



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, April 15, 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**

**C O N S E N T C A L E N D A R**

- MOTION
- 5. Commission Meeting Minutes of March 18, 2021**
  - 6. List of Disbursements for March 2021 – See Item FM4**
  - 7. Treasurer's Report for March 2021 – See Item FM5**

**R E G U L A R C A L E N D A R**

- INFORMATION
- 8. General Manager's Report**  
(The General Manager will report on EBDA issues.)
  - 9. Report from the Managers Advisory Committee**  
(The General Manager will report on the meeting.)
  - 10. Report from the Financial Management Committee**  
(The General Manager will report on the meeting.)
  - 11. Report from the Operations & Maintenance Committee**  
(The General Manager will report on the meeting.)

- MOTION**      **12. Motion Authorizing the General Manager to Execute Amendment No. 2 to the Contract with Brown and Caldwell for Field Work Related to Acceptance of Cargill Mixed Sea Salt Brine for Discharge at the EBDA Outfall in the Amount of \$123,478, for a Total Not to Exceed Amount of \$294,589 – See Item OM6**  
(The Commission will consider the motion.)
- INFORMATION**      **13. Report from the Personnel Committee**  
(The General Manager will report on the meeting.)
- RESOLUTION**      **14. Resolution to Approve Revisions to the Authority’s Fiscal Year 2020/2021 Compensation Plan – See Item P7**  
(The Commission will consider the resolution.)
- INFORMATION**      **15. Items from the Commission and Staff**  
(The Commission and staff may address items of general interest.)
- 16. 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.

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](mailto: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 Commission meeting will be held  
Thursday, May 20, 2021 at 9:30 a.m.**

## GLOSSARY OF ACRONYMS

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

## GLOSSARY OF ACRONYMS

<b>O&amp;M</b>	Operations & Maintenance	<b>SSO</b>	Sanitary Sewer Overflow
<b>OLEPS</b>	Oro Loma Effluent Pump Station	<b>SWRCB</b>	State Water Resources Control Board
<b>OLSD</b>	Oro Loma Sanitary District	<b>TDS</b>	Total Dissolved Solids
<b>OMB</b>	Office of Management and Budget	<b>TMDL</b>	Total Maximum Daily Load
<b>P</b>	Phosphorous	<b>TN</b>	Total Nitrogen
<b>PAHs</b>	Polynuclear Aromatic Hydrocarbons	<b>TP</b>	Total Phosphorus
<b>PCBs</b>	Polychlorinated Biphenyls	<b>TRC</b>	Total Residual Chlorine
<b>PLC</b>	Programmable Logic Controller	<b>TSO</b>	Time Schedule Order
<b>PFAS</b>	Per and Polyfluoroalkyl Substances	<b>TSS</b>	Total Suspended Solids
<b>POTW</b>	Publicly Owned Treatment Works	<b>UEPS</b>	Union Effluent Pump Station
<b>PPCPs</b>	Pharmaceutical and Personal Care Products	<b>USD</b>	Union Sanitary District
<b>QA/QC</b>	Quality Assurance / Quality Control	<b>UV</b>	Ultraviolet Treatment
<b>Region IX</b>	Western Region of EPA (CA, AZ, NV & HI)	<b>VFD</b>	Variable Frequency Drive
<b>ReNUWit</b>	Re-Inventing the Nation's Urban Water Infrastructure Engineering Research Center	<b>VOCs</b>	Volatile Organic Compounds
<b>RFP</b>	Request For Proposals	<b>WAS</b>	Waste Activated Sludge
<b>RFQ</b>	Request For Qualifications	<b>WDR</b>	Waste Discharge Requirements
<b>RMP</b>	Regional Monitoring Program	<b>WEF</b>	Water Environment Federation
<b>RO</b>	Reverse Osmosis	<b>WET</b>	Whole Effluent Toxicity or Waste Extraction Test
<b>RWB</b>	Regional Water Board	<b>WIN</b>	Water Infrastructure Network
<b>RWQCB</b>	Regional Water Quality Control Board	<b>WLA</b>	Waste Load Allocation (point sources)
<b>SBS</b>	Sodium Bisulfite	<b>WPCF</b>	Water Pollution Control Facility
<b>SCADA</b>	Supervisory Control and Data Acquisition	<b>WQBEL</b>	Water Quality Based Effluent Limitation
<b>SCAP</b>	Southern California Alliance of POTWs	<b>WQS</b>	Water Quality Standards
<b>SEP</b>	Supplementary Environmental Project	<b>WRDA</b>	Water Resource Development Act
<b>SFEI</b>	San Francisco Estuary Institute	<b>WRF</b>	Water Research Foundation
<b>SLEPS</b>	San Leandro Effluent Pump Station	<b>WWTP</b>	Wastewater Treatment Plant
<b>SRF</b>	State Revolving Fund	<b>WWWIFA</b>	Water and Wastewater Infrastructure Financing Agency
<b>SSMP</b>	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 March 18, 2021**

**Item No. 6 List of Disbursements for March 2021 – See Item FM4**

**Item No. 7 Treasurer’s Report for March 2021 – See Item FM5**

### **Recommendation**

Approve Consent Calendar

**ITEM NO. 5 COMMISSION MEETING MINUTES OF MARCH 18, 2021**

**1. Call to Order**

Chair Johnson called the telephonic meeting to order pursuant to the Governor's Executive Order N-25-20 at 9:31 A.M. on Thursday, March 18, 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

Attendees:	Jacqueline Zipkin	East Bay Dischargers Authority
	Howard Cin	East Bay Dischargers Authority
	Juanita Villasenor	East Bay Dischargers Authority
	Eric Casher	Legal Counsel East Bay Dischargers Authority
	Anjali Lathi	Union Sanitary District
	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

**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 February 18, 2021**

**6. List of Disbursements for February 2021**

**7. Treasurer's Report for February 2021**

**8. Second Quarter Expense Summary, Fiscal Year 2020/2021**

Commissioner Toy moved to approve the consent calendar. The motion was seconded by Commissioner Duncan 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

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

The General Manager (GM) advised the Commission that EBDA has received a complete draft of edits to the LAVWMA Master Agreement from LAVWMA's attorney Alexandria Barnhill of Jarvis, Fay & Gibson. Staff and legal counsel are reviewing the draft agreement and will bring it to the Commission in the coming months.

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

The GM reported that there is consensus among the MAC to continue with the Cargill Brine Project at this stage. The MAC discussed the Reserve Policy and EBDA's cash flow issue. The MAC recommends that funds be collected from the member agencies semi-annually rather than quarterly. Staff will incorporate this funding option into the FY2021/2022 Budget proposal.

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

The GM reported on the Financial Management Committee, which met on March 16, 2021, noting the Committee's review of the List of Disbursements, Treasurer's Report, and second quarter expense report. Staff will develop a cash flow summary diagram to review with the Committee.

The Finance Committee recommends that staff continue to report Cargill expenditures separately for this fiscal year. However, the 2021/2022 Budget proposal will include a new fund for the Cargill Brine Project. The Committee recommends staying with Wells Fargo, but advised of an alternate banking opportunity through the Alameda County Public Bank Initiative that will be available in the future. The Committee recommends taking a CERBT fund disbursement for FY2020/2021 OPEB expenses, and recommends considering using the funds to cover pension liabilities. Commissioner Lamnin advised of a potential conflict of interest with Hanson Bridgett.

### **12. Report from the Regulatory Affairs Committee**

The GM reported on the Regulatory Affairs Committee, which met on March 17, 2021, and reviewed current compliance data, the Authority's Annual NPDES Report, and the regional Group Annual Report for nutrients prepared by BACWA. Lastly, the Committee discussed the key regulatory issues in BACWA's issue summary.

### **13. Report from the Operations and Maintenance Committee**

The O&M Manager reported on the Operations and Maintenance Committee, which met on March 16, 2021, and discussed the status of EBDA facilities. The O&M Manager reviewed NPDES compliance data and provided an overview of current projects.

The GM provided an update on COVID-19 vaccine status and wastewater-based epidemiology. The GM reported on the Cargill Brine Project and next steps as EBDA begins the CEQA process. Staff anticipates that contract negotiation with Cargill will take place in the summer of 2021. The Sonoma County Water Agency continues to prepare key AQPI agreements for adoption.

**14. Resolution to Approve Revisions to the Authority's Classification Plan**

Commissioner Lamnin moved to adopt the resolution. The resolution 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

**15. Items from Commission and Staff**

The Commission Chair noted that the General Manager's out-of-state remote work arrangement has concluded. Staff reminded the Authority's designated filers that the FPPC Statement of Economic Interest filings are due by April 1.

**16. Adjournment**

Chair Johnson adjourned the meeting at 10:33 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, April 8, 2021**

**1:30 P.M.**

**Via Zoom**

- 1. Disinfection Master Plan**
- 2. Brine Project Updates and Discussion**
- 3. Biosolids Management – Info Share and Brainstorm**
- 4. EBDA Commission Package**
  - Finance
  - O&M
  - Personnel
- 5. COVID Response and Wastewater-based Epidemiology**
- 6. EBDA Managers Round Robin**

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- Zoom link: <https://us02web.zoom.us/j/88966767938>
- Telephone dial-in: 1(669) 900-6833, meeting ID #889 6676 7938

**ITEM NO. 10**

**FINANCIAL MANAGEMENT COMMITTEE AGENDA**

**Tuesday, April 13, 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 March 2021**  
(The Committee will review the List of Disbursements for the month of March 2021.)
- FM5. Treasurer's Report for March 2021**  
(The Committee will review the Treasurer's Report for the month of March 2021.)
- FM6. Pension Fund Status Update**  
(The Committee will review the status of the Authority's pension plan.)
- FM7. Draft Budget Review**  
(The Committee will discuss the draft FY 2021/2022 budget.)
- FM8. Reserve Policy Considerations**  
(The Committee will discuss options related to establishing an Authority reserve policy.)
- FM9. Adjournment**

Any member of the public may address the Committee at the commencement of the meeting on any matter within the jurisdiction of the Committee. This should not relate to any item on the agenda. Each person

Agenda Explanation  
East Bay Dischargers Authority  
Financial Management Committee  
April 13, 2021

addressing the Committee should 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 Committee on any agenda item should do so at the time the item is considered. Oral comments should be limited to three minutes per individual or ten minutes for an organization. Speaker's cards will be available and are to be completed prior to speaking.

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**The next Financial Management Committee meeting is scheduled on  
Tuesday, May 18, 2021 at 10:30 a.m.**



**EAST BAY DISCHARGERS AUTHORITY**  
**Cash Disbursement**  
**March 2021**

**CHECKS (SORTED BY AMOUNT)**

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
25123	03/31/2021	3625	CSRMA	PLP DEDUCTIBLE RECOVERY, DOL: 04/15/2020	100,000.00	100,000.00
25122	03/31/2021	3021071	REGIONAL MONITORING PROGRAM C/O SFEI	QUARTERLY PARTICIPANT FEE FOR THE RMP 2021 BUDGET	62,009.50	62,009.50
25089	03/15/2021	381654	CITY OF SAN LEANDRO	O&M - JAN	29,199.14	29,199.14
25116	03/31/2021	002704	UNION SANITARY DISTRICT	O&M - FEB	22,768.89	22,768.89
25115	03/31/2021	6423	ORO LOMA SANITARY DISTRICT	O&M - FEB	12,519.92	12,519.92
25130	03/31/2021	11399999	BROWN & CALDWELL	ENGINEERING SERVICES - BRINE ASSESSMENT	10,919.56	10,919.56
25127	03/31/2021	49020991	UNIVAR	SODIUM BISULFITE - DELIVERED 03/12/2021	5,059.60	10,730.78
25127	03/31/2021	49041237	UNIVAR	SODIUM BISULFITE - DELIVERED 03/24/2021	5,671.18	
25125	03/31/2021	2021020251	MEYERS NAVE	LEGAL SERVICES - FEB	9,312.40	9,312.40
25131	03/31/2021	162577	ENVIRONMENTAL SCIENCE ASSOCIATES	FIRST MILE PROJECT WORK ORDER NO. 1	5,477.50	6,475.00
25131	03/31/2021	162603	ENVIRONMENTAL SCIENCE ASSOCIATES	HAYWARD FEASIBILITY STUDY WORK ORDER NO. 2	997.50	
25104	03/15/2021	48992206	UNIVAR	SODIUM BISULFITE - DELIVERED 02/26/2021	5,894.68	5,894.68
25103	03/15/2021	EA06-0121	EOA, INC	NPDES PERMIT REISSUANCE ASSISTANCE	5,365.45	5,365.45
25098	03/15/2021	17235	PACIFIC ECORISK	CHRONIC AND ACUTE TOXICITY TESTING	4,726.00	4,726.00
25095	03/15/2021	0196054	CAROLLO ENGINEERS	ENGINEERING SERVICES - WORK ORDER NO. 1	3,430.50	3,430.50
25106	03/15/2021	161821	ENVIRONMENTAL SCIENCE ASSOCIATES	FIRST MILE PROJECT WORK ORDER NO. 1	3,235.00	3,235.00
25119	03/31/2021	48481	CALCON	COMMUNICATION SYSTEM UPGRADE	1,411.29	2,524.89
25119	03/31/2021	48482	CALCON	HEPS SERVICE CALLS	540.00	
25119	03/31/2021	48483	CALCON	OLEPS SERVICE CALLS	573.60	
25093	03/15/2021	Dec-20	DEBORAH QUINN	ACCOUNTING SERVICES - DEC	2,351.25	2,351.25
25121	03/31/2021	00013.11-4	LARRY WALKER ASSOCIATES	PROFESSIONAL SERVICES - WORK ORDER NO. 2	411.00	2,261.50
25121	03/31/2021	00013.12-4	LARRY WALKER ASSOCIATES	PROFESSIONAL SERVICES - WORK ORDER NO. 3	1,850.50	
25088	03/15/2021	499566	VANTAGEPOINT	ICMA DEFERRED COMPENSATION FOR PAY PERIOD ENDED 03/15/2021	1,917.94	1,917.94
25114	03/31/2021	507228	VANTAGEPOINT	ICMA DEFERRED COMPENSATION FOR PAY PERIOD ENDED 03/31/2021	1,917.94	1,917.94
25132	03/31/2021	619601	CALTEST	LAB TESTING SERVICES - FEB	1,842.80	1,842.80
25090	03/15/2021	52205709	CITY OF HAYWARD	BENEFIT PREMIUMS - MAR	1,330.77	1,330.77
25128	03/31/2021	4661	BAY PLANNING COALITION	ANNUAL MEMBERSHIP DUES	1,100.00	1,100.00
25108	03/15/2021	21019	NORTH BAY PENSIONS LLC	ACTUARIAL SERVICES FOR GASB 75 OPEB REPORTING	1,000.00	1,000.00
25105	03/15/2021	370101	E&M ELECTRIC & MACHINERY, INC	CITECT SCADA	985.00	985.00
25107	03/15/2021	SI155265	WATSON MARLOW, INC	OLEPS WET WELL HYPO SYSTEM	844.97	844.97
25102	03/15/2021	4246044555687620	US BANK	PURCHASING CARD EXPENSES	818.73	818.73
25129	03/31/2021	369991	E&M ELECTRIC & MACHINERY, INC	HISTORIAN DATABASE AND DREAM REPORT SOFTWARE	770.00	770.00
25092	03/15/2021	1746192-20	SCIF	WORKERS COMPENSATION PREMIUM - MAR	631.25	631.25
25099	03/15/2021	8259	CAYUGA INFORMATION SYSTEMS	IT SERVICES - JAN	472.50	472.50

