



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 Financial Management 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/82261534447>
- Telephone dial-in: 1(669) 900-6833, meeting ID #822 6153 4447

ITEM NO. 17

FINANCIAL MANAGEMENT COMMITTEE AGENDA

Monday, November 15, 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 October 2021**
(The Committee will review the List of Disbursements for the month of October.)
- FM5. Treasurer's Report for October 2021**
(The Committee will review the Treasurer's Report for October 2021.)
- FM6. Final Adjusted Treasurer's Reports for June, July, August, and September 2021**
(The Committee will review the final adjusted Treasurer's Reports for June – September 2021.)
- FM7. Member Agency Credits for Fiscal Year 2020/2021**
(The Committee will review a summary of the credits being returned to the Member Agencies).
- FM8. First Quarter Expense Summary, Fiscal Year 2021/2022**
(The Committee will review the first quarter expenses for FY 2021/2022.)

FM9. Resolution Adopting the Authority Emergency Reserve Policy
(The Committee will consider the resolution.)

FM10. 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.

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 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 also posted on the East Bay Dischargers Authority website located at <http://www.ebda.org>.

**The next Financial Management Committee meeting is scheduled on
Monday, December 13, 2021 at 10:00 a.m.**

EAST BAY DISCHARGERS AUTHORITY
List of Disbursements
October 2021

CHECKS (SORTED BY AMOUNT)

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
25400	10/29/2021	348402	CITY OF HAYWARD	O&M - QUARTERLY JUL-SEP	33,064.31	33,064.31
25401	10/29/2021	002801	UNION SANITARY DISTRICT	O&M - SEP	31,593.53	31,593.53
25399	10/29/2021	384359	CITY OF SAN LEANDRO	O&M - AUG	30,331.54	30,331.54
25410	10/29/2021	11422308	BROWN & CALDWELL	ENGINEERING SERVICES - BRINE ASSESSMENT	21,680.26	21,680.26
25408	10/29/2021	49553626	UNIVAR	SODIUM BISULFITE - DELIVERED 10/20/2021	6,751.76	13,036.11
25408	10/29/2021	49527815	UNIVAR	SODIUM BISULFITE - DELIVERED 10/08/2021	6,284.35	
25383	10/18/2021	FB15273	CAROLLO ENGINEERS	ENGINEERING SERVICES - WORK ORDER NO. 3	8,788.25	8,788.25
25403	10/29/2021	49759	CALCON	OPS CENTER ETHERNET CABLES FOR NEW PHONE SYSTEM	2,036.93	6,931.33
25403	10/29/2021	49881	CALCON	MDF PMS	1,153.60	
25403	10/29/2021	49887	CALCON	OLEPS PMS	1,433.60	
25403	10/29/2021	49658	CALCON	OLEPS PROGRAMMING AND PMS	2,307.20	
25415	10/29/2021	20210105.01-3	ASCENT ENVIRONMENTAL, INC	CONSULTING SERVICES - CARGILL CEQA	6,674.23	6,674.23
25389	10/18/2021	JUL-SEP2021	KARL D. ROYER	QUARTERLY HEALTH PREMIUM REIMBURSEMENT	3,462.84	3,462.84
25390	10/18/2021	00013.11-9	LARRY WALKER ASSOCIATES	PROFESSIONAL SERVICES - WORK ORDER NO. 2	3,065.75	3,065.75
25388	10/18/2021	S353004	GSE CONSTRUCTION	REPAIRS & MAINTENANCE - OLEPS	2,923.22	2,923.22
25382	10/18/2021	IN0309302	ALAMEDA COUNTY ENVIRONMENTAL HEALTH	OLEPS CUPA FEE	2,477.00	2,477.00
25394	10/18/2021	4246044555687620	US BANK	PURCHASING CARD EXPENSES	2,395.97	2,395.97
25413	10/29/2021	033	CURRIE ENGINEERS, INC	PROJECT / CONSTRUCTION MANAGER SERVICES - WORK ORDER NO. 2	2,192.00	2,192.00
25398	10/29/2021	630698	VANTAGEPOINT	ICMA DEFERRED COMPENSATION FOR PAY PERIOD ENDED 10/31/2021	1,905.67	1,905.67
25396	10/18/2021	621844	VANTAGEPOINT	ICMA DEFERRED COMPENSATION FOR PAY PERIOD ENDED 10/15/2021	1,830.67	1,830.67
25386	10/18/2021	52205704	CITY OF HAYWARD	BENEFIT PREMIUMS - OCT	1,345.92	1,345.92
25384	10/18/2021	8310	CAYUGA INFORMATION SYSTEMS	IT SERVICES	1,050.00	1,050.00
25406	10/29/2021	0098894-IN	KOFFLER ELECTRICAL MECHNICAL	ELECTRICAL SERVICES	1,000.00	1,000.00
25416	10/29/2021	7542	NETFILE INC	SUBSCRIPTION FEE	1,000.00	1,000.00
25411	10/29/2021	625888	CALTEST	LAB TESTING SERVICES - OCT	864.90	864.90
25407	10/29/2021	17656	TOWN & COUNTRY	JANITORIAL SERVICES - OLEPS DEEP CLEAN	540.00	705.00
25407	10/29/2021	17333	TOWN & COUNTRY	JANITORIAL SERVICES - OCT	165.00	
25392	10/18/2021	1746192-21	SCIF	WORKERS COMPENSATION PREMIUM - OCT	679.25	679.25
25385	10/18/2021	JUL-SEP2021	CHARLES V. WEIR	QUARTERLY HEALTH PREMIUM REIMBURSEMENT	527.88	527.88
25405	10/29/2021	20098431	ZASIO ENTERPRISES, INC	RECORDS MANAGEMENT SOFTWARE ANNUAL RENEWAL	395.00	395.00
25397	10/18/2021	9889626665	VERIZON WIRELESS	WIRELESS PHONE SERVICES	325.36	325.36
25387	10/18/2021	48478	COMPUTER COURAGE	WEBSITE HOSTING - AUG	150.00	300.00
25387	10/18/2021	49004	COMPUTER COURAGE	WEBSITE HOSTING - OCT	150.00	

