



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/86932699389>
- Telephone dial-in: 1(669) 900-6833, meeting ID #869 3269 9389

COMMISSION MEETING AGENDA

Thursday, December 16, 2021

9:30 A.M.

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

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

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

- | | |
|--------|---|
| MOTION | 5. Commission Meeting Minutes of November 18, 2021 |
| | 6. List of Disbursements for November 2021 – See Item FM4 |
| | 7. Treasurer’s Report for November 2021 – See Item FM5 |
| | 8. Resolution Authorizing Remote Teleconference Meetings Pursuant to AB 361 |

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

- | | |
|-------------|--|
| MOTION | 9. Motion to Accept the Audited Basic Financial Statements for Fiscal Year Ending June 30, 2021 – See Item FM6
(The Commission will consider the motion.) |
| INFORMATION | 10. General Manager’s Report
(The General Manager will report on EBDA issues.) |
| INFORMATION | 11. Report from the Managers Advisory Committee
(The General Manager will report on the meeting.) |
| INFORMATION | 12. Report from the Financial Management Committee
(The General Manager will report on the meeting.) |

- RESOLUTION 13. Resolution Approving Revisions to the Authority's Investment Policy – See Item FM7**
(The Commission will consider the resolution.)
- INFORMATION 14. Report from the Operations & Maintenance Committee**
(The Operations & Maintenance and General Managers will report on the meeting.)
- RESOLUTION 15. Resolution to Approve the Authority's Revised Classification Plan**
(The Commission will consider the resolution.)
- RESOLUTION 16. Resolution Adopting the Revised Fiscal Year 2021/2022 Compensation Plan**
(The Commission will consider the resolution.)
- RESOLUTION 17. Resolution Supporting Bay Adapt: Regional Strategy for a Rising Bay**
(The Commission will consider the resolution.)
- INFORMATION 18. Items from the Commission and Staff**
(The Commission and staff may address items of general interest.)
- 19. 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 Administration Manager 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
Wednesday, January 26, 2022 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 November 18, 2021
- Item No. 6 List of Disbursements for November 2021 – See Item FM4
- Item No. 7 Treasurer’s Report for November 2021 – See Item FM5
- Item No. 8 Resolution Authorizing Remote Teleconference Meetings Pursuant to AB 361

Recommendation

Approve Consent Calendar

ITEM NO. 5 COMMISSION MEETING MINUTES OF NOVEMBER 18, 2021

1. Call to Order

Chair Cutter called the telephonic meeting to order in compliance with AB 361 (2021) at 9:31 A.M. on Thursday, November 18, 2021. Dial-in information for the meeting was provided in the agenda for public attendees.

2. Pledge of Allegiance – Deferred

3. Roll Call

Present:	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 Villasenor	East Bay Dischargers Authority
	Bert Manzo	East Bay Dischargers Authority
	Eric Casher	Legal Counsel
	Deborah Quinn	Accountant
	Alex Ameri	City of Hayward
	David Donovan	City of Hayward
	Jason Warner	Oro Loma Sanitary District
	Anjali Lathi	Union Sanitary District
	Paul Eldredge	Union Sanitary District
	John Cropper	Cropper Accountancy Corporation

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 October 21, 2021

6. List of Disbursements for October 2021

7. Treasurer's Report for October 2021

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

9. First Quarter Expense Summary, Fiscal Year 2021/2022

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

REGULAR CALENDAR

10. Audited Financial Statements 2020/2021 Presentation

John Cropper from Cropper Accountancy Corporation, the Authority's financial audit firm, reported that he and his team are working with staff on the FY 2020/2021 audit report, including assessing risks, and they have no material comments at this time. Chair cutter thanked Mr. Cropper for his work.

11. Resolution Authorizing Remote Teleconference Meetings Pursuant to AB 361

Legislation AB 361 allows agencies to continue conducting remote meetings should there be a declared State of Emergency. Chair Cutter moved to approve the item. The resolution 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

12. General Manager's Report

The General Manager (GM) introduced Bert "Bubba" Manzo as the Authority's new Administrative Support Specialist. The GM noted that the January Commission meetings may need to be rescheduled due to the upcoming California Association of Sanitation Agencies (CASA) Conference and other conflicts. An email will be circulated to identify a preferred time. The GM then provided an update on the Bruce Wolfe Scholarship, highlighting that Bruce's widow is very honored and supportive. The scholarship will be broadened from just women to students in the environmental field from all underrepresented groups. An update was provided on the Hayward Area Shoreline Planning Agency (HASPA) reformulation process. In addition to EBDA, a number of agencies have expressed interest in joining the shoreline resiliency efforts, including the Mosquito Abatement District, Caltrans, and Alameda County Flood Control. Finally, the Bay Conservation and Development Commission (BCDC) is looking for letters or resolutions of support for creating the BayAdapt Joint Platform, a framework for a collaborative approach to sea-level rise resilience.

13. Report from the Managers Advisory Committee (MAC)

The GM highlighted the MAC's discussion of the strategic planning process. EBDA staff and the MAC will develop strategic planning concepts for the Commission's input in FY 2022-2023.

14. Report from the Regulatory Affairs Committee

The GM reported that Sarah Deslauriers of Carollo Engineers, air regulatory lead for the Bay Area Clean Water Agencies (BACWA) briefed the Committee on updates to Bay Area Air Quality Management District (BAAQMD) Regulation 2. BAAQMD has not included water or wastewater agencies as essential public services in the draft regulation. Ms. Deslauriers also discussed the fleet rules that the California Air Resources Board (CARB) is working on, which are moving toward full electrification. BACWA and CASA are working to educate CARB staff on the wastewater community's concerns, including the fact that heavy duty collection system vehicles are not currently offered in electric, as well as the fact that digester gas is a renewable low carbon fuel source that can provide an alternative to fossil fuels.

15. Motion Authorizing the General Manager to Execute Amendment No. 1 to the Contract with Ascent Environmental for CEQA Consulting Services for the Cargill Mixed Sea Salt Brine Discharge Project in the Amount of \$438,515, for a Total Not to Exceed Amount of \$493,055

Commissioner Andrews 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. Motion Authorizing the General Manager to Execute Work Order No. 4 to the Contract with Larry Walker Associates for Preparation of a Water Quality Technical Memorandum in Support of Cargill MSS Brine EIR Water Quality Chapter in the Amount of \$83,439, for a Total Contract Not to Exceed Amount of \$209,034

Commissioner Johnson 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

17. Report from the Financial Management Committee

The GM reported that the Financial Management Committee reviewed the member agency credits for fiscal year 2020/2021. The Committee also reviewed the first quarter expense summary for FY 2021/2022. EBDA is on track, having spent 25% of the budget through the first quarter.

18. Resolution Adopting the Emergency Reserves Policy

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

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

19. Report from the Operations and Maintenance Committee

The O&M Manager reported on the Operations and Maintenance Committee, which met on November 16, 2021. City of Hayward engineering staff is reviewing draft documents for the HEPS Pump Replacement Project. Staff hopes to get the project out to bid by the end of this calendar year. A \$3,000 credit was received from PG&E for the HEPS pump station. Skywest only operated for one day in October, and staff is not expecting to run the system through next month due to rainfall. A lighting upgrade was completed in the Sodium Bisulfite Building at the Marina Dechlorination Facility. During the storm event in October, several member agencies exceed their flow capacity limits. The Hayward plant voluntarily diverted flow to their ponds during the peak of the storm. There was great communication between agencies before and during the storm. Finally, the O&M Manager reported that EBDA collected \$750,000 for the Renewal and Replacement Fund (RRF) in FY 2020/2021, and spent \$745,000.

20. Motion Authorizing the General Manager to Execute Amendment No. 4 to the Contract with Brown and Caldwell for Field Work Related to Acceptance of Cargill Mixed Sea Salt Brine for Discharge at the EBDA Outfall in the Amount of \$104,674, for a Total Not to Exceed Amount of \$399,263

Chair Cutter 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

21. Resolution Adopting the Administrative Appeals Policy

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

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

22. Report from the Personnel Committee

The GM reported on the Personnel Committee, which met on November 16, 2021. The Commission directed staff to take no action at this time regarding changes to the commission compensation rate. The Commission discussed the suggested compensation and classification adjustments for the O&M Manager position. They recommended that both be brought for approval by the Commission, with the addition of

language in the job description outlining responsibilities associated with future brine projects.

23. Items from Commission and Staff

Commissioner Johnson reported that the Alameda County Local Agency Formation Committee (LAFCO) is considering adopting the Countywide Municipal Services Review of Water, Wastewater, Flood Control, and Stormwater Services, which includes initiating an interagency dialogue on water recycling. Commissioner Andrews reported that the Black Business Roundtable was presented with an earthquake scenario from HayWired via USGS to review earthquake preparedness. City of Hayward issued formal apology to residents of Russell City regarding displacement. Commissioner Duncan appreciates Howard's leadership during the storm we recently had, recommends GM Zipkin lead EBDA's efforts in a table top emergency response exercise, and recommends LAFCO work with CASA on water recycling efforts.

24. Adjournment

Chair Cutter adjourned the meeting at 10:53 A.M.

ITEM NO. 8 RESOLUTION AUTHORIZING REMOTE TELECONFERENCE MEETINGS PURSUANT TO AB 361

Recommendation

Adopt the resolution authorizing continued use of 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 meetings and other EBDA legislative bodies. Executive Order N-29-20 expired on September 30, 2021.

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.

The Commission adopted resolutions authorizing remote teleconference meetings at its October 21, 2021 and November 18, 2021 Commission Meetings. The resolutions included all of the necessary findings required pursuant to AB 361.

Discussion

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.

The conditions that justified the Commission adopting a resolution authorizing teleconference meetings at its November 18, 2021 meeting continue to exist. While case rates in Alameda County have declined in recent weeks, the highly contagious Delta

variant of COVID-19 continues to spread in the community. As a result, the State of Emergency as declared by the Governor, continues in existence. 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, with additional limited exceptions specified in a November 1, 2021 order. 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 the other legislative bodies 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. 21-14

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 meetings and meetings of all EBDA legislative bodies; 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, while COVID-19 case rates in Alameda County have declined in recent weeks, the highly contagious Delta variant of COVID-19 continues to spread in the community; and

WHEREAS, in response to the Delta variant of COVID-19, the Alameda County Health Officer issued an order for nearly all individuals to wear masks when inside public spaces effective on August 3, 2021; and

WHEREAS, 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

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 meetings and meetings of EBDA's other legislative bodies; 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, on October 21, 2021 and November 18, 2021, the Commission found 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, 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 at its next monthly meeting.

SAN LORENZO, CALIFORNIA, DECEMBER 16, 2021, ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSENT:

ABSTAIN:

CHAIR
EAST BAY DISCHARGERS AUTHORITY

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

ITEM NO. 10 GENERAL MANAGER'S REPORT

The General Manager will discuss items of interest to EBDA.

ITEM NO. 11 REPORT FROM THE MANAGERS ADVISORY COMMITTEE

**MANAGERS ADVISORY COMMITTEE
AGENDA**

Thursday, December 9, 2021

1:30 P.M.

Via Zoom

- 1. FY 20/21 Credits and Audit Confirmations**
- 2. Wet Weather Exceedance Fee Allocation**
- 3. Biosolids Management**
- 4. Brine Project Updates and Discussion**
- 5. Interest in Joint Emergency Response Table-top Exercise**
- 6. EBDA Commission Package**
 - Finance
 - O&M
 - Resolutions
- 7. EBDA Managers Information Sharing**



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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. 12

FINANCIAL MANAGEMENT COMMITTEE AGENDA

Monday, December 13, 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 November 2021
(The Committee will review the List of Disbursements.)

FM5. Treasurer's Report for November 2021
(The Committee will review the Treasurer's Report.)

FM6. Motion to Accept the Audited Basic Financial Statements for Fiscal Year Ending June 30, 2021
(The Committee will consider the motion.)

FM7. Resolution Approving Revisions to the Authority's Investment Policy
(The Committee will consider the resolution.)

FM8. Review of the Authority's Investment Strategy
(The Committee will discuss whether changes are warranted to the Authority's Investment Strategy.)

FM9. Adjournment

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

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

addressing the Committee should limit their presentation to three minutes. Non-English speakers using a translator will have a time limit of six minutes. Any member of the public desiring to provide comments to the Committee on any agenda item should do so at the time the item is considered. Oral comments should be limited to three minutes per individual or ten minutes for an organization. Speaker's cards will be available and are to be completed prior to speaking.

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<p>The next Financial Management Committee meeting is scheduled on Monday, January 24, 2022 at 10:00 a.m.</p>
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ITEM NO. FM4 LIST OF DISBURSEMENTS FOR NOVEMBER 2021

The itemized List of Disbursements for the month of November 2021 totaled \$339,569.94.

Reviewed and Approved by:

Rita Duncan, Chair	Date
Financial Management Committee	

Jacqueline T. Zipkin	Date
Treasurer	

EAST BAY DISCHARGERS AUTHORITY
List of Disbursements
November 2021

CHECKS (SORTED BY AMOUNT)

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
25418	11/15/2021	384690	CITY OF SAN LEANDRO	O&M - SEP	35,501.08	35,501.08
25438	11/30/2021	002807	UNION SANITARY DISTRICT	O&M - OCT	34,746.29	34,746.29
25445	11/30/2021	169636	ENVIRONMENTAL SCIENCE ASSOCIATES	FIRST MILE PROJECT WORK ORDER NO. 1	31,924.29	33,384.15
25445	11/30/2021	167124	ENVIRONMENTAL SCIENCE ASSOCIATES	FIRST MILE PROJECT WORK ORDER NO. 1	1,154.50	
25445	11/30/2021	196937	ENVIRONMENTAL SCIENCE ASSOCIATES	HAYWARD FEASIBILITY STUDY WORK ORDER NO. 2	305.36	
25419	11/15/2021	6514	ORO LOMA SANITARY DISTRICT	O&M - SEP	25,334.07	25,334.07
25444	11/30/2021	184910	MEYERS NAVE	LEGAL SERVICES - BRINE PROJECT	13,975.00	23,572.00
25444	11/30/2021	183313	MEYERS NAVE	LEGAL SERVICES - BRINE PROJECT	6,352.50	
25444	11/30/2021	Apr-06	MEYERS NAVE	LEGAL SERVICES - GENERAL COUNSEL & SPECIAL SERVICES	1,637.70	
25444	11/30/2021	183312	MEYERS NAVE	LEGAL SERVICES - GENERAL COUNSEL & SPECIAL SERVICES	1,606.80	
25437	11/30/2021	6524	ORO LOMA SANITARY DISTRICT	O&M - OCT	16,533.95	16,533.95
25431	11/15/2021	49577746	UNIVAR	SODIUM BISULFITE - DELIVERED 10/29/2021	6,700.42	13,109.05
25431	11/15/2021	49607229	UNIVAR	SODIUM BISULFITE - DELIVERED 11/10/2021	6,408.63	
25430	11/15/2021	EA06-0921	EOA, INC	NPDES PERMIT REISSUANCE ASSISTANCE	12,926.45	12,926.45
25429	11/15/2021	183313	MEYERS NAVE	LEGAL SERVICES - BRINE PROJECT	6,352.50	8,144.70
25429	11/15/2021	183312	MEYERS NAVE	LEGAL SERVICES - GENERAL COUNSEL & SPECIAL SERVICES	1,792.20	
25449	11/30/2021	2185	CROPPER ACCOUNTANCY	AUDITING SERVICES	7,500.00	7,500.00
25423	11/15/2021	44439	DEBORAH QUINN	ACCOUNTING SERVICES - AUG	6,517.50	6,517.50
25426	11/15/2021	FB16351	CAROLLO ENGINEERS	ENGINEERING SERVICES - WORK ORDER NO. 1	5,938.50	5,938.50
25435	11/15/2021	20210105.01-4	ASCENT ENVIRONMENTAL, INC	CONSULTING SERVICES - CARGILL CEQA	5,101.25	5,101.25
25442	11/30/2021	FB16624	CAROLLO ENGINEERS	ENGINEERING SERVICES - WORK ORDER NO. 3	4,040.50	4,040.50
25440	11/30/2021	50011	CALCON	OLEPS HYDRO TANK AND COMMUNICATION REPAIR	1,887.20	2,104.01
25440	11/30/2021	49997	CALCON	OLEPS VFD HMI (X2)	216.81	
25417	11/15/2021	639248	VANTAGEPOINT	ICMA DEFERRED COMPENSATION FOR PAY PERIOD ENDED 11/15/	1,951.42	1,951.42
25436	11/30/2021	645706	VANTAGEPOINT	ICMA DEFERRED COMPENSATION FOR PAY PERIOD ENDED 11/30/	1,951.42	1,951.42
25446	11/30/2021	626751	CALTEST	LAB TESTING SERVICES	1,753.10	1,753.10
25443	11/30/2021	6483	CSDA	MEMBERSHIP RENEWAL	1,556.00	1,556.00
25432	11/15/2021	118967984-0001	SUNBELT RENTALS INC	56 KW DIESEL GENERATOR RENTAL	1,135.57	1,501.05
25432	11/15/2021	119164537-0001	SUNBELT RENTALS INC	#2 BANDED 5 WIRE MALE TAIL	365.48	
25420	11/15/2021	52205705	CITY OF HAYWARD	BENEFIT PREMIUMS - NOV	1,345.92	1,345.92
25433	11/15/2021	034	CURRIE ENGINEERS, INC	PROJECT / CONSTRUCTION MANAGER SERVICES - WORK ORDER	1,335.75	1,335.75
25425	11/15/2021	9098443709	GRAINGER	1HP SEWAGE EJECTOR PUMP, 240VAC	1,212.88	1,212.88
25448	11/30/2021	1305742	HANSON BRIDGETT	LEGAL SERVICES	1,030.00	1,190.00

