



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

A Joint Powers Public Agency

NOTICE: In compliance with AB 361 (2021), the Commission meeting scheduled below will be accessible via Zoom video conferencing. Members of the public may participate in the meeting through the Zoom link or phone number below.

- Zoom link: <https://us02web.zoom.us/j/84155427083>
- Telephone dial-in: 1(669) 900-6833, meeting ID #841 5542 7083

COMMISSION MEETING AGENDA

Thursday, October 21, 2021

9:30 A.M.

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

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

CONSENT CALENDAR

- | | |
|--------|---|
| MOTION | 5. Commission Meeting Minutes of September 23, 2021 |
| | 6. List of Disbursements for September 2021 – See Item FM4 |
| | 7. Preliminary Treasurer's Report for September 2021 – See Item FM5 |

REGULAR CALENDAR

- | | |
|-------------|---|
| INFORMATION | 8. General Manager's Report
(The General Manager will report on EBDA issues.) |
| INFORMATION | 9. Report from the Managers Advisory Committee
(The General Manager will report on the meeting.) |
| INFORMATION | 10. Report from the Financial Management Committee
(The General Manager will report on the meeting.) |
| RESOLUTION | 11. Resolution Approving the Authority's Budget Policy – See Item FM7
(The Commission will consider the resolution.) |
| INFORMATION | 12. Report from the Operations & Maintenance Committee
(The Operations & Maintenance and General Managers will report on the meeting.) |

- MOTION 13. Motion Authorizing the General Manager to Execute Amendment 2 to Work Order No. 1 and Work Order No. 4 With Carollo Engineers, Inc. for Engineering Services, for a Total Contract Amount of \$160,710 – See Item OM7**
(The Commission will consider the motion.)
- INFORMATION 14. Report from the Personnel Committee**
(The General Manager will report on the meeting.)
- RESOLUTION 15. Resolution Authorizing Remote Teleconference Meetings Pursuant to AB 361**
(The Commission will consider the resolution.)
- INFORMATION 16. Items from the Commission and Staff**
(The Commission and staff may address items of general interest.)
- 17. 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. 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, November 18, 2021 at 9:30 a.m.**

GLOSSARY OF ACRONYMS

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

GLOSSARY OF ACRONYMS

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

CONSENT CALENDAR

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

- Item No. 5 Commission Meeting Minutes of September 23, 2021
- Item No. 6 List of Disbursements for September 2021 – See Item FM4
- Item No. 7 Preliminary Treasurer’s Report for September 2021 – See Item FM5

Recommendation

Approve Consent Calendar

ITEM NO. 5 COMMISSION MEETING MINUTES OF SEPTEMBER 23, 2021

1. Call to Order

Chair Cutter called the telephonic meeting to order pursuant to the Governor's Executive Order N-25-20 at 9:33 A.M. on Thursday, September 23, 2021. Dial-in information for the meeting was provided in the agenda for public attendees.

2. Pledge of Allegiance – Deferred

3. Roll Call

Present:	Ralph Johnson	Castro Valley Sanitary District
	Angela Andrews	City of Hayward
	Jennifer Toy	Union Sanitary District
	Rita Duncan	Oro Loma Sanitary District
	Pauline Russo Cutter	City of San Leandro

Absent: None

Attendees:	Jacqueline Zipkin	East Bay Dischargers Authority
	Howard Cin	East Bay Dischargers Authority
	Juanita Villaseñor	East Bay Dischargers Authority
	Eric Casher	Legal Counsel
	David Donovan	City of Hayward
	Jason Warner	Oro Loma Sanitary District
	Justin Jenson	City of San Leandro
	Paul Eldredge	Union Sanitary District
	Anjali Lathi	Union Sanitary District
	Elisa Marquez	City of Hayward
	Erik Pearson	City of Hayward
	Taylor Richard	City of Hayward
	Carolyn Weisman	City of Hayward Climate Corps AmeriCorps Fellow
	Matt Graul	East Bay Regional Park District

4. Public Forum

No members of the public requested to address the Commission.

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

5. Commission Meeting Minutes of July 15, 2021

6. List of Disbursements for July & August 2021

7. Preliminary Treasurer's Report for July & August 2021

Commissioner Johnson moved to approve the consent calendar. The motion was seconded by Commissioner Toy and carried unanimously 5-0, by roll call vote.

Ayes: Commissioners Johnson, Andrews, Toy, Duncan, Chair Cutter

Noes: None

Absent: None
Abstain: None

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

10. Hayward Area Shoreline Planning Agency (HASPA) Presentation

The General Manager (GM) suggested the Commission receive the HASPA presentation out of order. With no further discussion, the Chair proceeded to take Item No. 10 out of order.

A presentation was given by the HASPA Chair, Elisa Marquez; Erik Pearson, Hayward Environmental Services Manager; and Taylor Richard, Hayward Assistant Planner on the benefits of EBDA joining the HASPA JPA. The Commission directed staff to continue the discussion with HASPA to define EBDA's possible role.

8. General Manager's Report

The General Manager (GM) shared that the Oro Loma and Castro Valley Sanitary Districts were awarded outstanding capital project for the Nutrient Optimization Project at the recent CASA Conference. A video highlighting the project can be found [here](#). It was also noted that the City of San Leandro is applying for Measure AA grant funding for implementation of the Treatment Wetland Pilot.

The GM advised the Commission that Governor Newsom signed AB361 authorizing agencies to continue remote meetings. EBDA's Legal Counsel advised the Commission of the compliance requirements, including a standing agenda item to continue teleconference meetings by resolution. The Commission then directed staff to continue remote meetings for the Commission and Committees in October.

9. Report from the Managers Advisory Committee (MAC)

The GM provided an update on the status of EBDA's NPDES permit renewal application.

11. Report from the Regulatory Affairs Committee

The GM reported on the Regulatory Affairs Committee, which met on September 20, 2021. The GM reviewed EBDA compliance data, adding that work continues on the Disinfection Master Plan to optimize chlorine use to prevent future bacteria outbreaks. The Committee then discussed the Bay Area Clean Water Agencies' key regulatory issue summary and the status of negotiations on the next nutrient watershed permit. The Committee received an update on the blanket permit amendment for chlorine residual, which is scheduled for adoption in October by the Regional Water Board. The Committee also discussed the regional study related to per- and polyfluoroalkyl substances (PFAS). Finally, the Committee discussed the BayAdapt Joint Platform for regional sea level rise adaptation collaboration and state funding for climate resilience.

12. Report from the Financial Management Committee

The GM reported on the Financial Management Committee, which met on September 20, 2021, and reviewed the Treasurer's report and disbursements. The Committee discussed

fiscal year-end expenses. The Finance Committee recommended that the Budget Policy include language on year-end close. Lastly, the Committee reviewed the CalPERS Valuation reports. The Authority's projected funded ratio at June 30, 2021, is 101.5%; therefore, the Committee recommended approval of the motion to rescind an additional discretionary payment of \$65,861 to the Authority's Pension Plan.

13. Motion to Rescind Additional Discretionary Payment of \$65,861 to Reduce the Unfunded Accrued Liability of the Authority's Pension Plan

Commissioner Andrews moved to approve the item. The motion was seconded by Commissioner Toy and carried unanimously 5-0, by roll call vote.

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

14. Report from the Operations and Maintenance Committee

The O&M Manager reported on the Operations and Maintenance Committee, which met on September 21, 2021. The Committee reviewed compliance data and discussed the status of current projects. The O&M Manager noted that the breakers for the OLEPS main electrical switchboard upgrade project are delayed due to COVID-19 related shipping issues. Additionally, the O&M Manager expressed his appreciation to Jeff Schier (Gus) with the OLSD Maintenance Department for his dedication and hard work. Lastly, the GM provided an update on the Cargill Brine Project.

15. Resolution to Contribute \$1000 per year for Five Years to the California Association of Sanitation Agencies Education Foundation toward the Creation of a Bruce Wolfe Memorial Scholarship

Commissioner Johnson moved to approve the item. The motion was seconded by Commissioner Duncan and carried unanimously 5-0, by roll call vote.

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

16. Items from Commission and Staff

Commissioner Johnson expressed his gratitude to the Commission and staff for establishing the Bruce Wolfe Memorial Scholarship.

17. Adjournment

Chair Cutter adjourned the meeting at 11:11 A.M.

ITEM NO. 8 GENERAL MANAGER'S REPORT

The General Manager will discuss items of interest to EBDA.

ITEM NO. 9 REPORT FROM THE MANAGERS ADVISORY COMMITTEE

**MANAGERS ADVISORY COMMITTEE
AGENDA**

Thursday, October 14, 2021

1:30 P.M.

Via Zoom

- 1. Brine Project Updates and Discussion**
- 2. Biosolids Management**
- 3. CEC Monitoring Fee Allocation**
- 4. EBDA Commission Package**
 - Finance
 - O&M
 - Personnel
- 5. COVID Response and Recovery**
- 6. EBDA Managers Information Sharing**
- 7. Next Meeting Date**

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2651 Grant Avenue
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A Joint Powers Public Agency

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- Zoom link: <https://us02web.zoom.us/j/82261534447>
- Telephone dial-in: 1(669) 900-6833, meeting ID #822 6153 4447

ITEM NO. 10

FINANCIAL MANAGEMENT COMMITTEE AGENDA

Monday, October 18, 2021

10:00 A.M.

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

Committee Members: Duncan (Chair); Andrews

FM1. Call to Order

FM2. Roll Call

FM3. Public Forum

FM4. List of Disbursements for September 2021

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

FM5. Preliminary Treasurer's Report for September 2021

(The Committee will review the Treasurer's Report for September 2021.)

FM6. Draft Emergency Reserve Policy

(The Committee will review and provide feedback on the latest draft policy.)

FM7. Resolution Approving the Authority's Budget Policy

(The Committee will consider the resolution.)

FM8. 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 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.

Agenda Explanation
East Bay Dischargers Authority
Financial Management Committee
October 18, 2021

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<p>The next Financial Management Committee meeting is scheduled on Monday, November 15, 2021 at 10:00 a.m.</p>

ITEM NO. FM4 LIST OF DISBURSEMENTS FOR SEPTEMBER 2021

The itemized List of Disbursements for the month of September 2021 totaled \$418,180.93.