**EAST BAY DISCHARGERS AUTHORITY**  
**Cash Disbursement**  
**March 2021**

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
25126	03/31/2021	39199	BA MORRISON	HVAC SERVICE - HEPS	390.00	390.00
25109	03/15/2021	Feb-21	EVERARDO OROZCO LANDSCAPE MANAGEMENT	LANDSCAPING SERVICES - FEB	375.00	375.00
25091	03/15/2021	510 278-5910	AT&T	TELEPHONE SERVICE - ADMIN BUILDING	332.13	332.13
25113	03/15/2021	10110000001	EBMUD	WATER & SEWER, MDF DEC-FEB	268.96	268.96
25100	03/15/2021	208841128	ORKIN	PEST CONTROL SERVICES - MDF	200.00	200.00
25118	03/31/2021	510-483-0439	AT&T	TELEPHONE SERVICE - MDF	197.71	197.71
25096	03/15/2021	1017658376	PITNEY BOWES INC	POSTAGE METER SUPPLIES	185.70	185.70
25094	03/15/2021	9874511495	VERIZON WIRELESS	WIRELESS PHONE SERVICES	182.13	182.13
25124	03/31/2021	14074	TOWN & COUNTRY	JANITORIAL SERVICES - MAR	165.00	165.00
25097	03/15/2021	3104603011	PITNEY BOWES INC	QUARTERLY LEASING CHARGE FOR DIGITAL MAILING SYSTEM	162.96	162.96
25111	03/15/2021	47276	COMPUTER COURAGE	WEBSITE HOSTING - MAR	150.00	150.00
25117	03/31/2021	44777800001	EBMUD	WATER & SEWER, ADMIN JAN-MAR	120.83	120.83
25133	03/31/2021	3214399	CALTRONICS	COPIER USAGE AND MAINTENANCE	72.77	72.77
25101	03/15/2021	006M3299	HARRINGTON INDUSTRIAL PLASTICS LLC	OLEPS WET WELL HYPO SYSTEM	68.33	68.33
25112	03/15/2021	039231690X210304	DIRECTV	AT&T BUNDLE DISCOUNT	36.99	36.99
25120	03/31/2021	9875302888	VERIZON WIRELESS	MODEM FOR SCADA 02/11 - 03/10/2021	22.70	22.70
25110	03/15/2021	3193240	CALTRONICS	COPIER SUPPLIES	12.00	12.00
<b>TOTAL CHECK PAYMENTS</b>						<b>310,299.57</b>
<b>ELECTRONIC PAYMENTS</b>						
	03/04/2021	5105948980-0	PG&E	GAS & ELECTRIC SERVICE	36,564.63	36,564.63
	03/09/2021	100000016339709	CALPERS	HEALTH PREMIUMS - MAR	6,907.08	6,907.08
	03/17/2021	100000016336482	CALPERS	PENSION CONTRIBUTION, CLASSIC 03/01 - 15/2021	4,457.14	4,457.14
	03/02/2021	100000016289917	CALPERS	PENSION CONTRIBUTION, CLASSIC 02/16 - 28/2021	4,355.14	4,355.14
	03/11/2021		WELLS FARGO	CLIENT ANALYSIS SERVICE CHARGE	78.08	78.08
<b>TOTAL ELECTRONIC PAYMENTS</b>						<b>52,362.07</b>
<b>PAYROLL</b>						
	03/30/2021		ADP, LLC	PAYROLL PERIOD: 03/16-31/2021	22,133.34	22,133.34
	03/12/2021		ADP, LLC	PAYROLL PERIOD: 03/01-15/2021	19,541.93	19,541.93
	03/05/2021	575446333	ADP, LLC	PAYROLL FEES, PERIOD: 02/16-28/2021	85.60	85.60
	03/19/2021	576278487	ADP, LLC	PAYROLL FEES, PERIOD: 03/01-15/2021	72.35	72.35
<b>TOTAL PAYROLL</b>						<b>41,833.22</b>
<b>TOTAL DISBURSEMENTS</b>						<b>404,494.86</b>

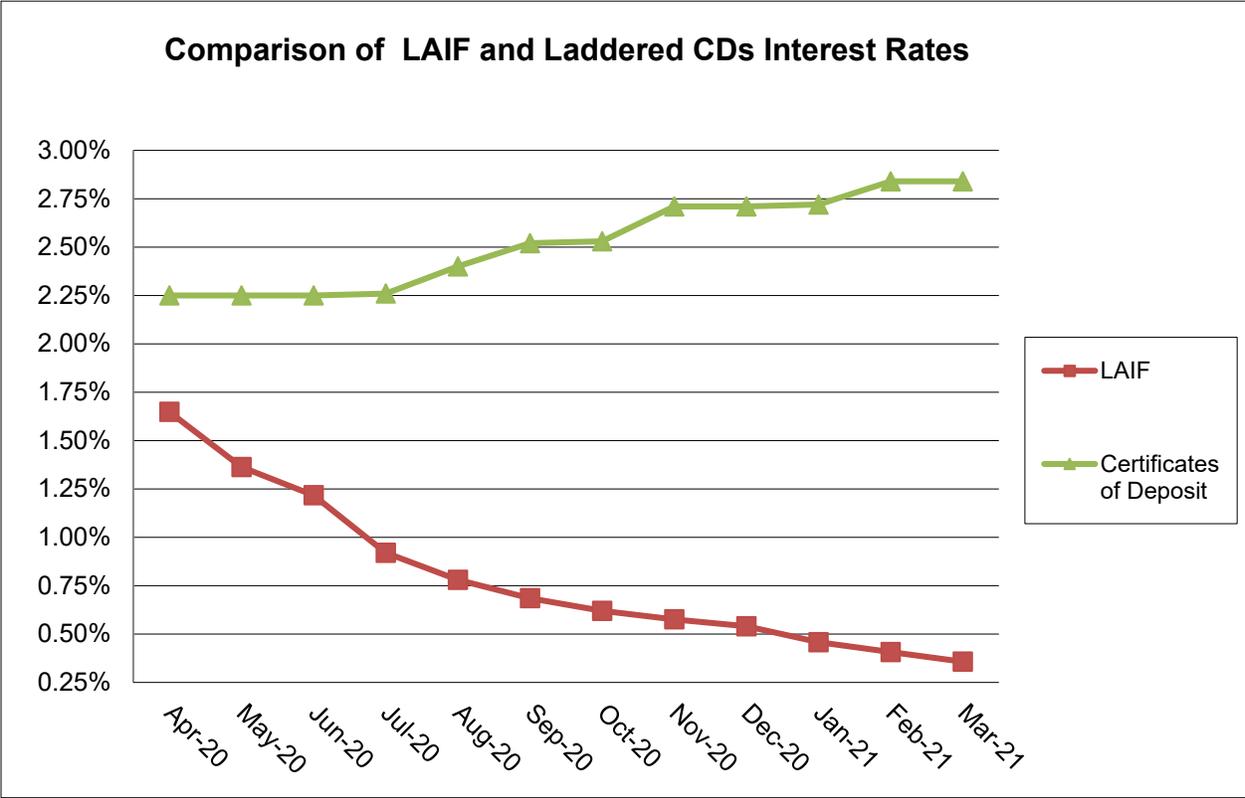
**ITEM NO. FM5 TREASURER'S REPORT FOR MARCH 2021**

The beginning cash balance on March 1, 2021 was \$3,196,128.28. The ending cash balance on March 31, 2021 was \$2,880,943.82. Total receipts for the month were \$89,310.40 and disbursements totaled \$404,494.86.

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 \$100,232.52. The average annual yield of the CDs is 2.84%. EBDA's LAIF balance is \$2,254,438.51 and the interest rate for March was 0.36%.

**Approval is recommended.**



**EAST BAY DISCHARGERS AUTHORITY  
TREASURER'S REPORT**

MARCH 31, 2021

FUND	DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	902,484.36	67,882.51	200,698.64	769,668.23
13	PLANNING & SPECIAL STUDIES	(30,603.65)	21,427.78	99,783.81	(108,959.68)
14	RECLAMATION O & M (SKYWEST)	134,889.15		101,286.12	33,603.03
31	RENEWAL & REPLACEMENT	2,189,358.42	0.11	2,726.29	2,186,632.24
TOTALS		3,196,128.28	89,310.40	404,494.86	2,880,943.82



## 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	2.88%	50,000	50,213.50
<b>CITIBANK NA Total</b>						50,213.50
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	2.79%	50,000	50,019.00
<b>MORGAN STANLEY BK NA Total</b>						50,019.00
<b>Grand Total</b>						100,232.50
<b>Average Estimated Annual Yield</b>						2.84%
<b>Cash &amp; Sweep Balances</b>						0.02
<b>Snapshot Market Value on March 31, 2021</b>						<b>100,232.52</b>

**ITEM NO. FM6 PENSION FUND STATUS UPDATE**

**Recommendation**

This information is for the Committee to review and provide direction to staff.

**Background**

The Authority participates in the California Public Employees' Retirement System (CalPERS) for its pension benefits. In 2019, the Authority adopted Other Post-Employment Benefit (OPEB) and Pension Funding Policies, including target funding levels of 80% and 95%, respectively. The Authority made lump sum pre-payments to both funds in 2020, prior to the effective date of the Amended and Restated Joint Powers Agreement (JPA), with the intention of reaching these targets. The Additional Discretionary Payment (ADP) made to the Authority's pension fund in 2020 was \$645,000.

This report provides information on the status of the Authority's pension fund.

**Discussion**

The Authority's projected funded status as of June 30, 2021 is 92.3%. As noted above, the 2020 payment was calculated based on reaching a target of 95% funded. However, the actual rate of return for the fund over the past year was approximately 4.5%, as opposed to the 7% rate of return CalPERS had projected. The table below summarizes the current status.

	As of June 30, 2019	Projected June 30, 2021
Accrued Liability	\$ 4,751,432	\$ 5,182,557
Plan's Market Value of Assets	\$ 3,827,649	\$ 4,781,213
Unfunded Accrued Liability (UAL)	\$ 923,783	\$ 389,956
Funded Ratio	80.6%	92.3%

Taking into account the FY 2019/2020 rate of return of 4.50%, and assuming 7.00% returns in FY 2020/2021 and FY 2021/2022, the Authority's CalPERS actuary estimates that an ADP of \$133,500 would be required to reach the 95% funding target. If the Commission desires to make such a payment to reach the target, several options exist for sourcing the funds, including combinations of the following:

- As suggested by Commissioner Lamnin last month, the disbursements the Authority plans to take from the California Employers' Retiree Benefit Trust (CERBT) for actual OPEB expenditures could be used to fund a portion of the pension ADP. Staff expects to receive approximately \$67,000 in disbursements, or about half of the recommended ADP.

- Staff expects actual expenses for FY 2020/2021 to be lower than budgeted. In lieu of returning unspent funds to the Member Agencies as credits on their FY 2021/2022 payments, the Authority could hold over a portion of unspent funds and dedicate those toward the ADP.
  
- The Authority could include the ADP in the FY 2021/2022 budget. Pending discussion on this item, no ADP has been included in the draft budget presented in Item No. FM7.

Because any payment would be made after CalPERS' April 15 deadline for reflection in FY 2021/2022 actuarial reports, if the Authority elects to make another ADP, the result would be reflected in the Authority's FY 2022/2023 report.

## **ITEM NO. FM7 DRAFT BUDGET REVIEW**

### **Recommendation**

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

### **Background**

The Authority's Amended and Restated JPA states the following:

The Commission will adopt an annual or biennial budget for the ensuing Fiscal Year(s) prior to July 1. The budget will include sufficient detail to constitute a fiscal control guideline, specify cash flow requirements from each Agency, grant reimbursements, and cash receipts and expenditures to be made for Operation and Maintenance Costs, Planning and Special Studies Costs, and Capital Costs for the Facilities, and other necessary and appropriate expenditures.

Recommendations for Special Studies and other key variations from the current fiscal year budget were reviewed by the Committee in March 2021.

### **Discussion**

The Draft FY 2021/2022 Budget is presented in the following format:

1. By Program
2. By Account Number
3. Allocation to Member Agencies

Beginning last year, the Commission elected to carry over funds from year to year for Special Studies that are ongoing. Recommendations for this year's carryover were presented last month and are shown in the budget tables. In addition, this year, staff is showing carryover as well as outside revenues in a separate column to more accurately represent the portion of the budget that the Member Agencies and LAVWMA will be responsible for. Revenues associated with the EPA grant for Nature Based Solutions and the Skywest water recycling project are presented. Also as discussed last month, expenses and revenues associated with brine projects are shown as a new separate fund so that they can be more effectively tracked and revenues can be allocated in the future. This includes the Cargill project, as well as fees associated with the Zone 7 Water Agency brine that Dublin San Ramon Services District agreed to pay EBDA as part of the overall agreement with LAVWMA.

Overall, agency expenses are expected to decrease by 5%, or \$311k, as compared to FY 2020/2021. Details of changes by line item are provided in the attached budget tables. The overall decrease is driven by a decrease in Special Studies spending. No new studies are proposed, and some funds will be carried over, as noted.

The agencies' Renewal and Replacement Fund (RRF) contribution remains flat at \$750k. This includes \$330k for ongoing asset management and \$420k in credit to USD to fulfill the annual JPA obligation for UEPS capital. Note that because San Leandro and LAVWMA contributions are specific to certain facilities, they pay their share of RRF expenses at the end of each fiscal year.

Operations & Maintenance (O&M) expenses are expected to be essentially flat relative to last year, with a very slight increase of \$41k. The increase can primarily be attributed to PG&E rate increases. Staff also notes that rather than accounting for the EBDA O&M Manager's labor at each pump station, in this year's budget, all EBDA labor has been moved to General Administration. This makes the labor assumptions consistent for all EBDA positions. The change results in a somewhat higher rate for General Administration, offset by decreases at the pump stations. O&M Manager labor expended on specific capital projects will continue to be billed to the RRF.