EAST BAY DISCHARGERS AUTHORITY
List of Disbursements
November 2021

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
25448	11/30/2021	1305744	HANSON BRIDGETT	LEGAL SERVICES	160.00	
25428	11/15/2021	4246044555687627	US BANK	PURCHASING CARD EXPENSES	1,044.50	1,044.50
25422	11/15/2021	1746192-21	SCIF	WORKERS COMPENSATION PREMIUM - OCT	679.25	679.25
25427	11/15/2021	08313	CAYUGA INFORMATION SYSTEMS	IT SERVICES	630.00	630.00
25439	11/30/2021	510-483-0439	AT&T	TELEPHONE SERVICE - MDF	196.51	196.51
25447	11/30/2021	3377615	CALTRONICS	COPIER USAGE AND MAINTENANCE	153.86	153.86
25434	11/15/2021	49249	COMPUTER COURAGE	WEBSITE HOSTING - NOV	150.00	150.00
25421	11/15/2021	44777800001	EBMUD	WATER & SEWER, ADMIN SEP-NOV	102.13	102.13
25424	11/15/2021	9891826345	VERIZON WIRELESS	WIRELESS PHONE SERVICES	76.32	76.32
25441	11/30/2021	9892630490	VERIZON WIRELESS	MODEM FOR SCADA	22.02	22.02
25429	11/15/2021		MEYERS NAVE	VOID CHECK	(8,144.70)	(8,144.70)
TOTAL CHECK PAYMENTS					243,160.93	243,160.93
ELECTRONIC PAYMENTS						
	11/02/2021	5105948980-0	PG&E	GAS & ELECTRIC SERVICE	34362.34	34,362.34
	11/15/2021	100000016591394	CALPERS	HEALTH PREMIUMS - NOV	6907.99	6,907.99
	11/08/2021	100000016545464	CALPERS	PENSION CONTRIBUTION, CLASSIC 10/16 - 31/2021	4575.23	4,575.23
	11/18/2021	100000016585126	CALPERS	PENSION CONTRIBUTION, CLASSIC 11/01 - 15/2021	4575.23	4,575.23
	11/18/2021	100000016623807	CALPERS	PENSION CONTRIBUTION, PEPRA 11/01 - 15/2021	157.51	157.51
TOTAL ELECTRONIC PAYMENTS					50,578.30	50,578.30
PAYROLL						
			ADP, LLC	PAYROLL PERIOD: 11/16-30/2021	24,370.76	24,370.76
			ADP, LLC	PAYROLL PERIOD: 11/01-15/2021	21,299.35	21,299.35
	11/05/2021	591477233	ADP, LLC	PAYROLL FEES, PERIOD: 10/15-31/2021	85.60	85.60
	11/19/2021	592496504	ADP, LLC	PAYROLL FEES, PERIOD: 11/01-15/2021	75.00	75.00
TOTAL PAYROLL					45,830.71	45,830.71
TOTAL DISBURSEMENTS						339,569.94

ITEM NO. FM5 TREASURER'S REPORT FOR NOVEMBER 2021

The beginning cash balance on November 1, 2021 was \$4,970,792.64. The ending cash balance on November 30, 2021 was \$4,632,887.66. Total receipts for the period were \$1,664.96 and disbursements totaled \$339,569.94. EBDA's LAIF balance is \$3,260,119.57.

EBDA currently has a two-pronged investment approach that includes Local Agency Investment Fund (LAIF) and traditional bank accounts.

The Authority's Investment Strategy is discussed in Item No. FM7.

Approval is recommended.

EAST BAY DISCHARGERS AUTHORITY

TREASURER'S REPORT

NOVEMBER 30, 2021

FUND	DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	1,847,983.53	1,664.96	243,096.30	1,606,552.19
13	PLANNING & SPECIAL STUDIES	444,937.33		51,541.10	393,396.23
14	RECLAMATION O & M (SKYWEST)	59,785.21		1,216.47	58,568.74
15	BRINE ACCEPTANCE	106,385.69		33,730.29	72,655.40
31	RENEWAL & REPLACEMENT	2,511,700.88		9,985.78	2,501,715.10
TOTALS		4,970,792.64	1,664.96	339,569.94	4,632,887.66

Nov-21
12/8/2021

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
10/31/21	BALANCE								1,687,787.44	22,885.62	3,260,119.57	0.01	4,970,792.64
11/02/21	ELECTRONIC BILL PAY		34,362.34						1,653,425.10	22,885.62	3,260,119.57	0.01	4,936,430.30
11/05/21	PAYROLL FEES			85.60					1,653,425.10	22,800.02	3,260,119.57	0.01	4,936,344.70
11/08/21	PAYROLL TRANSFER				30,000.00				1,623,425.10	52,800.02	3,260,119.57	0.01	4,936,344.70
11/08/21	ELECTRONIC BILL PAY		4,575.23						1,618,849.87	52,800.02	3,260,119.57	0.01	4,931,769.47
11/12/21	DEPOSIT	1,635.55							1,620,485.42	52,800.02	3,260,119.57	0.01	4,933,405.02
11/12/21	PAYROLL			21,299.35					1,620,485.42	31,500.67	3,260,119.57	0.01	4,912,105.67
11/15/21	ELECTRONIC BILL PAY		6,907.99						1,613,577.43	31,500.67	3,260,119.57	0.01	4,905,197.68
11/15/21	DEPOSIT	22.01							1,613,599.44	31,500.67	3,260,119.57	0.01	4,905,219.69
11/15/21	DISBURSEMENT		122,601.82						1,490,997.62	31,500.67	3,260,119.57	0.01	4,782,617.87
11/18/21	ELECTRONIC BILL PAY		4,575.23						1,486,422.39	31,500.67	3,260,119.57	0.01	4,778,042.64
11/18/21	ELECTRONIC BILL PAY		157.51						1,486,264.88	31,500.67	3,260,119.57	0.01	4,777,885.13
11/19/21	PAYROLL FEES			75.00					1,486,264.88	31,425.67	3,260,119.57	0.01	4,777,810.13
11/22/21	PAYROLL TRANSFER				25,000.00				1,461,264.88	56,425.67	3,260,119.57	0.01	4,777,810.13
11/29/21	PAYROLL			24,370.76					1,461,264.88	32,054.91	3,260,119.57	0.01	4,753,439.37
11/30/21	DEPOSIT	7.40							1,461,272.28	32,054.91	3,260,119.57	0.01	4,753,446.77
11/30/21	VOID CHECK		(8,144.70)						1,469,416.98	32,054.91	3,260,119.57	0.01	4,761,591.47
11/30/21	DISBURSEMENT		128,703.81						1,340,713.17	32,054.91	3,260,119.57	0.01	4,632,887.66
TOTAL		1,664.96	293,739.23	45,830.71	55,000.00	-	-	-	1,340,713.17	32,054.91	3,260,119.57	0.01	4,632,887.66
CURRENT BALANCE									①	②	③	④	
Reconciliation													
①	Per Bank Statement @ 11/30/21	\$	1,472,728.65										
	Less: Outstanding Checks		132,015.48										
		\$	1,340,713.17										
②	Per Bank Statement @ 11/30/21	\$	32,054.91										
③	Per LAIF Statement @ 11/30/21	\$	3,260,119.57										
④	Per Treasurer's Report @ 11/30/21	\$	0.01										
	Fair Market Value Increase/Decrease		-										
	Per Investment Statement @11/30/21	\$	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 MOTION TO ACCEPT THE AUDITED BASIC FINANCIAL STATEMENTS FOR FISCAL YEAR ENDING JUNE 30, 2021

Recommendation

Accept, by motion, the audited basic financial statements for fiscal year ending June 30, 2021.

Discussion

The Authority's audited basic financial statements for the fiscal year ending June 30, 2021 are attached as a separate document for the Committee's review and full Commission acceptance. Staff and the Authority's accountant reviewed the report and made changes that were incorporated into the report. No deficiencies in internal controls considered to be material weaknesses were identified during the audit.

In compliance with the Authority's Audit Policy, the Authority changed auditing firms this year for a fresh look at the Authority's finances. Following a Request for Proposals process, staff selected Cropper Accountancy Corporation to perform the Authority's audits for the next several years. The Commission approved Cropper's contract in June 2021.

John Cropper, Managing Shareholder at Cropper Accountancy Corporation, conducted the field work along with his colleagues. Mr. Cropper will participate in the December 13 Financial Management Committee meeting. Mr. Cropper will also present the audited financial statements to the Commission at the Thursday, December 16 meeting.

Acceptance of the basic financial statements authorizes their publication. Copies will be provided to the State Controller's Office, the Alameda County Auditor-Controller, member agencies and other interested parties. The document will also be posted on the EBDA website.

The basic financial statements will be sent under separate cover.

ITEM NO. FM7 RESOLUTION APPROVING REVISIONS TO THE AUTHORITY'S INVESTMENT POLICY

Recommendation

Adopt a resolution approving revisions to the Authority's Investment Policy.

Background

In March 2019, the Commission adopted a new Investment Policy, updating a policy and procedure previously adopted in 2013. The Policy lays out the overall guidelines for the Authority's investments, consistent with relevant government codes. Staff had assistance from PFM Asset Management, LLC in updating the Policy.

The Policy incorporates by reference relevant sections of California Government Code that govern public agency investments. The initially adopted Policy said that those sections were to be attached. In May 2019, the Commission adopted a new version of the Policy that, along with other minor revisions, removed the attachments on the grounds that the references are sufficient, and instead included Figure 1 of the [California Debt and Investment Advisory Commission's Local Agency Investment Guidelines](#), which is a helpful summary of the requirements in the Government Code. The Policy included the 2019 version of the table.

Discussion

Staff has reviewed the existing Investment Policy, along with similar policies recently adopted by Member Agencies, and does not recommend any substantive changes at this time. The Policy remains wide-ranging, setting the boundaries for public agency investment according to state laws and regulations.

Staff does recommend one edit, because Figure 1 of the Local Agency Investment Guidelines, which is included in the Policy, has been updated since the Policy was adopted in 2019. The Guidelines and summary table are updated from time to time to reflect changes in law. The proposed edit to the Authority's Investment Policy allows the Policy to automatically reference the most recent version by linking to the website. The most recent version of the table (now the 2021 version) is still included for easy reference.

The proposed revisions to the Investment Policy are attached in track changes. A clean copy for approval is also attached.

POLICY NUMBER: 1.1

NAME OF POLICY: Finance - Investments

LAST REVISED: ~~5/13/2020~~ 12/16/2021

PREVIOUSLY REVISED: ~~3/21/2019~~ 05/13/2020

PURPOSE: All financial assets, including special revenue funds, capital project funds, internal service funds and other funds that may be created from time to time, shall be administered in accordance with the provisions of this Policy and are accounted for in the Annual Financial Report. This Investment Policy is used to guide Authority staff in investment decisions and transactions.

POLICY: It is the policy of East Bay Dischargers Authority (Authority) to invest public funds in a manner which prioritizes security over investment return, while meeting the daily cash flow demands of the Authority, and conforming to California Government Code Sections 53601 through 53686 and other statutes governing the investment of public funds.

DETAILED DISCUSSION:

A. OBJECTIVES:

When investing, reinvesting, purchasing, acquiring, exchanging, selling and managing public funds, the primary objectives, in priority order, of the investment activities shall be:

1. **Safety:** Safety of principal is the foremost objective of the investment program. Investments of the East Bay Dischargers Authority shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.

2. **Liquidity:** The investment portfolio will remain sufficiently liquid to enable the East Bay Dischargers Authority to meet all operating requirements which might be reasonably anticipated.

3. Return on Investments: The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio. (CGC 53600.5)

B. STANDARD OF CARE:

- **Prudence:** All investments shall be made within the policy framework of liquidity, safety, and investment return, with the judgment and care a person of prudence and intelligence would, under the circumstances then prevailing, exercise in the management of his/her affairs.
- **Ethics and Conflict of Interest:** District officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Officers and employee involved in the investment process shall abide by CGC Section 109, et seq. and the California Political Reform Act.
- **Delegation of Authority:** The authority to manage investment programs is granted to the Investment Committee which is comprised of the two members of the Financial Management Committee appointed by the Commission, and the General Manager/Treasurer. The responsibility for the operation and day-to-day maintenance of the investment program is delegated to the Authority's General Manager/Treasurer. The General Manager/Treasurer shall file with the Authority an official bond. The Authority shall pay the cost of said bonds.

C. PROCEDURES:

The General Manager/Treasurer shall establish written procedures and a system of internal controls for the operation of the investment program consistent with this investment policy to be incorporated into the Authority's Financial Management System Policy and Procedures Manual. Procedures should include references to: safekeeping, PSA repurchase agreements, wire transfer agreements, collateral/depository agreements and banking services contracts, as appropriate. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Financial Management Committee. The Treasurer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials. The General Manager/Treasurer is a trustee and a fiduciary subject to the prudent investor standard. (CGC 53600.3)

D. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS:

The General Manager/Treasurer will maintain a list of financial institutions, selected on the basis of credit worthiness, financial strength, experience and minimal capitalization that are authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers who are authorized to provide investment and financial advisory services in the State of California. No public deposit shall be made except in a qualified public depository as established by state laws.

For brokers/dealers of government securities and other investments, the General Manager/Treasurer shall select only broker/dealers who are licensed and in good standing with the California Department of Securities, the Securities and Exchange Commission, the National Association of Securities Dealers or other applicable self-regulatory organizations and familiar with the Government Code restrictions on public agency investments and have a substantial experience with other public agency investments.

Before engaging in investment transactions with a broker/dealer, the General Manager/Treasurer shall have received from said firm a signed Certification Form. This form shall attest that the individual responsible for the Authority's account with that firm has reviewed the Authority's Investment Policy and that the firm understands the policy and intends to present investment recommendations and transactions to the Authority that are appropriate under the terms and conditions of the Investment Policy.

E. AUTHORIZED AND SUITABLE INVESTMENTS:

- The allowable investment instruments applicable to all local agencies, including the East Bay Dischargers Authority, are shown in the documents listed below and included by reference in this investment policy. California Government Code Section 5920-5924
- California Government Code Section 16429.1-16429.4
- California Government Code Section 53500-53505
- California Government Code Section 53600-53609
- California Government Code Section 53630-53686

See CGC 53601 for a detailed summary of the limitations and special conditions that apply to each of the above listed investment securities. [A table summarizing allowable investments is included as Figure 1 in the California Debt and Investment Advisory](#)

Commission's Local Agency Investment Guidelines, available at the following website: <https://www.treasurer.ca.gov/cdiac/laig/guideline.pdf>. The Guidelines and table are updated periodically to reflect changes in law. The most recent version at the time of Policy adoption is attached here for reference.