Reviewed and Approved by:

Rita Duncan, Chair	Date
Financial Management Committee	

Jacqueline T. Zipkin	Date
Treasurer	

EAST BAY DISCHARGERS AUTHORITY
Cash Disbursement
September 2021

CHECKS (SORTED BY AMOUNT)

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
25353	09/15/2021	2021070365	MEYERS NAVE	LEGAL SERVICES - BRINE PROJECT	112,190.77	116,570.41
25353	09/15/2021	2021070364	MEYERS NAVE	LEGAL SERVICES - JUN & JUL	4,379.64	
25362	09/30/2021	383885	CITY OF SAN LEANDRO	O&M - JUL	32,452.81	32,452.81
25364	09/30/2021	002753	UNION SANITARY DISTRICT	O&M - JUL	31,028.44	31,028.44
25363	09/30/2021	6502	ORO LOMA SANITARY DISTRICT	O&M - AUG	18,594.22	30,649.34
25363	09/30/2021	6484	ORO LOMA SANITARY DISTRICT	O&M - JUL	12,055.12	
25344	09/15/2021	6462	ORO LOMA SANITARY DISTRICT	O&M - JUNE	19,057.78	19,057.78
25376	09/30/2021	49453589	UNIVAR	SODIUM BISULFITE - DELIVERED 09/14/2021	6,665.30	13,246.84
25376	09/30/2021	49486882	UNIVAR	SODIUM BISULFITE - DELIVERED 09/24/2021	6,581.54	
25358	09/15/2021	20210105.01-2	ASCENT ENVIRONMENTAL, INC	CONSULTING SERVICES - CARGILL CEQA	11,957.50	11,957.50
25375	09/30/2021	EA06-0821	EOA, INC	NPDES PERMIT REISSUANCE ASSISTANCE	10,581.98	10,581.98
25354	09/15/2021	EA06-0721	EOA, INC	NPDES PERMIT REISSUANCE ASSISTANCE	10,410.64	10,410.64
25374	09/30/2021	2021080592	MEYERS NAVE	LEGAL SERVICES - BRINE PROJECT	9,300.00	10,165.20
25374	09/30/2021	2021080591	MEYERS NAVE	LEGAL SERVICES - AUG	865.20	
25368	09/30/2021	Jul-21	DEBORAH QUINN	ACCOUNTING SERVICES - JUL	5,981.25	5,981.25
25370	09/30/2021	FB14455	CAROLLO ENGINEERS	ENGINEERING SERVICES - WORK ORDER NO. 3	5,137.00	5,137.00
25355	09/15/2021	167125	ENVIRONMENTAL SCIENCE ASSOCIATES	HAYWARD FEASIBILITY STUDY WORK ORDER NO. 2	3,984.82	3,984.82
25359	09/15/2021	2141	CROPPER ACCOUNTANCY	AUDITING SERVICES	2,250.00	2,250.00
25380	09/30/2021	624833	CALTEST	LAB TESTING SERVICES - AUG	1,842.80	1,842.80
25343	09/15/2021	605150	VANTAGEPOINT	ICMA DEFERRED COMPENSATION FOR PAY PERIOD ENDED 09/15/2021	1,830.67	1,830.67
25361	09/30/2021	613398	VANTAGEPOINT	ICMA DEFERRED COMPENSATION FOR PAY PERIOD ENDED 09/30/2021	1,830.67	1,830.67
25352	09/15/2021	4246044555687620	US BANK	PURCHASING CARD EXPENSES	1,720.71	1,720.71
25357	09/15/2021	1300103	HANSON BRIDGETT	LEGAL SERVICES	1,535.00	1,535.00
25378	09/30/2021	21-549	BARTEL ASSOCIATES, LLC	ACTUARIAL SERVICES FOR GASB 68 REPORTING	1,400.00	1,400.00
25345	09/15/2021	52205703	CITY OF HAYWARD	BENEFIT PREMIUMS - SEP	1,345.92	1,345.92
25367	09/30/2021	49657	CALCON	OPS CENTER SCADA HISTORIAN ISSUES	733.60	1,327.20
25367	09/30/2021	49656	CALCON	MDF SERVICE CALL	593.60	
25360	09/15/2021	2331514	RINGCENTRAL INC	DIGITAL PHONE SERVICE SUBSCRIPTION AND HARDWARE	803.35	803.35
25379	09/30/2021	Aug-21	EVERARDO OROZCO LANDSCAPE MANAGEMENT	LANDSCAPING SERVICES - AUG	375.00	750.00
25379	09/30/2021	Sep-21	EVERARDO OROZCO LANDSCAPE MANAGEMENT	LANDSCAPING SERVICES - SEP	375.00	
25351	09/15/2021	8306	CAYUGA INFORMATION SYSTEMS	IT SERVICES	735.00	735.00
25347	09/15/2021	1746192-21	SCIF	WORKERS COMPENSATION PREMIUM - SEP	679.25	679.25
25366	09/30/2021	510-483-0439	AT&T	TELEPHONE SERVICE - MDF	411.27	411.27

EAST BAY DISCHARGERS AUTHORITY
Cash Disbursement
September 2021

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
25348	09/15/2021	T130378	BAAQMD	PERMIT TO OPERATE MDF	384.00	384.00
25346	09/15/2021	510 278-5910	AT&T	TELEPHONE SERVICE - ADMIN BUILDING	343.58	343.58
25373	09/30/2021	524268	R-COMPUTER	IT PRODUCTS	275.61	275.61
25377	09/30/2021	1092342	ALPHA ANALYTICAL LABORATORIES	LAB SAMPLES FOR SKYWEST	85.00	255.00
25377	09/30/2021	1083285	ALPHA ANALYTICAL LABORATORIES	LAB SAMPLES FOR SKYWEST	85.00	
25377	09/30/2021	1095178	ALPHA ANALYTICAL LABORATORIES	LAB SAMPLES FOR SKYWEST	85.00	
25372	09/30/2021	217598796	ORKIN	PEST CONTROL SERVICES - MDF	200.00	200.00
25350	09/15/2021	3104967853	PITNEY BOWES INC	QUARTERLY LEASING CHARGE FOR DIGITAL MAILING SYSTEM	179.18	179.18
25371	09/30/2021	16835	TOWN & COUNTRY	JANITORIAL SERVICES - SEP	165.00	165.00
25356	09/15/2021	48757	COMPUTER COURAGE	WEBSITE HOSTING - SEP	150.00	150.00
25365	09/30/2021	44777800001	EBMUD	WATER & SEWER, ADMIN JUL-SEP	101.34	101.34
25349	09/15/2021	9887442866	VERIZON WIRELESS	WIRELESS PHONE SERVICES	60.32	60.32
25381	09/30/2021	3336330	CALTRONICS	COPIER USAGE AND MAINTENANCE	43.93	43.93
25369	09/30/2021	9888234897	VERIZON WIRELESS	MODEM FOR SCADA	22.02	22.02
TOTAL CHECK PAYMENTS					321,865.83	321,865.83
ELECTRONIC PAYMENTS						
	09/02/2021	5105948980-0	PG&E	GAS & ELECTRIC SERVICE	36,807.70	36,807.70
	09/09/2021	100000016528205	CALPERS	HEALTH PREMIUMS - SEP	6,907.99	6,907.99
	09/07/2021	100000016483809	CALPERS	PENSION CONTRIBUTION, CLASSIC 08/16 - 31/2021	4,575.23	4,575.23
	09/17/2021	100000016525870	CALPERS	PENSION CONTRIBUTION, CLASSIC 09/01 - 15/2021	4,575.23	4,575.23
TOTAL ELECTRONIC PAYMENTS					52,866.15	52,866.15
PAYROLL						
		587235720	ADP, LLC	PAYROLL FEES, PERIOD: 08/16-31/2021	72.35	72.35
		588615087	ADP, LLC	PAYROLL FEES, PERIOD: 09/01-15/2021	72.35	72.35
			ADP, LLC	PAYROLL PERIOD: 09/01-15/2021	20,356.42	20,356.42
			ADP, LLC	PAYROLL PERIOD: 09/16-30/2021	22,947.83	22,947.83
TOTAL PAYROLL						43,448.95
TOTAL DISBURSEMENTS						418,180.93

ITEM NO. FM5 PRELIMINARY TREASURER'S REPORT FOR SEPTEMBER 2021

The beginning cash balance on September 1, 2021 was \$5,112,513.00. The ending cash balance on September 30, 2021 was \$5,165,325.06. Total receipts for the period were \$470,992.99 and disbursements totaled \$418,180.93. EBDA's LAIF balance is \$2,258,744.16 and the interest rate for September was 0.20%.

EBDA currently has a two-pronged investment approach that includes Local Agency Investment Fund (LAIF) and traditional bank accounts. Staff will work with the Committee on investment strategy going forward.

Approval is recommended.

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

September 30, 2021

FUND	DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	1,984,247.73	276,327.66	245,125.86	2,015,449.53
13	PLANNING & SPECIAL STUDIES	486,579.86	144,647.33	143,840.21	487,386.98
14	RECLAMATION O & M (SKYWEST)	62,417.22	9,000.00	3,037.06	68,380.16
15	BRINE ACCEPTANCE	40,968.76	41,018.00	21,257.50	60,729.26
31	RENEWAL & REPLACEMENT	2,538,299.43		4,920.30	2,533,379.13
TOTALS		5,112,513.00	470,992.99	418,180.93	5,165,325.06