EAST BAY DISCHARGERS AUTHORITY
List of Disbursements
October 2021

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
25391	10/18/2021	CD_000307886	RINGCENTRAL INC	DIGITAL PHONE SERVICE SUBSCRIPTION AND HARDWARE	282.35	282.35
25414	10/29/2021	10110000001	EBMUD	WATER & SEWER, MDF AUG-OCT	281.92	281.92
25412	10/29/2021	3356285	CALTRONICS	COPIER USAGE AND MAINTENANCE	175.34	175.34
25409	10/29/2021	1102466	ALPHA ANALYTICAL LABORATORIES	LAB SAMPLES FOR SKYWEST	85.00	170.00
25409	10/29/2021	1105432	ALPHA ANALYTICAL LABORATORIES	LAB SAMPLES FOR SKYWEST	85.00	
25395	10/18/2021	21DIG141726	UNDERGROUND SERVICE ALERT 811	CALIFORNIA STATE FEE FOR REGULATORY COSTS	147.84	147.84
25402	10/29/2021	510-483-0439	AT&T	TELEPHONE SERVICE - MDF	87.56	87.56
25393	10/18/2021	H199	TG'S BACKFLOW SERVICE	TEST & INSPECT BACKFLOW ASSEMBLY @ MDF	75.00	75.00
25404	10/29/2021	S2054645.001	WILLE ELECTRIC SUPPLY CO, INC	ELECTRICAL PARTS	63.92	63.92
25318	10/06/2021		VOID CHECK		(150.00)	(150.00)
TOTAL CHECK PAYMENTS					181,829.92	181,679.92
ELECTRONIC PAYMENTS						
	10/05/2021	5105948980-0	PG&E	GAS & ELECTRIC SERVICE	33,709.00	33,709.00
	10/07/2021	100000016559401	CALPERS	HEALTH PREMIUMS - OCT	6,907.99	6,907.99
	10/04/2021	100000016525884	CALPERS	PENSION CONTRIBUTION, CLASSIC 09/16 - 30/2021	4,575.23	4,575.23
	10/21/2021	100000016545444	CALPERS	PENSION CONTRIBUTION, CLASSIC 10/01 - 15/2021	4,575.23	4,575.23
TOTAL ELECTRONIC PAYMENTS						49,767.45
PAYROLL						
	10/28/2021		ADP, LLC	PAYROLL PERIOD: 10/16-31/2021	22,872.83	22,872.83
	10/14/2021		ADP, LLC	PAYROLL PERIOD: 10/01-15/2021	20,356.42	20,356.42
	10/08/2021	589592081	ADP, LLC	PAYROLL FEES, PERIOD: 09/16-30/2021	85.60	85.60
	10/22/2021	590517828	ADP, LLC	PAYROLL FEES, PERIOD: 10/01-15/2021	72.35	72.35
TOTAL PAYROLL						43,387.20
TOTAL DISBURSEMENTS						274,834.57