As discussed last month, to minimize cash flow issues, staff is recommending that the agencies' contributions to the FY 2021/2022 budget be paid in two semi-annual installments instead of the historical quarterly payments. This issue and recommendation are further discussed in Item No. 8.

Following feedback from the Commission and additional data gathered over the following month, staff will make revisions to this draft budget and bring a final budget to the Commission for consideration in May 2021.

**FISCAL YEAR 2021/2022 BUDGET BY PROGRAM**

FUND NO	PROGRAM DESCRIPTION	BUDGET FY 21/22	OTHER REVENUES/ CARRYOVER	AGENCY REVENUES	BUDGET FY 20/21	% FY 21/22 to 20/21	\$ Change	Explanations for Changes over \$10,000
<b>12 O&amp;M EFFLUENT DISPOSAL</b>								
12 06	General Administration	\$ 1,333,738	\$ -	\$ 1,333,738	\$ 1,254,759	106%	\$ 78,979	Increases in salaries related to 2% COLA and addition of 0.25 FTE for Admin Assistant. Also, labor for O&M Manager was moved to General Admin.
12 10	Outfall & Force mains	\$ 175,000	\$ -	\$ 175,000	\$ 181,336	97%	\$ (6,336)	
12 14	Marina Dechlor Facility	\$ 481,500	\$ -	\$ 481,500	\$ 506,003	95%	\$ (24,503)	Labor for O&M Manager moved to General Admin.
12 16	Oro Loma Pump Station	\$ 501,000	\$ -	\$ 501,000	\$ 463,920	108%	\$ 37,080	Increase in PG&E rates.
12 18	Hayward Pump Station	\$ 158,000	\$ -	\$ 158,000	\$ 163,336	97%	\$ (5,336)	
12 20	Union Pump Station	\$ 358,000	\$ -	\$ 358,000	\$ 365,336	98%	\$ (7,336)	
12 21	Bay & Effluent Monitoring	\$ 503,382	\$ -	\$ 503,382	\$ 534,550	94%	\$ (31,168)	FY2020/2021 included a one-time startup cost of \$40k for the Laboratory Information Management System.
<b>TOTAL FUND # 12</b>		\$ 3,510,620		\$ 3,510,620	\$ 3,469,238	101%	\$ 41,382	
<b>13 SPECIAL PROJECTS</b>								
13 36	NPDES Permit Fees	\$ 593,473	\$ -	\$ 593,473	\$ 555,483	107%	\$ 37,990	State Water Board projecting a significant increase in NPDES permit fees.
13 37	NPDES Permit Issues	\$ 100,000	\$ 100,000	\$ -	\$ 200,000	0%	\$ (200,000)	Contingency included for potential fines last year is no longer needed. Unspent funds are being held over for professional services related to permit reissuance.
13 48	Regional Monitoring Program	\$ 280,000	\$ -	\$ 280,000	\$ 280,000	100%	\$ -	
13 49	Nutrient Surcharge	\$ 285,346	\$ -	\$ 285,346	\$ 269,479	106%	\$ 15,867	Increase due to lower supplement from BACWA reserves.
13 53	Water Research Foundation	\$ 26,347	\$ -	\$ 26,347	\$ 25,000	105%	\$ 1,347	
13 63	JPA Legal Support	\$ 10,000	\$ -	\$ 10,000	\$ -	200%	\$ 10,000	Support for drafting administrative appeals policy.
13 68	Brine Project Development	\$ -	\$ -	\$ -	\$ 30,000	0%	\$ (30,000)	
13 69	Strategic Planning	\$ 10,000	\$ 10,000	\$ -	\$ 10,000	0%	\$ (10,000)	External support for EBDA strategic planning effort, carried over.
13 74	Disinfection Master Plan	\$ 45,726	\$ 20,000	\$ 25,726	\$ 40,000	64%	\$ (14,274)	Continuation of expert consultant support for development of a Master Plan to optimize chlorine dosing for consistent control of bacteria in the EBDA system.
13 75	Contingency - Admin Support	\$ -	\$ -	\$ -	\$ 22,245	0%	\$ (22,245)	Removed contingency for extending the 0.5 FTE Administrative Assistant.
13 76	PFAS Sampling	\$ -	\$ -	\$ -	\$ 15,000	0%	\$ (15,000)	Not required. Bay region was exempted from individual sampling requirements in State order.
13 77	Nature-based Solutions	\$ 150,000	\$ 150,000	\$ -	\$ -	0%	\$ -	
13 91	NPDES Testing - CSL	\$ -	\$ -	\$ -	\$ 1,500	0%	\$ (1,500)	
13 92	NPDES Testing - OLSL	\$ -	\$ -	\$ -	\$ 1,500	0%	\$ (1,500)	
13 93	NPDES Testing - HAY	\$ -	\$ -	\$ -	\$ 1,500	0%	\$ (1,500)	
13 94	NPDES Testing - USD	\$ -	\$ -	\$ -	\$ 1,500	0%	\$ (1,500)	
<b>TOTAL FUND # 13</b>		\$ 1,500,893	\$ 280,000	\$ 1,220,893	\$ 1,453,207	84%	\$ (232,314)	
<b>TOTAL OPERATING BUDGET</b>		\$ 5,011,513	\$ 280,000	\$ 4,731,513	\$ 4,922,446	96%	\$ (190,933)	
31 99	CONTRIBUTION TO R&R FUND	\$ 750,000	\$ -	\$ 750,000	\$ 750,000	100%	\$ -	Based on Asset Management Plan, sustainable funding level is estimated to be \$330,000 annually. Per the new JPA, EBDA additionally pays \$420,000 annually to Union to address capital needs at that station.
<b>TOTAL AGENCY FUNDING</b>				\$ 5,481,513	\$ 5,672,446	97%	\$ (190,933)	
<b>PROGRAMS WITH OTHER FUNDING</b>								
<b>14 00 WATER RECYCLING</b>								
14 80	Skywest	\$ 50,000	\$ 50,000	\$ -	\$ 120,000			Reduction in operations due to closure of the golf course.
<b>TOTAL FUND # 14</b>		\$ 50,000	\$ 50,000	\$ -	\$ -			
<b>15 00 BRINE ACCEPTANCE</b>								
15 01	Mixed Sea Salt Brine (Cargill)	\$ 200,000	\$ 200,000	\$ -	\$ -			
15 02	Zone 7 Brine (DSRSD)	\$ 70,000	\$ 70,000	\$ -	\$ -			
<b>TOTAL FUND # 15</b>		\$ 270,000	\$ 270,000	\$ -	\$ -			
<b>TOTAL EXPENDITURES</b>				\$ 5,481,513	\$ 5,792,446	95%	\$ (310,933)	

**FISCAL YEAR 2021/2022 BUDGET BY ACCOUNT NUMBER**

ACCT NUMBER	ACCT TITLE	BUDGET FY 21/22	OTHER REVENUES/ CARRYOVER	AGENCY REVENUES	BUDGET FY 20/21	% FY 21/22 to 20/21	\$ Change	Explanations for Changes over \$10,000
4010	Salary	586,101		586,101	543,436	108%	\$ 42,665	2% COLA, salary increase for Administration Manager reclassification, and addition of 0.5 FTE Admin Support Specialist. Also, O&M labor was moved from pump stations to General Admin.
4020	Benefits	269,587		269,587	282,582	95%	\$ (12,995)	Medical premiums for retirees decreased due to death and recipients becoming eligible for Medicare. Additionally, because of last year's lump sum payment, the Authority's PERS required payment is lower than previous. Finally, benefits that are based on payroll decreased because of the lower payrate for the Admin Support Specialist.
4030	Commissioner Compensation	45,000		45,000	45,000	100%	\$ -	
4070	Insurance	60,000		60,000	60,000	100%	\$ -	
4080	Memberships & Subscriptions	148,469		148,469	155,677	95%	\$ (7,208)	
4100	Supplies, Fixed	22,000		22,000	24,000	92%	\$ (2,000)	
4100	Supplies, Variable	297,000		297,000	287,000	103%	\$ 10,000	
4110	Contract Services	95,280		95,280	132,320	72%	\$ (37,040)	FY2020/2021 included a one-time startup cost of \$40k for the Laboratory Information Management System.
4120	Professional Services	901,976	390,000	511,976	605,189	85%	\$ (93,213)	Decrease in MA contributions due to more complete accounting of external revenues.
4140	Rents & Fees	1,161,099		1,161,099	1,107,242	105%	\$ 53,857	Increase to NPDES fee.
4141	NPDES Issues	109,000	100,000	9,000	209,000	4%	\$ (200,000)	In FY 2020/2021, this budget was high to reflect possible fines that did not materialize. \$50,000 of those funds are carried over.
4150	Maintenance & Repair	671,500	10,000	661,500	711,500	93%	\$ (50,000)	EBDA O&M labor has been moved to General Admin. Skywest maintenance and repair has also decreased, and offsetting revenue is now reflected.
4160	Monitoring	185,000	15,000	170,000	185,000	92%	\$ (15,000)	Removal of lab fees that are now routed directly to agencies, as well as retirement of Hach WIMS system.
4170	Travel & Training	18,000		18,000	18,000	100%	\$ -	
4190	Utility, Fixed	21,500	5,000	16,500	21,500	77%	\$ (5,000)	
4191	Utility, Variable (PG&E)	660,000		660,000	615,000	107%	\$ 45,000	Increase in PG&E rates.
4200	Acquisitions & Other	80,000	80,000	0	40,000	0%	\$ (40,000)	Decrease in MA contributions due to more complete accounting of external revenues.
<b>SUB TOTAL ALL ACCOUNTS</b>		5,331,513	600,000	4,731,513	5,042,446	94%	\$ (310,933)	
<b>CONTRIBUTION TO R&amp;R FUND</b>		750,000			750,000	100%	\$ -	
<b>TOTAL EXPENDITURES</b>		6,081,513		5,481,513	5,792,446	95%	\$ (310,933)	

**ESTIMATED ANNUAL BILLS TO THE EBDA MEMBER AGENCIES FOR FISCAL YEAR 2021/2022**

*Rates for various agencies*

	San Leandro	O.L.S.D.	C.V.S.D.	Hayward	U.S.D.	LAVWMA
<b>Special Study Rate</b>	13%	18%	6%	30%	33%	varies
<b>Variable Rate</b>	10.0%	15.8%	6.3%	21.4%	46.5%	16.2%
<b>Variable Rate - MAs w/o CSL</b>	-	17.6%	6.9%	23.8%	51.7%	17.7%
<b>Fixed Rate</b>	13.7%	19.1%	10.3%	14.7%	42.1%	26.10%
<b>Fixed Rate - MAs w/o CSL</b>	-	22.2%	11.9%	17.1%	48.8%	-
<b>RRF Rate</b>	varies	22.2%	11.9%	17.1%	48.8%	varies
<b>RMP Rate</b>	5.5%	7.7%	3.1%	36.0%	24.5%	23.3%
<b>Nutrient Rate</b>	7.9%	10.1%	5.5%	16.6%	40.4%	19.5%
<b>NPDES Fee</b>	7.1%	12.1%	6.5%	17.2%	30.6%	26.6%

	San Leandro	O.L.S.D.	C.V.S.D.	Hayward	U.S.D.	LAVWMA	REVENUES	MA Total	Grand Total
<b>O&amp;M</b>									
O&M Fixed Charges w/CSL	\$ 182,782	\$ 254,617	\$ 137,020	\$ 195,818	\$ 560,052	\$ 469,831		\$ 1,330,289	\$ 1,800,120
O&M Fixed Charges w/o CSL	\$ -	\$ 17,730	\$ 9,504	\$ 13,657	\$ 38,973	\$ 12,137		\$ 79,864	\$ 92,000
O&M Variable Charges w/CSL	\$ 43,528	\$ 68,827	\$ 27,145	\$ 92,964	\$ 201,833	\$ 84,204		\$ 434,296	\$ 518,500
O&M Variable Charges w/o CSL	\$ -	\$ 178,643	\$ 70,457	\$ 241,291	\$ 523,863	\$ 85,746		\$ 1,014,254	\$ 1,100,000
<b>Total O&amp;M</b>	<b>\$ 226,309</b>	<b>\$ 519,817</b>	<b>\$ 244,126</b>	<b>\$ 543,730</b>	<b>\$ 1,324,721</b>	<b>\$ 651,918</b>		<b>\$ 2,858,702</b>	<b>\$ 3,510,620</b>
Last Year	\$ 245,882	\$ 588,092	\$ 271,530	\$ 571,561	\$ 1,306,509	\$ 485,664		\$ 2,983,574	\$ 3,469,238
<b>Special Projects</b>									
NPDES Permit Fee	\$ 41,840	\$ 71,569	\$ 38,537	\$ 101,848	\$ 181,675	\$ 158,003		\$ 435,471	\$ 593,473
RMP Fee	\$ 15,298	\$ 21,484	\$ 8,553	\$ 100,848	\$ 68,607	\$ 65,209		\$ 214,791	\$ 280,000
Nutrient Fee	\$ 22,554	\$ 28,892	\$ 15,557	\$ 47,307	\$ 115,253	\$ 55,783		\$ 229,563	\$ 285,346
WERF Fee	\$ 2,641	\$ 4,176	\$ 1,647	\$ 5,640	\$ 12,245	\$ -		\$ 26,347	\$ 26,347
Special Studies Fee	\$ 4,101	\$ 5,679	\$ 1,893	\$ 9,464	\$ 10,411	\$ 4,178		\$ 31,548	\$ 35,726
Member Agency Testing	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -		\$ -	\$ -
<b>Total Special Projects</b>	<b>\$ 86,435</b>	<b>\$ 131,799</b>	<b>\$ 66,187</b>	<b>\$ 265,108</b>	<b>\$ 388,191</b>	<b>\$ 283,172</b>		<b>\$ 937,721</b>	<b>\$ 1,220,893</b>
Last Year	\$ 113,960	\$ 177,317	\$ 85,711	\$ 305,428	\$ 472,697	\$ 298,095		\$ 1,155,112	\$ 1,453,207
							<b>Total Operating Budget</b>	<b>\$ 3,796,423</b>	<b>\$ 4,731,513</b>
<b>Programs with Other Funding</b>									
Skywest							\$ 50,000		\$ 50,000
Mixed Sea Salt Brine (Cargill)							\$ 200,000		\$ 200,000
Zone 7 Brine (DSRSD)							\$ 70,000		\$ 70,000
<b>Total Skywest</b>							<b>\$ 320,000</b>		<b>\$ 320,000</b>
Last Year							\$ 120,000		\$ 120,000
							<b>Total Outside Funding</b>		<b>\$ 320,000</b>
<b>Renewal and Replacement Fund</b>									
RRF Contribution		\$ 166,500	\$ 89,250	\$ 128,250	\$ 366,000	\$ -		\$ 750,000	\$ 750,000
<b>Total RRF</b>	<b>\$ -</b>	<b>\$ 166,500</b>	<b>\$ 89,250</b>	<b>\$ 128,250</b>	<b>\$ 366,000</b>	<b>\$ -</b>		<b>\$ 750,000</b>	<b>\$ 750,000</b>
							<b>Total Capital Contribution</b>	<b>\$ 750,000</b>	<b>\$ 750,000</b>
<b>Overall Total for FY 21/22</b>	<b>\$ 312,744</b>	<b>\$ 818,115</b>	<b>\$ 399,563</b>	<b>\$ 937,088</b>	<b>\$ 2,078,912</b>	<b>\$ 935,089</b>	<b>\$ 320,000</b>	<b>\$ 4,546,423</b>	<b>\$ 5,801,513</b>
<b>Total FY 20/21</b>	<b>\$ 359,842</b>	<b>\$ 931,909</b>	<b>\$ 446,491</b>	<b>\$ 1,005,238</b>	<b>\$ 2,145,206</b>	<b>\$ 783,759</b>	<b>\$ 120,000</b>	<b>\$ 4,888,686</b>	<b>\$ 5,792,445</b>
							<b>Total for MAs plus LAVWMA</b>	<b>\$ 5,481,513</b>	

**ITEM NO. FM8 RESERVE POLICY CONSIDERATIONS**

**Recommendation**

Provide direction to staff on concepts for the Authority’s Reserve Policy.