Sep-21

10/13/2021

SUPPLEMENTAL TREASURERS REPORT

DATE	TRANSACTION	RECEIPT	DISBURSEMENT CHECKING	DISBURSEMENT PAYROLL	PAYROLL TRANSFER	LAIF TRANSFER	CD TRANSFER	CD INTEREST & EXPENSES	WELLS FARGO CHECKING BALANCE	WELLS FARGO PAYROLL BALANCE	LAIF BALANCE	WELLS FARGO CERTIFICATES OF DEPOSIT	TOTAL CASH
08/31/21	BALANCE								2,798,448.64	53,721.77	2,258,744.16	1,598.43	5,112,513.00
09/02/21	ELECTRONIC BILL PAY		36,807.70						2,761,640.94	53,721.77	2,258,744.16	1,598.43	5,075,705.30
09/03/21	PAYROLL FEES			72.35					2,761,640.94	53,649.42	2,258,744.16	1,598.43	5,075,632.95
09/07/21	ELECTRONIC BILL PAY		4,575.23						2,757,065.71	53,649.42	2,258,744.16	1,598.43	5,071,057.72
09/09/21	DEPOSIT	80.07							2,757,145.78	53,649.42	2,258,744.16	1,598.43	5,071,137.79
09/09/21	ELECTRONIC BILL PAY		6,907.99						2,750,237.79	53,649.42	2,258,744.16	1,598.43	5,064,229.80
09/13/21	DEPOSIT - COH	429,465.86							3,179,703.65	53,649.42	2,258,744.16	1,598.43	5,493,695.66
09/14/21	PAYROLL			20,356.42					3,179,703.65	33,293.00	2,258,744.16	1,598.43	5,473,339.24
09/15/21	DISBURSEMENT		173,998.13						3,005,705.52	33,293.00	2,258,744.16	1,598.43	5,299,341.11
09/17/21	ELECTRONIC BILL PAY		4,575.23						3,001,130.29	33,293.00	2,258,744.16	1,598.43	5,294,765.88
09/20/21	DEPOSIT	429.06							3,001,559.35	33,293.00	2,258,744.16	1,598.43	5,295,194.94
09/21/21	DEPOSIT - CARGILL	41,018.00							3,042,577.35	33,293.00	2,258,744.16	1,598.43	5,336,212.94
09/24/21	PAYROLL FEES			72.35					3,042,577.35	33,220.65	2,258,744.16	1,598.43	5,336,140.59
09/27/21	PAYROLL TRANSFER				30,000.00				3,012,577.35	63,220.65	2,258,744.16	1,598.43	5,336,140.59
09/29/21	PAYROLL			22,947.83					3,012,577.35	40,272.82	2,258,744.16	1,598.43	5,313,192.76
09/30/21	DISBURSEMENT		147,867.70						2,864,709.65	40,272.82	2,258,744.16	1,598.43	5,165,325.06

TOTAL	470,992.99	374,731.98	43,448.95	30,000.00	-	-	-	2,864,709.65	40,272.82	2,258,744.16	1,598.43	5,165,325.06
CURRENT BALANCE								^①	^②	^③	^④	

Reconciliation

① Per Bank Statement @ 09/30/21	\$ 3,013,462.35
Less: Outstanding Checks	148,752.70
	\$ 2,864,709.65

② Per Bank Statement @ 09/30/21	\$ 40,272.82
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③ Per LAIF Statement @ 09/30/21	\$ 2,258,744.16
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④ Per Treasurer's Report @ 09/30/21	\$ 1,598.43
Fair Market Value Increase/Decrease	(1,598.42)
Per Investment Statement @8/31/21	\$ 0.01

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

ITEM NO. FM6 DRAFT EMERGENCY RESERVE POLICY

Recommendation

Review Draft Authority Emergency Reserve Policy and provide direction to staff.

Background

Over the past several years, 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 had recommended that the Commission consider one, consistent with industry guidelines and best practices. The intent of the Reserve Policy is to ensure that EBDA has immediate access to funds in an emergency.

Several Commissioners noted a preference for retaining funds in the Member Agencies' accounts rather than EBDA's to provide greater flexibility and investment opportunities. After consideration and discussion over several meetings, the Financial Management Committee recommended that the Authority pursue a "hybrid" approach, whereby Member Agencies would have the option to hold reserve funds for EBDA in their own accounts or to deposit those funds with EBDA.

Discussion

In July 2021, staff proposed a draft Emergency Reserve Policy, building on the hybrid model recommended by the Committee. Under the proposed policy, each Member Agency would be required to either hold or deposit a defined amount for use by EBDA in an emergency, when expenses exceed EBDA's available funds. The proposed amount was calculated based on the \$1.25M that the EBDA agencies will share responsibility for in the event of a force main failure, however its use would not be restricted to force main repairs. The allocation is based on the fixed cost allocation factors from the Amended and Restated Joint Powers Agreement, which are used for the allocation of capital costs.

In reviewing the draft Policy in July, the Financial Management Committee requested that staff consider whether \$1.25M is sufficient to meet EBDA's needs in an emergency, noting that in an earthquake, for example, repair and replacement costs would likely far exceed that amount. Staff discussed this issue with the MAC, and consensus was to leave the amount at \$1.25M. The Member Agency managers felt that \$1.25M would likely be sufficient to address short-term expenses, i.e. those incurred within the first 30-60 days following the incident. Within that time, EBDA staff, working with the Member Agencies, could develop a plan and timeline for securing the additional funds. Staff added language to the draft Policy, reflected in the attached copy in track changes, noting that ultimately,

the Member Agencies are responsible to cover any costs that exceed EBDA's available funds.

It is staff's understanding that at the current time, all Member Agencies plan to designate an EBDA line item in their own reserve fund rather than depositing funds into an EBDA reserve fund. This hybrid policy leaves open the possibility of EBDA holding reserve funds in the future if any Member Agency decides it is in their interest.

Staff believes that having funds set aside for an EBDA emergency, whether in Agencies' accounts or EBDA's, will streamline request processes during the potentially chaotic aftermath of a disaster and ensure that EBDA has the required funds to perform immediate emergency repairs. Pending the Committee's feedback, this Policy will be brought to the Commission for adoption.

EAST BAY DISCHARGERS AUTHORITY POLICY

POLICY NUMBER: 1.8

NAME OF POLICY: Finance – Emergency Reserves

LAST REVISED: TBD

PREVIOUSLY REVISED: NA

PURPOSE: The purpose of the Finance – Emergency Reserves Policy is to ensure that EBDA will reliably and expeditiously be able to access funds in the event of an emergency.

POLICY: Each member of the EBDA Joint Powers Authority is financially responsible for its share of EBDA's expenses and liabilities, as laid out in EBDA's Amended and Restated Joint Exercise of Powers Agreement (JPA). As such, the Member Agencies serve as a financial backstop for EBDA, and it is key to EBDA's continued efficacy that EBDA be able to efficiently access Member Agency funds in the event of an emergency.

It is the policy of the Authority that each Member Agency and LAVWMA shall retain in its reserves sufficient assets to provide emergency funding to EBDA in the event that the Authority's required expenditures exceed available funds. Such a request may be made, for example, if significant emergency repairs to Authority infrastructure are required as a result of an unforeseen event such as an earthquake.

Section 10(c)(5) of EBDA's Amended and Restated ~~Joint Powers Agreement (JPA)~~ governs "Allocation of Costs of Repairing Failure of the Transport System," and states:

"Depending on the extent of the Failure, it is likely that the Authority will not have sufficient funds in its reserve to pay for the repairs or abandonment and will require funds from the financially responsible Agencies, based on the allocations set forth above, in advance of performing any repair or abandonment. The Authority need not exhaust its reserve before requiring advance payment as described in this subsection."

Similarly, the Amended and Restated Master Agreement with LAVWMA states:

"LAVWMA is responsible for its share of costs for any capital project that is intended to replace or repair any EBDA facility, except those costs

EAST BAY DISCHARGERS AUTHORITY POLICY

specifically associated with UEPS, HEPS and their associated force main sections, as well as facilities owned by the City of San Leandro.”

To ensure that EBDA can rapidly and effectively address a Failure of the Transport System or any other emergency affecting EBDA infrastructure for which expenses exceed available funds, each Member Agency and LAVWMA commits to providing EBDA with access to the Agency’s share of \$1,250,000 within 30 days of the Authority’s request.

Agencies’ shares of the emergency funding shall be derived based on JPA Schedule B (Fixed Costs) as follows:

Agency Allocations					
San Leandro	O.L.S.D.	C.V.S.D.	Hayward	U.S.D.	LAVWMA
13.74%	19.14%	10.30%	14.72%	42.10%	26.10%
\$ 126,923	\$ 176,806	\$ 95,146	\$ 135,976	\$ 388,899	\$ 326,250

The above allocations govern reserve requirements. Actual costs will be allocated per the appropriate schedule, depending on the asset(s) affected. Revenues from federal or state sources, when available, will also be used to offset Member Agencies’ obligations during an actual emergency.

Each Member Agency shall have the option to:

- a) deposit its share of funds with EBDA to be managed in an Authority reserve fund, or
- b) to clearly identify within their Agency’s capital reserves, a line item for EBDA that is equal to the Agency’s allocation.

The Member Agencies and LAVWMA commit to complying with this Policy on an ongoing basis beginning July 1, 2022. On or by August 1 of each year, each Agency retaining funds in its own accounts shall provide EBDA with a statement confirming that an EBDA line item remains allocated in their reserves.

Agencies that do not comply with this Policy are subject to the conflict resolution remedies identified in the JPA and LAVWMA Master Agreement.

ITEM NO. FM7 RESOLUTION APPROVING THE AUTHORITY'S BUDGET POLICY

Recommendation

Adopt the resolution to approve the Authority's Budget Policy.

Background

Over the past several years, 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 Budget Policy would replace the Financial Planning and Budgeting section of the existing manual, which was last updated in 2013, and was highly procedural.

The Budget Policy is one that stems from the former manual. The Amended and Restated Joint Exercise of Powers Agreement states the following regarding Budget:

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.

Discussion

The Financial Management Committee reviewed a draft Budget Policy in September 2021. The Committee recommended, in conjunction with receiving an update on the Authority's fiscal year-end financial processes, that the Member Agencies provide more timely invoices so that the Authority can close its fiscal year sooner. In response to that comment, staff has added the following language to the Policy:

“The Member Agencies shall submit timely invoices to the Authority to enable prompt and accurate reporting of Authority expenditures.”

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

RESOLUTION NO. 21-10

INTRODUCED BY _____

RESOLUTION ADOPTING AUTHORITY BUDGET POLICY

WHEREAS, the East Bay Dischargers Authority's Amended and Restated Joint Exercise of Powers Agreement requires the Authority to adopt a budget annually or biennially by July 1; and

WHEREAS, the attached Budget Policy contains the guidance and process for developing and approving the Authority's budget; and

WHEREAS, the Financial Management Committee has reviewed the Budget Policy and recommends its adoption.

NOW, THEREFORE, BE IT RESOLVED, the Commission of the East Bay Dischargers Authority hereby adopts the Budget Policy.

SAN LORENZO, CALIFORNIA, OCTOBER 21, 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

POLICY NUMBER: 1.8

NAME OF POLICY: Finance – Budget

LAST REVISED: TBD

PREVIOUSLY REVISED: 05/16/13

PURPOSE: The budgeting function establishes control and accountability for Authority resources.

POLICY: It is the policy of the Authority to prepare and adopt a budget for the fiscal year to ensure that revenues are sufficient to meet operating and capital expenditures.

The draft budget shall be reviewed by the Managers Advisory Committee (MAC) and Financial Management Committee and approved by the Commission. Adoption of the annual Budget constitutes authority to bill Member Agencies for contributions. It also constitutes approval for expenditures for programs and authorizes the General Manager to make payment for them.