~~The following table summarizes allowable investments, and is attached and included at the end of this Policy:~~

~~Figure 1, Chapter II. Fund Management, Local Agency Investment Guidelines 2019, California Debt and Investment Advisory Commission.~~

F. PROHIBITED INVESTMENTS:

Under the provisions of CGC 53601.6 and 53631.5, the Authority shall not invest any funds covered by this Investment Policy in inverse floaters, range notes, interest-only strips derived from mortgage pools or any investment that may result in a zero interest accrual if held to maturity.

G. COLLATERALIZATION:

All certificates of deposits and repurchase agreements must be collateralized by U. S. Treasury Obligations. Collateral must be held by a third party and valued on a monthly basis. The percentage of collateralization on Repurchase Agreements will adhere to the amount required under CGC 53601(i)(2).

H. DIVERSIFICATIONS:

It is the policy of the Authority to diversify its investment portfolio. With the exception of funds invested in LAIF, United State Treasury Bills, notes, and bonds, the Authority will diversify its investments by security type and, within each type, by institution. Invested assets shall be diversified to eliminate the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer or a specific class of securities. Diversification shall be determined and revised periodically by the Treasurer in consultation with the Financial Management Committee. In establishing specific diversification strategies, the following guidelines shall apply:

- 1) Portfolio maturities shall be matched against projected liabilities to avoid an over concentration in a specific series of maturities.
- 2) Maturities selected shall provide for stability and liquidity.

3) Disbursement and payroll dates shall be covered by the scheduled maturity of specific investments, marketable U. S. Treasury Bills or Notes or other cash equivalent instruments, such as money market mutual funds.

I. PERFORMANCE STANDARDS:

The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow needs of the Authority. The Authority shall establish a performance benchmark. Benchmarks may change over time based on changes in market conditions, investment preferences, or cash flow requirements.

J. INTERNAL CONTROLS:

The Authority shall establish a set of internal controls which shall be documented in writing. The internal controls will be reviewed by the Authority and with the independent auditor. The controls shall be designed to prevent employee error, misrepresentations by third parties, and unanticipated changes in financial markets or imprudent actions by officers or employees of the Authority.

K. SAFEKEEPING & CUSTODY:

All security transactions entered into by the Authority shall be conducted on delivery-versus-payment (DVP) basis. All securities purchased or acquired shall be delivered to the Authority by book entry, physical delivery or by third party custodial agreement. (CGC 53601). The Treasurer shall deposit securities in which the Authority holds funds in a safe deposit box in the name of East Bay Dischargers Authority.

L. REPORTING:

The Treasurer shall submit to the Commission a monthly report. The report shall include a complete description of the portfolio, the type of investment, the issuers, maturity dates, par values and the current market values of each component of the portfolio, including funds managed by third party contractors. The report will also include the source of the portfolio valuation. In the case of funds invested in The Local Agency Investment Fund (LAIF), FDIC Insured accounts or county investment pools, current statements from those institutions will satisfy the above reporting requirement. The report will also include a certification that (1) all investment actions executed since the last report have been made in full compliance with the Investment Policy and, (2) the Authority will meet its expenditure obligations for the next six months. [CGC 53646(b)]. The Treasurer shall maintain a complete and timely record of all investment transactions.

M. INVESTMENT POLICY ADOPTION:

The Investment Policy shall be adopted by resolution of the East Bay Dischargers Authority. Moreover, the Policy shall be reviewed on an annual basis, and modifications must be approved by the Commission.

GLOSSARY:

ASK PRICE: The price at which a seller offers to sell a security to a buyer.

ASSET-BACKED SECURITIES: Bonds created from various types of consumer debt.

Returns on these securities come from customer payments on their outstanding loans. The primary types of asset-backed securities are mortgages, home equity loans, auto loans, leases, credit card receivables and student loans.

BANKERS' ACCEPTANCE: A letter of credit issued in a foreign trade transaction which allows exporters to receive payment prior to importation of their goods. Banks provide short-term financing to facilitate the transaction and may sell the obligation to a third party. Bankers' Acceptances are secured by the issuer of the bill, while the underlying goods also serve as collateral.

BANK DEPOSITS: Collateral in the form of currency that may be in the form of demand accounts (checking) or investments in accounts that have a fixed term and negotiated rate of interest.

BENCHMARK: A comparative base for measuring the performance or risk tolerance of the investment portfolio. A benchmark should represent a close correlation to the level of risk and the average duration of the portfolio's investments.

BID PRICE: The price at which a buyer offers to purchase a security from the seller.

BOND: A debt investment in which an investor loans money to an entity (corporate or governmental) that borrows the funds for a defined period of time at a fixed interest rate called a coupon payment. Bonds are used by companies, municipalities, states and the U.S. government to finance a variety of projects and operating activities.

BROKER: A broker aligns buyers and sellers of securities and receives a commission when a sale occurs. Brokers generally do not hold inventory or make a market for securities.

CALIFORNIA LOCAL AGENCY OBLIGATIONS: Bonds that are issued by a California county, Authority, Authority and county, including a chartered Authority or county, school district, community college district, public district, county board of education, county superintendent of schools, or any public or municipal corporation.

CD (CERTIFICATE OF DEPOSIT): Time deposits issued by a bank, savings or federal credit union, or state-licensed branch of a foreign bank. Negotiable Certificates of Deposits rely on the credit rating of the issuing entity.

COLLATERAL: Securities, evidence of deposit, or other property that a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

COLLATERALIZATION: Process by which a borrower pledges securities, property, or other deposits for the purpose of securing the repayment of a loan and/or security.

COMMERCIAL PAPER: Short-term unsecured promissory note issued by a company or financial institution. Commercial paper is issued at a discount and matures at face value. Usually a maximum maturity of 270 days, and given a short-term debt rating by one or more nationally recognized statistical rating organizations (NRSROs).

COUNTY POOLED INVESTMENT FUNDS: The aggregate of all funds from public agencies placed in the custody of the county treasurer or chief finance officer for investment and reinvestment.

COUPON: The annual rate of interest that a bond's issuer promises to pay the bondholder, expressed as a percentage of the bond's face value.

CREDIT RISK: Credit risk is the likelihood that an issuer will be unable to make scheduled payments of interest or principal on an outstanding obligation.

CUSTODIAN: An agent such as a broker or a bank that stores a customer's investments for safekeeping. The custodian does not have fiduciary responsibilities.

DEALER: A dealer, as opposed to a broker, acts as a principal in security transactions, selling securities from, and buying securities for his/her own position.

DEFAULT: To default is to fail to repay principal or make timely interest payments on a bond or other debt investment security, or failure to fulfill the terms of a note or contract.

DELIVERY VERSUS PAYMENT (DVP): A securities industry procedure whereby payment for a security must be made at the time the security is delivered to the purchaser's agent.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

DURATION: The weighted average time to maturity of a bond where the weights are the present values of future cash flows. Duration measures the price sensitivity of a bond to changes in interest rates.

FIDUCIARY: An individual who holds something in trust for another and bears liability for its safekeeping.

FLOATING RATE INVESTMENTS: Notes whose interest rate is adjusted according to the interest rates of other financial instruments. These instruments provide protection against rising or falling interest rates, but may pay lower yield than fixed rate notes.

FUTURES: Commodities, which are sold in the present time and are to be delivered at a future date.

INTEREST ONLY STRIPS: Securities with cash flow based entirely on the monthly interest payments received from a mortgage, Treasury, or bond payment. No principal is included in these types of securities.

INVERSE FLOATING RATE INVESTMENTS: Variable-rate notes (such as inverse floating rate notes) whose coupon and value increase as interest rates decrease.

INVESTMENT PROGRAM: The process of modern portfolio management. The process includes establishing investment policy, analysis of the economic and capital markets environment, portfolio monitoring and rebalancing, and measuring performance.

LIQUIDITY: The ease with which investments can be converted to cash at their present market value. Liquidity is significantly affected by the number of buyers and sellers trading a given security and the number of units of the security available for trading.

LOCAL AGENCY BONDS: These bonds are issued by a county, Authority, Authority and county, including a chartered Authority or county, school district, community college district, public district, county board of education, county superintendent of schools, or any public or municipal corporation.

LOCAL AGENCY INVESTMENT FUND (LAIF): A voluntary investment fund open to state and local government entities and certain non-profit organizations in California in which organization pools their funds for investment. LAIF is managed by the State Treasurer's Office.

MARKET RISK: Market risk is the risk that investments will change in value based on changes in general market prices.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: A written contract which includes provisions specific to the governmental agency that is signed by an authorized officer with each counterparty. A master agreement will often specify details to the nature of transactions, the relationship of the parties to the agreement, parameters pertaining to the ownership and custody of collateral, and remedies in the event of default by either party.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MEDIUM TERM NOTES (MTN): Unsecured, investment-grade senior debt securities of major corporations that are sold either on a continuous or an intermittent basis. MTNs are highly flexible debt instruments that can be structured to respond to market opportunities or to investor preferences.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

MORTGAGE-BACKED SECURITIES: A debt instrument with a pool of real estate loans as the underlying collateral. The mortgage payments of the real estate assets are used to pay interest and principal on the bonds.

MORTGAGE PASS-THROUGH SECURITIES: A securitized participation in the interest and principal cash flows from a specified pool of mortgages. Principal and interest payments made on the mortgages are passed through to the holder of the security.

MUTUAL FUNDS: An investment company that pools money and can invest in a variety of securities, including fixed-income securities and money market instruments. **Money market mutual funds** invest exclusively in short-term (1-day to 1-year) debt obligations such as Treasury bills, certificates of deposit, and commercial paper. The principal objective is the preservation of capital and generation of current income.

OFFER: The price asked by a seller of securities. See Ask Price and Bid Price.

OPTION: A contract that provides the right or obligation, depending on the buyer or seller's position within the contract, to buy or to sell a specific amount of a specific security within a predetermined time period at a specified price. A call option provides the right to buy the underlying security. A put option provides the right to sell the underlying security. The seller of the contracts is called the writer.

PORTFOLIO: A collection of securities held by an investor.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC)-registered securities broker-dealers, banks, and a few unregulated firms.

PRINCIPAL ONLY STRIPS: Securities with cash flow based entirely on the principal payments received from an obligation.

RANGE NOTES: A range note is a bond that pays interest if a specified interest rate remains above or below a certain level and/or remains within a certain range.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price.

REPURCHASE AGREEMENT (RP, Repo): A contractual transaction between an investor and an issuing financial institution (bank or securities dealer). The investor exchanges cash for temporary ownership or control of collateral securities, with an agreement between the parties that on a future date, the financial institution will repurchase the securities.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held by the bank in the customer's name.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES AND EXCHANGE COMMISSION (SEC): A federal government agency comprised of five commissioners appointed by the President and approved by the Senate. The SEC was established to protect the individual investor from fraud and malpractice in the marketplace. The Commission oversees and regulates the activities of registered investment advisers, stock and bond markets, broker/dealers, and mutual funds.

STATE OBLIGATIONS: Registered treasury notes or bonds of the 50 United States, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the 50 United States.

STRIPS: Bonds, usually issued by the U.S. Treasury, whose two components, interest and repayment of principal, are separated and sold individually as zero-coupon bonds. Strips are an acronym for Separate Trading of Registered Interest and Principal of Securities.

SUPRANATIONALS: International financial institutions that are generally established by agreements among nations, with member nations contributing capital and participating in management. Supranational bonds finance economic and infrastructure development and support environmental protection, poverty reduction, and renewable energy around the globe.

TRUSTEE: An individual or organization, which holds or manages and invests assets for the benefit of another. The trustee is legally obliged to make all trust-related decisions with the trustee's interests in mind, and may be liable for damages in the event of not doing so.

U.S. AGENCY OBLIGATIONS: Federal agency or United States government-sponsored enterprise obligations (GSEs), participations, or other instruments. The obligations are issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises. Issuers include: Fannie Mae, Farmer Mac, Federal Farm Credit Banks, Freddie Mac, Federal Home Loan Banks, Financing Corporation, Tennessee Valley Authority, Resolution Trust Funding Corporation, World Bank, Inter-American Development Bank, and PEFCO.

U.S. TREASURY OBLIGATIONS (TREASURIES): Securities issued by the U.S. Treasury and backed by the full faith and credit of the United States. Treasuries are considered to have no credit risk and are the benchmark for interest rates on all other securities in the U.S. and overseas. The Treasury issues both discounted securities and fixed coupon notes and bonds.

Treasury Bills: All securities issued with initial maturities of one year or less are issued as discounted instruments, and are called Treasury Bills (T-bills). The Treasury currently issues 3-month and 6-month T-bills at regular weekly auctions. It also issues "cash management" bills as needed to smooth cash flows.

Treasury Notes: All securities issued with initial maturities of 2- to 10-years are called Treasury Notes (T-notes), and pay interest semi-annually.

Treasury Bonds: All securities issued with initial maturities greater than 10-years are called Treasury Bonds (T-bonds). Like Treasury Notes, they pay interest semi-annually.

WAL: Weighted Average Life: The average life of all the securities that comprise a portfolio, typically expressed in days or years.

YIELD: The rate of annual income return on an investment, expressed as a percentage. Yield does not include capital gains.

Income Yield is obtained by dividing the current dollar income by the current market price for the security.

Net Yield or Yield to Maturity is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

ZERO-COUPON BOND: A bond on which interest is not payable until maturity (or earlier redemption), but compounds periodically to accumulate to a stated maturity amount. Zero-coupon bonds are typically issued at a discount and repaid at par upon maturity.

FIGURE 1

ALLOWABLE INVESTMENT INSTRUMENTS PER STATE GOVERNMENT CODE (AS OF JANUARY 1, 2021)^A APPLICABLE TO ALL LOCAL AGENCIES^B

See "Table of Notes for Figure 1" on the next page for footnotes related to this figure.