**Background**

Over the past year, the Authority has been going through a process of updating its financial policies. The Authority historically had a comprehensive Financial Management System Policy and Procedures Manual. Each chapter is now being split into policies for consideration and adoption by the Commission, and procedures to be implemented by staff.

The Authority does not currently have a Reserve Policy, and staff recommends that the Commission consider one. Reserves are generally considered the cornerstone of sustainable financial management. The California Special Districts Association (CSDA)’s Special District Reserve Guidelines state the following:

Through prudent reserves, special districts offer taxpayers and ratepayers significant benefits including:

1. Savings to balance budgets
2. Emergency preparedness
3. Stable rates
4. Well-maintained infrastructure
5. Investment in the future

Currently, EBDA operates four funds, as shown in the Treasurer’s Report (Item FM5):

		<b>FY 2020/2021 Budget</b>	<b>Balance as of March 31, 2021</b>
<b>Fund 12</b>	Operations & Maintenance (O&M)	\$ 3,469,238	\$ 769,668.23
<b>Fund 13</b>	Planning & Special Studies (incl. permit fees, etc.)	\$ 1,453,207	\$(108,959.68)
<b>Fund 14</b>	Skywest	\$ 120,000	\$ 33,603.03
<b>Fund 31</b>	Renewal & Replacement Fund (RRF)	\$ 750,000	\$ 2,186,632.24

Funds are comingled in EBDA’s bank accounts. In practical terms, funds retained in Fund 31 (RRF) that are allocated to future projects are used to provide cash flow for operational expenses. Historically, the Authority’s approach had been to maintain a high balance in its RRF that provided a cushion for some level of emergency preparedness and future investment. In the past, staff had been recommending significantly increasing RRF contributions over time. In contrast, over the past several years, the recommended contribution has been \$750,000 – made up of just \$330,000 for asset management needs and a \$420,000 annual commitment to USD for the Union Effluent Pump Station per the JPA. These lower contributions, combined with completion of the large HEPS MCC

project, mean that there is now less of a cushion in the RRF to cover unforeseen events.

Agencies are currently billed for budgeted expenses in Funds 12 and 13 on a quarterly basis (i.e. each agency receives a bill each quarter for one-fourth of the annual budget). Agencies receive one bill annually for their share of the Fund 31 approved contribution.

At the end of each fiscal year, unspent funds in Funds 12 and 13 are returned to the member agencies as a credit against their bills for the next fiscal year. Funds are retained for projects in Fund 13 that are ongoing. Unspent funds in Funds 14 and 31 are carried over.

Fund 14 is funded separately by recycled water users (e.g. HARD, City of Hayward) and is likely to be sun-setted as the project is retired in the coming years. Therefore, it is not further discussed in this analysis. The new Brine Acceptance Fund will be similarly segregated.

A graphical summary of EBDA's cash flows is attached to this report, per the Committee's request.

Issues with the current approach include the following:

- **Cashflow:** Because certain large expenses may be incurred before sufficient funds are collected through quarterly billing, it is not unusual for Fund 13 to run negative and have to “borrow” from other funds, particularly Fund 31. Though current staff is not aware of it happening, there is a conceptual risk that if O&M expenses run high, and Fund 31 is kept at a low balance, EBDA could have a shortfall.
- **Access to Emergency Funds:** If EBDA were to incur a large emergency expense (e.g. earthquake repair), EBDA would likely need to request funds from Member Agencies. Timelines for accessing those funds are unclear and may vary, and political will and/or agency ability to provide the funds is uncertain.
- **Rate Instability:** Lack of an established reserve for EBDA increases potential for volatility in year-to-year requests to the members, in addition to increasing the likelihood of emergency requests as noted in the previous bullet.

### **Discussion**

To address the cashflow issue identified above, staff recommends moving from quarterly to semi-annual billing of the Member Agencies, starting with FY 2021/2022. Semi-annual collection aligns with the Sanitary District members' property tax receipts, and it will help EBDA manage some of the large cash outlays for annual bills such as BACWA dues and

NPDES permit fees. Staff will monitor cash flows to evaluate whether semi-annual collection fully addresses the issue. If negative balances continue to be observed, staff may consider recommending annual billing in the future.

To address the other issues identified above, staff recommends adoption of a Reserve Policy. Based on consideration of guidance published by CSDA and Government Finance Officers Association (GFOA), as well as review of Reserve Policies adopted by other Joint Powers Authorities and similar agencies, staff recommends the following reserves:

		EBDA FY 2020/2021	EBDA Strawman Reserve Policy April 2020	
		Budget	Amount	Rationale
Fund 12	Operations & Maintenance	\$ 3,469,238	\$ 867,310	3 months O&M
Fund 13	Planning & Special Studies	\$ 1,453,207	\$ 600,000	NPDES Permit Fee
Fund 31	Renewal & Replacement	\$ 750,000	\$ 1,250,000	EBDA responsibility under JPA
			\$ 2,717,310	

As noted in the table, the rationale for the reserve level in each fund is as follows:

- **Operations & Maintenance:** While a reserve consisting of six months of O&M expenses is generally accepted practice, given EBDA's small size, the predictability of EBDA's O&M expenses, and the ability to use the Member Agencies as a secondary backstop in a true emergency, staff is recommending a three-month reserve.
- **Planning & Special Studies:** The largest and arguably most important annual payment from Fund 13 is the National Pollutant Discharge Elimination System (NPDES) Permit fee. Inability to pay this fee would have significant consequences, and therefore staff recommends keeping the fee amount in reserve.
- **Renewal & Replacement:** As discussed at length during JPA negotiations, the most significant risk to EBDA is failure of the Transport System in an earthquake. In the new JPA, the Member Agencies agreed that in the event of a failure, EBDA would be responsible for the first \$1.25 million in damages. Expenses above that would be the responsibility of the Member Agencies using that segment of pipe. Therefore, to avoid emergency assessments and cash flow shortfalls while waiting for state or federal reimbursements, staff recommends keeping \$1.25 million in EBDA's reserve fund.

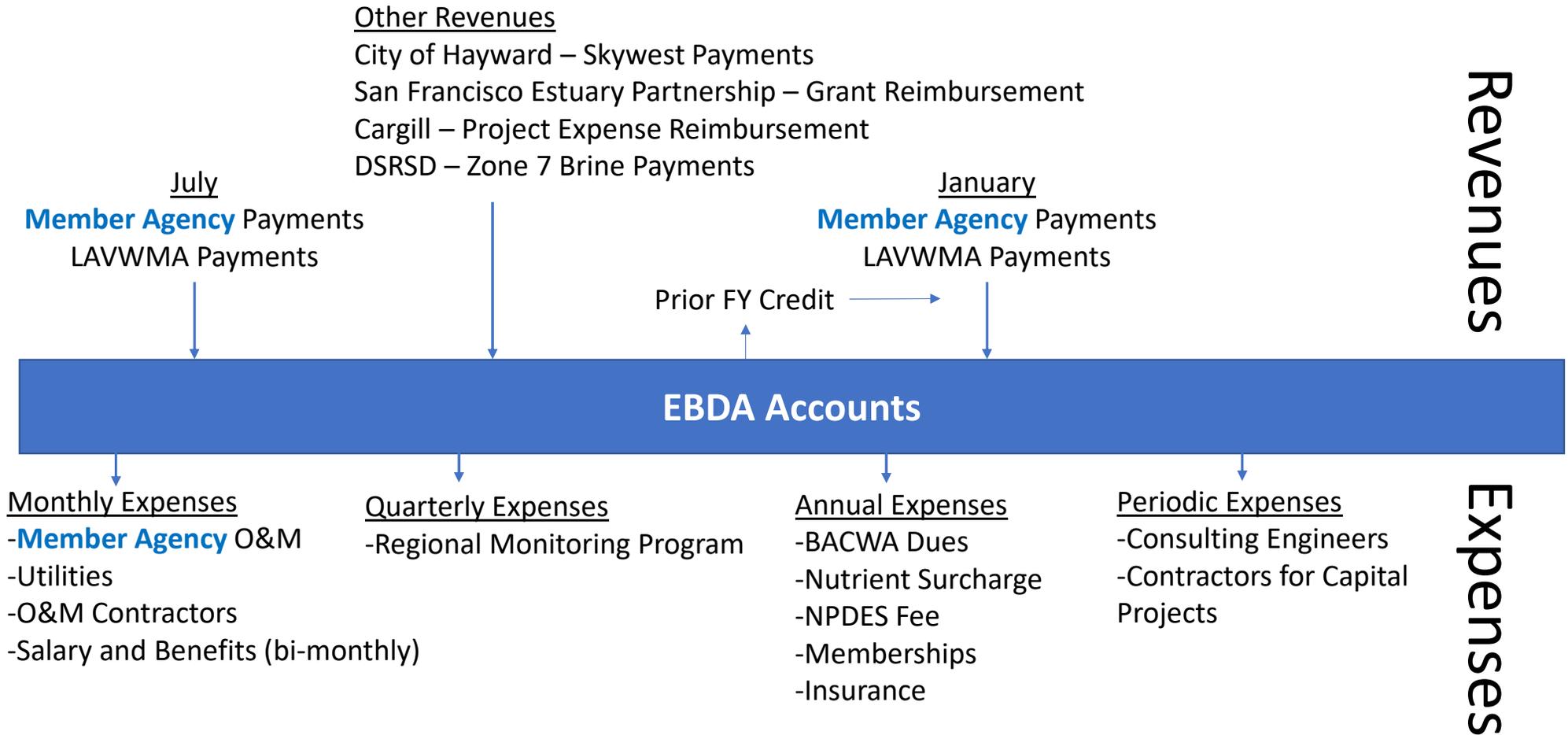
Staff is seeking Committee input on these recommended reserve funds, as well as a process for building up and maintaining them. Options for fund creation include:

- EBDA keeping all or a portion of unspent funds each fiscal year instead of crediting them back to the Member Agencies. This process could be repeated each year until the desired reserve levels are achieved.
  
- Adding a line item for reserves to each annual budget over a period of time to build up the funds.

Alternatively, if there is not consensus among the Commission to establish and maintain EBDA reserve funds, the following alternatives may be considered to address the issues identified:

- Make annual budget more conservative. Cashflow issues and emergency concerns could be partially alleviated by “planning for the worst” in the annual budget and collecting funds accordingly. This approach makes it more difficult to monitor actual fiscal performance, and takes more money out of member agency accounts that likely gets returned to them each year.
  
- Formalize the policy that member agencies serve as the backstop to EBDA. This is the current default, but formalizing this in the reserve policy elevates it so that it is a conscious decision on the part of all the members and may expedite accessing the funds if/when needed.
  
- Make it a policy that each Member Agency maintain an EBDA reserve. If the desire is to provide flexibility to the Member Agencies to deploy cash rather than having it idle in EBDA’s account, EBDA could enact a policy requiring each member to set aside funds for EBDA emergencies. This would mitigate the risk that funds would not be available to EBDA in its time of need. This could be coupled with the prior bullet. The Commission could also consider providing the Member Agencies with the option to provide their portion of reserve funds to EBDA or maintain them in their own EBDA set-aside.

