Administrative Assistant through calendar year 2020 to assist with backlog work. Began development of a long-term Staffing Plan, including recommending revisions to EBDA's Classification Plan to revise the job description for the current Administrative Assistant and propose a new classification for an entry-level administrative and accounting clerk. Draft Classification Plan and Staffing Plan updates will be reviewed with the Personnel Committee in February 2021. Also continued discussions with EBDA's contract accountant, who now plans to stay at least through Fiscal Year 2021/2022 prior to retirement.

In addition to the goals outlined above, the following focus areas garnered attention this year:

COVID Response. *As noted above, in response to the pandemic, we took steps to ensure a safe work environment for EBDA staff, including putting into place health self-assessment, social distancing, and mask protocols; staggering work schedules; and providing laptops to facilitate remote work arrangements. Also implemented zoom format for all Committee and Commission meetings.*

Through the MAC, facilitated regular information exchange among Member Agencies on the topic of COVID work protocols and best practices.

Led collaboration with UC Berkeley, Alameda County Public Health Department, EBMUD, and others regarding development of strategies for implementing wastewater-based epidemiology approaches in Alameda County and across the Bay Area.

Cargill Project. *Managed negotiation with Cargill Inc. on a Term Sheet for a long-term project to accept mixed sea salt brine for discharge through the EBDA system. The Term Sheet includes a \$5M capacity fee and approximately \$35M in additional revenue over the 20-year life of the project. Managed a thorough due diligence process to assess potential regulatory and infrastructure risks to EBDA of accepting Cargill brine. This process is ongoing and is expected to yield mitigation and monitoring measures that ensure protection of EBDA's transport system if/when the project is implemented.*

Financial Management. *Completed Fiscal Year 2019/2020 16% under budget, resulting in over \$500,000 returned to the Member Agencies.*

ITEM NO. P8 RECONVENE OPEN SESSION

The Chair will report any actions taken in closed session.

ITEM NO. 19 ITEMS FROM THE COMMISSION AND STAFF

The Commission and staff may comment on items of general interest.

ITEM NO. 20 ADJOURNMENT