Major budgetary items include:

- Operations – salaries, benefits, chemicals, supplies, maintenance, professional services
- Renewal and Replacement Fund (Capital) Projects – those included on the Commission-approved Project List
- Special Projects – studies and projects outside of normal operations
- Revenues from recycled water, brine, and grants
- Assessment for the Renewal and Replacement Fund

The Annual Budget must be completed and adopted by July 1, in accordance with the Joint Powers Agreement. The annual budget may be amended only upon approval of the Commission. The General Manager, however, has discretion of budget changes by account number.

The General Manager shall report budget-to-actual results to the Commission on at least a quarterly basis. The Member Agencies shall submit timely invoices to the Authority to enable prompt and accurate reporting of Authority expenditures.

DRAFT



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

A Joint Powers Public Agency

NOTICE: In compliance with AB 361 (2021), 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 link or phone number below.

- Zoom link: <https://us02web.zoom.us/j/84250769407>
- Telephone dial-in: 1(669) 900-6833, meeting ID #842 5076 9407

ITEM NO. 12

OPERATIONS & MAINTENANCE COMMITTEE AGENDA

Tuesday, October 19, 2021

9:00 A.M.

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

Committee Members: Toy (Chair); Cutter

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. Review of Draft Administrative Appeals Policy

(The Committee will review the draft policy and provide feedback to staff.)

OM7. Motion Authorizing the General Manager to Execute Amendment 2 to Work Order No. 1 and Work Order No. 4 With Carollo Engineers, Inc. for Engineering Services, for a Total Contract Amount of \$160,710

(The Committee will consider the motion.)

OM8. 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
October 19, 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, contact Juanita Villasenor at juanita@ebda.org or (510) 278-5910. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the Authority staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

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

<p>The next O&M Committee meeting will be held Tuesday, November 16, 2021, at 9:00 a.m.</p>
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ITEM NO. OM4 EBDA PERMIT COMPLIANCE

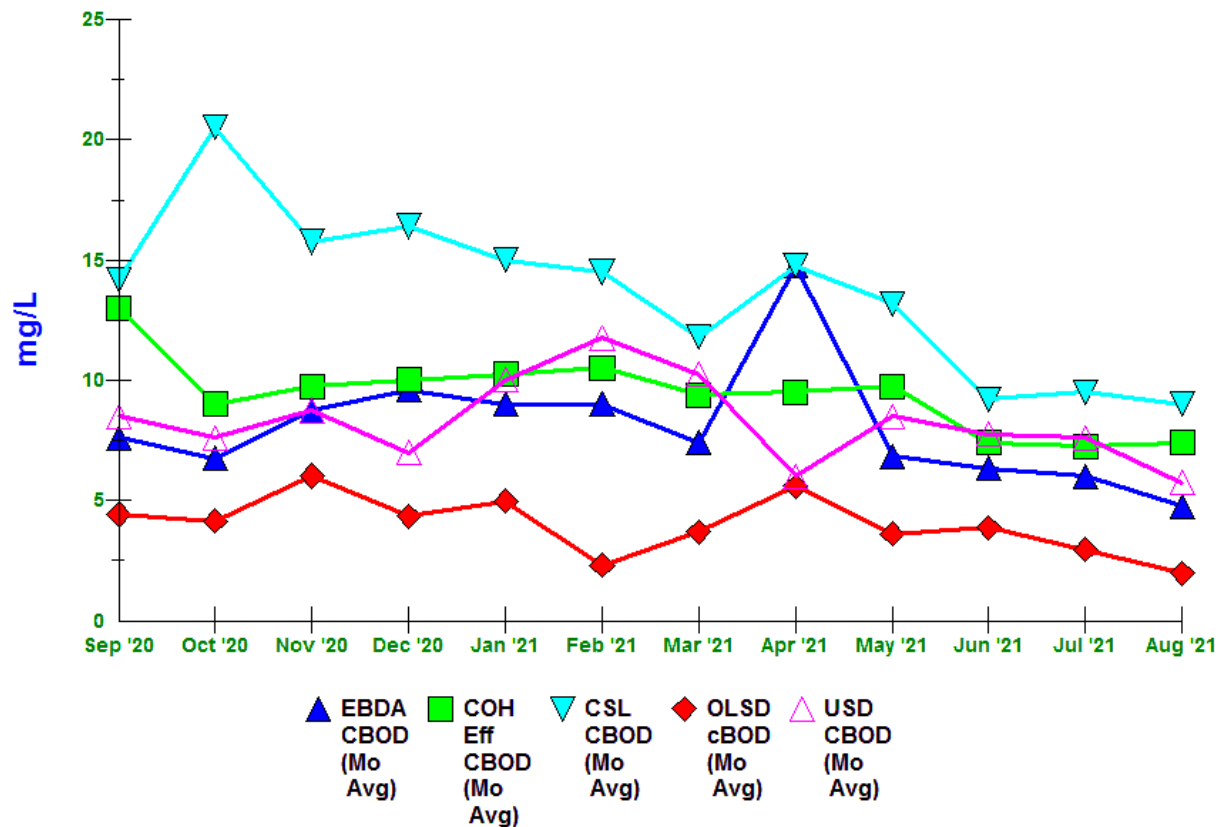
Recommendation

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

Permit Compliance Issues

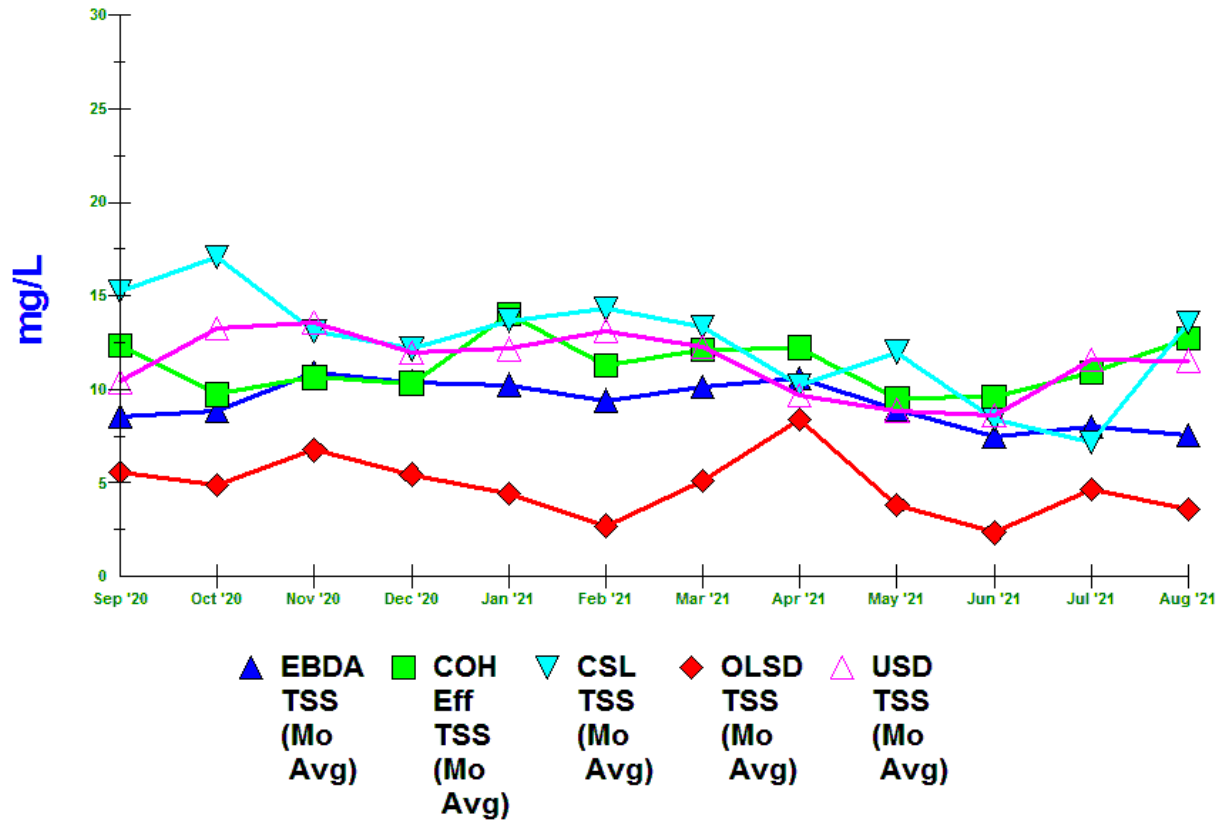
There were no NPDES permit violations in August, and preliminary data from September are also free of permit exceedances. Member Agency CBOD and TSS performance are shown below. A table with bacterial indicators is also included. While values for bacterial indicators did increase as expected during the warm summer conditions, EBDA was never in compliance jeopardy.

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
October 2020 Geomean	30	9
November 2020 Geomean	11	4
December 2020 Geomean	9	2
January 2021 Geomean	5	3
February 2021 Geomean	6	3
March 2021 Geomean	5	3
April 2021 Geomean	13	3
May 2021 Geomean	10	6
June 2021 Geomean	13	4
July 2021 Geomean	11	2
8/2/2021	435	6
8/3/2021	38	14
8/4/2021	540	17
8/9/2021	4	2
8/10/2021	130	25
8/16/2021	68	582
8/17/2021	33	141
8/23/2021	273	345
8/24/2021	17	51
8/30/2021	12	15
8/31/2021	14	25
August 2021 Geomean	52	32
9/6/2021	4	6
9/7/2021	4	7
9/8/2021	79	86
9/13/2021	7	10
9/14/2021	4	< 2
9/15/2021	14	26
9/20/2021	16	8
9/21/2021	23	4
9/22/2021	2400	22
9/27/2021	40	6
9/28/2021	240	16
September 2021 Geomean	26	10

ITEM NO. OM5 STATUS REPORT

Union Effluent Pump Station (UEPS)

No change; all equipment is operational.

Hayward Effluent Pump Station (HEPS)

Effluent Pump Replacement Project

On September 7, 2021, HEPS Effluent Pump No. 4 was removed. The objective of removing Pump No. 4 was to visually inspect the condition of the interface between the pump base and other pump station infrastructure. The pump station record drawings and photos of the Pump No. 4 base were sent to a structural engineer to determine the level of effort necessary to construct the new pump bases. Structural calculations were completed, and that information will be used to prepare the bid documents. Staff expects to issue the bid documents by the end of calendar year 2021, with installation occurring in late-2022.