ITEM NO. FM5 TREASURER'S REPORT FOR OCTOBER 2021

The beginning cash balance on October 1, 2021 was \$5,163,726.64. The ending cash balance on October 31, 2021 was \$4,970,792.64. Total receipts for the period were \$81,900.57 and disbursements totaled \$274,834.57. EBDA's LAIF balance is \$3,260,119.57 and the interest rate for October 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

TREASURER'S REPORT

OCTOBER 31, 2021

FUND	DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	2,073,875.90	2,100.00	227,992.37	1,847,983.53
13	PLANNING & SPECIAL STUDIES	453,725.58		8,788.25	444,937.33
14	RECLAMATION O & M (SKYWEST)	59,955.21		170.00	59,785.21
15	BRINE ACCEPTANCE	60,729.26	78,425.16	32,768.73	106,385.69
31	RENEWAL & REPLACEMENT	2,515,440.69	1,375.41	5,115.22	2,511,700.88
TOTALS		5,163,726.64	81,900.57	274,834.57	4,970,792.64

Oct-21

11/11/2021

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
09/30/21	BALANCE								2,864,709.65	40,272.82	2,258,744.16	0.01	5,163,726.64
10/04/21	ELECTRONIC BILL PAY		4,575.23						2,860,134.42	40,272.82	2,258,744.16	0.01	5,159,151.41
10/05/21	ELECTRONIC BILL PAY		33,709.00						2,826,425.42	40,272.82	2,258,744.16	0.01	5,125,442.41
10/06/21	VOID		(150.00)						2,826,575.42	40,272.82	2,258,744.16	0.01	5,125,592.41
10/07/21	ELECTRONIC BILL PAY		6,907.99						2,819,667.43	40,272.82	2,258,744.16	0.01	5,118,684.42
10/08/21	PAYROLL FEES			85.60					2,819,667.43	40,187.22	2,258,744.16	0.01	5,118,598.82
10/12/21	PAYROLL TRANSFER				26,000.00				2,793,667.43	66,187.22	2,258,744.16	0.01	5,118,598.82
10/14/21	PAYROLL			20,356.42					2,793,667.43	45,830.80	2,258,744.16	0.01	5,098,242.40
10/15/21	INTEREST	1,375.41				1,375.41			2,793,667.43	45,830.80	2,260,119.57	0.01	5,099,617.81
10/18/21	DISBURSEMENT		29,677.30						2,763,990.13	45,830.80	2,260,119.57	0.01	5,069,940.51
10/19/21	DEPOSIT - CARGILL	78,425.16							2,842,415.29	45,830.80	2,260,119.57	0.01	5,148,365.67
10/21/21	ELECTRONIC BILL PAY		4,575.23						2,837,840.06	45,830.80	2,260,119.57	0.01	5,143,790.44
10/22/21	PAYROLL FEES			72.35					2,837,840.06	45,758.45	2,260,119.57	0.01	5,143,718.09
10/28/21	LAIF TRANSFER					1,000,000.00			1,837,840.06	45,758.45	3,260,119.57	0.01	5,143,718.09
10/28/21	DEPOSIT	2,100.00							1,839,940.06	45,758.45	3,260,119.57	0.01	5,145,818.09
10/28/21	PAYROLL			22,872.83					1,839,940.06	22,885.62	3,260,119.57	0.01	5,122,945.26
10/29/21	DISBURSEMENT		152,152.62						1,687,787.44	22,885.62	3,260,119.57	0.01	4,970,792.64
TOTAL		81,900.57	231,447.37	43,387.20	26,000.00	1,001,375.41	-	-					
CURRENT BALANCE									1,687,787.44	22,885.62	3,260,119.57	0.01	4,970,792.64
Reconciliation									①	②	③	④	
①	Per Bank Statement @ 10/31/21	\$ 1,846,151.87											
	Less: Outstanding Checks	158,364.43											
		\$ 1,687,787.44											
②	Per Bank Statement @ 10/31/21	\$ 22,885.62											
③	Per LAIF Statement @ 10/31/21	\$ 3,260,119.57											
④	Per Treasurer's Report @ 10/31/21	\$ 0.01											
	Fair Market Value Increase/Decrease	-											
	Per Investment Statement @10/31/21	\$ 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 FINAL ADJUSTED TREASURER'S REPORTS FOR JUNE, JULY, AUGUST, AND SEPTEMBER 2021