INVESTMENT TYPE	MAXIMUM MATURITY ^c	MAXIMUM SPECIFIED % OF PORTFOLIO ^d	MINIMUM QUALITY REQUIREMENTS	GOV'T CODE SECTIONS
Local Agency Bonds	5 years	None	None	53601(a)
U.S. Treasury Obligations	5 years	None	None	53601(b)
State Obligations— CA And Others	5 years	None	None	53601(c) 53601(d)
CA Local Agency Obligations	5 years	None	None	53601(e)
U.S Agency Obligations	5 years	None	None	53601(f)
Bankers' Acceptances	180 days	40%	None	53601(g)
Commercial Paper—Non-Pooled Funds (under \$100,000,000 of investments)	270 days or less	25% of the agency's money ^e	Highest letter and number rating by an NRSRO ^e	53601(h)(2)(c)
Commercial Paper—Non-Pooled Funds (min. \$100,000,000 of investments)	270 days or less	40% of the agency's money ^e	Highest letter and number rating by an NRSRO ^e	53601(h)(2)(c)
Commercial Paper— Pooled Funds ^e	270 days or less	40% of the agency's money ^e	Highest letter and number rating by an NRSRO ^e	53635(a)(1)
Negotiable Certificates of Deposit	5 years	30%	None	53601(i)
Non-negotiable Certificates of	5 years	None	None	53630 et seq.
Placement Service Deposits	5 years	50%	None	53601.8 and 53635.8
Placement Service Certificates of Deposit	5 years	50%	None	53601.8 and 53635.8
Repurchase Agreements	1 year	None	None	53601(j)
Reverse Repurchase Agreements and Securities Lending Agreements	92 days ^e	20% of the base value of the	None ^e	53601(j)
Medium-Term Notes ^e	5 years or less	30%	"A" rating category or its equivalent or	53601(k)
Mutual Funds And Money Market Mutual Funds	N/ A	20%	Multiple ^e	53601(l) and 53601.6(b)
Collateralized Bank Deposits ^e	5 years	None	None	53630 et seq. and 53601(n)
Mortgage Pass-Through and Asset-Backed Securities	5 years or less	20%	"AA" rating category or its	53601(o)
County Pooled Investment Funds	N/ A	None	None	27133
Joint Powers Authority Pool	N/ A	None	Multiple ^e	53601(p)
Local Agency Investment Fund	N/ A	None	None	16429.1
Voluntary Investment Program Fund ^e	N/ A	None	None	16340
Supranational Obligations ^e	5 years or less	30%	"AA" rating category or its	53601(q)
Public Bank Obligations	5 years	None	None	53601(r), 53635(c) and 57603

INVESTMENT TYPE	MAXIMUM REMAINING MATURITY ^C	MAXIMUM SPECIFIED % OF PORTFOLIO ^D	MINIMUM QUALITY REQUIREMENTS	GOVERNMENT CODE SECTIONS
Local Agency Bonds	5 years	None	None	53601(a)
U.S. Treasury Obligations	5 years	None	None	53601(b)
State Obligations: CA and Others	5 years	None	None	53601(d)
CA Local Agency Obligations	5 years	None	None	53601(e)
U.S. Agency Obligations	5 years	None	None	53601(f)
Bankers' Acceptances	180 days	40% ^E	None	53601(g)
Commercial Paper: Non-pooled Funds ^F	270 days or less	25% of the agency's money ^G	Highest letter and number rating by an NRSRO ^H	53601(h)(2)(C)
Commercial Paper: Pooled Funds ^I	270 days or less	40% of the agency's money ^G	Highest letter and number rating by an NRSRO ^H	53635(a)(1)
Negotiable Certificates of Deposit	5 years	30% ^J	None	53601(i)
Non-negotiable Certificates of Deposit	5 years	None	None	53630 et seq.
Placement Service Deposits	5 years	30% ^K	None	53601.8 and 53635.8
Placement Service Certificates of Deposit	5 years	30% ^K	None	53601.8 and 53635.8
Repurchase Agreements	1 year	None	None	53601(j)
Reverse Repurchase Agreements and Securities Lending Agreements	92 days ^L	20% of the base value of the portfolio	None ^M	53601(j)
Medium-term Notes ^N	5 years or less	30%	"A" rating category or its equivalent or better	53601(k)
Mutual Funds and Money Market Mutual Funds	N/A	20% ^O	Multiple ^{P,Q}	53601(l) and 53601.6(b)
Collateralized Bank Deposits ^R	5 years	None	None	53630 et seq. and 53601(n)
Mortgage Pass-through and Asset Backed Securities	5 years or less	20%	"AA" rating category or its equivalent or better	53601(o)
County Pooled Investment Funds	N/A	None	None	27133
Joint Powers Authority Pool	N/A	None	Multiple ^S	53601(p)
Local Agency Investment Fund (LAIF)	N/A	None	None	16429.1
Voluntary Investment Program Fund ^T	N/A	None	None	16340
Supranational Obligations ^U	5 years or less	30%	"AA" rating category or its equivalent or better	53601(q)

TABLE OF NOTES FOR FIGURE 1

- ^a Sources: Sections 16340, 16429.1, 27133, 53601, 53601.6, 53601.8, 53630 et seq., 53635, 53635.8, and 57603.
- ^b Municipal Utilities Districts have the authority under the Public Utilities Code Section 12871 to invest in certain securities not addressed here.
- ^c Section 53601 provides that the maximum term of any investment authorized under this section, unless otherwise stated, is five years. However, the legislative body may grant express authority to make investments either specifically or as a part of an investment program approved by the legislative body that exceeds this five year remaining maturity limit. Such approval must be issued no less than three months prior to the purchase of any security exceeding the five-year maturity limit.
- ^d Percentages apply to all portfolio investments regardless of source of funds. For instance, cash from a reverse repurchase agreement would be subject to the restrictions.
- ^e No more than 30 percent of the agency's money may be in bankers' acceptances of any one commercial bank.
- ^f Includes agencies defined as a city, a district, or other local agency that do not pool money in deposits or investment with other local agencies, other than local agencies that have the same governing body.
- ^g Local agencies, other than counties or a city and county, may purchase no more than 10 percent of the outstanding commercial paper and medium-term notes of any single issuer.
- ^h Issuing corporation must be organized and operating within the U.S., have assets in excess of \$500 million, and debt other than commercial paper must be in a rating category of "A" or its equivalent or higher by a nationally recognized statistical rating organization, or the issuing corporation must be organized within the U.S. as a special purpose corporation, trust, or LLC, have program wide credit enhancements, and have commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally recognized statistical rating agency.
- ⁱ Includes agencies defined as a county, a city and county, or other local agency that pools money in deposits or investments with other local agencies, including local agencies that have the same governing body. Local agencies that pool exclusively with other local agencies that have the same governing body must adhere to the limits set forth in Section 53601(h)(2)(C).
- ^j No more than 30 percent of the agency's money may be in negotiable certificates of deposit that are authorized under Section 53601(i).
- ^k Effective January 1, 2020, no more than 50 percent of the agency's money may be invested in deposits, including certificates of deposit, through a placement service as authorized under 53601.8 (excludes negotiable certificates of deposit authorized under Section 53601(i)). On January 1, 2026, the maximum percentage of the portfolio reverts back to 30 percent. Investments made pursuant to 53635.8 remain subject to a maximum of 30 percent of the portfolio.
- ^l Reverse repurchase agreements or securities lending agreements may exceed the 92-day term if the agreement includes a written codicil guaranteeing a minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity dates of the same security.
- ^m Reverse repurchase agreements must be made with primary dealers of the Federal Reserve Bank of New York or with a nationally or state chartered bank that has a significant relationship with the local agency. The local agency must have held the securities used for the agreements for at least 30 days.
- ⁿ "Medium-term notes" are defined in Section 53601 as "all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States."
- ^o No more than 10 percent invested in any one mutual fund. This limitation does not apply to money market mutual funds.
- ^p A mutual fund must receive the highest ranking by not less than two nationally recognized rating agencies or the fund must retain an investment advisor who is registered with the SEC (or exempt from registration), has assets under management in excess of \$500 million, and has at least five years' experience investing in instruments authorized by Sections 53601 and 53635.
- ^q A money market mutual fund must receive the highest ranking by not less than two nationally recognized statistical rating organizations or retain an investment advisor registered with the SEC or exempt from registration and who has not less than five years' experience investing in money market instruments with assets under management in excess of \$500 million.
- ^r Investments in notes, bonds, or other obligations under Section 53601(n) require that collateral be placed into the custody of a trust company or the trust department of a bank that is not affiliated with the issuer of the secured obligation, among other specific collateral requirements.
- ^s A joint powers authority pool must retain an investment advisor who is registered with the SEC (or exempt from registration), has assets under management in excess of \$500 million, and has at least five years' experience investing in instruments authorized by Section 53601, subdivisions (a) to (o).
- ^t Local entities can deposit between \$200 million and \$10 billion into the Voluntary Investment Program Fund, upon approval by their governing bodies. Deposits in the fund will be invested in the Pooled Money Investment Account.
- ^u Only those obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development (IBRD), International Finance Corporation (IFC), and Inter-American Development Bank (IADB), with a maximum remaining maturity of five years or less.

TABLE OF NOTES FOR FIGURE 1

A	<i>Sources: Sections 16340, 16429.1, 27133, 53601, 53601.6, 53601.8, 53630 et seq., 53635, and 53635.8.</i>	M	<i>spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity dates of the same security.</i>
B	<i>Municipal Utilities Districts have the authority under the Public Utilities Code Section 12871 to invest in certain securities not addressed here.</i>	N	<i>Reverse repurchase agreements must be made with primary dealers of the Federal Reserve Bank of New York or with a nationally or state chartered bank that has a significant relationship with the local agency. The local agency must have held the securities used for the agreements for at least 30 days.</i>
C	<i>Section 53601 provides that the maximum term of any investment authorized under this section, unless otherwise stated, is five years. However, the legislative body may grant express authority to make investments either specifically or as a part of an investment program approved by the legislative body that exceeds this five year remaining maturity limit. Such approval must be issued no less than three months prior to the purchase of any security exceeding the five year maturity limit.</i>	O	
D		P	
E		Q	
F		R	<i>"Medium term notes" are defined in Section 53601 as "all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States."</i>
G		S	
H	<i>Percentages apply to all portfolio investments regardless of source of funds. For instance, cash from a reverse repurchase agreement would be subject to the restrictions.</i>	T	<i>No more than 10 percent invested in any one mutual fund. This limitation does not apply to money market mutual funds.</i>
I		U	
J	<i>No more than 30 percent of the agency's money may be in bankers' acceptances of any one commercial bank.</i>		<i>A mutual fund must receive the highest ranking by not less than two nationally recognized rating agencies or the fund must retain an investment advisor who is registered with the SEC (or exempt from registration), has assets under management in excess of \$500 million, and has at least five years' experience investing in instruments authorized by Sections 53601 and 53635.</i>
K			<i>A money market mutual fund must receive the highest ranking by not less than two nationally recognized statistical rating organizations or retain an investment advisor registered with the SEC or exempt from registration and who has not less than five years' experience investing in money market instruments with assets under management in excess of \$500 million.</i>
L	<i>Includes agencies defined as a city, a district, or other local agency that do not pool money in deposits or investment with other local agencies, other than local agencies that have the same governing body.</i>		<i>Investments in notes, bonds, or other obligations under Section 53601(n) require that collateral be placed into the custody of a trust company or the trust department of a bank that is not affiliated with the issuer of the secured obligation, among other specific collateral requirements.</i>
	<i>Local agencies, other than counties or a city and county, may purchase no more than 10 percent of the outstanding commercial paper of any single issuer.</i>		<i>A joint powers authority pool must retain an investment advisor who is registered with the SEC (or exempt from registration), has assets under management in excess of \$500 million, and has at least five years' experience investing in instruments authorized by Section 53601, subdivisions (a) to (e).</i>
	<i>Issuing corporation must be organized and operating within the U.S., have assets in excess of \$500 million, and debt other than commercial paper must be in a rating category of "A" or its equivalent or higher by a nationally recognized statistical rating organization, or the issuing corporation must be organized within the U.S. as a special purpose corporation, trust, or LLC, have program wide credit enhancements, and have commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally recognized statistical rating agency.</i>		<i>Local entities can deposit between \$200 million and \$10 billion into the Voluntary Investment Program Fund, upon approval by their governing bodies. Deposits in the fund will be invested in the Pooled Money Investment Account.</i>
	<i>Includes agencies defined as a county, a city and county, or other local agency that pools money in deposits or investments with other local agencies, including local agencies that have the same governing body. Local agencies that pool exclusively with other local agencies that have the same governing body must adhere to the limits set forth in Section 53601(h)(2)(C).</i>		<i>Only those obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development (IBRD), International Finance Corporation (IFC), and Inter-American Development Bank (IADB), with a maximum remaining maturity of five years or less.</i>
	<i>No more than 30 percent of the agency's money may be in negotiable certificates of deposit that are authorized under Section 53601(i).</i>		
	<i>No more than 30 percent of the agency's money may be invested in deposits, including certificates of deposit, through a placement service (excludes negotiable certificates of deposit authorized under Section 53601(i)).</i>		
	<i>Reverse repurchase agreements or securities lending agreements may exceed the 92-day term if the agreement includes a written codicil guaranteeing a minimum earning or</i>		

POLICY NUMBER: 1.1

NAME OF POLICY: Finance - Investments

LAST REVISED: 12/16/2021

PREVIOUSLY REVISED: 05/13/2020

PURPOSE: All financial assets, including special revenue funds, capital project funds, internal service funds and other funds that may be created from time to time, shall be administered in accordance with the provisions of this Policy and are accounted for in the Annual Financial Report. This Investment Policy is used to guide Authority staff in investment decisions and transactions.

POLICY: It is the policy of East Bay Dischargers Authority (Authority) to invest public funds in a manner which prioritizes security over investment return, while meeting the daily cash flow demands of the Authority, and conforming to California Government Code Sections 53601 through 53686 and other statutes governing the investment of public funds.

DETAILED DISCUSSION:

A. OBJECTIVES:

When investing, reinvesting, purchasing, acquiring, exchanging, selling and managing public funds, the primary objectives, in priority order, of the investment activities shall be:

- 1. Safety:** Safety of principal is the foremost objective of the investment program. Investments of the East Bay Dischargers Authority shall be undertaken in a manner that seeks to ensure the preservation of capital in the overall portfolio. To attain this objective, diversification is required in order that potential losses on individual securities do not exceed the income generated from the remainder of the portfolio.
- 2. Liquidity:** The investment portfolio will remain sufficiently liquid to enable the East Bay Dischargers Authority to meet all operating requirements which might be reasonably anticipated.

3. Return on Investments: The investment portfolio shall be designed with the objective of attaining a market rate of return throughout budgetary and economic cycles, taking into account the investment risk constraints and the cash flow characteristics of the portfolio. (CGC 53600.5)

B. STANDARD OF CARE:

- **Prudence:** All investments shall be made within the policy framework of liquidity, safety, and investment return, with the judgment and care a person of prudence and intelligence would, under the circumstances then prevailing, exercise in the management of his/her affairs.
- **Ethics and Conflict of Interest:** District officers and employees involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or which could impair their ability to make impartial investment decisions. Officers and employee involved in the investment process shall abide by CGC Section 109, et seq. and the California Political Reform Act.
- **Delegation of Authority:** The authority to manage investment programs is granted to the Investment Committee which is comprised of the two members of the Financial Management Committee appointed by the Commission, and the General Manager/Treasurer. The responsibility for the operation and day-to-day maintenance of the investment program is delegated to the Authority's General Manager/Treasurer. The General Manager/Treasurer shall file with the Authority an official bond. The Authority shall pay the cost of said bonds.

C. PROCEDURES:

The General Manager/Treasurer shall establish written procedures and a system of internal controls for the operation of the investment program consistent with this investment policy to be incorporated into the Authority's Financial Management System Policy and Procedures Manual. Procedures should include references to: safekeeping, PSA repurchase agreements, wire transfer agreements, collateral/depository agreements and banking services contracts, as appropriate. Such procedures shall include explicit delegation of authority to persons responsible for investment transactions. No person may engage in an investment transaction except as provided under the terms of this policy and the procedures established by the Financial Management Committee. The Treasurer shall be responsible for all transactions undertaken and shall establish a system of controls to regulate the activities of subordinate officials. The General Manager/Treasurer is a trustee and a fiduciary subject to the prudent investor standard. (CGC 53600.3)

D. AUTHORIZED FINANCIAL INSTITUTIONS AND DEALERS:

The General Manager/Treasurer will maintain a list of financial institutions, selected on the basis of credit worthiness, financial strength, experience and minimal capitalization that are authorized to provide investment services. In addition, a list will also be maintained of approved security broker/dealers who are authorized to provide investment and financial advisory services in the State of California. No public deposit shall be made except in a qualified public depository as established by state laws.

For brokers/dealers of government securities and other investments, the General Manager/Treasurer shall select only broker/dealers who are licensed and in good standing with the California Department of Securities, the Securities and Exchange Commission, the National Association of Securities Dealers or other applicable self-regulatory organizations and familiar with the Government Code restrictions on public agency investments and have a substantial experience with other public agency investments.

Before engaging in investment transactions with a broker/dealer, the General Manager/Treasurer shall have received from said firm a signed Certification Form. This form shall attest that the individual responsible for the Authority's account with that firm has reviewed the Authority's Investment Policy and that the firm understands the policy and intends to present investment recommendations and transactions to the Authority that are appropriate under the terms and conditions of the Investment Policy.

E. AUTHORIZED AND SUITABLE INVESTMENTS:

- The allowable investment instruments applicable to all local agencies, including the East Bay Dischargers Authority, are shown in the documents listed below and included by reference in this investment policy. California Government Code Section 5920-5924
- California Government Code Section 16429.1-16429.4
- California Government Code Section 53500-53505
- California Government Code Section 53600-53609
- California Government Code Section 53630-53686

See CGC 53601 for a detailed summary of the limitations and special conditions that apply to each of the above listed investment securities. A table summarizing allowable investments is included as Figure 1 in the California Debt and Investment Advisory

Commission's Local Agency Investment Guidelines, available at the following website: <https://www.treasurer.ca.gov/cdiac/laig/guideline.pdf>. The Guidelines and table are updated periodically to reflect changes in law. The most recent version at the time of Policy adoption is attached here for reference.