Oro Loma Effluent Pump Station (OLEPS)

Main Electrical Switchboard Upgrade

Schneider Electric is in the process of manufacturing the new Main Electrical Switchboard breakers. The tentative ship date for the new breakers was the last week of September, but due to the pandemic, the delivery of the new breakers is delayed. EBDA is still awaiting confirmation of a new ship date. As with a lot of newly manufactured equipment, the pandemic has extended lead times. Once the ship date is confirmed, another OLEPS PG&E electrical shutdown will be scheduled to install the new breakers, the new Main Electrical Switchboard front panels, and upgraded power monitoring equipment, which will allow OLEPS instantaneous power usage to be displayed on EBDA's SCADA system. Due to the impending start of wet weather, the installation of the new breakers will most likely be postponed until the Spring of 2022.

OLEPS Bypass

On October 7, 2021, during OLSD's four-day local outfall test, the San Leandro Force Main Crew opened the OLEPS bypass valve and closed the valve that connects the UEPS and HEPS flows to OLEPS. This change in valving forced the UEPS and HEPS flows to bypass OLEPS during high flows and high tide. The bypass system functioned without any issues.

Skywest Pump Station

Recycled Water Production

During the month of September 2021, the Skywest Recycled Water System operated for three days and produced 1.6 million gallons of recycled water.

Marina Dechlorination Facility (MDF)

Pavement Repair

On September 23, 2021, the San Leandro Street Department Paving Crew replaced some asphalt at MDF that created a tripping hazard on the approach to the front door. As with a lot of buildings at wastewater treatment facilities, the buildings are on piles. Over time, the ground around the buildings starts to settle but the buildings do not. This differential settling causes safety issues, and this pavement repair eliminated those issues at this site.

Force Main

No change; all equipment is operational.

Operations Center

New Phone System

On September 17, 2021, EBDA implemented a new phone system using Ring Central. This is the same phone system recently installed by OLSD. The new system will save EBDA approximately 50% on the monthly cost of phone service. In approximately 12 months, the monthly savings will cover the equipment and installation cost. This system is also more flexible, as it integrates with staff cell phones.

Miscellaneous Items

Underground Service Alerts

EBDA received ten (14) Underground Service Alert (USA) tickets during the month of September 2021. Nine required an Electronic Positive Response (EPR), and of the nine, seven required calls/emails to the excavators, and four required field verification.

COVID-19 Response

All EBDA staff members are fully vaccinated. Staff will work with the Commission to determine, on a month-to-month basis whether Commission and Committee meetings will continue to be conducted via Zoom or whether to resume in-person meetings. To continue conducting remote meetings, the Commission must adopt a resolution compliant with AB 361 – see Item No. 15.

Special Projects

Disinfection Master Plan

Staff is continuing to work with Carollo Engineers on a Disinfection Master Plan with a goal to develop a strategy for sodium hypochlorite (hypo) dosing and monitoring to prevent bacteria outbreaks and ensure consistent permit compliance while optimizing chemical dosage – both for disinfection and for dechlorination. A draft report has been provided to staff and will be reviewed with the MAC in November.

Cargill Brine Project Due Diligence

EBDA staff is continuing to work with Cargill to develop strategies to address the risks of adding brine to the EBDA transport system. In the Corrosion Protection Evaluation Project, Brown & Caldwell screened a multitude of potential mitigation options for protecting vulnerable sections of the force main from corrosion associated with brine addition and then evaluated four in-pipe options in more detail. Preliminary indications are that segmental sliplining of the vulnerable sections of the transport pipe is the most robust and lowest cost in-pipe approach, with an estimated cost of \$74 million.

Cargill has also continued to evaluate a “parallel pipe” option, in which Cargill’s pipe would be extended to a connection point further downstream in EBDA’s system where there is greater dilution and less open channel flow. This parallel pipe option appears feasible and likely lower-cost than sliplining. Work to assess the preferred route for this pipeline is ongoing.

The CEQA review process is currently underway and will be expanded to include not only the original pipeline from Cargill’s facility to EBDA’s southernmost point in Union City, but also the extension to Oro Loma. EBDA staff, consultants, and legal counsel are currently evaluating whether a mitigated negative declaration is appropriate or whether an Environmental Impact Report may be needed to address the expanded scope.

Advanced Quantitative Precipitation Information (AQPI) Project

The regional AQPI project continues to move forward with a goal of improving prediction of rainfall events in the Bay Area. In April 2021, Sonoma Water’s Board of Directors approved the agreements for the East Bay radar deployment and for the lease with American Tower. Installation of the radar at Rocky Ridge has faced some delays and is now planned for December 2021. Staff is also working with the team at the National Oceanographic and Atmospheric Administration (NOAA) to schedule training for EBDA and member agency staff on accessing precipitation data and projections through the AQPI system.

ITEM NO. OM6 REVIEW OF DRAFT ADMINISTRATIVE APPEALS POLICY

Recommendation

Review the draft policy and provide feedback to staff.

Background

The Authority's Amended and Restated Joint Exercise of Powers Agreement (JPA), which went into effect on July 1, 2020, includes several instances in which the General Manager (GM) is authorized to make a determination, which can then be appealed to the Commission by any Member Agency disagreeing with that determination. Specifically, the GM may determine whether a Failure of the Transport System has occurred and which member agencies are responsible for an unpermitted discharge or other permit violation.

Discussion

Working with the attorneys from Hanson Bridgett, who assisted in drafting the JPA, staff has developed the attached draft Policy outlining how such appeals of GM decisions would be handled. Because the financial consequences to the Member Agencies may be significant, tensions are likely to be high when this process is invoked. The intent of adopting this Policy in advance is to ensure that the process has been agreed to by all parties, thereby allowing any disagreements to be focused on the substance of the issues.

This draft has been reviewed and supported by the Managers Advisory Committee. Pending feedback from the Operations and Maintenance Committee, staff intends to bring the Policy to the Commission for adoption.

POLICY NUMBER: 8

NAME OF POLICY: Administrative Appeals Policy

LAST REVISED:

PREVIOUSLY REVISED: N/A

PURPOSE: Policy Establishing the Administrative Appeals Procedures Applicable to Certain Determinations of the General Manager

POLICY:

I. Application

Pursuant to the East Bay Dischargers Authority (Authority) Amended and Restated Joint Exercise of Powers Agreement (JPA) effective July 1, 2020, the General Manager is authorized to make certain determinations which affect the rights and responsibilities of the Authority member agencies.

In particular, the General Manager is authorized to determine whether a Failure of the Transport System has occurred and which member agencies are responsible for an unpermitted discharge or other permit violation.

In the event the General Manager makes such a determination, the affected member agencies will have the right to appeal the determination to the Authority's Commission, pursuant to the procedures set forth in this Policy. In no event will a member agency's decision to pursue an appeal impact its obligation to immediately comply with any remediation measures imposed by a regulatory agency. The affected member agency must implement the remediation measures before pursuing, or concurrent with, any appeal.

II. Preliminary Request for Reconsideration

Prior to submitting an appeal to the Commission, the member agency must present a written request for reconsideration to the General Manager. The request must be submitted within 60 days of the date the agency receives notice of the General

Manager's determination and must include data and documentation supporting the member agency's position. Any member agency disputing the General Manager's determination that a Failure has occurred in the Transport System must provide an engineering report to support its position.

The General Manager will review all data and documentation and provide the member agency with a written final determination.

III. Time for Filing an Appeal with the Commission

Within 30 calendar days of the date of the General Manager's final determination, the affected member agency may submit a written appeal to the Commission. The Commission, by unanimous approval, may extend this time period upon a showing of good cause. The appeal request should include a brief summary of the member agency's position, document compliance with the above reconsideration procedures, and include the date of the Commission meeting at which the member agency requests the Commission hear the appeal. In no event will the Commission hear an appeal more than 90 calendar days from the date the member agency files its appeal.

IV. Statement of the Basis of Appeal and Supporting Documentation

At least 14 calendar days before the meeting at which the appeal will be heard, the member agency must submit a statement of the basis for appeal, including supporting data and documentation, for inclusion in the Commission's agenda packet. An agency may not raise any matters on appeal that were not presented to the General Manager for reconsideration.

The General Manager will prepare a summary of the basis for his/her determination, including supporting data and documentation, for inclusion in the Commission's agenda packet.

V. Appeal

The Commission will hear the appeal at a public meeting and, upon consideration of the statements and facts presented, will make its determination. The determination of the Commission is final.

VI. Dispute Resolution

For any dispute which is within the scope of this Policy, exhaustion of these administrative appeals procedures is a prerequisite to pursuing the dispute resolution procedures of Section 19 of the JPA. Upon completion of these administrative appeals procedures, a member agency will be deemed to have met its obligation to informally negotiate to resolve the dispute, as described in Section 19 of the JPA, and the member agency may proceed directly to non-binding mediation, arbitration, or judicial determination.

VII. Waiver

The Commission may suspend or waive the requirements of this Policy in any instance when the Commission deems it in the best interest of the Authority to do so.

DRAFT

ITEM NO. OM7 MOTION AUTHORIZING THE GENERAL MANAGER TO EXECUTE AMENDMENT 2 TO WORK ORDER NO. 1 AND WORK ORDER NO. 4 WITH CAROLLO ENGINEERS, INC. FOR ENGINEERING SERVICES, FOR A TOTAL CONTRACT AMOUNT OF \$160,710

Recommendation

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

Background

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

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

In February 2021, the Commission approved an amendment to that work order, increasing the cost ceiling to \$19,900, all of which will be fully reimbursed by Cargill. At the same time, the Commission approved two additional Work Orders – one for General Engineering Services (Work Order 2) and one for the Disinfection Master Plan (Work Order 3) – bringing the contract total to \$105,626.

Discussion

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

Approve Amendment 2 to Work Order No. 1 to Increase Scope for Cargill Project

As part of the Cargill project due diligence process, Carollo will perform two additional tasks:

- Additional hydraulic modeling (\$9000). Carollo will perform a sensitivity analysis, looking at whether the extent of pipe that may be under conditions conducive to corrosion with the presence of increased chlorides changes as effluent flows potentially decrease in the future.
- Disinfection impacts assessment (\$33,984). The Carollo team currently performing the Disinfection Master Plan will assess potential impacts to disinfection from brine addition, including options for addressing those impacts to be included in the Cargill contract.