## EBDA Cash Flow Summary – April 2021



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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/85092103458>
- Telephone dial-in: 1(669) 900-6833, meeting ID #850 9210 3458

## ITEM NO. 11

### OPERATIONS & MAINTENANCE COMMITTEE AGENDA

Tuesday, April 13, 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 Permit Compliance**

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

**OM5. Status Report**

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

**OM6. Motion Authorizing the General Manager to Execute Amendment No. 2 to the Contract with Brown and Caldwell for Field Work Related to Acceptance of Cargill Mixed Sea Salt Brine for Discharge at the EBDA Outfall in the Amount of \$123,478, for a Total Not to Exceed Amount of \$294,589**

(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

Agenda Explanation  
East Bay Dischargers Authority  
O&M Agenda  
April 13, 2021

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](mailto: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, May 18, 2021, at 9:00 a.m.**

**ITEM NO. OM4 EBDA PERMIT COMPLIANCE**

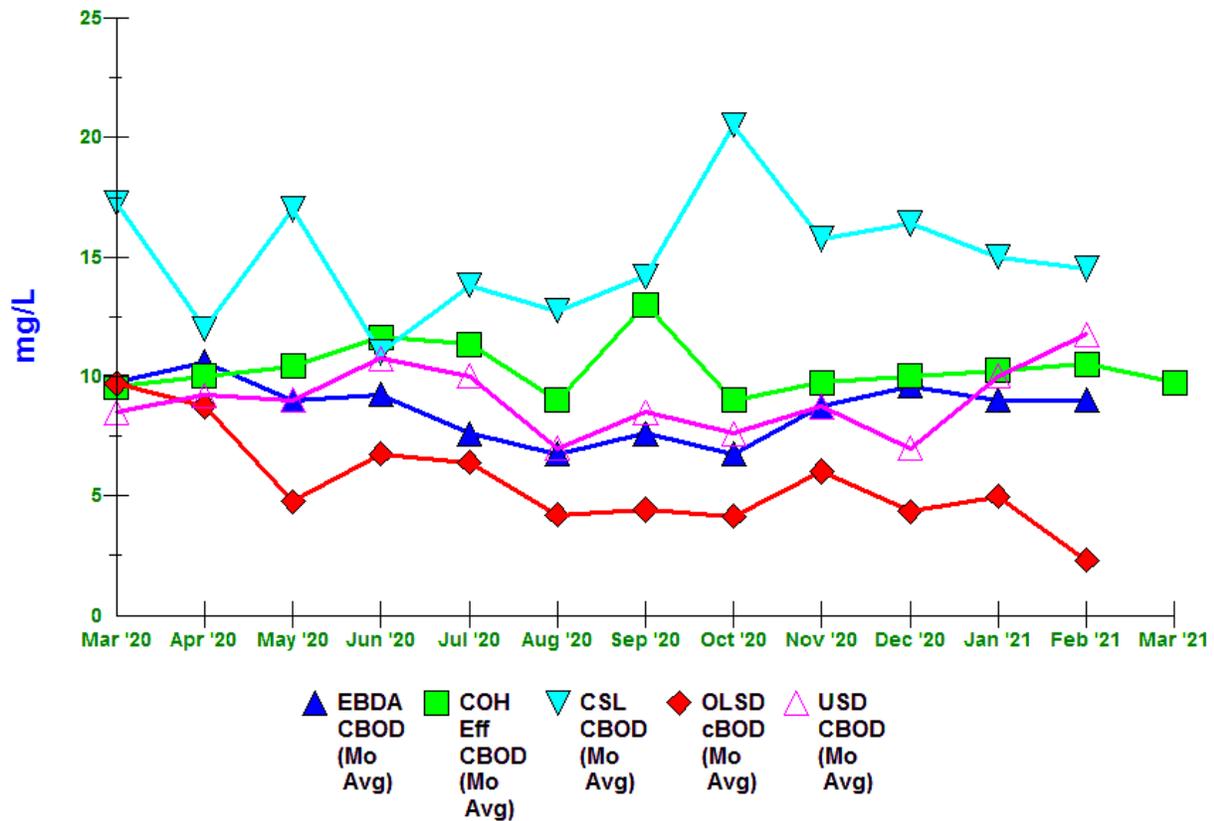
**Recommendation**

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

**Permit Compliance Issues**

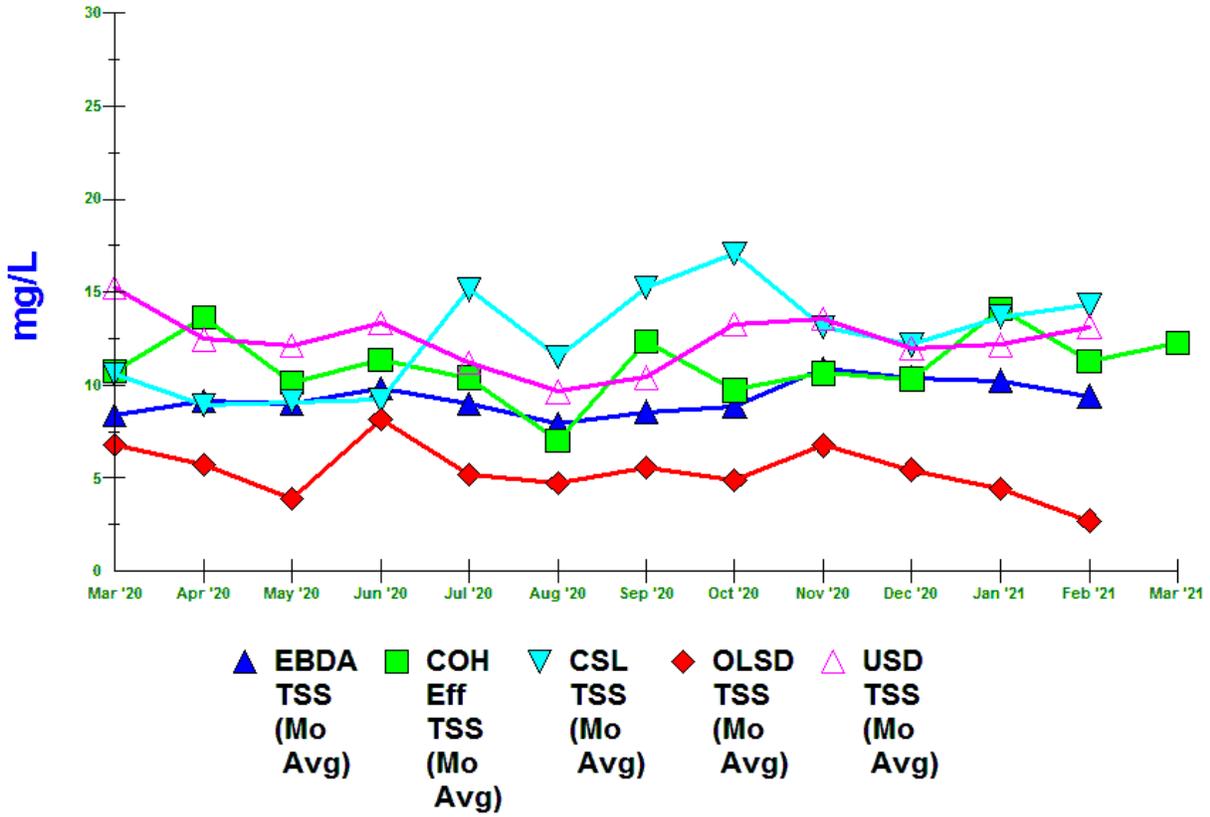
There were no NPDES permit violations in February, and preliminary data from March are also free of permit exceedances. Member Agency CBOD and TSS performance are shown below. A table with bacterial indicators is also included.

**EBDA CBOD (Limit=25 ppm)**



EBDA CBOD

## 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	
<b>April 2020 Geomean</b>	<b>4</b>	<b>2</b>	
<b>May 2020 Geomean</b>	<b>40</b>	<b>2</b>	
<b>June 2020 Geomean</b>	<b>28</b>	<b>3</b>	
<b>July 2020 Geomean</b>	<b>27</b>	<b>3</b>	
<b>August 2020 Geomean</b>	<b>23</b>	<b>3</b>	
<b>September 2020 Geomean</b>	<b>41</b>	<b>5</b>	
<b>October 2020 Geomean</b>	<b>30</b>	<b>9</b>	
<b>November 2020 Geomean</b>	<b>11</b>	<b>4</b>	
<b>December 2020 Geomean</b>	<b>9</b>	<b>2</b>	
<b>January 2021 Geomean</b>	<b>5</b>	<b>3</b>	
2/1/2021	2	<	2
2/2/2021	9		3
2/3/2021	4	<	2
2/8/2021	109		2
2/9/2021	49	<	3
2/15/2021	< 3	<	2
2/16/2021	5		9
2/17/2021	2		2
2/22/2021	135	<	2
2/23/2021	7		3
2/24/2021	4	<	2
<b>February 2021 Geomean</b>	<b>6</b>		<b>3</b>
3/1/2021	4	<	2
3/2/2021	5	<	4
3/3/2021	11		4
3/8/2021	< 2	<	2
3/9/2021	2		3
3/15/2021	7	<	2
3/16/2021	17		5
3/22/2021	9	<	2
3/23/2021	4		3
3/29/2021	< 2		2
3/30/2021	5		2
<b>March 2021 Geomean</b>	<b>5</b>		<b>3</b>

**ITEM NO. OM5 STATUS REPORT**

**Union Effluent Pump Station (UEPS – Formerly AEPS)**

No change; all equipment is operational.

**Hayward Effluent Pump Station (HEPS)**

No change; all equipment is operational.

**Oro Loma Effluent Pump Station (OLEPS)**

**Wet Well Hypochlorite (Hypo) System**

On March 30, 2021, the new OLEPS wet well hypo system was placed in service and is currently being tested. Before the project is completed, there are a number of items that still need to be addressed, such as displaying the data on OLSD's SCADA system.

**Main Electrical Switchboard Upgrade**

Staff is in the process of scheduling an electrical shutdown at OLEPS with PG&E for the first week of June. This shutdown will facilitate the first phase of the project, which includes removing the front panels of the Main Electrical Switchboard for cleaning and inspection, and taking detailed measurements for the new replacement breakers. Prior to the electrical shutdown, a thermographic survey of the Main Electrical Switchboard will be completed.

**OLEPS Bypass Test**

On April 8, 2021, at 5:00 am, EBDA will be conducting a test of the OLEPS bypass system. The San Leandro force main crew will be opening the OLEPS bypass valve and closing the valve that connects the UEPS and HEPS flows to OLEPS, causing the UEPS and HEPS flows to bypass OLEPS. This test is in preparation for the OLEPS electrical shutdown discussed above.

**San Leandro Effluent Pump Station (SLEPS)**

No change; all equipment is operational.

**Skywest Pump Station**

**Recycled Water Production**

During the month of March 2021, the Skywest Recycled Water System did not produce any recycled water.

**Marina Dechlorination Facility (MDF)**

No change; all equipment is operational.

### **Force Main**

No change; all equipment is operational.

### **Operations Center**

No change; all equipment is operational.

### **Miscellaneous Items**

#### **Underground Service Alerts**

EBDA received eleven (11) Underground Service Alert (USA) tickets during the month of March 2021. Ten required an Electronic Positive Response (EPR), and of the ten, six required calls/emails to the excavators, and three required field verification.

#### **Wet Weather**

During the month of March 2021, there were no significant rain events that required the operation of an OLEPS diesel pump.

#### **COVID-19 Response**

Authority staff is continuing to implement the Pandemic Response Plan, which includes signage regarding closure of the office to the public and the Authority's social distancing measures on the office door. All meetings are being conducted by phone and web conference until further notice. All EBDA staff members have received two doses of vaccine.

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. 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 continues to sample twice weekly in their Alvarado basin, which encompasses the City of Union City, with samples analyzed by UC Berkeley.

### **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. Staff is recommending Commission approval of additional scope for Brown and Caldwell, EBDA's technical consultant, to assess corrosion mitigation options and costs (see Item No. OM6). In addition, in the next few weeks, staff will be issuing a Request for Proposals for a consultant to assist in preparation of the California Environmental Quality Act (CEQA) documentation for the project. Staff anticipates bringing a CEQA consultant contract to the Commission for consideration in June.

**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, are scheduled for approval by Sonoma Water on April 20, 2021. As they await approval of the agreement, the team is preparing for installation of the X-band at Rocky Ridge. The plan is for installation to occur the first week of May.

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. Informational meetings have been taking place with California state legislators. The table below provides a summary of past and upcoming meetings.

<b>Date</b>	<b>Time</b>	<b>Legislator</b>	<b>District</b>
3/15	11:00 – 11:30	Quirk	AD 20 - Alameda Co.: Fremont, Hayward, Pleasanton
3/15	3:00 – 4:00	Wieckowski	SD 10 - Alameda, Santa Clara Co. - Fremont, Hayward, Milpitas, San Jose
3/25	12:30 – 1:00	Grayson	AD 14 - Alameda, Contra Costa, Napa, Solano Co. - Vallejo, Concord
4/15	12:00 – 12:30	Wicks	AD 15 – Alameda, Contra Costa Co. - Pinole, Richmond, Berkeley
4/21	11:00 – 12:00	Mullin	AD 22 – San Mateo Co. - South San Francisco, Redwood City, Pacifica, Moss Beach

**ITEM NO. OM6 MOTION AUTHORIZING THE GENERAL MANAGER TO EXECUTE AMENDMENT NO. 2 TO THE CONTRACT WITH BROWN AND CALDWELL FOR FIELD WORK RELATED TO ACCEPTANCE OF CARGILL MIXED SEA SALT BRINE FOR DISCHARGE AT THE EBDA OUTFALL IN THE AMOUNT OF \$123,478, FOR A TOTAL NOT TO EXCEED AMOUNT OF \$294,589**

**Recommendation**

Approve a motion authorizing the General Manager (GM) to execute Amendment No. 2 to the contract with Brown and Caldwell in the amount of \$123,478.

**Background**

Brown and Caldwell (BC) is an engineering consulting firm focusing on water and wastewater infrastructure. In 2016-2018, BC conducted a condition assessment of the Authority's transport system and outfall. BC has experience supporting wastewater agencies on a range of transport system issues, including a recent project assessing infrastructure risks associated with desalination brine inputs to the Monterey One Water system.

In August 2020, the Commission authorized the GM to enter into a contract with BC for due diligence work to assess infrastructure risks associated with addition of Cargill Mixed Sea Salt (MSS) brine into the transport system. In October 2020, the Commission authorized Amendment 1 to that contract for BC and their subconsultant to perform more detailed condition assessment of the pipe, including taking concrete samples.

**Discussion**

Due diligence work conducted to date has concluded that regulatory considerations, sedimentation, and chemical scaling, are unlikely to be limiting factors for EBDA's acceptance of Cargill brine. However, indications are that increases in chloride concentrations associated with the brine have the potential to accelerate corrosion in segments of the transport system that regularly have air entrainment or air gaps.

As noted in previous updates, staff is taking a two-pronged approach to addressing corrosion risks:

- Condition and Vulnerability Assessment: Inspections of the transport system are intended to understand the current state of the pipe and better delineate which conditions and locations are likely to be at greatest risk for accelerated corrosion and thus require mitigation. Results were recently received from the February 10 core sampling event in the San Leandro segment, and another core sampling inspection is being planned for the southern portion of the system.
- Corrosion Mitigation Strategy: Under the proposed amendment, Brown and Caldwell will perform a comprehensive alternatives analysis for addressing corrosion. They will start by developing, with significant input from Cargill and their

consultants, a broad list of options. These will include corrosion mitigation strategies such as sliplining and coating, as well as alternatives to blending the brine with effluent in vulnerable sections, including installing a parallel pipe or a pipe within EBDA's pipe, and blending the brine further downstream. BC will then rule out alternatives that are not practical or feasible, and narrow the list down to three alternatives that they will evaluate in more detail, including constructability and cost.

Because corrosion mitigation has the potential to increase project costs significantly, EBDA and Cargill are also interested to get an early indication of costs to ensure that the overall project will still be feasible. As part of this scope, BC will develop a cost estimate for sliplining all air-exposed sections of EBDA's transport system. This cost will likely be on the high end, with more creative solutions and refinement of vulnerable areas expected to decrease the cost. Therefore, if Cargill's project finances can accommodate the sliplining cost, the parties will feel comfortable continuing to move the project forward. BC is fast-tracking this analysis, with results expected in mid-April.

Cargill has agreed to reimburse the Authority fully for this amendment, including a 5% markup for administration.