Recommendation

Approve the Final Adjusted Treasurer's Reports for June, July, August, and September 2021.

Discussion

The Final Adjusted Treasurer's Reports for June through September 2021 are attached for the Committee's review. Preliminary reports were presented previously. Changes occur through the course of reviewing all accounts in preparation for the annual financial audit.

EAST BAY DISCHARGERS AUTHORITY
FINAL (ADJUSTED)
TREASURER'S REPORT
JUNE 30, 2021

FUND	DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	1,289,734.51	129,891.96	289,754.33	1,129,872.14
13	PLANNING & SPECIAL STUDIES	357,265.22	62,079.18	173,589.50	245,754.90
14	RECLAMATION O & M (SKYWEST)	38,201.77	5,553.51	14,980.17	28,775.11
31	RENEWAL & REPLACEMENT	2,012,844.22	0.11	25,486.69	1,987,357.64
TOTALS		3,698,045.72	197,524.76	503,810.69	3,391,759.79

EAST BAY DISCHARGERS AUTHORITY
FINAL (ADJUSTED)
TREASURER'S REPORT
JULY 31, 2021

FUND	DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	1,129,872.14	677,340.23	204,263.15	1,602,949.22
13	PLANNING & SPECIAL STUDIES	245,754.90	225,235.83	152,911.80	318,078.93
14	RECLAMATION O & M (SKYWEST)	28,775.11	27,000.00	1,442.84	54,332.27
15	BRINE ACCEPTANCE	0.00			0.00
31	RENEWAL & REPLACEMENT	1,987,357.64	157,842.70	5,000.00	2,140,200.34
TOTALS		3,391,759.79	1,087,418.76	363,617.79	4,115,560.76

EAST BAY DISCHARGERS AUTHORITY
FINAL (ADJUSTED)
TREASURER'S REPORT
AUGUST 31, 2021

FUND	DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	1,602,949.22	888,888.64	449,163.76	2,042,674.10
13	PLANNING & SPECIAL STUDIES	318,078.93	474,137.81	339,298.28	452,918.46
14	RECLAMATION O & M (SKYWEST)	54,332.27		340.00	53,992.27
15	BRINE ACCEPTANCE	0.00	80,000.00	39,031.24	40,968.76
31	RENEWAL & REPLACEMENT	2,140,200.34	384,000.00	3,839.35	2,520,360.99
TOTALS		4,115,560.76	1,827,026.45	831,672.63	5,110,914.58

EAST BAY DISCHARGERS AUTHORITY
FINAL (ADJUSTED)
TREASURER'S REPORT
 SEPTEMBER 30, 2021

FUND	DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	2,042,674.10	276,327.66	245,125.86	2,073,875.90
13	PLANNING & SPECIAL STUDIES	452,918.46	144,647.33	143,840.21	453,725.58
14	RECLAMATION O & M (SKYWEST)	53,992.27	9,000.00	3,037.06	59,955.21
15	BRINE ACCEPTANCE	40,968.76	41,018.00	21,257.50	60,729.26
31	RENEWAL & REPLACEMENT	2,520,360.99		4,920.30	2,515,440.69
TOTALS		5,110,914.58	470,992.99	418,180.93	5,163,726.64

ITEM NO. FM7 MEMBER AGENCY CREDITS FOR FISCAL YEAR 2020/2021

Recommendation

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

Background

As presented to the Committee in September 2021, EBDA's annual expenses for Fiscal Year 2020/2021 were 21% under budget. Accounting for the \$195,000 that was carried over for Special Studies projects that are still underway, approximately \$777k was collected from the Member Agencies and not spent. The Commission's direction at the September meeting was to return these funds to the Member Agencies as a credit against their FY 2021/2022 bills.