Staff is proposing to increase the Work Order scope by \$42,984, for a total scope of \$62,884. Any work performed under this Work Order will be reimbursed by Cargill.

Approve Work Order No. 4 for Emergency Outfall Evaluation

EBDA maintains an emergency near-shore outfall at Oro Loma. This outfall is authorized for use during high flows that exceed system capacity, and it is also available in emergencies. It was last used in May 2020 during an unanticipated failure of primary and back-up power at OLEPS. Under this proposed Work Order, Carollo would evaluate the hydraulics of raising the weir at the emergency outfall so that discharge is even less frequent. If deemed feasible and favorable, Carollo would design weir improvements. Staff is recommending a cost ceiling of \$12,100 for this work, per the attached proposal.

The following table summarizes the proposed contract budget, with the new items for approval outlined in red:

Work Order #	1	2	3	4
Source of Funds	Cargill (Fund 15)	RRF (Fund 31)	Special Studies (Fund 13)	RRF (Fund 31)
Topic	Cargill	General Engineering	Disinfection Master Plan	Emergency Outfall Evaluation
	\$ 9,900	\$ 20,000	\$ 65,726	\$ 12,100
Amendment 1	\$ 10,000			
Amendment 2	\$ 42,984			
Total	\$ 62,884	\$ 20,000	\$ 65,726	\$ 12,100
		October 2021 Increase		\$ 55,084
		Contract Total		\$ 160,710

September 7, 2021

Mr. Howard Cin.
East Bay Dischargers Authority
2651 Grant Avenue
San Lorenzo, CA 94580

Subject: 2021 Low Flow Evaluations

Dear Mr. Cin,

In accordance with your request, Carollo Engineers, Inc., (Carollo) is pleased to provide you with the scope and estimated fee required to complete an analysis of EBDA's discharge system utilizing the hydraulic model developed as part of the System Flow Master Plan. The model will be updated based on as-built drawings provided by EBDA staff. Carollo will work directly with EBDA staff to provide hydraulic grade line (HGL) profiles of the discharge system to estimate where pipelines within the system do not flow completely full at low flows and reduced low flows. The scope of work includes the following tasks.

Task 1 – Review and Update Model Pipeline Data

Carollo will meet with Brown & Caldwell to review and revise the hydraulic model pipeline alignment and elevation data based on as-built drawing information provided by EBDA staff.

Task 2 – Conduct Hydraulic Analysis

Carollo will use the updated hydraulic model to conduct an analysis of reduced low flows throughout the system. Carollo will run a minimum of 2 (but up to 4) reduced low flow scenarios including the following:

- Low flows reduced by 25%
- Low flows reduced by 50%

Carollo will provide the results in tabular format as well as HGL profile plots showing segments of the system with the top of the inside of the pipe exposed, and will attend two virtual meetings to summarize the results and findings.

Task 3 – On-call Modeling Work

As a part of this task, Carollo will provide ongoing modeling support related to Task 2. Modeling support will be provided as directed by EBDA staff and could include updating model pipeline alignments or running additional low flow scenarios. This task assumes a not-to-exceed value of five thousand dollars (\$5,000).

Fee Estimate

Carollo will complete the three tasks above for a total not to exceed value of nine thousand dollars (\$9,000). Carollo can complete the proposed scope of work within two weeks of the notice to proceed assuming all requested information can be delivered to Carollo within one week of the initial request.

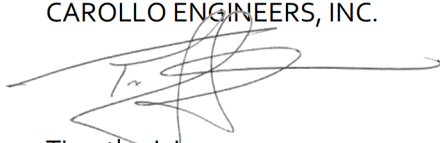
Should you need additional information, or have questions regarding this proposal, please do not hesitate to call us. We look forward to hearing from you.

Mr. Howard Cin
East Bay Dischargers Authority
September 7, 2021

Page 2

Sincerely,

CAROLLO ENGINEERS, INC.

A handwritten signature in black ink, appearing to read 'TJL', with a long horizontal flourish extending to the right.

Timothy J. Loper
Project Manager
Vice President

TJL:ro

Enclosures:

October 13, 2021

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

Subject: Cargill Assessment

Dear Miss Zipkin,

In accordance with your request, Carollo Engineers, Inc. (Carollo), is pleased to provide you with the scope and estimated fee required to complete an assessment of the effluent discharge from Cargill salt being added to the Transport System. The scope of work includes the following tasks.

Task 1 – Assessment of Chlorine Demand

Jar testing to assess chlorine demand and bacterial load impacts of the Cargill effluent will be performed by Carollo's Water ARC® in Boise, Idaho. The jar testing will include four runs that are representative of the potential future Cargill blending locations in the Transport system. The first two runs will be performed with MDF combined effluent with and without brine addition. The second two runs will be performed with USD combined effluent with and without brine addition. These runs will determine the baseline chlorine demand without brine and the impact the anticipated ratio of Cargill effluent addition has on chlorine demand. Bacterial enumeration of fecal coliforms and *enterococci* are included in the testing to evaluate the bacterial load impact of the brine addition at both blending locations. Testing results from these tasks are anticipated to be available approximately 14 days from the sampling date.

Once the demand impacts are understood, the same runs described above will be run with a target residual set point (value TBD) followed by dechlorination to evaluate the impact on bisulfite dosing at the MDF.

Task 2 – Development of Disinfection Options

Carollo will develop two chlorination disinfection options including the pros and cons of each option. The two options are:

- a) Requiring Cargill to maintain a residual in their effluent at the EBDA connection; and
- b) Requiring Cargill to compensate EBDA for the addition of supplemental chlorine to account for the demand.

The chlorine cost for both of these options can be estimated based on the results from Task 1. Carollo will prepare a draft and final technical memorandum of the disinfection options including the testing results from Task 1.

Task 3 – Technical Support

Carollo will provide technical support as needed for negotiating contract language with Cargill related to this topic.

Task 4 – Project Management and Meetings

This task includes time for management of the project and three (3) project meetings. It has been assumed that the project duration will be approximately three (3) months and that the meetings will occur virtually.

Jackie Zipkin
East Bay Dischargers Authority
October 13, 2021

Page 2

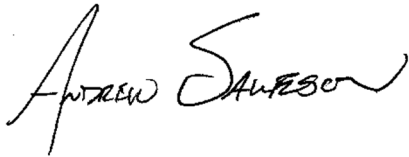
Fee Estimate -

Carollo will complete the tasks above for a total of not to exceed value of \$33,984. Carollo can complete the proposed scope of work within thirteen (13) weeks of the notice to proceed assuming all requested information can be delivered to Carollo within one week of the initial request.

Should you need additional information or have questions regarding this proposal, please do not hesitate to call us. We look forward to hearing from you.

Sincerely,

CAROLLO ENGINEERS, INC.

A handwritten signature in black ink that reads "Andrew Salveson". The signature is fluid and cursive, with the first name "Andrew" written in a larger, more prominent script than the last name "Salveson".

Andrew Salveson
Wastewater Disinfection Chief Technologist

AuthorInitials:naf

Enclosures: List Enclosures

cc:

April 8, 2021

Mr. Howard Cin
East Bay Dischargers Authority
2651 Grant Avenue
San Lorenzo, CA 94580

Subject: As-Needed Engineering Services - Emergency Outfall Evaluation

Dear Mr. Cin,

In accordance with your request, Carollo Engineers, Inc. (Carollo) is pleased to provide you with the scope and estimated fee required to complete an evaluation of the emergency outfall located at Oro Loma Sanitary District (OLSD). At some point in the past, lumber was installed to increase the weir elevation by one foot. EBDA is exploring the option of replacing the lumber with concrete and possibly, increasing the weir elevation. The analysis will be conducted based on as-built drawings and photos provided by EBDA staff. The scope of work includes the following tasks:

Task 1 – Hydraulic Evaluation

Carollo will evaluate the maximum flow of the emergency outfall as it is currently configured and provide recommendations regarding an increase of the weir elevation. If an increase of the weir elevation is recommended, maximum flow will also be provided with the new configuration. When evaluating the maximum flow, the weir section (and the section of the outfall under the road) will be evaluated separately, with the maximum flow provided for both sections to determine which section is the limiting factor. Once the weir elevation and the outfall restriction analysis is complete, Carollo will calculate the associated increase in detention time/volume. Findings and recommendations will be summarized in a brief memorandum.

Task 2 – Weir Design

If an increase of the weir elevation is recommended and/or determined to be of benefit, Carollo will provide a one-page drawing, and pertinent material specifications, that can be used for construction of the new elevated weir. In addition, the drawing will include specifications and/or direction for the preparation of existing concrete surface and associated reinforcing.

Fee Estimate

Carollo will complete the two tasks above for a total not to exceed value of twelve thousand one hundred dollars (\$12,100), and a breakdown is shown in the attached table as Exhibit A. Carollo can complete the proposed scope of work within four weeks of the notice to proceed assuming any additionally requested information can be delivered to Carollo within one week of the initial request.

Should you need additional information, or have questions regarding this proposal, please do not hesitate to call us. We look forward to hearing from you.

Sincerely,
CAROLLO ENGINEERS, INC.



Mike Zappone
Principal Mechanical Engineer
Vice President
MLZ:sm

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

A Joint Powers Public Agency

NOTICE: In compliance with AB 361 (2021), 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 link or phone number below.

- Zoom link: <https://us02web.zoom.us/j/88424501141>
- Telephone dial-in: 1(669) 900-6833, meeting ID #884 2450 1141

ITEM NO. 14

PERSONNEL COMMITTEE AGENDA

**Tuesday, October 19, 2021
10:00 a.m.**

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

Committee Members: Johnson (Chair), Duncan

- P1. Call to Order**
- P2. Roll Call**
- P3. Public Forum**
- P4. Administrative Support Specialist Recruitment Update**
(The Committee will be updated on the status of the recruitment.)
- P5. Review of Authority Accomplishments for FY 2020/2021**
(The Committee will review a summary of staff accomplishments.)
- P6. Recommended Compensation Plan Updates**
(The Committee will discuss staff's proposal.)
- P7. 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 Juanita Villaseñor at juanita@ebda.org or (510) 278-5910. Notification of

Agenda Explanation
East Bay Dischargers Authority
Personnel Committee
October 19, 2021

at least 48 hours prior to the meeting or time when services are needed will assist the Authority staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

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

<p>The next Personnel Committee meeting will be held Tuesday, December 14, 2021 at 10:00 a.m.</p>
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ITEM NO. P4 ADMINISTRATIVE SUPPORT SPECIALIST RECRUITMENT UPDATE

Recommendation

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

Background

In March, the Commission approved revisions to the Authority's Classification Plan, including the addition of the Administrative Support Specialist position. Following adoption of the Classification Plan and revised FY 2020/2021 Compensation Plan, staff moved forward with a recruitment for the Administrative Support Specialist as a part-time position. The recruitment was posted to a number of websites, including local community colleges, wastewater professional associations, and government position clearinghouses.