**Amendment 2: Scope of Work**  
**East Bay Dischargers Authority**  
**Effluent Outfall Evaluation for Receiving Brine Water**

**April 6, 2021**

**Purpose**

Brown and Caldwell (BC) has assisted the East Bay Dischargers Authority (Authority or EBDA) with a due diligence effort to evaluate potential impacts to the Authority's facilities from accepting Mixed Sea Salts (MSS) brine from the Cargill solar salt facility. Preliminary field work defined and directed by BC and then completed by JDH Corrosion Consultants, Inc (JDH) has indicated that the EBDA Transport Pipeline is at risk of accelerated corrosion and a reduced useful service life due to the proposed addition of brine discharge to the Transport Pipeline by Cargill, Incorporated (Cargill).

The Effluent Outfall Evaluation for Receiving Brine Water scope will be amended to include an analysis of options for corrosion protection for the Transport Pipeline including in-pipe construction alternatives, a parallel pipeline, or maintenance alternatives. This analysis will consist of a two-phased approach, including the following tasks:

- An initial screening to consider and quickly eliminate options that will not provide adequate protection for the Transport Pipeline, have not been implemented in a similar water/wastewater pipeline, or are not feasible from a constructability standpoint, or are not able to be reasonably maintained.
- A second phase will include a more detailed evaluation of feasible options, including an alternatives evaluation and development of concept screening planning level cost estimates in accordance with AACE International/AACEI--formerly Association for the Advancement of Cost Estimating International--Class 5.

BC understands that EBDA and Cargill need to evaluate a go/no go decision on the overall brine discharge project prior to the completion of the detailed alternatives analysis. To aid in this decision, BC will complete a separate task which will develop a planning level cost estimate for the installation of a slipliner within the existing Transport Pipeline. This project is assumed to be feasible both from a corrosion protection and constructability standpoint and is intended to serve as an initial discussion foundation for EBDA and Cargill agreement negotiations.

**Authority and Cargill Tasks**

The Authority and Cargill will provide the following information to BC as part of execution of this project:

- Available information including survey data, easement information, and record documents such as as-built plans and specifications for the out of service Shell pipeline in proximity to the Transport Pipe.
- Input on BC described potential corrosion protection alternatives as part of project kick-off meeting and alternatives that the Authority and Cargill would like BC to consider as part of initial screening. BC must receive Authority and Cargill input 2 weeks after notice to proceed.
- Draft and final reports for studies completed by Wiss, Janney, Elstner Associates, Inc. (WJE) and Chicago Corrosion Group to be provided at project kickoff will be provided 2 weeks before initial screening workshop.
- Provide available geotechnical record documents for the Transport Pipeline and Shell pipeline corridor.

- Provide design submittals for the brine pipeline and proposed pumping station for evaluation of life cycle costs.
- Authority to provide input on maintenance costs for proposed alternatives.

## **Amendment 2 Scope of Services**

BC will complete the following tasks as part of Amendment 2.

### **Phase 001. Project Management**

Perform Project Management activities.

#### **Task 001.001 – Project Administration**

Perform Project Administration tasks for the duration of the extended contract.

#### **Task 001.002 – Project Meetings with Authority Staff and Cargill**

Prepare for and hold one (1) kick-off meeting and one (1) progress meeting after completion of the Draft Report for the alternatives analysis. BC has assumed that meetings will be no more than two (2) hours duration each and that they will be conducted virtually using Microsoft Teams for the duration of the project.

At the kick-off meeting, identify and discuss the scope of work and responsibilities of the key team members (i.e., project manager, technical advisor(s), and staff engineer) and establish dates for future meetings and project milestones (data delivery to BC and BC delivery of draft report). The kickoff meeting will include a discussion and agreement upon potential corrosion protection measures that will be considered as part of the initial screening phase.

At the progress meeting following submittal of the draft report, present and review draft deliverables with the Authority and Cargill ahead of finalizing these documents.

Prepare and circulate meeting agendas via email 5 days prior to each meeting. Prepare meeting minutes and circulate via email within 5 days following each meeting.

This task will include 30-minute weekly check in meetings with BC's Project Manager, the Authority, and Cargill's Project Manager. Additional BC staff may attend weekly check in meetings on an as-needed basis, as agreed upon by the Authority and BC. No formal agenda or meeting minutes will be prepared for check-in meetings.

### **Phase 002. Reporting**

Remains unchanged.

### **Phase 003. Agreement Assistance**

Remains unchanged.

### **Phase 004. Prepare Amendment**

Remains unchanged.

### **Phase 005. Transport Pipeline Condition Assessment**

Remains unchanged.

### **Phase 006. Corrosion Protection Options Initial Screening**

Conduct initial screening of corrosion protection alternatives. In parallel to this effort, develop a preliminary cost estimate for a slipliner project option.

### **006.001 – Background Information Review**

Review previous studies completed by WJE and Chicago Corrosion Group, including the Transport Pipeline concrete coring analysis. This work may include materials developed by Cargill, Chicago Corrosion Group, and/or WJE evaluating potential corrosion mitigation options.

Review of available information on the Shell pipeline easement and existing pipeline, which may be available for repurposing as a brine pipeline.

### **Task 006.002 – Sliplining Preliminary Cost Estimate**

BC understands that the Authority and Cargill need a preliminary cost estimate for a feasible corrosion protection alternative prior to the completion of the initial screening and detailed alternatives evaluation (Phase 008).

The Authority has selected sliplining to represent this alternative. The sliplining pipe material will be identified at the start of this task. This task will assume approximately 3 miles of slipliner constructed within the 60-in-diameter segment of the Transport Pipeline between the Oro Loma Effluent Pumping Station and Hayward Effluent Pumping Station, and an approximate 4.4-mile portion of the pipeline between the Hayward Effluent Pumping Station and Union Sanitary District. The estimate will include an allowance for partial bypass pumping and assumes work will be completed during periods of minimum flow in the Transport Pipeline. The slipliner cost estimate will represent a AACEI Class 5, concept level estimate for project construction. The detailed alternatives analysis may later identify a corrosion protection approach that is more cost effective.

Construction costs shall be based on a AACEI Class 5 order of magnitude estimate. Class 5 estimates are generally prepared based on very limited information and without a detailed scope of specific construction requirements, and subsequently have wide accuracy ranges. The range of accuracy with a Class 5 estimate ranges between -20% to -50% on the low side, and +30% to +100% on the high side, depending on the technological complexity of the project, appropriate reference information, and the inclusion of an appropriate contingency determination, currently thought to be in the range of 35 to 100 percent.

Perform senior technical staff QC review of preliminary cost estimate prior to delivery to the Authority.

Summarize development of preliminary cost estimate and submit electronically to the Authority and Cargill for review and comment. Respond to comments and issue an updated preliminary cost estimate.

### **Task 006.003 – Initial Screening**

Develop and screen potential alternatives for corrosion mitigation/protection for the Transport Pipeline. Alternatives may include:

1. Pipeline Options:
  - a. Spray in Place Linings
  - b. Cured-in-place pipe (CIPP)
  - c. HDPE or Hobas Slipliner
  - d. Spiral wound HDPE or PVC liner
  - e. Continuous fiberglass reinforced plastic (FRP) liner
  - f. Cathodic Protection
2. Small diameter (14 in) brine pipeline installed within Transport Pipeline (i.e., separation between effluent and brine flow streams)
3. Small diameter (14 in) parallel brine pipeline

- a. New pipeline including potential pipe bursting of Shell pipe and/or horizontal directional drilling (HDD) under wetlands
  - b. Rehabilitation/repurposing of Shell pipeline
4. Non-Construction Options
- a. Chemical dosing
  - b. Crown spraying

Initial screening may consider additional alternatives identified at the project kick off meeting. BC will consider up to 12 alternatives as part of the initial screening task. The initial screening will consider whether the alternative will provide adequate corrosion protection and whether the alternative has been implemented in a similar water/wastewater outfall pipeline that has had time to prove the approach and data on the performance from follow-up inspections. Concept level constructability concerns will be evaluated, including bypass pumping considerations. BC will eliminate alternatives from further consideration that are infeasible to construct.

#### **Task 006.004 – Initial Screening Workshop with Stakeholders**

Prepare for and attend an initial screening workshop with the Authority, Cargill, and other project stakeholders identified by the Authority and Cargill. Review alternatives considered during the initial screening process and present findings for the three criteria considered as part of Task 006.003. Identify alternatives that do not provide adequate corrosion protection or are economically infeasible to construct.

The workshop will identify three alternatives for additional consideration as part of a detailed alternatives evaluation, to be completed under Phase 007. The workshop will also identify criteria weighting for the Alternatives Analysis included in Phase 007.001.

Prepare and circulate workshop agendas via email ahead of the workshop. Prepare meeting minutes and circulate via email following the workshop.

#### **Phase 007. Corrosion Protection Alternatives Analysis**

Carry out an alternatives evaluation on the three alternatives selected as part of the Initial Screening tasks.

#### **Task 007.001 - Alternatives Evaluation & Draft Report**

The BC team will collaborate with manufacturers and installers to evaluate each alternative based on the following criteria:

- Corrosion Protection, including ability to protect the Transport Pipeline from accelerated corrosion and concrete degradation due to the addition of MSS brine.
- Constructability, including staging and laydown area, pipe access requirements, pipe surface preparation requirements, bypass pumping requirements, easement acquisition requirements, traffic control needs. Constructability considerations will be conceptual-level details and does not include coordination with property owners or regulatory agencies.
- Permitting, including approximate length of time to permit the proposed alternative, and a preliminary list of agencies and jurisdictions from which permits may be required.
- Operations and Maintenance, including hydraulic impacts to the Transport Pipeline (evaluation completed by Carollo), inspection frequency, future accessibility for inspection and maintenance, and maintenance requirements.
- Life Cycle Costs Develop capital and life-cycle cost estimates for comparison of the three alternatives. Capital costs shall be AACEI Class 5, or order of magnitude estimate. Life cycle

costs will be estimated based on a 20-year life of the project and will consider operational and maintenance costs, including pumping costs for the brine pipeline.

Evaluate the three alternatives against each of the five criteria and identify a preferred alternative for corrosion protection of the Transport Pipeline, using the criteria weights determined at the initial screening workshop. Develop a draft report summarizing the results of the initial screening and detailed alternatives analysis and submit electronically to the Authority and Cargill for review and comment. Authority to review Cargill comments and provide consolidated comments to BC to address.

#### **Task 007.002 - Final Report**

Address the Authority's and Cargill's draft report review comments and submit a final report.

#### **Task 007.003 – QC Review**

Perform senior technical staff QC review of draft and final deliverables prior to delivery to the Authority.

#### **Assumptions:**

- Reports will be in a standard BC template, submitted electronically
- No additional field work is included in this proposal.
- BC will rely on all data and existing record drawings provided by EBDA, Cargill and other third parties without independent verification. Inaccuracies in the data or record drawings may impact recommendations and conceptual cost estimates.
- This scope does not include a detailed assessment of required permits for proposed alternatives. No CEQA is included.
- This scope does not include development of engineering design calculations, drawings, or specifications for the preferred alternative.
- No geotechnical, contamination, environmental assessments, or survey work will be performed as part of this scope of work.
- Assumed easement locations will not be verified with property owners as part of this study.
- Unknown pipeline conditions, potential existing contamination issues along the transport pipeline and unique regulatory requirements may impact the design options and construction costs. These areas will require further investigation as part of a preliminary design phase and is not included in this scope of work.
- Hydraulic modeling will be completed by Carollo. BC will provide parameters for modeling effort (i.e., pipeline diameters and pipe materials for proposed corrosion mitigation alternatives, and Manning's 'n' factor based on generally accepted industry standards for pipe materials).
- No software will be used to complete the alternatives evaluation. Evaluation will be completed in a spreadsheet based on criteria weighting identified at initial screening workshop.
- This scope does not include coordination with property owners or permitting agencies.

## Compensation

BC will perform the work on a time-and-materials basis, for a limiting fee not to exceed \$123,478. Table 1 presents the estimated fee. BC labor will be billed using a 3.23 effective labor multiplier. Labor costs include phone, fax, and computer charges.

Table 1. Project Fee	
Phase	Total Fees
Effluent Outfall Evaluation for Receiving Brine Water Project	\$102,684
Amendment 1 -- Transport Pipeline Condition Assessment	\$68,427
Amendment 2 - Corrosion Mitigation Alternatives Analysis	\$123,478
<b>Total</b>	<b>\$294,589</b>

## Schedule

The work defined herein shall begin not more than ten (10) business days after BC receives the signed contract from the Authority.

The estimated time for completion for the project is six months following authorization. Delays in obtaining background information, scheduling of meetings, and receipt of comments will impact overall project schedule. Table 2 presents a summary of project milestones with estimated dates. This schedule assumes the Authority and Cargill will provide review comments within 10 days for all BC deliverables.