Discussion

The table below shows the amounts owed by each agency for FY 2020/2021 Operations & Maintenance (O&M) and Special Studies, as well as the amounts collected. The difference, plus revenues received from other sources, is the credit that will be issued to each agency.

	San Leandro	O.L.S.D.	C.V.S.D.	Hayward	U.S.D.	LAVWMA	Total
Total O&M Owed	\$ 177,100	\$ 423,367	\$196,383	\$ 452,786	\$ 1,091,470	\$522,450	\$ 2,863,555
Total O&M Paid	\$ 245,882	\$ 588,084	\$271,555	\$ 571,542	\$ 1,306,512	\$594,939	\$ 3,578,513
O&M Credit	\$ (68,782)	\$ (164,717)	\$ (75,172)	\$ (118,756)	\$ (215,042)	\$ (72,489)	\$ (714,958)
							\$ -
Total Special Studies Owed	\$ 106,147	\$ 160,151	\$ 76,311	\$ 301,604	\$ 437,547	\$291,534	\$ 1,373,293
Total Special Studies Paid	\$ 113,960	\$ 177,317	\$ 85,711	\$ 305,428	\$ 472,697	\$298,095	\$ 1,453,207
Special Studies Credit	\$ (7,813)	\$ (17,166)	\$ (9,400)	\$ (3,824)	\$ (35,150)	\$ (6,561)	\$ (79,913)
Other O&M Revenue	\$ (5,500)	\$ (2,070)	\$ (1,110)	\$ (1,595)	\$ (4,550)	\$ (2,434)	\$ (17,258)
Share of R&R Fund	\$ 381	\$ -	\$ -	\$ -	\$ -	\$ 34,574	\$ 34,954
Total Credit	\$ (81,714)	\$ (183,953)	\$ (85,681)	\$ (124,175)	\$ (254,742)	\$ (46,910)	\$ (777,175)

Each Member Agency has received a credit memo detailing their FY 2020/2021 payments and credits. The credits will be applied to the Member Agency invoices issued in January for the second half of FY 2021/2022.

ITEM NO. FM8 FIRST QUARTER EXPENSE SUMMARY, FISCAL YEAR 2021/2022

Recommendation

Approve the First Quarter Expense Summary for Fiscal Year 2021/2022.

Background

The First Quarter Expense Summary for FY 2021/2022 is attached for the Committee's review. Expenses are presented by Program and by Account Code. These categories have been grouped to provide an overview of Authority expenses. The tables include discussion of particular items that varied significantly (>10%) from the budget.

Discussion

At the end of the first quarter, EBDA's spending is right on budget, with 25% spent. Staff notes that certain annual fees (i.e., Nutrient Surcharge and Water Research Foundation) were paid in the first quarter, while others (i.e., NPDES Permit Fee, Regional Monitoring Program) had yet to be billed. This led to certain line items appearing over or under budget, but balances out overall for the quarter.

East Bay Dischargers Authority

EXPENSE SUMMARY BY PROGRAM

FY 2021/2022 THROUGH SEPTEMBER 30, 2021 (25% of YEAR)