Discussion

The Authority received nine applications for the Administrative Support Specialist position. Out of those, three were short-listed and invited for interviews. Two candidates interviewed with Authority staff via zoom. The third candidate did not respond. Staff is currently checking references for the two candidates and plans to make an offer to the preferred candidate shortly thereafter. Staff intends to fill the position before the end of the calendar year.

ITEM NO. P5 REVIEW OF AUTHORITY ACCOMPLISHMENTS FOR FY 2020/2021

Recommendation

For the Committee's review only, no action needed.

Background

Each year, staff takes an opportunity to highlight key accomplishments for the Authority.

Discussion

As soon as it is deemed safe to do so in-person, the MAC and Commission will undertake a strategic planning exercise for the Authority to map out priorities now that the new JPA is complete. Following that exercise, staff anticipates reporting annually (or more frequently if desired) on progress and accomplishments against strategic initiatives and goals. In the interim, staff is presenting here a broad summary of accomplishments for this year:

General

- COVID-19 Response – Through teamwork and flexibility, staff has risen to the challenges of conducting business during the COVID-19 pandemic. Staff work from home and adjust their schedules to maintain social distancing and accomplish daily tasks.
- Financial Audit – EBDA received another successful Unmodified Audit opinion of the Authority's Financial Statements by our auditors, Maze & Associates.
- Policy Updates – Staff continues to work with the Commission to update the Authority's finance and other policies. The following policies were updated or created and approved in the past year, or are slated for approval by the end of this calendar year:
 - Brine
 - Electronic Signature
 - Personnel
 - Commissioner Compensation
 - Rules of the Commission
 - Records Management and Retention
 - Administrative Appeals
 - Purchasing
 - Emergency Reserves
 - Budget

Agreements and Special Projects

- LAVWMA Agreement – After a contentious negotiation, EBDA and the Livermore-Amador Valley Water Management Agency (LAVWMA) signed an Amended and Restated Master Agreement, effective June 1, 2021. This agreement increases both LAVWMA's share of EBDA's expenses and LAVWMA's responsibilities in the event of a force main failure on the segment of pipe LAVWMA uses. The long-term agreement expires coincident with EBDA's Joint Powers Agreement.

- DSRSD Brine Agreement – In May 2021, the Commission approved an agreement with LAVWMA-member Dublin San Ramon Services District (DSRSD) regarding discharge of brine from Zone 7 Water Agency's demineralization facility. Though this brine has been discharged through EBDA's system for many years, EBDA had never before been compensated for it. The agreement included payment to EBDA of a \$60,000 review fee, as well as ongoing annual payments of \$20,000. The agreement also gives EBDA the right to review water quality data and to suspend discharges.
- The Transfer Agreement for the San Leandro Effluent Pump Station (SLEPS) and San Leandro Pipeline was approved by the Commission in June and went into effect on July 1, 2020. SLEPS is now under the management of City of San Leandro (CSL) staff.
- Cargill Project – Continued the due diligence process with Cargill, Inc. for a brine disposal project that is expected to generate \$5 million in capacity revenue and an additional \$1.4 million in annual flow-based charges for the Authority. Work included analysis of ownership and franchise rights, initiation of the CEQA review process, coordination with the cities that the new pipeline will cross, and extensive evaluation of the potential for corrosion of the force main and options to protect it. Completed numerous force main shutdowns to facilitate inspections, two force main tours, and a dissolved oxygen study along the force main.
- Shoreline Resilience – Hired ESA, Inc. and worked with their consulting team to develop conceptual designs for the First Mile Horizontal Levee at Oro Loma Marsh and study nature-based treatment systems at Hayward under a grant from the U.S. Environmental Protection Agency. Coordinated closely with project partners including the Hayward Area Shoreline Planning Agency and East Bay Regional Park District. Also participated in work groups for the development of the Bay Conservation and Development Commission's BayAdapt Joint Platform, the Bay Area Climate Adaptation Network (BayCAN), and other regional forums for collaboration on addressing sea level rise.
- Disinfection Master Plan – Kicked off development with consultant Carollo Engineers on this study to optimize chemical use in the EBDA system. The goal of the study, which will be complete by the end of this calendar year, is to develop strategies for chlorine dosing, including quantities and locations, to minimize excess chemical usage while consistently preventing bacteria outbreaks.
- Biosolids – Worked with the MAC to begin development of a joint EBDA biosolids management strategy and/or facility to improve certainty and predictability in biosolids outlets and costs for the member agencies. This included development of a primer summarizing current practices and desired outcomes for the project.
- XLIMS – Jointly with the City of San Leandro, began implementation of XLIMS, a state-of-the-art Laboratory Information Management System to manage water quality data for the City and EBDA.

Regulatory

- Compliance – Continued compliance with permit bacterial indicators through proactively managing chlorine residual, in close communication with Member Agencies. Also, timely and thorough response to overflow events in May 2020 resulted over the past year in Water Board staff declining to enforce.
- Chlorine Residual Basin Plan Amendment – Working with the Regional Water Board through the Bay Area Clean Water Agencies, successfully concluded the formal process to remove the 0.0 mg/L chlorine residual limit from the Basin Plan and adopt a blanket permit amendment

changing EBDA's chlorine limit to 0.98 mg/L as a one-hour average. This change will result in significant dechlorination savings.

- NPDES Permit Reissuance Application – Working with staff from all of the Member Agencies and consultant, EOA, EBDA submitted our 433-page Report of Waste Discharge and application for NPDES permit reissuance on September 30, 2021. This application included summary and analysis of water quality data from the past four years. A draft of the new permit is expected in early 2022, with adoption by June 30, 2022.
- Continued to track and participate in studies to assess emerging contaminants in influent and effluent, including microplastics, PFAS, ethylated surfactants, and sunscreens.

Operations & Maintenance

- Conducted several tests of the OLEPS bypass system. The San Leandro force main crew opened the OLEPS bypass valve and closed the valve that connects the UEPS and HEPS flows to OLEPS, forcing the UEPS and HEPS flows to bypass OLEPS. The bypass system functioned without any issues.
- Worked collaboratively with the City of Hayward Utilities Division on installation of a new valve at the Skywest Golf Course near the center pond. This valve will be used to isolate the pond from the Skywest force main when the system is offline for long periods of time, and also during the decommissioning of the system.
- Completed HEPS and MDF Generator major preventative maintenance service. This service followed the manufacturer's recommended standards and included an oil change, coolant change and replacement of hoses, belts, filters and numerous other parts.
- Repaired a force main leak on a pipe flange between a manway cover and an Air Relief Valve (ARV) isolation valve, avoiding any environmental impacts.
- Continued to optimize operations, resulting in cost reductions that offset labor cost increases. At MDF, for example, actual labor costs for FY 2020/2021 were lower than those in FY 2014/2015 or any year since, despite the fact that hourly labor rates have increased by 6% each year excluding last year (3% annual salary increases, plus markup).

Fiscal Year	San Leandro O&M for MDF
FY 14/15	\$ 126,833
FY 15/16	\$ 157,678
FY 16/17	\$ 177,093
FY 17/18	\$ 117,293
FY 18/19	\$ 114,742
FY 19/20	\$ 117,087
FY 20/21	\$ 114,184

- Underground Service Alerts (USAs) – Updated EBDA's USA Polygons resulting in reduced USA tickets, staff time, and fees:

Year	2016/2017	2017/2018	2018/2019	2019/2020	2020/2021
USA Fees	\$828.13	\$680.07	\$848.52	\$256.50	\$150.00
Average Tickets/Month	87.0	69.4	86.9	28.8	14.9

Capital Projects

- Completed the HEPS MCC project. This project was the largest project undertaken by the Authority in a decade, and it significantly improved the HEPS facility, beyond just the MCC. The project included the following site improvements:

- Construction of a pond influent flow dissipater structure
- Installation of piping from the pump station to the dissipater structure
- New valves and motorized valve actuators
- Access platform around the existing generator
- Stairs into the new MCC Building
- Pipe coatings
- Repaving the existing site
- New perimeter fencing

The GSE Construction contract amount for all labor, materials, and support was \$2,546,355. The total of all change orders for this project was \$97,916 or 4%, less than the authorized 5%. EBDA was also able to negotiate \$37,748 in change order credits from the contractor, allowing additional scope to be added to the project.

- Completed the following projects at OLEPS:
 - Redundant Emergency Power Project – this project was critical to improving reliability at OLEPS and preventing potential overflows under emergency conditions.
 - Wet Well Hypochlorite System
 - Paving project
 - Gear drive cooling water system upgrade
 - The exterior equipment on the east side of OLEPS was painted including the OLEPS water system pumps, piping, and screen hoists as well as the wet well valve actuator pedestals.
 - Refurbished both electric pump right angle gear drives and motors
 - Main Electrical Switchboard Upgrade is under way with one OLEPS shutdown completed and new breakers are being fabricated.
- UEPS – Replaced an Effluent Pump Variable Frequency Drive (VFD) transformer and purchased a new Effluent Pump replacement impeller.
- Completed the SLEPS Emergency Generator Repairs.
- Emergency Preparedness – The 60-inch Encapsulating Repair Coupling was delivered. Combined with the seals and sleeves obtained previously, these parts will enable EBDA to quickly repair the Force Main following an earthquake.
- Completed numerous smaller projects such as pump rebuilds/replacements, equipment upgrades and safety improvements.

ITEM NO. P6 RECOMMENDED COMPENSATION PLAN UPDATES

Recommendation

Provide input to staff on proposed changes to Compensation Plan.

Background

In May 2021, the Commission adopted the FY 2021/2022 Compensation Plan, containing the salary table shown below.

MONTHLY SALARY RANGE					
	Step 1	Step 2	Step 3	Step 4	Step 5
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

Discussion

The General Manager is recommending increasing the monthly salary range for the Operations and Maintenance (O&M) Manager to the following:

	Step 1	Step 2	Step 3	Step 4	Step 5
Operations & Maintenance Manager	13,201.54	13,861.62	14,554.70	15,282.44	16,046.56

The recommended increase is based on two factors, which are outlined in more detail below: comparison with comparable positions at peer agencies, and consistency with the Superintendent of O&M position previously adopted by the Commission.