Table 2. Amendment 1 Schedule	
Milestone	Estimated Timeline
NTP	April 1, 2021
Project Kickoff Meeting/Information Request	April 15, 2021
Background Information Provided by Authority and Cargill	May 1, 2021
Sliplining Preliminary Cost Estimate	March 22, 2021 through April 22, 2021
Initial Screening	April 15, 2021 through May 20, 2021
Initial Screening Workshop	May 20, 2021
Alternatives Analysis	May 21, 2021 through July 12, 2021
Submit Draft Report	July 12, 2021
Authority/Cargill Review	July 13, 2021 through July 26, 2021
Final Report	August 16, 2021

East Bay Dischargers Authority -- Brine Addition to Outfall Eval

Phase	Phase Description	Philipson, Rachel	Rouhani, Shouhreh G	Faisst, William K	Konecny, Kaitlyn	Skipper, Gary N	Garrett, Christopher S	Vistacion-Sumida, Bernadette J	Agster, William P	Goodburn, Daniel L	Tanner, Deanna L	Sapp, David A	Total Labor Hours	Total Labor Effort	APC	JDH		Tom Voss		Total Sub Cost	Total Expense Cost	Total Expense Effort	Total Effort	
		PM	PA	Technical Advisor	Project Engineer	Pipeline Rehab SME	Trenchless SME\	Project Oversight	Cost Estimating	Cost Estimating	Word Processing	QAQC				Hours	Cost	Hours	Cost					
		\$191.80	\$118.77	\$309.92	\$126.07	\$367.57	\$332.59	\$263.96	\$266.09	\$234.69	\$128.65	\$295.48												
<b>001</b>	<b>Project Management</b>	40	24	6	24	6	0	6	0	0	0	0	<b>106</b>	<b>19,197</b>	<b>848</b>		0	0	0	0	0	0	<b>848</b>	<b>20,045</b>
001	Project Administration	12	24	0	0	0	0	6	0	0	0	0	<b>42</b>	6,736	336		0	0	0	0	0	0	<b>336</b>	<b>7,072</b>
002	Project Meetings	28	0	6	24	6	0	0	0	0	0	0	<b>64</b>	12,461	512		0	0	0	0	0	0	<b>512</b>	<b>12,973</b>
<b>006</b>	<b>Corrosion Mit Initial Scrninç</b>	76	0	12	92	22	12	0	2	6	0	4	<b>226</b>	<b>45,094</b>	<b>1,808</b>		4,000	4,000	8,000	8,000	0	0	<b>10,608</b>	<b>55,702</b>
001	Background Info Review	8	0	0	12	4	4	0	0	0	0	0	<b>28</b>	5,848	224		1,000	1,000	2,000	2,000	0	0	<b>2,424</b>	<b>8,272</b>
002	Prelim Cost Estimate	12	0	0	20	2	0	0	2	6	0	0	<b>42</b>	7,498	336		0	0	0	0	0	0	<b>336</b>	<b>7,834</b>
003	Initial Screening	40	0	8	60	8	4	0	0	0	0	4	<b>124</b>	23,168	992		3,000	3,000	6,000	6,000	0	0	<b>7,592</b>	<b>30,760</b>
004	Screening Workshop	16	0	4	0	8	4	0	0	0	0	0	<b>32</b>	8,579	256		0	0	0	0	0	0	<b>256</b>	<b>8,835</b>
<b>007</b>	<b>Corrosion Mit Alt Analysis</b>	48	0	12	100	20	8	0	2	20	12	12	<b>234</b>	<b>45,860</b>	<b>1,872</b>		0	0	0	0	0	0	<b>1,872</b>	<b>47,732</b>
001	Alt Eval & Draft Report	40	0	8	80	16	4	0	2	20	8	0	<b>178</b>	33,703	1424		0	0	0	0	0	0	<b>1,424</b>	<b>35,127</b>
002	Final Report	8	0	4	16	4	4	0	0	0	4	0	<b>40</b>	8,106	320		0	0	0	0	0	0	<b>320</b>	<b>8,426</b>
003	QAQC	0	0	0	4	0	0	0	0	0	0	12	<b>16</b>	4,050	128		0	0	0	0	0	0	<b>128</b>	<b>4,178</b>
<b>GRAND TOTAL</b>		<b>164</b>	<b>24</b>	<b>30</b>	<b>216</b>	<b>48</b>	<b>20</b>	<b>6</b>	<b>4</b>	<b>26</b>	<b>12</b>	<b>16</b>	<b>566</b>	<b>110,150</b>	<b>4,528</b>		<b>4,000</b>	<b>4,000</b>	<b>8,000</b>	<b>8,000</b>	<b>0</b>	<b>0</b>	<b>13,328</b>	<b>123,478</b>

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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/82965284923>
- Telephone dial-in: 1(669) 900-6833, meeting ID #829 6528 4923

## **ITEM NO. 12**

### **PERSONNEL COMMITTEE AGENDA**

**Monday, April 12, 2021  
9:00 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. Brown Act Review**  
(The Committee will review Brown Act revisions.)
- P5. General Manager's Performance Plan for 2021/2022**  
(The Committee will provide input on the GM's Performance Plan.)
- P6. State Controller's Government Compensation in California, Calendar Year 2020**  
(The Committee will review the report.)
- P7. Resolution to Approve Revisions to the Authority's Fiscal Year 2020/2021 Compensation Plan**  
(The Committee will consider the resolution.)
- P8. Review of the Authority's Fiscal Year 2021/2022 Draft Compensation Plan**  
(The Committee will review the draft FY 2021/2022 Compensation Plan.)
- 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

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

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.

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](mailto: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 Personnel Committee meeting will be held  
Monday, June 14, 2021 at 9:00 a.m.**

## **ITEM NO. P4 BROWN ACT REVIEW**

### **Recommendation**

Receive and review the foregoing updates to the Brown Act.

### **Background**

The Ralph M. Brown Act (“Brown Act” or “Act”) (Gov. Code section 54950 et seq.), governs the public’s rights to attend and participate in meetings of local legislative bodies, and provides procedural requirements for such meetings. The Brown Act is updated from time to time by the State legislature, or Gubernatorial Orders. The Personnel Committee annually reviews the Ralph M. Brown Act for changes that may have an effect on how EBDA conducts its Committee and Commission meetings.

### **Discussion**

EBDA’s legal counsel provided the following summary of updates to the Brown Act, including Governor’s Orders during the COVID-19 Shelter-in-Place.

#### Posting Agendas Online

Each legislative body of a local agency, including advisory committees, commissions, or boards, as well as standing committees of legislative bodies, must provide an agenda at least seventy-two (72) hours before the regular meeting. As of January 1, 2019, the meeting agenda must be posted in a physical location that is freely accessible to members of the public, and additionally posted via direct link on the agency’s home webpage. The agenda available online must be downloadable, indexable, electronically searchable, platform independent and machine readable, and available to the public free of charge. Alternatively, the agenda online may be posted on a dedicated webpage that provides agenda information. (Gov. Code §§ 54590 – 54963.)

#### Public Comment When Using A Translator

The Brown Act provides that every agenda for a regular meeting must provide an opportunity for members of the public to address the legislative body on any item under the subject matter jurisdiction of the body. The legislative body is allowed to adopt reasonable regulations, including regulations limiting the total amount of time allocated for public testimony on particular issues and for each individual speaker. (Gov. Code section 54954.3(b).) If a legislative body does adopt regulations limiting the time for public comment, it must provide at least twice the allotted time to a member of the public who uses a translator. (Gov. Code § 54954.3(b)(2) – (3).)

#### Governor’s Orders – COVID-19

Executive Order N-29-20: Executive Order N-29-20 (“Order N-29-20”) was issued by the Governor on March 17, 2020. Order N-29-20 allows local legislative or state bodies to hold public meetings via teleconference without having to provide a physical location from which members of the public may observe the meeting and offer public comment, as long as members of the public are allowed to observe and address the meeting telephonically or otherwise electronically, subject to specified notice and accessibility requirements.

Here are a few of the highlights for the teleconference rules under Order N-29-20:

- Physical presence of members of the legislative body or of the public are not required as a condition of participation in or quorum for a public meeting.
- Notice is not required of each teleconference location from which a member will be participating in a public meeting.
- Teleconference location does not have to be accessible to the public.
- The possibility of members of the public addressing the body at each teleconference conference location is not required.
- Agendas do not have to be posted at all teleconference locations.
- During teleconference meetings, at least a quorum of the members of the legislative body are not required to participate from locations within the boundaries of the territory over which the legislative body exercises jurisdiction.

Legislative bodies holding meetings via teleconferencing must still allow members of the public to observe and address the meeting telephonically or otherwise electronically. If a legislative body holds a meeting via teleconference and allows members of the public to observe and address the meeting, the body shall also:

- Have and advertise (each time meeting notice is given) a procedure for receiving and swiftly resolving requests for a reasonable accommodation from individuals with disabilities, consistent with the Americans with Disabilities Act.
- Provide advance notice of the time of, and post the agenda for, each public meeting according to the timeframes prescribed by the Brown Act. Include the means by which members of the public may observe the meeting and offer public comment.

Executive Order N-35-20: Executive Order N-35-20 ("Order N-35-20") was issued by the Governor on March 21, 2020. Order N-35-20 allows members of a legislative body to receive updates ("including, but not limited to, simultaneous updates") from federal, state, and local officials relevant to the declaration emergency ("including, but not limited to, updates concerning the impacts of COVID-19, the government response to COVID-19, and other aspects relevant to the emergency"). This means members of the legislative body may ask questions of those federal, state and local officials who provide the updates in order to stay apprised of emergency operations and the impact the emergency has on their constituents. However, members of the legislative body may not take action on, or discuss amongst themselves, any item of business that is within the subject matter jurisdiction of the legislative body without complying with otherwise-applicable requirements of the Brown Act.

Order N-35-20 states that members of a legislative body may "receive updates" and "ask questions," but they may not "discuss amongst themselves," nor may they "take action." While the meaning of taking action is clear, when receiving updates, members should be cautious not to discuss information, especially the answers to the questions that they ask. If the topic of a question feels like it will lead to a topic of a discussion, then the communication should be deferred to a future Brown Act compliant

meeting. Questions that only clarify are likely to be the most appropriate questions. While the update does not have to be brief, it should be conducted similar to a traditional press briefing or task force briefing, which are typically designed only to inform or educate.

Each of the before mentioned Executive Orders remain in effect, and the related exceptions to the Brown Act open meeting laws allowing for teleconference and video conference meetings still apply.

#### Proposed Assembly Bill 339

Assemblymembers Lee and Garcia introduced Assembly Bill 339 (“AB 339”) on January 28, 2021 in the California State Assembly. This bill would require all Brown Act meetings, including gatherings using teleconference technology, to include an opportunity for all persons to attend via a call-in option or an internet-based service option that provides closed captioning services and requires both a call-in and internet-based service option to be provided to the public. AB 339 would also require that at all meetings the public be provided the opportunity to comment on proposed legislation, and require a public agency provide translation services for the ten (10) most-spoken languages in California (other than English) in jurisdictions which govern a substantial number of non-English-speaking people. Additionally, AB 339 would require, even in the case of a declared state or local emergency, teleconferenced meetings to include an in-person public comment opportunity, and to have at least one member of the legislative body be physically present at the location specified in the meeting notice. AB 339 would also require all public meetings carried on by videoconference provide closed captioning services. This bill is still pending, and these provisions are not currently in effect. Staff will continue to monitor the progress of this legislation and provide input via the California Association of Sanitation Agencies and California Special Districts Association.

**ITEM NO. P5 GENERAL MANAGER'S PERFORMANCE PLAN FOR 2021/2022**

**Recommendation**

Review and provide feedback on the GM's proposed Performance Plan for the next year.

**Background**

The GM's hire date was February 28, and a performance review is conducted by the Commission annually following that date. The GM's performance is measured against a Performance Plan reviewed by the Personnel Committee and Commission.

**Discussion**

The attached Performance Plan reflects an update to last year's goals, as well as incorporation of the concept of "Stretch Goals," as requested by the Committee.

## EBDA General Manager 2021/2022 Performance Plan

Updated April 7, 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.
2. **NPDES Permit Reissuance.** EBDA's current NPDES permit expires in June 2022, and the application package for the permit renewal is due in September 2021. The GM will coordinate the efforts of the expert consultant and the Member Agencies to develop a thorough and thoughtful Report of Waste Discharge and permit reissuance application for submittal to the Regional Water Board. The process will include vetting of potential requests for permit changes, including revisions to monitoring and reporting requirements. The GM will then work with the team to negotiate permit language favorable to the Authority and the members, including new provisions on toxicity and chlorine residual.
3. **Develop Strategic Plan.** Work with the MAC and Commission to develop a Strategic Plan for the Authority. The Strategic Plan would build on plans developed by the Member Agencies and aim to support the agencies in fulfilling their goals. The focus would be on the next 3-5 years, with a longer-term planning exercise to follow in a few years, after the agencies' long-term goals are further fleshed out.

*Stretch Goal:* Work with the MAC to develop a framework for an EBDA regional biosolids collaboration. Development of an EBDA biosolids project would cost-effectively address the challenge of limited outlets for biosolids as the state implements regulations to keep organics out of landfills (including as Alternative Daily Cover) and land application options are constrained by public concern about contaminants of emerging concern, such as PFAS.

4. **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:
  - Recycled Water Policy
  - Reserve Policy
  - Appeals Policy
  - Member Agency Agreements
5. **Complete LAVWMA Agreement Renewal.** The current agreement with LAVWMA, including extensions, is scheduled to expire on June 30, 2021. The GM will work with LAVWMA to develop agreement language consistent with the adopted Term Sheet and bring the amended agreement to the Commission for consideration prior to June.
6. **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 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 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 continued development of the regional study on nature-based solutions to nutrients, and the regional water recycling study.
- Participating in the Nutrient Management Strategy Steering Committee to drive the science efforts toward actionable information.
- Working with BACWA to develop Key Tenets 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.

*Stretch Goal:* Serving as agency Project Manager for EBDA-led projects under the Transforming Shorelines Project. EBDA's efforts under this project, funded by an EPA Water Quality Improvement Fund grant, include design of the full-scale horizontal levee south of Oro Loma (the "First Mile" Project), and a nature-based solutions feasibility study at the Hayward Ponds. This year, the GM expects to complete the Hayward study and advance the First Mile Project through the majority of the 30% design process. Advancing the First Mile includes consultation on regulatory issues through the Bay Restoration Regulatory Integrated Team (BRRIT), with an aim of resolving regulatory conflicts and barriers.

The First Mile Project will include extensive coordination with East Bay Parks, who is the landowner. Both projects serve as part of the implementation of HASPA's Shoreline Master Plan, and thus the GM will also work closely with the HASPA team on next steps. This year, HASPA will be renewing its JPA, and they are considering the best ways to incorporate additional stakeholders who will be key to Master Plan implementation.

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.

8. **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 implementing the updated EBDA Staffing Plan, including hiring a new Administrative Support Specialist and supporting the Administration Manager in transitioning work. Efforts will also include continued succession planning for EBDA's accounting function.
9. **Stretch Goal: Cargill Project.** The GM will continue to coordinate efforts with Cargill, Inc. to bring this project to dispose of mixed sea salts through the EBDA outfall to fruition. This project provides for sustainable, climate-resilient management of the mixed sea salts, while providing an additional revenue stream to EBDA's Member Agencies. Efforts this year will include the following:
  - Serving as lead agency for CEQA analysis.
  - Coordinating with the cities of Union City, Fremont, and Newark on pipeline design and construction, including integration with Union City's Union City Boulevard bike path project.
  - Completing due diligence work, including developing a monitoring and accountability framework for water quality issues, and developing a strategy to protect EBDA infrastructure from accelerated corrosion.
  - Developing a long-term agreement with Cargill for the project, incorporating language to address all issues identified in due diligence, as well as financial terms consistent with the adopted Term Sheet.
10. **Financial Management.** Continue to manage EBDA operations and maintenance, as well as special projects, with an aim of optimizing expenditures for the benefit of the Member Agencies. This includes managing to EBDA's adopted budget, and also implementing special projects such as the Disinfection Master Plan, which has a goal of optimizing chemical dosing and associated expenses.

**ITEM NO. P6 STATE CONTROLLER'S GOVERNMENT COMPENSATION IN CALIFORNIA REPORT CALENDAR YEAR 2020**

**Recommendation**

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

**Background**

Government Code section 53891 requires that a completed Government Compensation in California (GCC) report for the previous calendar year be submitted to the State Controller's Office no later than April 30. In an effort to enhance the transparency of the compensation information published on the State Controller's GCC website, the following change has been implemented: beginning with the 2020 reporting year (due in 2021), the GCC report must include compensation paid to elected officials, reported on IRS Form 1099.