F. PROHIBITED INVESTMENTS:

Under the provisions of CGC 53601.6 and 53631.5, the Authority shall not invest any funds covered by this Investment Policy in inverse floaters, range notes, interest-only strips derived from mortgage pools or any investment that may result in a zero interest accrual if held to maturity.

G. COLLATERALIZATION:

All certificates of deposits and repurchase agreements must be collateralized by U. S. Treasury Obligations. Collateral must be held by a third party and valued on a monthly basis. The percentage of collateralization on Repurchase Agreements will adhere to the amount required under CGC 53601(i)(2).

H. DIVERSIFICATIONS:

It is the policy of the Authority to diversify its investment portfolio. With the exception of funds invested in LAIF, United State Treasury Bills, notes, and bonds, the Authority will diversify its investments by security type and, within each type, by institution. Invested assets shall be diversified to eliminate the risk of loss resulting from over concentration of assets in a specific maturity, a specific issuer or a specific class of securities. Diversification shall be determined and revised periodically by the Treasurer in consultation with the Financial Management Committee. In establishing specific diversification strategies, the following guidelines shall apply:

- 1) Portfolio maturities shall be matched against projected liabilities to avoid an over concentration in a specific series of maturities.
- 2) Maturities selected shall provide for stability and liquidity.
- 3) Disbursement and payroll dates shall be covered by the scheduled maturity of specific investments, marketable U. S. Treasury Bills or Notes or other cash equivalent instruments, such as money market mutual funds.

I. PERFORMANCE STANDARDS:

The investment portfolio shall be designed with the objective of obtaining a rate of return throughout budgetary and economic cycles, commensurate with the investment risk constraints and the cash flow needs of the Authority. The Authority shall establish a performance benchmark. Benchmarks may change over time based on changes in market conditions, investment preferences, or cash flow requirements.

J. INTERNAL CONTROLS:

The Authority shall establish a set of internal controls which shall be documented in writing. The internal controls will be reviewed by the Authority and with the independent auditor. The controls shall be designed to prevent employee error, misrepresentations by third parties, and unanticipated changes in financial markets or imprudent actions by officers or employees of the Authority.

K. SAFEKEEPING & CUSTODY:

All security transactions entered into by the Authority shall be conducted on delivery-versus-payment (DVP) basis. All securities purchased or acquired shall be delivered to the Authority by book entry, physical delivery or by third party custodial agreement. (CGC 53601). The Treasurer shall deposit securities in which the Authority holds funds in a safe deposit box in the name of East Bay Dischargers Authority.

L. REPORTING:

The Treasurer shall submit to the Commission a monthly report. The report shall include a complete description of the portfolio, the type of investment, the issuers, maturity dates, par values and the current market values of each component of the portfolio, including funds managed by third party contractors. The report will also include the source of the portfolio valuation. In the case of funds invested in The Local Agency Investment Fund (LAIF), FDIC Insured accounts or county investment pools, current statements from those institutions will satisfy the above reporting requirement. The report will also include a certification that (1) all investment actions executed since the last report have been made in full compliance with the Investment Policy and, (2) the Authority will meet its expenditure obligations for the next six months. [CGC 53646(b)]. The Treasurer shall maintain a complete and timely record of all investment transactions.

M. INVESTMENT POLICY ADOPTION:

The Investment Policy shall be adopted by resolution of the East Bay Dischargers Authority. Moreover, the Policy shall be reviewed on an annual basis, and modifications must be approved by the Commission.

GLOSSARY:

ASK PRICE: The price at which a seller offers to sell a security to a buyer.

ASSET-BACKED SECURITIES: Bonds created from various types of consumer debt.

Returns on these securities come from customer payments on their outstanding loans. The primary types of asset-backed securities are mortgages, home equity loans, auto loans, leases, credit card receivables and student loans.

BANKERS' ACCEPTANCE: A letter of credit issued in a foreign trade transaction which allows exporters to receive payment prior to importation of their goods. Banks provide short-term financing to facilitate the transaction and may sell the obligation to a third party. Bankers' Acceptances are secured by the issuer of the bill, while the underlying goods also serve as collateral.

BANK DEPOSITS: Collateral in the form of currency that may be in the form of demand accounts (checking) or investments in accounts that have a fixed term and negotiated rate of interest.

BENCHMARK: A comparative base for measuring the performance or risk tolerance of the investment portfolio. A benchmark should represent a close correlation to the level of risk and the average duration of the portfolio's investments.

BID PRICE: The price at which a buyer offers to purchase a security from the seller.

BOND: A debt investment in which an investor loans money to an entity (corporate or governmental) that borrows the funds for a defined period of time at a fixed interest rate called a coupon payment. Bonds are used by companies, municipalities, states and the U.S. government to finance a variety of projects and operating activities.

BROKER: A broker aligns buyers and sellers of securities and receives a commission when a sale occurs. Brokers generally do not hold inventory or make a market for securities.

CALIFORNIA LOCAL AGENCY OBLIGATIONS: Bonds that are issued by a California county, Authority, Authority and county, including a chartered Authority or county, school district, community college district, public district, county board of education, county superintendent of schools, or any public or municipal corporation.

CD (CERTIFICATE OF DEPOSIT): Time deposits issued by a bank, savings or federal credit union, or state-licensed branch of a foreign bank. Negotiable Certificates of Deposits rely on the credit rating of the issuing entity.

COLLATERAL: Securities, evidence of deposit, or other property that a borrower pledges to secure repayment of a loan. Also refers to securities pledged by a bank to secure deposits of public monies.

COLLATERALIZATION: Process by which a borrower pledges securities, property, or other deposits for the purpose of securing the repayment of a loan and/or security.

COMMERCIAL PAPER: Short-term unsecured promissory note issued by a company or financial institution. Commercial paper is issued at a discount and matures at face value. Usually a maximum maturity of 270 days, and given a short-term debt rating by one or more nationally recognized statistical rating organizations (NRSROs).

COUNTY POOLED INVESTMENT FUNDS: The aggregate of all funds from public agencies placed in the custody of the county treasurer or chief finance officer for investment and reinvestment.

COUPON: The annual rate of interest that a bond's issuer promises to pay the bondholder, expressed as a percentage of the bond's face value.

CREDIT RISK: Credit risk is the likelihood that an issuer will be unable to make scheduled payments of interest or principal on an outstanding obligation.

CUSTODIAN: An agent such as a broker or a bank that stores a customer's investments for safekeeping. The custodian does not have fiduciary responsibilities.

DEALER: A dealer, as opposed to a broker, acts as a principal in security transactions, selling securities from, and buying securities for his/her own position.

DEFAULT: To default is to fail to repay principal or make timely interest payments on a bond or other debt investment security, or failure to fulfill the terms of a note or contract.

DELIVERY VERSUS PAYMENT (DVP): A securities industry procedure whereby payment for a security must be made at the time the security is delivered to the purchaser's agent.

DIVERSIFICATION: Dividing investment funds among a variety of securities offering independent returns.

DURATION: The weighted average time to maturity of a bond where the weights are the present values of future cash flows. Duration measures the price sensitivity of a bond to changes in interest rates.

FIDUCIARY: An individual who holds something in trust for another and bears liability for its safekeeping.

FLOATING RATE INVESTMENTS: Notes whose interest rate is adjusted according to the interest rates of other financial instruments. These instruments provide protection against rising or falling interest rates, but may pay lower yield than fixed rate notes.

FUTURES: Commodities, which are sold in the present time and are to be delivered at a future date.

INTEREST ONLY STRIPS: Securities with cash flow based entirely on the monthly interest payments received from a mortgage, Treasury, or bond payment. No principal is included in these types of securities.

INVERSE FLOATING RATE INVESTMENTS: Variable-rate notes (such as inverse floating rate notes) whose coupon and value increase as interest rates decrease.

INVESTMENT PROGRAM: The process of modern portfolio management. The process includes establishing investment policy, analysis of the economic and capital markets environment, portfolio monitoring and rebalancing, and measuring performance.

LIQUIDITY: The ease with which investments can be converted to cash at their present market value. Liquidity is significantly affected by the number of buyers and sellers trading a given security and the number of units of the security available for trading.

LOCAL AGENCY BONDS: These bonds are issued by a county, Authority, Authority and county, including a chartered Authority or county, school district, community college district, public district, county board of education, county superintendent of schools, or any public or municipal corporation.

LOCAL AGENCY INVESTMENT FUND (LAIF): A voluntary investment fund open to state and local government entities and certain non-profit organizations in California in which organization pools their funds for investment. LAIF is managed by the State Treasurer's Office.

MARKET RISK: Market risk is the risk that investments will change in value based on changes in general market prices.

MARKET VALUE: The price at which a security is trading and could presumably be purchased or sold.

MASTER REPURCHASE AGREEMENT: A written contract which includes provisions specific to the governmental agency that is signed by an authorized officer with each counterparty. A master agreement will often specify details to the nature of transactions, the relationship of the parties to the agreement, parameters pertaining to the ownership and custody of collateral, and remedies in the event of default by either party.

MATURITY: The date upon which the principal or stated value of an investment becomes due and payable.

MEDIUM TERM NOTES (MTN): Unsecured, investment-grade senior debt securities of major corporations that are sold either on a continuous or an intermittent basis. MTNs are highly flexible debt instruments that can be structured to respond to market opportunities or to investor preferences.

MONEY MARKET: The market in which short-term debt instruments (bills, commercial paper, bankers' acceptances, etc.) are issued and traded.

MORTGAGE-BACKED SECURITIES: A debt instrument with a pool of real estate loans as the underlying collateral. The mortgage payments of the real estate assets are used to pay interest and principal on the bonds.

MORTGAGE PASS-THROUGH SECURITIES: A securitized participation in the interest and principal cash flows from a specified pool of mortgages. Principal and interest payments made on the mortgages are passed through to the holder of the security.

MUTUAL FUNDS: An investment company that pools money and can invest in a variety of securities, including fixed-income securities and money market instruments. **Money market mutual funds** invest exclusively in short-term (1-day to 1-year) debt obligations such as Treasury bills, certificates of deposit, and commercial paper. The principal objective is the preservation of capital and generation of current income.

OFFER: The price asked by a seller of securities. See Ask Price and Bid Price.

OPTION: A contract that provides the right or obligation, depending on the buyer or seller's position within the contract, to buy or to sell a specific amount of a specific security within a predetermined time period at a specified price. A call option provides the right to buy the underlying security. A put option provides the right to sell the underlying security. The seller of the contracts is called the writer.

PORTFOLIO: A collection of securities held by an investor.

PRIMARY DEALER: A group of government securities dealers who submit daily reports of market activity and positions and monthly financial statements to the Federal Reserve Bank of New York and are subject to its informal oversight. Primary dealers include Securities and Exchange Commission (SEC)-registered securities broker-dealers, banks, and a few unregulated firms.

PRINCIPAL ONLY STRIPS: Securities with cash flow based entirely on the principal payments received from an obligation.

RANGE NOTES: A range note is a bond that pays interest if a specified interest rate remains above or below a certain level and/or remains within a certain range.

RATE OF RETURN: The yield obtainable on a security based on its purchase price or its current market price.

REPURCHASE AGREEMENT (RP, Repo): A contractual transaction between an investor and an issuing financial institution (bank or securities dealer). The investor exchanges cash for temporary ownership or control of collateral securities, with an agreement between the parties that on a future date, the financial institution will repurchase the securities.

SAFEKEEPING: A service to customers rendered by banks for a fee whereby securities and valuables of all types and descriptions are held by the bank in the customer's name.

SECONDARY MARKET: A market made for the purchase and sale of outstanding issues following the initial distribution.

SECURITIES AND EXCHANGE COMMISSION (SEC): A federal government agency comprised of five commissioners appointed by the President and approved by the Senate. The SEC was established to protect the individual investor from fraud and malpractice in the marketplace. The Commission oversees and regulates the activities of registered investment advisers, stock and bond markets, broker/dealers, and mutual funds.

STATE OBLIGATIONS: Registered treasury notes or bonds of the 50 United States, including bonds payable solely out of the revenues from a revenue-producing property owned, controlled, or operated by a state or by a department, board, agency, or authority of any of the 50 United States.

STRIPS: Bonds, usually issued by the U.S. Treasury, whose two components, interest and repayment of principal, are separated and sold individually as zero-coupon bonds. Strips are an acronym for Separate Trading of Registered Interest and Principal of Securities.

SUPRANATIONALS: International financial institutions that are generally established by agreements among nations, with member nations contributing capital and participating in management. Supranational bonds finance economic and infrastructure development and support environmental protection, poverty reduction, and renewable energy around the globe.

TRUSTEE: An individual or organization, which holds or manages and invests assets for the benefit of another. The trustee is legally obliged to make all trust-related decisions with the trustee's interests in mind, and may be liable for damages in the event of not doing so.

U.S. AGENCY OBLIGATIONS: Federal agency or United States government-sponsored enterprise obligations (GSEs), participations, or other instruments. The obligations are issued by or fully guaranteed as to principal and interest by federal agencies or United States government-sponsored enterprises. Issuers include: Fannie Mae, Farmer Mac, Federal Farm Credit Banks, Freddie Mac, Federal Home Loan Banks, Financing Corporation, Tennessee Valley Authority, Resolution Trust Funding Corporation, World Bank, Inter-American Development Bank, and PEFCO.

U.S. TREASURY OBLIGATIONS (TREASURIES): Securities issued by the U.S. Treasury and backed by the full faith and credit of the United States. Treasuries are considered to have no credit risk and are the benchmark for interest rates on all other securities in the U.S. and overseas. The Treasury issues both discounted securities and fixed coupon notes and bonds.

Treasury Bills: All securities issued with initial maturities of one year or less are issued as discounted instruments, and are called Treasury Bills (T-bills). The Treasury currently issues 3-month and 6-month T-bills at regular weekly auctions. It also issues "cash management" bills as needed to smooth cash flows.

Treasury Notes: All securities issued with initial maturities of 2- to 10-years are called Treasury Notes (T-notes), and pay interest semi-annually.

Treasury Bonds: All securities issued with initial maturities greater than 10-years are called Treasury Bonds (T-bonds). Like Treasury Notes, they pay interest semi-annually.

WAL: Weighted Average Life: The average life of all the securities that comprise a portfolio, typically expressed in days or years.

YIELD: The rate of annual income return on an investment, expressed as a percentage. Yield does not include capital gains.

Income Yield is obtained by dividing the current dollar income by the current market price for the security.

Net Yield or Yield to Maturity is the current income yield minus any premium above par or plus any discount from par in purchase price, with the adjustment spread over the period from the date of purchase to the date of maturity of the bond.

ZERO-COUPON BOND: A bond on which interest is not payable until maturity (or earlier redemption), but compounds periodically to accumulate to a stated maturity amount. Zero-coupon bonds are typically issued at a discount and repaid at par upon maturity.

FIGURE 1

ALLOWABLE INVESTMENT INSTRUMENTS PER STATE GOVERNMENT CODE (AS OF JANUARY 1, 2021)^A APPLICABLE TO ALL LOCAL AGENCIES^B

See "Table of Notes for Figure 1" on the next page for footnotes related to this figure.