	YTD Expenses	Budget	Revenues - Cargill and Grant	Variance	% of Budget	Explanations for Variance Over 10%
O&M EFFLUENT DISPOSAL						
General Administration	\$270,457	\$1,293,382.00		(\$1,022,925)	21%	
Outfall & Force mains	\$19,698	\$181,977.00		(\$162,279)	11%	No contractor work has been required.
Marina Dechlor Facility	\$78,555	\$510,454.00		(\$431,899)	15%	
Oro Loma Pump Station	\$97,841	\$514,954.00		(\$417,113)	19%	
Hayward Pump Station	\$31,532	\$170,977.00		(\$139,445)	18%	
Union Pump Station	\$95,672	\$363,233.00		(\$267,561)	26%	
Bay & Effluent Monitoring	\$258,724	\$506,382.00		(\$247,658)	51%	BACWA annual dues paid in Q1.
TOTAL O&M EFFLUENT DISPOSAL	\$852,478	\$3,541,359		(\$2,688,881)	24%	
SPECIAL PROJECTS						
NPDES Permit Fees	\$0	\$593,473.00		(\$593,473)	0%	
NPDES Permit Issues	\$20,993	\$100,000.00		(\$79,007)	21%	
Regional Monitoring Program	\$62,010	\$280,000.00		(\$217,991)	22%	
Nutrient Surcharge	\$285,346	\$285,346.00		\$0	100%	Annual surcharge paid in Q1.
Water Research Foundation	\$23,407	\$25,580.00		(\$2,173)	92%	Annual membership fee paid in Q1.
Transport System Evaluation	\$0	\$20,000.00		(\$20,000)	0%	Work to date in this FY has not yet been invoiced.
JPA Legal Support	\$2,815	\$10,000.00		(\$7,185)	28%	
AQPI	\$0	\$29,000.00		(\$29,000)	0%	EBDA will be invoiced later this year by Sonoma Water due to project delays.
Operator Training Modules	\$0	\$16,000.00		(\$16,000)	0%	Work is delayed, and EBDA will be invoiced when complete.
Strategic Planning	\$0	\$10,000.00		(\$10,000)	0%	Work will begin in Q2. External funds may not be necessary.
Disinfection Master Plan	\$30,333	\$45,726.00		(\$15,393)	66%	Work was initiated in Q3 of last FY and is expected to be completed in Q3 of this FY.
Nature-Based Solutions Study	\$19,375	\$150,000.00	\$19,375	\$0		All costs are reimbursed by EPA grant.
Biosolids Feasibility Study	\$0	\$100,000.00		(\$100,000)	0%	Work has begun, but external funds have not yet been needed.
Solar Feasibility Study	\$0	\$20,000.00		(\$20,000)	0%	Work has begun, but external funds have not yet been needed.
Bruce Wolfe Memorial	\$0	\$5,000.00		(\$5,000)	0%	Commission has committed \$1k, which will likely be paid in Q3 or Q4.
NPDES Testing - CSL	\$1,500	\$1,500.00		\$0	100%	Hach WIMS invoice was paid in Q1.
NPDES Testing - OLSD	\$1,500	\$1,500.00		\$0	100%	Hach WIMS invoice was paid in Q1.
NPDES Testing - HAY	\$1,500	\$1,500.00		\$0	100%	Hach WIMS invoice was paid in Q1.
NPDES Testing - USD	\$1,500	\$1,500.00		\$0	100%	Hach WIMS invoice was paid in Q1.
TOTAL SPECIAL PROJECTS	\$450,278	\$1,696,125	\$19,375	(\$1,115,221)	28%	
TOTAL AGENCY-FUNDED PROGRAMS	\$1,283,382	\$5,087,484	\$19,375	(\$3,804,102)	25%	
WATER RECYCLING						
Skywest Golf Course	\$5,210	\$36,000				Operations spending reduced due to efficiencies, and capital deferred.
TOTAL WATER RECYCLING	\$5,210	\$36,000				
BRINE ACCEPTANCE						
Brine Acceptance	\$151,088	\$400,000	\$110,541			All work performed is reimbursed by Cargill. Not all expenses have yet been invoiced.
TOTAL BRINE ACCEPTANCE	\$151,088	\$400,000	\$110,541			

East Bay Dischargers Authority

EXPENSE SUMMARY BY ACCOUNT

FY 2021/2022 THROUGH SEPTEMBER 30, 2021 (25% OF YEAR)