**Discussion**

The information reported is consistent with the Authority's Compensation Plan and Commissioner Compensation Policy. The report is attached for the Committee's review and knowledge of what has been submitted.

**State Controller's Office - Local Government Programs and Services Division**

**Special Districts - Government Compensation Report - Calendar Year 2020**

**Preparer Contact Information**

[Refer to the 2020 GCC Reporting Instructions for more details](#)

Entity Name	Alameda - East Bay Dischargers Authority		
Human Resources Web Page	www.ebda.org		
Employees Hold more than One Position?	No	(Enter 'Yes' or 'No')	'Save As' Filename 2020-12500108500.xlsx
Do the amounts in the Defined Benefit Plan column include payment toward the pension unfunded liability?	No	(Enter 'Yes' or 'No')	

Preparer Name	Juanita Villaseñor
Phone Number	(510)278-5910
E-mail Address	juanita@ebda.org

"----- Employer Contribution: -----"

-- Total Wages Subject to Medicare (Box 5 of W-2) --

Line #	Elected Position Enter 'Y'	Department	Classification	Multiple Positions Footnote	Annual Salary Minimum	Annual Salary Maximum	Annual Regular Pay	Annual Overtime Pay	Lump Sum Pay	Other Pay	Applicable Defined Benefit Pension Formula	Retirement	Deferred	Health, Dental, Vision	
												Plan: Employees' Share Paid by Employer	Compensation /Defined Contribution Plan		
1.		Governing Body	Commissioner		0	0	0	0	0	5,520	N/A	N/A	N/A	N/A	
2.		Governing Body	Commissioner		0	0	0	0	0	3,600	N/A	N/A	N/A	N/A	
3.		Governing Body	Commissioner		0	0	0	0	0	7,200	N/A	N/A	N/A	N/A	
4.		Governing Body	Commissioner		0	0	0	0	0	7,200	N/A	N/A	N/A	N/A	
5.		Governing Body	Commissioner		0	0	0	0	0	5,520	N/A	N/A	N/A	N/A	
6.		Governing Body	Commissioner		0	0	0	0	0	480	N/A	N/A	N/A	N/A	
7.		Governing Body	Commissioner		0	0	0	0	0	240	N/A	N/A	N/A	N/A	
8.		Governing Body	Commissioner		0	0	0	0	0	240	N/A	N/A	N/A	N/A	
9.		Governing Body	Commissioner		0	0	0	0	0	0	N/A	N/A	N/A	N/A	
10.		Governing Body	Commissioner		0	0	0	0	0	0	N/A	N/A	N/A	N/A	
11.		Administration	General Manager		205,196	249,418	237,541	0	0	0	2.5% @ 55	0	28,273	7,211	26,605
12.		Administration	O&M Manager		133,866	162,715	162,715	0	0	11,988	2.5% @ 55	0	19,367	4,275	2,628
13.		Administration	Administrative Assistant		87,893	106,834	86,712	0	0	0	2.5% @ 55	0	10,415	2,473	26,605
14.		Administration	Administrative Assistant (Temp)		87,893	106,834	63,938	0	0	0	2% @ 62	0	4,620	1,257	4,555

**ITEM NO. P7 RESOLUTION TO APPROVE REVISIONS TO THE AUTHORITY'S FISCAL YEAR 2020/2021 COMPENSATION PLAN**

**Recommendation**

Approve the resolution revising the FY 2020/2021 Compensation Plan.

**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. In March 2021, the Commission adopted a new Classification Plan for the Authority. The Classification Plan includes four positions. The General Manager and Operations & Maintenance Manager positions are largely unchanged. The Administrative Assistant position was replaced by an Administration Manager position, and an Administrative Support Specialist position was added.

**Discussion**

To align with these updates to the Classification Plan, staff is recommending revisions to the Authority's Compensation Plan for the remainder of FY 2020/2021. If approved, the changes would take effect on May 1, 2021. These changes align with the recommendations included in the Compensation Plan for FY 2021/2022 described in Item No. P8.

Salary data for similar positions at other agencies is presented below, including recommendations for the proposed positions. The Administration Manager proposed salary represents a 7% increase from the current Administrative Assistant position salary.

<b>Position</b>	<b>Agency</b>	<b>Monthly Range</b>
Director of Admin Services	Novato SD	11,034 – 13,412
Administrative Services Manager	OLSD	10,636 – 14,253
Director of Admin Services	Carpinteria SD	9,875 – 12,003
Director of Admin Services	CASA Survey (small agencies)	8,546 – 9,610
<b>Administration Manager - proposed</b>	<b>EBDA</b>	<b>7,933 – 9,644</b>
<b>Administrative Assistant - current</b>	<b>EBDA</b>	<b>7,415 – 9,013</b>
Analyst	Tam CSD	6,067 – 7,280
Accounting Technician I	USD	6,370 – 7,743
Administrative Specialist I	USD	6,226 – 7,568
Administrative Assistant	CVSan	5,986 – 7,276
Executive Assistant	CSDA Survey (median)	5,765 – 7,570
Administrative Technician	CVSan	5,423 – 6,592
<b>Administrative Support Specialist - proposed</b>	<b>EBDA</b>	<b>4,893 – 5,947</b>
Administrative Support Specialist	OLSD	4,893 – 6,558
Administrative Clerk II	City of Hayward	4,838 – 5,746
Administrative Assistant II	City of San Leandro	4,760 – 5,786
Administrative Assistant	CSDA Survey (median)	3,839 – 5,292

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

As discussed in February 2021, staff is recommending that the Administrative Support Specialist 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. Upon approval of this resolution, staff will begin recruitment for the new position.

**EAST BAY DISCHARGERS AUTHORITY  
FY2020/21 COMPENSATION PLAN  
JULY 1, 2020 TO JUNE 30, 2021**

**MONTHLY SALARY RANGE**

	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>
Administration Manager	7,933.00	8,329.66	8,746.14	9,183.44	9,642.62
Administrative Support Specialist	4,666.66	4,900.00	5,145.00	5,402.24	5,672.36
General Manager	17,310.80	18,176.35	19,085.17	20,039.45	21,041.42
Operations & Maintenance Manager	11,293.21	11,857.88	12,450.78	13,073.34	13,727.01

**SUMMARY OF BENEFITS**

<b>Benefit</b>	<b>EBDA Provided Portion</b>
Medicare Tax	Employer contribution only, 1.45% of monthly salary.
CalPERS Miscellaneous Plan (2.5% @ 55 Formula; 1 year final compensation)	Authority shall contribute 100% of the required Employer Normal Cost Rate as determined by the CalPERS annual actuarial valuation. Classic Member <sup>1</sup> shall contribute 100% of the plan's Employee Contribution.
CalPERS PEPPRA Plan (2% @ 62 Formula; 3 years final compensation)	Authority shall contribute 100% of the required Employer Normal Cost Rate as determined by the CalPERS annual actuarial valuation. New Member <sup>2</sup> shall contribute 100% of the plan's Employee Contribution Rate.
Medical Coverage	Insurance premiums paid by Authority; the maximum premium paid for medical shall not exceed the premium for Kaiser California Bay Area Employee and 2+ Dependents. No recompense will be made for employees who enroll as Employee Only or Employee +1 Dependent.
Post-Retirement Medical (October 1, 2015)	The Authority contributes up to a maximum of \$473 per month for enrollment in a CalPERS health benefit plan for EBDA annuitants. The fixed employer contribution of \$473 per month includes the PEMHCA minimum. The minimum qualification for retiree health benefits is five years of continual employment at EBDA.
Dental & Vision Care	Employer pays dental and vision insurance premiums up to date of permanent separation from EBDA.
Life Insurance	Maximum policy value is equal to 1x the employee's annual salary.
Disability Insurance (2/3 salary after all accrued leave is depleted)	Employer pays Short Term and Long Term Disability insurance premiums up to the date of permanent separation from EBDA. Note: EBDA does not pay into State Disability Insurance.

Deferred Compensation	The Authority contributes 2.32% of each full-time employee's base salary to a deferred compensation plan determined by the Authority provided that the employee also contributes 0.32% of his/her base salary. The Authority contributes an additional \$0.50 for each \$1.00 voluntarily contributed by the employee up to a maximum additional Authority contribution of \$500.00 per calendar year per full-time employee.
Holidays	11 paid holidays plus 28 hours of personal holiday annually.

<b>MISCELLANEOUS</b>	
Compensatory Time Off	<p>Unclassified, exempt employees do not receive additional payment for overtime. In lieu of payment, the General Manager may adjust working hours to compensate the employee for time worked in excess of 40 hours per week.</p> <p>Classified, non-exempt employees are compensated at the rate of one and one-half times the employee's regular rate of pay for all hours worked in excess of 40 hours per week.</p>
Calculation Method of Hourly Rate	Hourly rate equivalents shall be determined by dividing the employee's actual monthly salary rate by 173.33, which is considered to be the average number of working hours per month. The Authority shall pay any Fair Labor Standards Act overtime worked by non-exempt employees in a manner consistent with the Fair Labor Standards act.
Use of Authority Vehicle	The General Manager may authorize the use of Authority vehicles by employees for business travel when determined that such use would be in the best interest of the Authority.
Flexible Spending Accounts (FSA)	Benefit eligible employees may enroll in the Authority's FSA to make pre-tax salary contributions up to the IRS limits.

<sup>1</sup>Definition of a Classic Member -A classic member is defined as:

- An existing member of a California public retirement system as of December 31, 2012. Please note, however, that because new member determination is based on an appointment-by-appointment basis, upon appointment, new hires will be required to self-certify their classic member status by submitting a form that tests against the new member definition and which may ultimately result in a change in status to new member.

<sup>2</sup>Definition of a New Member –A new member is defined as any of the following:

- A new hire who is brought into a California public retirement system membership for the first time on or after January 1, 2013, and who has no prior membership in a California public retirement system.
- A new hire who was an active member of a California public retirement system and who, after a break in service of more than six months, returned to active membership in that system.

Revised: 04/15/2021

**EAST BAY DISCHARGERS COMMISSION**  
**EAST BAY DISCHARGERS AUTHORITY**  
**ALAMEDA COUNTY, CALIFORNIA**

RESOLUTION NO. 21-03

INTRODUCED BY \_\_\_\_\_

**RESOLUTION TO APPROVE REVISIONS TO THE AUTHORITY'S  
FISCAL YEAR 2020/2021 COMPENSATION PLAN**

**WHEREAS**, the Authority's Personnel Policy requires the establishment of a written Compensation Plan of all positions within the Authority service; and

**WHEREAS**, in March 2021, the Commission adopted Resolution 21-02 approving revisions to the Authority's Classification Plan; and

**WHEREAS**, the new Classification Plan includes two new classifications: Administration Manager and Administrative Support Specialist; and

**WHEREAS**, the Authority wishes to align its Compensation Plan with the adopted Classification Plan and add compensation for these two new positions; and

**WHEREAS**, the Personnel Committee has reviewed the revised Compensation Plan and recommends approval.

**NOW, THEREFORE, BE IT RESOLVED**, the Commission of the East Bay Dischargers Authority does hereby adopt the revised FY 2020/2021 Compensation Plan, effective May 1, 2021.

SAN LORENZO, CALIFORNIA, APRIL 15, 2021, ADOPTED BY THE FOLLOWING VOTE:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

\_\_\_\_\_  
CHAIR  
EAST BAY DISCHARGERS AUTHORITY

ATTEST: \_\_\_\_\_  
GENERAL MANAGER  
EAST BAY DISCHARGERS AUTHORITY  
EX OFFICIO SECRETARY

**ITEM NO. P8 REVIEW OF THE AUTHORITY’S FISCAL YEAR 2021/2022 DRAFT COMPENSATION PLAN**

**Recommendation**

Provide guidance to staff for adoption of the FY 2021/2022 Compensation Plan.

**Background**

As discussed in February 2021, staff makes a number of assumptions regarding compensation and benefits each year that are incorporated into the annual budget, a draft of which is presented in Item No. FM7. Each year, the Commission adopts a Compensation Plan that reflects the salaries and benefits provided to Authority employees. The Compensation Plan is generally adopted in May in parallel with the budget.

**Discussion**

A draft Compensation Plan for FY 2021/2022 is attached for the Committee’s review. The Compensation Plan reflects the changes to positions described in Item No. P7. The only other change from the current FY 2020/2021 Compensation Plan is the reflection of a cost-of-living adjustment (COLA) of 2% based on EBDA’s practice of using a December to December comparison of the local Consumer Price Index, as shown in the table below.

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								
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

The Authority’s adopted Personnel Plan states the following with respect to COLA:

Appropriate consideration shall be given to adjustments of the cost of living as measured by the Consumer Price Index for All Urban Consumers (CPI-U), the base figure for comparison shall be the San Francisco-Oakland-Hayward, CA for the period of January 1 through December 30 of the previous year. Adjustments in the cost of living shall be considered once a year as the General Manager prepares the Compensation Plan. Beginning with FY 2020/2021, the cost of living adjustment (COLA) shall be based on the above index within a floor-to ceiling-range of 0% - 4.0%. The COLA range shall be reviewed every three years. In adopting a COLA, the Commission should also consider the short- and long-term financial status of the Authority. Effective July 1, by adoption of an amended Compensation Plan, adjustments shall be applied to the salary range of each position to reflect the COLA.

In order to provide stability and maintain morale for staff, the GM recommends providing a COLA each year based on the established CPI-U within the adopted range.

Based on previous direction from the Committee, staff also gathered information on the anticipated FY 2021/2022 COLA for each Member Agency, for context and assessment of the Authority's financial status. While one member is anticipating no COLA for staff next year, the other four agencies are expecting to provide COLAs in the range of 2.0-3.25%. Note that for several agencies, the information provided represents management estimates, given that labor negotiations are still underway.

**EAST BAY DISCHARGERS AUTHORITY  
FY2021/22 COMPENSATION PLAN  
JULY 1, 2021 TO JUNE 30, 2022**

<b>MONTHLY SALARY RANGE</b>					
	<b>Step 1</b>	<b>Step 2</b>	<b>Step 3</b>	<b>Step 4</b>	<b>Step 5</b>
Administration Manager	8,091.66	8,496.26	8,921.06	9,367.12	9,835.48
Administrative Support Specialist	4,760.00	4,998.00	5,247.90	5,510.30	5,785.82
General Manager	17,657.02	18,539.88	19,466.88	20,440.24	21,462.26
Operations & Maintenance Manager	11,519.08	12,095.04	12,699.80	13,334.80	14,001.56

<b>SUMMARY OF BENEFITS</b>	
<b>Benefit</b>	<b>EBDA Provided Portion</b>
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**ITEM NO. 14 ITEMS FROM THE COMMISSION AND STAFF**

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

**ITEM NO. 15 ADJOURNMENT**