Peer Agency Benchmarking

Recently, several agencies have performed compensation surveys for O&M Managers, resulting in increased salary ranges. EBDA staff compiled the information available from these surveys below. While no other agency has a position exactly equivalent to EBDA's O&M Manager, staff selected the closest classification in terms of responsibility and autonomy. Because of the sensitive nature of this data in relation to agencies' labor negotiations, agency identifying information has not been included. The median top step salary for the data obtained was \$16,010.

	Classification Title	Top Step
Agency A	Maintenance Director/Supervisor, Operations Director/Supervisor	\$17,747
Agency B	Wastewater Treatment Plant Operations Superintendent	\$17,181
Agency C	Supervisor, Electrical & Technology	\$16,434
Agency D	Operations Manager or Maintenance Manager	\$16,339
EBDA	Operations & Maintenance Superintendent (as of 2017)	\$16,047
Agency E	Operations Manager or Maintenance Manager	\$15,680
Agency F	Operations Manager or Maintenance Manager	\$14,756
EBDA	Operations & Maintenance Manager (Current)	\$14,002
Agency G	Operations & Maintenance Manager	\$12,782
Agency H	Operations Supervisor	\$10,135

As shown in the table, EBDA's current O&M Manager position is toward the low end of the agencies surveyed. The top step for the Superintendent of O&M position previously adopted by the EBDA Commission, as discussed below, was close to the survey median.

Superintendent of O&M Precedent

In the FY 2015/2016 Compensation Plan, in anticipation of retirements, a new position was created: Superintendent of Operations & Maintenance. The O&M Manager at that time was promoted to the new position.

When the current O&M Manager was hired in 2017, the Compensation Plan included the following:

MONTHLY SALARY RANGE					
	Step 1	Step 2	Step 3	Step 4	Step 5
Operations & Maintenance Manager	10,246.18	10,758.49	11,296.42	11,861.26	12,454.32
Superintendent of O&M	13,201.55	13,861.64	14,554.71	15,282.45	16,046.56

At the time of his hiring, the O&M Manager was told that he could be promoted to the higher salary range in three to five years, if the General Manager and Commission believed that his performance warranted such. However, shortly thereafter in early 2018, the Superintendent position was removed from the Compensation Plan when the incumbent retired and the position was vacant.

The General Manager is recommending that the O&M Manager's salary range be increased to match that of the Superintendent of O&M that was approved by the Commission effective July 1, 2017, with a monthly top salary of \$16,047. This is the same salary from 2017 with no cost of living increases from 2017 to 2021. Rather than reinstating the Superintendent position, staff recommends retaining the Manager title with the adjusted salary schedule.

The General Manager believes that this salary increase for the O&M Manager is well-warranted, given his outstanding performance. Unlike at other agencies, where lower-level staff can fill in when the Manager is unavailable, EBDA's O&M Manager is truly on call 24/7/365. The current manager goes above and beyond to care for the system and the member agency staff who operate and maintain the facilities. He has also worked hard to optimize facility operations, resulting in O&M spending that has been relatively flat in spite of labor cost increases from the member agencies. There is no evidence that the previous occupant of the Superintendent position was more qualified or competent, than the current O&M Manager in a way that would have warranted a higher salary.

The O&M Manager is currently at Step 5 (the top step) and, if approved, will be moving to Step 4 of the new salary range. The cost to EBDA from 12/1/2021 to 6/30/2022 (FY 2021/2022) would be \$8,966.

ITEM NO. 15 RESOLUTION AUTHORIZING REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361

Recommendation

Adopt the resolution authorizing remote teleconference meetings pursuant to AB 361.

Background

On March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for an anticipated broader spread of the novel coronavirus disease 2019 (“COVID-19”).

All meetings of the East Bay Dischargers Authority (EBDA) Commission and EBDA’s other legislative bodies are open and public, as required by the Ralph M. Brown Act, Government Code section 54950 *et seq.* Any member of the public may attend, participate, and watch EBDA’s legislative bodies conduct their business. On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means in order to slow the spread of COVID-19. As a result of Executive Order N-29-20, staff set up virtual meetings for all Commission and Committee meetings. On June 11, 2021, Governor Newsom issued Executive Order N-08-21, which, effective September 30, 2021, repealed the provisions of Executive Order N-29-20 that allowed local legislative bodies to conduct meetings telephonically or by other means.

Discussion

On September 16, 2021, the Governor signed AB 361 (2021), which allows for local legislative bodies to continue to conduct meetings via teleconferencing under specified conditions and includes a requirement that the Commission make specified findings. AB 361 (2021) took effect immediately. Pursuant to AB 361, legislative bodies are allowed to continue to meet remotely during a declared State of Emergency. In addition, remote meetings are only allowed when state or local health officials have imposed or recommended measures to promote social distancing, or when the legislative body finds that meeting in person would present imminent risks to the health or safety of attendees.

In order to continue to hold remote meetings, the Commission must declare every thirty (30) days that either (i) the State of Emergency continues to directly impact the ability of the members to meet safely in person, or (ii) State or local officials continue to impose or recommend measures to promote social distancing.

Since issuing Executive Order N-08-21, the highly contagious Delta variant of COVID-19 has emerged, causing an increase in COVID-19 cases throughout the State and Alameda County. As a result, the State of Emergency as declared by the Governor, continues. Health officials continue to recommend measures to slow the spread of COVID-19. Specifically, the Centers for Disease Control and Prevention (CDC) continues to recommend physical distancing of at least 6 feet from others outside of the household,

and the Alameda County Health Officer issued an order for nearly all individuals to wear masks when inside public spaces, effective on August 3, 2021. Additionally, COVID-19 would present imminent risks to the health or safety of attendees, including the legislative bodies and staff, should EBDA's legislative bodies hold in-person meetings.

The proposed resolution includes the necessary findings in order for the Commission and Committees of EBDA to continue to holding remote teleconference meetings pursuant to AB 361.

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

RESOLUTION NO. 21-09

INTRODUCED BY _____

**RESOLUTION AUTHORIZING REMOTE TELECONFERENCE MEETINGS
PURSUANT TO AB 361**

WHEREAS, all East Bay Dischargers Authority (EBDA) meetings are open and public, as required by the Ralph M. Brown Act (Cal. Gov. Code 54950 – 54963), so that any member of the public may attend, participate, and watch EBDA’s legislative bodies conduct their business; and

WHEREAS, on March 4, 2020, Governor Newsom declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State prepare for an anticipated broader spread of the novel coronavirus disease 2019 (“COVID-19”); and

WHEREAS, On March 17, 2020, in response to the COVID-19 pandemic, Governor Newsom issued Executive Order N-29-20 suspending certain provisions of the Ralph M. Brown Act in order to allow local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, as a result of Executive Order N-29-20, staff set up virtual meetings for all EBDA Commission and Committee meetings; and

WHEREAS, on June 11, 2021, Governor Newsom issued Executive Order N-08-21, which, effective September 30, 2021, repealed the provisions of Executive Order N-29-20 that allowed local legislative bodies to conduct meetings telephonically or by other means; and

WHEREAS, on September 16, 2021, Governor Newsom signed AB 361 (2021), which allows for local legislative bodies and advisory bodies to continue to conduct meetings via teleconferencing under specified conditions and includes a requirement that the EBDA Commission make specified findings. AB 361 (2021) took effect immediately; and

WHEREAS, in order for legislative bodies to continue to conduct meetings via teleconferencing pursuant to AB 361 (2021), a proclaimed State of Emergency must exist; and

WHEREAS, AB 361 (2021) further requires that State or local officials have imposed or recommended measures to promote social distancing, or, requires that the legislative body determines that meeting in person would present imminent risks to the

health and safety of attendees; and

WHEREAS, such conditions now exist in EBDA's jurisdiction, specifically, Governor Newsom has declared a State of Emergency due to COVID-19; and

WHEREAS, since issuing Executive Order N-08-21, the highly contagious Delta variant of COVID-19 has emerged, causing an increase in COVID-19 cases throughout the State and Alameda County; and

WHEREAS, the Centers for Disease Control and Prevention ("CDC") continues to recommend physical distancing of at least 6 feet from others outside the household; and

WHEREAS, because of the rise in cases due to the Delta variant of COVID-19, the EBDA Commission is concerned about the health and safety of all individuals who intend to attend EBDA Commission and Committee meetings; and

WHEREAS, the EBDA Commission desires to provide a way for commissioners, staff, and members of the public to participate in meetings remotely, without having to attend meetings in person; and

WHEREAS, the EBDA Commission hereby finds that the presence of COVID-19 and the increase of cases due to the Delta variant would present imminent risks to the health or safety of attendees, including the legislative bodies and staff, should EBDA's legislative bodies hold in person meetings; and

WHEREAS, EBDA shall ensure that its meetings comply with the provisions required by AB 361 (2021) for holding teleconferenced meetings.

NOW, THEREFORE, BE IT RESOLVED that the Commission of the East Bay Dischargers Authority hereby declares as follows:

1. The above recitals are true and correct, and incorporated into this Resolution.

2. In compliance with AB 361 (2021), and in order to continue to conduct teleconference meetings without complying with the usual teleconference meeting requirements of the Brown Act, the EBDA Commission makes the following findings:

- a) The EBDA Commission has considered the circumstances of the State of Emergency; and
- b) The State of Emergency, as declared by the Governor, continues to directly impact the ability of the EBDA Commission and EBDA's legislative bodies, as well as staff and members of the public, from meeting safely in person; and

- c) The CDC continues to recommend physical distancing of at least six feet due to COVID-19 and as a result of the presence of COVID-19 and the increase of cases due to the Delta variant, meeting in person would present imminent risks to the health or safety of attendees, the legislative bodies and staff.

3. The EBDA Commission and all of EBDA's other legislative bodies may continue to meet remotely in compliance with AB 361, in order to better ensure the health and safety of the public.

4. The EBDA Commission will revisit the need to conduct meetings remotely within thirty (30) days of the adoption of this resolution.

SAN LORENZO, CALIFORNIA, OCTOBER 21, 2021, ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIR
EAST BAY DISCHARGERS COMMISSION

ATTEST: _____
GENERAL MANAGER
EAST BAY DISCHARGERS AUTHORITY
EX OFFICIO SECRETARY

ITEM NO. 16 ITEMS FROM THE COMMISSION AND STAFF

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

ITEM NO. 17 ADJOURNMENT