INVESTMENT TYPE	MAXIMUM MATURITY ^c	MAXIMUM SPECIFIED % OF PORTFOLIO ^d	MINIMUM QUALITY REQUIREMENTS	GOV'T CODE SECTIONS
Local Agency Bonds	5 years	None	None	53601(a)
U.S. Treasury Obligations	5 years	None	None	53601(b)
State Obligations— CA And Others	5 years	None	None	53601(c) 53601(d)
CA Local Agency Obligations	5 years	None	None	53601(e)
U.S Agency Obligations	5 years	None	None	53601(f)
Bankers' Acceptances	180 days	40%	None	53601(g)
Commercial Paper—Non-Pooled Funds (under \$100,000,000 of investments)	270 days or less	25% of the agency's money ^e	Highest letter and number rating by an NRSRO ^e	53601(h)(2)(c)
Commercial Paper—Non-Pooled Funds (min. \$100,000,000 of investments)	270 days or less	40% of the agency's money ^e	Highest letter and number rating by an NRSRO ^e	53601(h)(2)(c)
Commercial Paper— Pooled Funds ^e	270 days or less	40% of the agency's money ^e	Highest letter and number rating by an NRSRO ^e	53635(a)(1)
Negotiable Certificates of Deposit	5 years	30%	None	53601(i)
Non-negotiable Certificates of	5 years	None	None	53630 et seq.
Placement Service Deposits	5 years	50%	None	53601.8 and 53635.8
Placement Service Certificates of Deposit	5 years	50%	None	53601.8 and 53635.8
Repurchase Agreements	1 year	None	None	53601(j)
Reverse Repurchase Agreements and Securities Lending Agreements	92 days ^e	20% of the base value of the	None ^e	53601(j)
Medium-Term Notes ^e	5 years or less	30%	"A" rating category or its equivalent or	53601(k)
Mutual Funds And Money Market Mutual Funds	N/ A	20%	Multiple ^e	53601(l) and 53601.6(b)
Collateralized Bank Deposits ^e	5 years	None	None	53630 et seq. and 53601(n)
Mortgage Pass-Through and Asset-Backed Securities	5 years or less	20%	"AA" rating category or its	53601(o)
County Pooled Investment Funds	N/ A	None	None	27133
Joint Powers Authority Pool	N/ A	None	Multiple ^e	53601(p)
Local Agency Investment Fund	N/ A	None	None	16429.1
Voluntary Investment Program Fund ^e	N/ A	None	None	16340
Supranational Obligations ^e	5 years or less	30%	"AA" rating category or its	53601(q)
Public Bank Obligations	5 years	None	None	53601(r), 53635(c) and 57603

TABLE OF NOTES FOR FIGURE 1

- ^A Sources: Sections 16340, 16429.1, 27133, 53601, 53601.6, 53601.8, 53630 et seq., 53635, 53635.8, and 57603.
- ^B Municipal Utilities Districts have the authority under the Public Utilities Code Section 12871 to invest in certain securities not addressed here.
- ^C Section 53601 provides that the maximum term of any investment authorized under this section, unless otherwise stated, is five years. However, the legislative body may grant express authority to make investments either specifically or as a part of an investment program approved by the legislative body that exceeds this five year remaining maturity limit. Such approval must be issued no less than three months prior to the purchase of any security exceeding the five-year maturity limit.
- ^D Percentages apply to all portfolio investments regardless of source of funds. For instance, cash from a reverse repurchase agreement would be subject to the restrictions.
- ^E No more than 30 percent of the agency's money may be in bankers' acceptances of any one commercial bank.
- ^F Includes agencies defined as a city, a district, or other local agency that do not pool money in deposits or investment with other local agencies, other than local agencies that have the same governing body.
- ^G Local agencies, other than counties or a city and county, may purchase no more than 10 percent of the outstanding commercial paper and medium-term notes of any single issuer.
- ^H Issuing corporation must be organized and operating within the U.S., have assets in excess of \$500 million, and debt other than commercial paper must be in a rating category of "A" or its equivalent or higher by a nationally recognized statistical rating organization, or the issuing corporation must be organized within the U.S. as a special purpose corporation, trust, or LLC, have program wide credit enhancements, and have commercial paper that is rated "A-1" or higher, or the equivalent, by a nationally recognized statistical rating agency.
- ^I Includes agencies defined as a county, a city and county, or other local agency that pools money in deposits or investments with other local agencies, including local agencies that have the same governing body. Local agencies that pool exclusively with other local agencies that have the same governing body must adhere to the limits set forth in Section 53601(h)(2)(C).
- ^J No more than 30 percent of the agency's money may be in negotiable certificates of deposit that are authorized under Section 53601(i).
- ^K Effective January 1, 2020, no more than 50 percent of the agency's money may be invested in deposits, including certificates of deposit, through a placement service as authorized under 53601.8 (excludes negotiable certificates of deposit authorized under Section 53601(i)). On January 1, 2026, the maximum percentage of the portfolio reverts back to 30 percent. Investments made pursuant to 53635.8 remain subject to a maximum of 30 percent of the portfolio.
- ^L Reverse repurchase agreements or securities lending agreements may exceed the 92-day term if the agreement includes a written codicil guaranteeing a minimum earning or spread for the entire period between the sale of a security using a reverse repurchase agreement or securities lending agreement and the final maturity dates of the same security.
- ^M Reverse repurchase agreements must be made with primary dealers of the Federal Reserve Bank of New York or with a nationally or state chartered bank that has a significant relationship with the local agency. The local agency must have held the securities used for the agreements for at least 30 days.
- ^N "Medium-term notes" are defined in Section 53601 as "all corporate and depository institution debt securities with a maximum remaining maturity of five years or less, issued by corporations organized and operating within the United States or by depository institutions licensed by the United States or any state and operating within the United States."
- ^O No more than 10 percent invested in any one mutual fund. This limitation does not apply to money market mutual funds.
- ^P A mutual fund must receive the highest ranking by not less than two nationally recognized rating agencies or the fund must retain an investment advisor who is registered with the SEC (or exempt from registration), has assets under management in excess of \$500 million, and has at least five years' experience investing in instruments authorized by Sections 53601 and 53635.
- ^Q A money market mutual fund must receive the highest ranking by not less than two nationally recognized statistical rating organizations or retain an investment advisor registered with the SEC or exempt from registration and who has not less than five years' experience investing in money market instruments with assets under management in excess of \$500 million.
- ^R Investments in notes, bonds, or other obligations under Section 53601(n) require that collateral be placed into the custody of a trust company or the trust department of a bank that is not affiliated with the issuer of the secured obligation, among other specific collateral requirements.
- ^S A joint powers authority pool must retain an investment advisor who is registered with the SEC (or exempt from registration), has assets under management in excess of \$500 million, and has at least five years' experience investing in instruments authorized by Section 53601, subdivisions (a) to (o).
- ^T Local entities can deposit between \$200 million and \$10 billion into the Voluntary Investment Program Fund, upon approval by their governing bodies. Deposits in the fund will be invested in the Pooled Money Investment Account.
- ^U Only those obligations issued or unconditionally guaranteed by the International Bank for Reconstruction and Development (IBRD), International Finance Corporation (IFC), and Inter-American Development Bank (IADB), with a maximum remaining maturity of five years or less.

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

RESOLUTION NO. 21-15

INTRODUCED BY _____

**RESOLUTION APPROVING REVISIONS TO THE AUTHORITY'S
INVESTMENT POLICY**

WHEREAS, the East Bay Dischargers Authority (Authority) is a Joint Powers Agency that has the fiduciary responsibility to manage funds and assets of its member agencies; and

WHEREAS, it is the policy of the Authority to invest public funds in a manner that conforms to California Government Code and other statutes governing the investment of public funds; and

WHEREAS, said Investment Policy shall be reviewed annually and any changes must be approved by the Commission of the East Bay Dischargers Authority (Commission) by resolution; and

WHEREAS, a separate investment strategy has been approved for investment of the funds under Authority control; and

WHEREAS, updates to the Policy have been developed to ensure proper references to state documents; and

WHEREAS, the revised Policy has been reviewed by the Financial Management Committee and recommended for approval by the Commission.

NOW, THEREFORE, BE IT RESOLVED, the Commission of the Authority hereby adopts revisions to the Investment Policy.

SAN LORENZO, CALIFORNIA, DECEMBER 16, 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. FM8 REVIEW OF THE AUTHORITY'S INVESTMENT STRATEGY

Recommendation

Review the Authority's existing Investment Strategy and provide input to staff.

Background

As noted in Item No. FM7, the Authority engaged PFM Asset Management (PFM) in late 2018 to assist in the development of an Authority Investment Policy, in compliance with applicable law regarding public agency investments in California.

As part of the 2018 engagement, PFM also performed detailed cashflow modeling and analysis using five years of EBDA financial data. The purpose of this analysis was to establish EBDA's liquidity needs and inform the Authority's Investment Strategy. The attached Investment Strategy was adopted in March 2019.

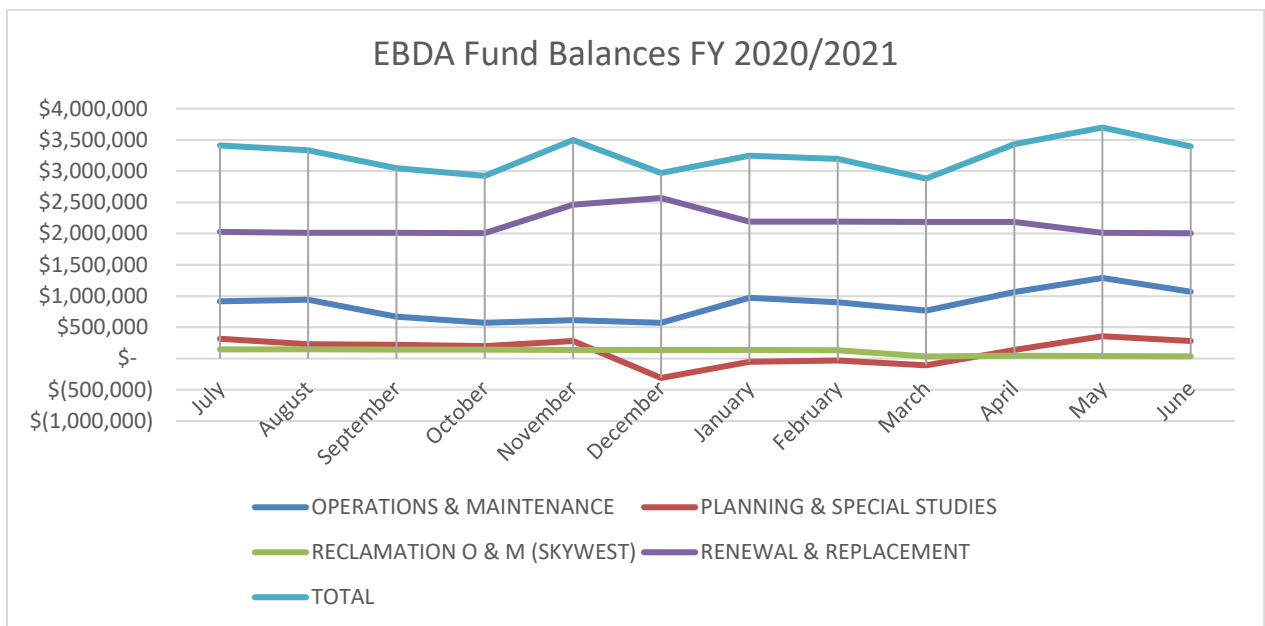
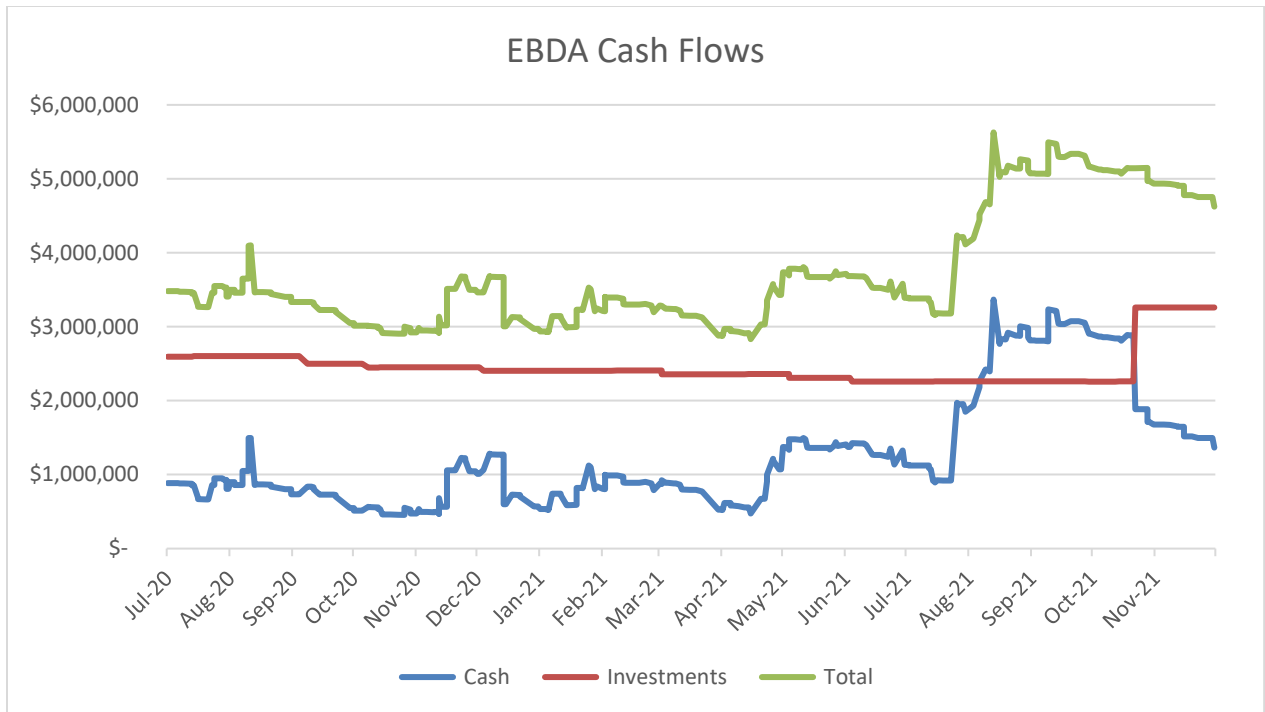
Discussion

Staff is not recommending changes to the Authority's Investment Strategy at this time. PFM's 2018/2019 analysis concluded that administrative burden of investing EBDA's liquid funds in diversified and/or more volatile financial instruments outweighed the benefits and potential gains. That conclusion, supported by the Financial Management Committee at the time, led to the Authority's strategy of investing its idle long-term funds in certificates of deposit (CDs), California's Local Agency Investment Fund (LAIF), or California Asset Management Program (CAMP).

Staff does not believe that any material changes have occurred that lead to a different conclusion today. In fact, as interest rates have declined, safe and simple options like LAIF have become even more attractive. In addition, EBDA's liquidity needs have slightly increased as the Authority performs reimbursable work under the Cargill and grant-funded Nature-based Solutions projects.

EBDA had a series of laddered CDs through Wells Fargo Advisors that have been moved to the Authority's cash accounts as they have matured. The last CD matured in June 2021. The Authority has not reinvested in CDs because interest rates have been so low. EBDA's advisor with Wells Fargo Advisors indicated that he does not currently have any offerings that are expected to out-perform LAIF. Therefore, all of EBDA's long-term funds are currently invested in LAIF, and staff recommends that approach be continued at least until interest rates increase.

For the Committee's information in assessing staff's recommendations, the following graphs show EBDA's recent cash flows and fund balances.



East Bay Dischargers Authority Investment Strategy

Last Updated: March 21, 2019

In the interest of prudent investment of EBDA's funds, and to preserve the primary investment objectives of safety, liquidity and yield, EBDA adopts the following strategy:

- Within the framework of California Government Code Section 53601-53606 detailing allowable investments, EBDA will invest its idle long-term funds in CDs, California's Local Agency Investment Fund (LAIF), and California Asset Management Program (CAMP).
- Staff may select which of the above instruments in which to invest and in what quantities, as long as there is less than a 50 basis point (0.5%) differential between the instruments. If the differential is higher, staff shall direct funds to the instrument with higher returns.
- Individual securities such as CDs will have a maturity of no longer than three (3) years and be FDIC insured.
- The portfolio mix will be adjusted as needed to react to changes in liquidity requirements, market changes, and legal constraints.

This strategy will be evaluated and reviewed at least annually for cost-effectiveness. Guidance on permissible investment instruments, standards of care for invested funds, and the role of staff in the investment program are located in EBDA's Investment Policy.



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. 14

OPERATIONS & MAINTENANCE COMMITTEE AGENDA

Tuesday, December 14, 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. 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, 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.