	YTD Expenses	Budget	Revenues - Cargill and Grant	Variance	% of Budget	Explanations for Variance Over 10%
4010 - Salary	\$119,543	\$586,103		(\$466,560)	20%	
4010 - Salary (reimbursable)	\$14,446	\$0		\$14,446		Expenses for Cargill are reimbursed.
4020 - Benefits	\$71,833	\$269,324		(\$197,491)	27%	
4030 - Commissioner Compensation	\$5,280	\$45,000		(\$39,720)	12%	Budget assumes maximum number of meetings and several Committees are currently on reduced schedules.
4070 - Insurance	\$20,470	\$62,000		(\$41,530)	33%	
4080 - Memberships & Subscriptions	\$131,160	\$147,702		(\$16,542)	89%	BACWA and WRF annual dues paid in Q1.
4100 - Supplies, Variable	\$57,892	\$312,000		(\$254,108)	19%	
4100 - Supplies, Fixed	\$3,723	\$22,000		(\$18,277)	17%	
4110 - Contract Services	\$21,281	\$104,280		(\$82,999)	20%	
4120 - Professional Services (non-reimbursable)	\$191,137	\$736,976		(\$545,839)	26%	
4120 - Professional Services (reimbursable)	\$156,016	\$550,000	\$129,916	(\$393,984)	28%	Expenses for Cargill and the Nature-based Solutions Project are reimbursed.
4140 - Rents & Fees	\$354,631	\$1,161,099		(\$806,469)	31%	
4141 - NPDES Fines	\$0	\$109,000		(\$109,000)	0%	Reserve funds in case of enforcement.
4150 - Maintenance & Repair	\$101,436	\$667,500		(\$566,064)	15%	
4160 - Monitoring	\$30,243	\$170,000		(\$139,757)	18%	
4170 - Travel	\$129	\$18,000		(\$17,871)	1%	Reduced travel due to COVID pandemic.
4190 - Utility, Fixed	\$3,886	\$16,500		(\$12,614)	24%	
4191 - Utility, Variable (PG&E)	\$170,738	\$660,000		(\$489,262)	26%	
4200 - Acquisitions & Other	\$0	\$0		\$0		
TOTAL ALL ACCOUNTS	\$1,453,844	\$5,637,484	\$129,916			
TOTAL AGENCY FUNDED	\$1,283,382	\$5,087,484		(\$3,804,102)	25%	

ITEM NO. FM9 RESOLUTION ADOPTING THE AUTHORITY EMERGENCY RESERVE POLICY

Recommendation

Adopt the resolution to approve the Authority Emergency Reserve 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 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, as well as LAVWMA, 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. LAVWMA's allocation is based on its responsibilities under the Amended and Restated Master Agreement.

Though the ultimate costs resulting from a major incident like an earthquake may exceed \$1.25M, the intent is that this amount 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 LAVWMA and the EBDA Member Agencies, could develop a plan and timeline for securing the additional 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

Agenda Explanation
East Bay Dischargers Authority
Financial Management Committee
November 15, 2021

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.

The Committee reviewed the latest draft Policy in October and did not recommend any further changes. Therefore, the version presented for adoption is identical to the draft discussed last month. If adopted, the Policy's requirements for the Member Agencies and LAVWMA will take effect July 1, 2022.

EAST BAY DISCHARGERS AUTHORITY POLICY

POLICY NUMBER: 1.8

NAME OF POLICY: Finance – Emergency Reserves

LAST REVISED: November 18, 2021

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 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.

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

RESOLUTION NO. 21-12

INTRODUCED BY _____

RESOLUTION ADOPTING THE AUTHORITY EMERGENCY RESERVE POLICY

WHEREAS, the East Bay Dischargers Authority (EBDA) operates critical infrastructure for wastewater management that inherently risks damage or failure from natural disasters such as earthquakes; and

WHEREAS, as signatories to the East Bay Dischargers Authority's Amended and Restated Joint Exercise of Powers Agreement, the Authority's Member Agencies are financially responsible for required repairs to EBDA's infrastructure if costs exceed available funds in EBDA's accounts; and

WHEREAS, per the Amended and Restated Master Agreement with the Livermore-Amador Valley Water Management Agency (LAVWMA), LAVWMA is financially responsible for required repairs to portions of EBDA's infrastructure; and

WHEREAS, in the event of a disaster, it is in the mutual interest of EBDA, LAVWMA, and their Member Agencies for EBDA to be able to quickly and efficiently access funds to support near-term repair and recovery; and

WHEREAS, 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; and

WHEREAS, the Authority has deemed \$1.25 million as an amount sufficient to support EBDA through the first 30-60 days of disaster response and recovery, during which time additional funding needs and sources can be identified; and

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

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

SAN LORENZO, CALIFORNIA, NOVEMBER 18, 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