Agenda Explanation
East Bay Dischargers Authority
O&M Agenda
December 14, 2021

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

**The next O&M Committee meeting will be held
Tuesday, January 25, 2022, at 9:00 a.m.**

ITEM NO. OM4 EBDA PERMIT COMPLIANCE

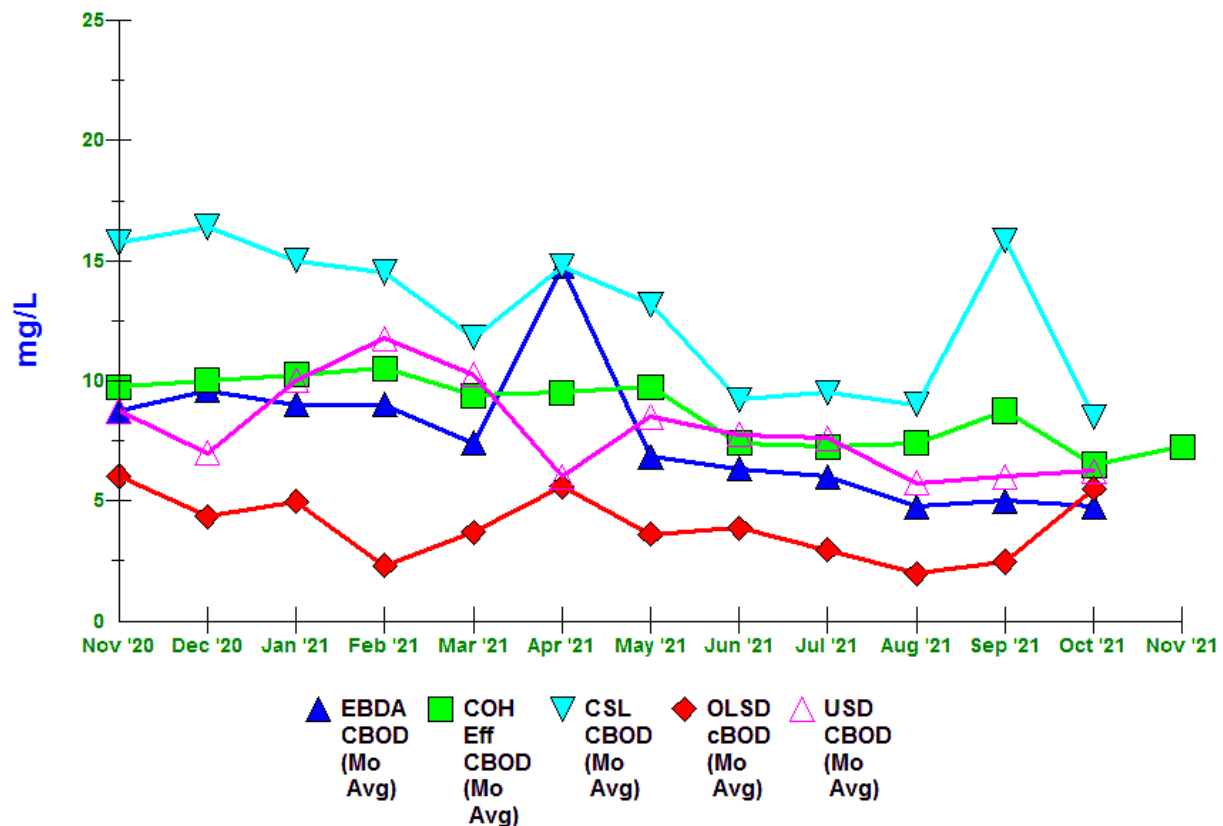
Recommendation

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

Permit Compliance Issues

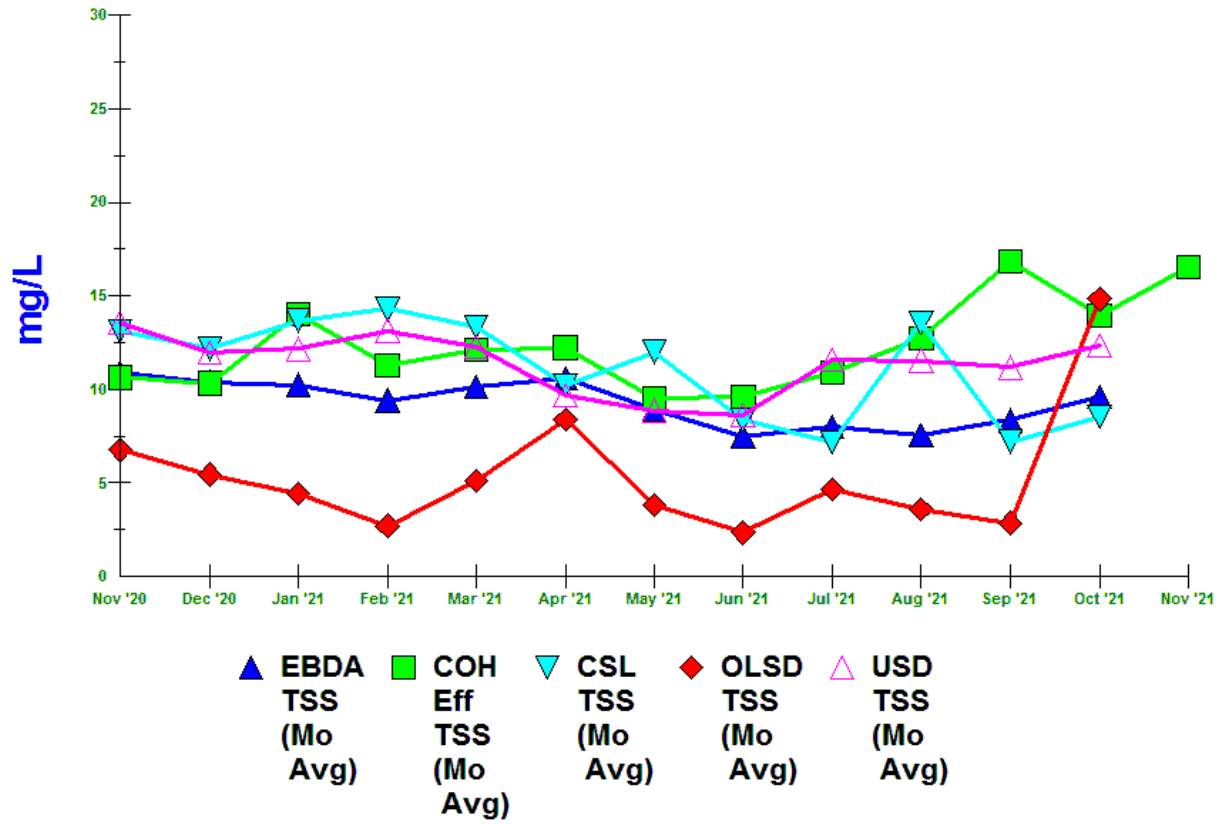
There were no NPDES permit violations in October, and preliminary data from November are also free of permit exceedances. Member Agency CBOD and TSS performance are shown below. A table with bacterial indicators is also included.

EBDA CBOD (Limit=25 ppm)



EBDA CBOD

EBDA TSS (Limit 30 ppm)



EBDA EFF TSS

EBDA Bacterial Indicators

Date	FECAL	ENTERO
	MPN/ 100mL	MPN/ 100mL
Limit (90th Percentile)	1100	
Limit (Geomean)	500	240
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
August 2021 Geomean	52	32
September 2021 Geomean	26	10
10/4/2021	48	NA
10/6/2021	240	NA
10/8/2021	240	28
10/9/2021	NA	8
10/11/2021	346	2
10/12/2021	8	3
10/13/2021	49	3
10/18/2021	10	< 2
10/19/2021	7	2
10/20/2021	23	4
10/25/2021	10	8
October 2021 Geomean	33	4
11/1/2021	4	22
11/2/2021	4	58
11/3/2021	23	3
11/8/2021	7	35
11/9/2021	9	65
11/15/2021	NA	4
11/16/2021	NA	< 2
11/18/2021	17	NA
11/19/2021	79	NA
11/22/2021	51	2
11/23/2021	23	3
November 2021 Geomean	13	8

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

The project bid documents are still under review. Staff expects the project to go out to bid shortly, with installation of the new pumps occurring in late-2022.

Oro Loma Effluent Pump Station (OLEPS)

Main Electrical Switchboard Upgrade

With the start of wet weather and the manufacturing delays due to the pandemic, the installation of the new breakers is postponed until the Spring of 2022.

Skywest Pump Station

Recycled Water Production

The Skywest Recycled Water System did not produce any recycled water during the month of November 2021, due to wet weather in late October.

Marina Dechlorination Facility (MDF)

Total Residual Chlorine (TRC) Effluent Limit Implementation

As discussed previously in the Regulatory Affairs Committee, the Regional Water Quality Control Board recently adopted a blanket permit revising the TRC effluent limits for all wastewater dischargers to San Francisco Bay. EBDA's current TRC effluent limit is 0.0 mg/L or parts per million (ppm), expressed as an instantaneous maximum. Per the permit amendment, EBDA's new TRC effluent limit will be 0.98 mg/L measured as a one-hour average. The blanket permit amendment was adopted pending approval of a related amendment to the San Francisco Bay Basin Plan by USEPA. That approval is expected in January 2022, in which case the new TRC effluent limit would automatically take effect on February 1, 2022.

With the new TRC effluent limit, EBDA can achieve compliance with minimal to no SBS dosing. EBDA staff is working with Calcon Systems, Inc. (Calcon) on the initial control system upgrades to implement the new limit. The initial upgrades include programming changes to the programmable logic controller (PLC) that controls the station. The current PLC programming does not allow chlorine to be discharged to the Bay. The new programming will allow chlorine to be discharged and will start the SBS pumps when the chlorine residual is over a maximum target. The initial programming will also include starting the SBS pumps on a regular basis to ensure that the system is operational and available when needed.

The new TRC effluent limit is expected to reduce SBS usage by approximately 85%, or a \$200,000 budgetary savings. As SBS has a relatively short shelf life, testing will also be conducted on the correct minimum SBS usage necessary to maintain the chemical's effectiveness. Additionally, Calcon will be updating the spreadsheets used for compliance data reporting and archiving.

Force Main

No change; all equipment is operational.

Operations Center

No change; all equipment is operational.

Miscellaneous Items

Underground Service Alerts

EBDA received sixteen (16) Underground Service Alert (USA) tickets during the month of November 2021. Seven required an Electronic Positive Response (EPR), and of the seven, five required calls/emails to the excavators, and four required field verification.

Wet Weather

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

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

Oakland	Hayward	Livermore
0.89	0.70	0.70

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. 8.

Special Projects

Disinfection Master Plan

Staff is continuing to work with Carollo Engineers (Carollo) 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 was reviewed by staff, and Carollo is working to address comments.

Cargill Brine Project Due Diligence

EBDA staff is continuing to work with Cargill to advance the joint project connecting Cargill's solar salt ponds in Newark to the EBDA system for discharge of mixed sea salts into the Bay. On December 7, 2021, EBDA's CEQA consultant, Ascent Environmental (Ascent) toured the proposed street route for the pipeline from Cargill to Oro Loma, along with Cargill and EBDA staff. This extended pipeline, sometimes referred to as the "parallel pipeline" approach, prevents vulnerable sections of EBDA's transport system from brine exposure that would have occurred with a connection point further south near USD. Ascent is currently preparing an Environmental Impact Report for the pipeline street route, while Cargill continues to evaluate the feasibility of a bayside pipeline route.

On December 8, 2021, Brown & Caldwell's subject matter experts conducted a site visit at OLEPS and MDF to evaluate potential brine impacts on OLEPS equipment and the metal portion of the force main at MDF. Brown & Caldwell will recommend corrosion protection measures as needed based on their evaluation.

The week of December 13, 2021, Carollo will be performing laboratory testing to assess impacts of the brine on disinfection and dechlorination. EBDA staff wishes to thank lab staff Sara Burke at Oro Loma, and Dan Jackson and Grace Calanog at USD, for accommodating this additional effluent sampling.

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 late 2021/early 2022.

ITEM NO. 15 RESOLUTION TO APPROVE THE AUTHORITY'S REVISED CLASSIFICATION PLAN

Recommendation

Adopt the resolution to approve the Revised Classification Plan.

Background

In the FY 2015/2016 Compensation Plan, in anticipation of retirements, the Commission approved creation of a new position: Superintendent of Operations & Maintenance. The O&M Manager at that time was promoted to the new position. While a formal Classification Plan was not regularly maintained at that time, a job description for the Superintendent position was developed. In early 2018, the Superintendent position was removed from the Compensation Plan when the incumbent retired and the position was vacated. Since that time, the O&M Manager has assumed the duties listed in the Superintendent job description.

Discussion

As discussed with the Personnel Committee at its November 2021 meeting, staff is recommending updates to the Authority's Classification Plan, as well as Compensation Plan (see Item No. 15), to reflect the higher-level work being performed by the O&M Manager. Rather than reinstating the Superintendent position, staff recommends retaining the Manager title with the revised classification.

A revised job description for the O&M Manager showing changes from the previously adopted version is attached, along with a clean copy of the proposed Classification Plan. No other classifications were modified. The additions to the O&M Manager's scope include the duties carried over from the Superintendent job description, as well as a few additional updates that reflect activities currently performed by the O&M Manager. Per the Personnel Committee's recommendation, staff has added the following to reflect the additional responsibilities expected to come with implementation of the Cargill Brine Project in the future and similar activities:

Oversees and coordinates the operational activities of contract dischargers including LAVWMA and brine generators to ensure consistent compliance.

Other than that addition, the job description is unchanged from the version the Personnel Committee reviewed and recommended in November 2021.

CLASS TITLE: OPERATIONS AND MAINTENANCE MANAGER

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

DISTINGUISHING CHARACTERISTICS: This position has primary responsibility for the operation and maintenance of EBDA facilities. Provides direct support to the General Manager in various functions. May assume the responsibilities of the General Manager in their absence. This class is distinguished from member agency Wastewater Treatment Plant Superintendents and related positions by its overall responsibility for the efficient and effective operation of the entire system, and the requirement to be available to monitor the system and respond to emergencies that can occur at any time.

REPRESENTATIVE DUTIES:

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

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

~~7.8.~~ Coordinates with EBDA and LAVWMA member agencies to actively manage joint facilities during wet-weather events.

9. In the absence of the General Manager, ensures that the Authority's wastewater discharge meets prescribed water quality standards and reporting requirements established by the Regional Water Quality Control Board and the Environmental Protection Agency.

10. Assists in the preparation of monthly and annual NPDES reports for the Regional Water Quality Control Board and the Environmental Protection Agency. In the General Manager's absence, serves as the Legally Responsible Official to submit these reports to the regulatory agencies.

~~8.11.~~ Negotiates contracts with and oversees the work of engineering consultants and contractors.

~~9.12.~~ Oversees and coordinates the operations and maintenance activities of member agencies, and meets regularly with their plant superintendents to coordinate EBDA activities.

13. Oversees and coordinates the operational activities of contract dischargers including LAVWMA and brine generators to ensure consistent compliance.

14. Provides operational support at EBDA facilities, including MDF, OLEPS, and HEPS.

15. Conducts force main inspections as necessary.

~~10.16.~~ Assists in the preparation of agendas and staff reports for the Commission Committees and regular Commission meetings. Reports status of EBDA system monthly to the EBDA Commission and managers.

~~11.1. Enforces all safety regulations and policies.~~

~~12.17.~~ Assists in the preparation of the annual budget, and monitors capital replacement costs and operations and maintenance costs.

~~13.18.~~ Responds to Underground Service Alert notices when EBDA facilities are impacted.

~~14.19.~~ Trains, develops, and evaluates subordinate or contractor staff as necessary.

~~15.20.~~ Performs related duties as may be assigned.

KNOWLEDGE AND ABILITIES:

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

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

EDUCATION AND EXPERIENCE:

Any combination equivalent to: 1) Possession of a baccalaureate degree in Civil or Mechanical Engineering or closely related field and 2) FiveTen years of experience in the operation and maintenance of water or wastewater treatment facilities (twofive years supervisory experience desirable), or an acceptable combination of the above education and experience.

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

LICENSES:

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

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

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

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

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

NOTE: THIS CLASS IS EXEMPT UNDER FLSA PROVISIONS

EAST BAY DISCHARGERS AUTHORITY CLASSIFICATION PLAN

Last updated: December 16, 2021

CLASS TITLE: GENERAL MANAGER

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

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

REPRESENTATIVE DUTIES:

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

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

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

KNOWLEDGE AND ABILITIES:

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

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

EDUCATION AND EXPERIENCE:

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

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

WORK DIRECTION, LEAD AND MANAGERIAL RESPONSIBILITIES: This class reports to and receives policy direction from the East Bay Dischargers Authority Commission. Responsibilities include the management of the operation, maintenance and repair of the Authority's wastewater collection, treatment and discharge systems.

PHYSICAL EFFORT: Normal office environment.

CONTACTS: Commission and committee members; members of the public; co-

workers; member agency managers and staff; other wastewater system agencies managers and staff; contractors, governmental regulatory agencies; environmental interest groups.

WORKING CONDITIONS: Normal office environment.

NOTE: THIS CLASS IS EXEMPT UNDER FLSA PROVISIONS

CLASS TITLE: OPERATIONS AND MAINTENANCE MANAGER

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

DISTINGUISHING CHARACTERISTICS: This position has primary responsibility for the operation and maintenance of EBDA facilities. Provides direct support to the General Manager in various functions. May assume the responsibilities of the General Manager in their absence. This class is distinguished from member agency Wastewater Treatment Plant Superintendents and related positions by its overall responsibility for the efficient and effective operation of the entire system, and the requirement to be available to monitor the system and respond to emergencies that can occur at any time.

REPRESENTATIVE DUTIES:

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

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

9. In the absence of the General Manager, ensures that the Authority's wastewater discharge meets prescribed water quality standards and reporting requirements established by the Regional Water Quality Control Board and the Environmental Protection Agency.
10. Assists in the preparation of monthly and annual NPDES reports for the Regional Water Quality Control Board and the Environmental Protection Agency. In the General Manager's absence, serves as the Legally Responsible Official to submit these reports to the regulatory agencies.
11. Negotiates contracts with and oversees the work of engineering consultants and contractors.
12. Oversees and coordinates the operations and maintenance activities of member agencies, and meets regularly with their plant superintendents to coordinate EBDA activities.
13. Oversees and coordinates the operational activities of contract dischargers including LAVWMA and brine generators to ensure consistent compliance.
14. Provides operational support at EBDA facilities, including MDF, OLEPS, and HEPS.
15. Conducts force main inspections as necessary.
16. Assists in the preparation of agendas and staff reports for the Commission Committees and regular Commission meetings. Reports status of EBDA system monthly to the EBDA Commission and managers.
17. Assists in the preparation of the annual budget, and monitors capital replacement costs and operations and maintenance costs.
18. Responds to Underground Service Alert notices when EBDA facilities are impacted.
19. Trains, develops, and evaluates subordinate or contractor staff as necessary.
20. Performs related duties as may be assigned.

KNOWLEDGE AND ABILITIES:

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

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

EDUCATION AND EXPERIENCE:

Any combination equivalent to: 1) Possession of a baccalaureate degree in Civil or Mechanical Engineering or closely related field and 2) Ten years of experience in the operation and maintenance of water or wastewater treatment facilities (five years supervisory experience desirable), or an acceptable combination of the above education and experience.

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

LICENSES:

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

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

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

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

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

NOTE: THIS CLASS IS EXEMPT UNDER FLSA PROVISIONS

CLASS TITLE: ADMINISTRATION MANAGER

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

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

REPRESENTATIVE DUTIES:

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

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

11. Prepares letters, memoranda, and miscellaneous correspondence.

12. Trains, develops, directs, and evaluates subordinate staff.

KNOWLEDGE AND ABILITIES:

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

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

EDUCATION AND EXPERIENCE:

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

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

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

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

PHYSICAL EFFORT: Normal office environment.

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

WORKING CONDITIONS: Normal office environment

NOTE: THIS CLASS IS EXEMPT UNDER FLSA PROVISIONS

CLASS TITLE: ADMINISTRATIVE SUPPORT SPECIALIST

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

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

REPRESENTATIVE DUTIES:

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

Accounting:

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

Administration:

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

KNOWLEDGE AND ABILITIES:

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

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

EDUCATION AND EXPERIENCE:

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

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

Substitution: A baccalaureate degree may be substituted for clerical experience if combined with aptitude and experience with administrative functions and computer skills.

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

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

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

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

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

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

RESOLUTION NO. 21-16

INTRODUCED BY _____

**RESOLUTION TO APPROVE THE AUTHORITY'S REVISED
CLASSIFICATION PLAN**

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

WHEREAS, in March 2021, the Commission adopted Resolution 21-02, formalizing the Authority's existing position descriptions and pulling them into a comprehensive Classification Plan; and

WHEREAS, in order to better characterize the duties of the Operations & Maintenance Manager classification, the Authority has proposed modifications to the Operations & Maintenance Manager job description; and

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

NOW, THEREFORE, BE IT RESOLVED, the Commission of the East Bay Dischargers Authority does hereby adopt the Revised Classification Plan.

SAN LORENZO, CALIFORNIA, DECEMBER 16, 2021, ADOPTED BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

CHAIR
EAST BAY DISCHARGERS AUTHORITY

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

**ITEM NO. 16 RESOLUTION ADOPTING THE REVISED FISCAL YEAR 2021/2022
COMPENSATION PLAN**

Recommendation

Adopt the resolution to approve the Revised Compensation Plan.

Background

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

MONTHLY SALARY RANGE					
Position	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

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

As discussed with the Personnel Committee, the recommended increase is based on two factors: comparison with comparable positions at peer agencies, and consistency with the Superintendent of O&M position previously adopted by the Commission and the additional higher-level duties in that classification that are currently performed by the O&M Manager. Details of these comparisons were provided to the Personnel Committee at its October 2021 meeting. Commensurate revisions to the Classification Plan are recommended under Item No. 14.

The O&M Manager is currently at Step 5 (the top step) and, if approved, would be moved to Step 4 of the new salary range.

Discussion

The proposed revised Compensation Plan for FY 2021/2022 is attached for the Commission's consideration. The only proposed change is the noted increase to the O&M Manager's salary. The Plan would next be considered in Spring 2022 as part of the annual adoption process for FY 2022/2023.

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

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	13,201.54	13,861.62	14,554.70	15,282.44	16,046.56

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

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

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

¹Definition of a Classic Member -A classic member is defined as:

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

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

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

Revised: 12/16/2021

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

RESOLUTION NO. 21-17

INTRODUCED BY _____

**RESOLUTION ADOPTING THE REVISED FISCAL YEAR 2021/2022
COMPENSATION PLAN**

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

WHEREAS, in May 2021, the Commission adopted Resolution 21-07 approving the Authority's FY 2021/2022 Compensation Plan; and

WHEREAS, the Commission is concurrently considering revisions to the Authority's Classification Plan to increase the duties of the Operations & Maintenance Manager; and

WHEREAS, the Authority wishes to align its Compensation Plan with the Classification Plan and with industry standard compensation for Operations and Maintenance management positions in the Bay Area; and

WHEREAS, the Authority is therefore increasing the compensation of the Operations & Maintenance Manager in this revision to the FY 2021/2022 Compensation Plan; and

WHEREAS, the Personnel Committee has reviewed the Compensation Plan and recommends its adoption.

NOW, THEREFORE, BE IT RESOLVED, the Commission of the East Bay Dischargers Authority does hereby adopt the Revised FY 2021/2022 Compensation Plan, effective December 16, 2021.

SAN LORENZO, CALIFORNIA, DECEMBER 16, 2021, ADOPTED BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

CHAIR
EAST BAY DISCHARGERS AUTHORITY

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

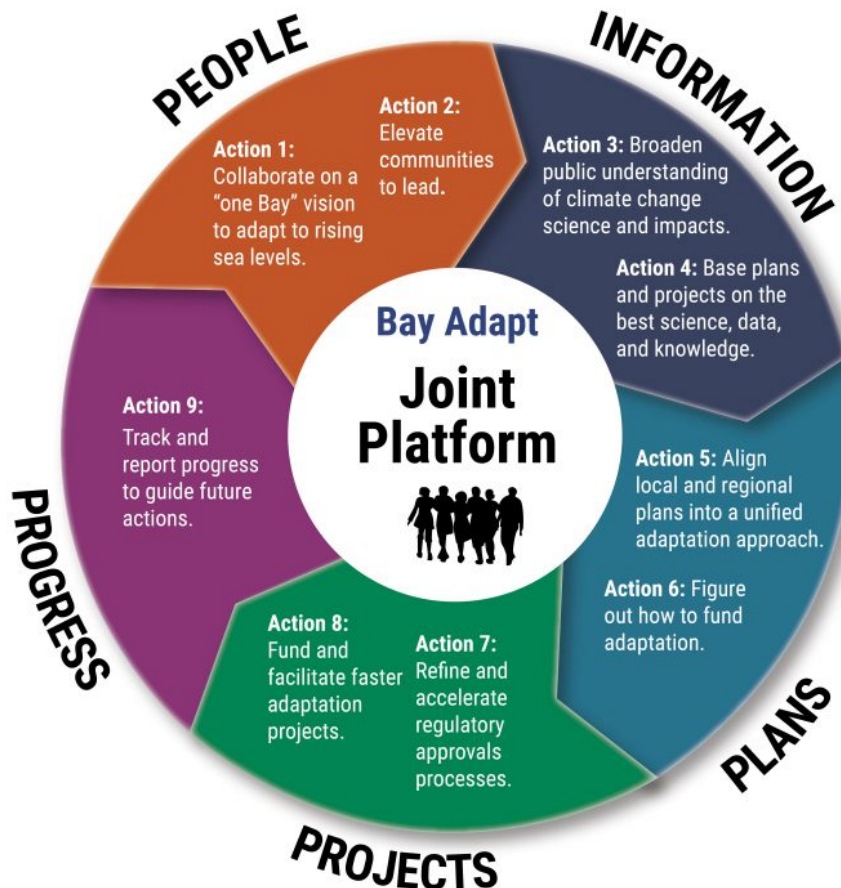
ITEM NO. 17 RESOLUTION SUPPORTING BAY ADAPT: REGIONAL STRATEGY FOR A RISING BAY

Recommendation

Adopt the resolution to expressing the Authority's support for the BayAdapt Joint Platform.

Background

The Bay Conservation and Development Commission (BCDC) has been working on climate change and sea level rise adaptation and issues for over a decade, having launched their Adapting to Rising Tides Program in 2010. BCDC's latest effort to facilitate regional collaboration and planning is the [BayAdapt Program](#). Staff provided the Committee with an introduction to this effort in July 2020 and an update in September 2021. In October 2021, BCDC finalized the [BayAdapt Joint Platform](#), summarized in the graphic below.



BCDC has requested resolutions of support from a wide range of stakeholders, including in particular, local government agencies. Staff is recommending that EBDA endorse the Joint Platform by resolution. EBDA staff will remain engaged in the implementation process and will keep the Commission apprised of relevant activities.

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

RESOLUTION NO. 21-18

INTRODUCED BY _____

**RESOLUTION SUPPORTING BAY ADAPT:
REGIONAL STRATEGY FOR A RISING BAY**

WHEREAS, climate change is accelerating rising sea levels, increasing storm frequency and intensity, and moving groundwater toward the surface. The confluence of more intense winter storms, extreme high tides, and higher runoff, with higher sea levels, will increase the frequency and duration of shoreline flooding long before areas are permanently inundated by sea level rise alone; and

WHEREAS, there are multiple local, regional, state, and federal government agencies with authority over the Bay and its shoreline and limited resources to address climate change adaptation; and

WHEREAS, individual local actions, absent a regional context in which to make policy decisions, will lead to a “tragedy of the commons”; and

WHEREAS, the San Francisco Bay Area is a vibrant, diverse, ecologically unique, innovative, and pioneering region that will be deeply and deleteriously affected by climate change without tremendous effort and investments to adapt to a constantly changing shoreline. The San Francisco Bay shoreline constitutes approximately one-third of the California coastline, but the Bay Area is estimated to experience two-thirds of the negative economic impacts due to the flooding that would occur absent adequate measures to adapt and protect people, places, and habitat; and

WHEREAS, the Bay Area region’s most socioeconomically vulnerable frontline communities are at the greatest risk of exposure to climate threats, and the impacts of historic and ongoing social and economic marginalization will compound the risks posed by flooding to those communities by reducing a community’s or individual’s ability to prepare for, respond to, and/or recover from a flood event; and

WHEREAS, the Bay ecosystem is already stressed by human activities that have drastically lowered its adaptive capacity, and climate change will further alter that ecosystem by inundating or eroding remaining wetlands, changing sediment dynamics, altering species composition, increasing the acidity of Bay waters, changing freshwater flows and/or salinity, altering the food web, and impairing water quality. Moreover, further loss of tidal wetlands will increase the risk of shoreline flooding; and

WHEREAS, flood damage to vital shoreline development, public infrastructure, and facilities such as neighborhoods, commercial centers, airports, seaports, regional transportation facilities, landfills, contaminated lands, and wastewater treatment facilities, absent adaptation, will require costly repairs and likely will result in the interruption or loss of vital services, large-scale social dislocation, and degraded environmental quality; and

WHEREAS, the increasingly frequent and severe impacts of climate change in the Bay Area do not conform to jurisdictional boundaries or the planning and regulatory authorities of any one agency or organization; and

WHEREAS, in 2019, the Bay Conservation and Development Commission (BCDC), in collaboration with a Leadership Advisory Group comprised of 35 Bay Area public, private, and non-profit leaders, embarked on the development of “Bay Adapt,” a consensus-driven strategy for regional sea level rise adaptation. The Leadership Advisory Group includes representatives from numerous public agencies, including the Association of Bay Area Governments/Metropolitan Transportation Commission (MTC/ABAG), San Francisco Bay Regional Water Quality Control Board, State Coastal Conservancy, Caltrans, Bay Area Regional Collaborative (BARC), BART, East Bay Regional Parks, US Army Corps of Engineers, San Francisco Bay Restoration Authority, San Francisco Public Utility Commission, Marin County, and BCDC, as well as environmental justice, environmental, business, scientific, civic, organizations, local government and flood manager networks, and academia; and

WHEREAS, in 2020 and 2021, hundreds of stakeholders participated in the creation of the “Bay Adapt Joint Platform” through nine Leadership Advisory Group meetings, two public forums, many expert Working Group meetings, ten community and stakeholder focus groups, over 50 presentations to local governments around the region, and a month-long public feedback opportunity; and

WHEREAS, the Bay Adapt Joint Platform lays out a set of guiding principles, priority actions, and vital tasks whose implementation will enable the region, and most notably local governments, to adapt faster, better, and more equitably to a rising San Francisco Bay. If fulfilled, it will reduce flood risks for communities, businesses, infrastructure, and habitat; increase technical assistance for local governments and funding for adaptation; protect natural areas and wildlife; recognize and equitably support low-income, frontline communities; robustly integrate adaptation into community-focused local plans; and, accelerate permitting and project construction of local adaptation projects; and

WHEREAS, the Bay Adapt Leadership Advisory Group supports the Joint Platform and many members agreed to help implement it at its October 2021 meeting, the BARC Governing Board endorsed it on September 17th 2021, and BCDC adopted the Joint Platform on October 21st 2021; and

WHEREAS, implementing the Joint Platform’s many and varied actions and tasks goes beyond the capacity of any single organization or jurisdiction, requires strong and

diverse leadership and participation in all aspects of its implementation, and a broad coalition of stakeholders share responsibility for the success of the tasks outlined in the Joint Platform.

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

1. supports the Bay Adapt Joint Platform, a regional strategy for a rising Bay, including the guiding principles, actions, and tasks contained within; and
2. looks forward to championing and supporting the implementation of Bay Adapt to ensure that it serves the Authority and the Bay Area as a whole in achieving resilient and equitable adaptation to sea level rise.

SAN LORENZO, CALIFORNIA, DECEMBER 16, 2021, ADOPTED BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

CHAIR
EAST BAY DISCHARGERS AUTHORITY

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

ITEM NO. 18 ITEMS FROM THE COMMISSION AND STAFF

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

ITEM NO. 19 ADJOURNMENT