



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/87064374855>
- Telephone dial-in: 1(669) 900-6833, meeting ID #870 6437 4855

COMMISSION MEETING AGENDA

Thursday, February 17, 2022

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 January 26, 2022 |
| | 6. List of Disbursements for January 2022 – See Item FM4 |
| | 7. Treasurer’s Report for January 2022 – See Item FM5 |
| | 8. Second Quarter Expense Summary, Fiscal Year 2021/2022 – See Item FM6 |
| | 9. Resolution Authorizing Remote Teleconference Meetings Pursuant to AB 361 |

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

- | | |
|-------------|---|
| 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.) |
| INFORMATION | 13. Report from the Operations & Maintenance Committee
(The Operations & Maintenance and General Managers will report on the meeting.) |

Agenda Explanation
East Bay Dischargers Authority
Commission Agenda
February 17, 2022

- INFORMATION 14. Report from the Personnel Committee**
(The General Manager will report on the meeting.)
- CLOSED SESSION 15. Closed Session – See Item P5**
(The Commission may meet in closed session pursuant to Government Code §54957(b)(1) to consider the General Manager’s performance evaluation.)
- OPEN SESSION 16. Reconvene Open Session**
(The Commission Chair will report any action taken in Closed Session.)
- INFORMATION 17. Items from the Commission and Staff**
(The Commission and staff may address items of general interest.)
- 18. 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
Thursday, March 17, 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 January 26, 2022
- Item No. 6 List of Disbursements for January 2022 – See Item FM4
- Item No. 7 Treasurer’s Report for January 2022 – See Item FM5
- Item No. 8 Second Quarter Expense Summary, Fiscal Year 2021/2022 – See Item FM6
- Item No. 9 Resolution Authorizing Remote Teleconference Meetings Pursuant to AB 361

Recommendation

Approve Consent Calendar

ITEM NO. 5 COMMISSION MEETING MINUTES OF JANUARY 26, 2022

1. Call to Order

Chair Cutter called the telephonic meeting to order in compliance with AB 361 (2021) at 9:30 A.M. on Wednesday, January 26, 2022. Dial-in information for the meeting was provided in the agenda for public attendees.

2. Pledge of Allegiance – Deferred

3. Roll Call

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

Absent: None

Attendees:	Jacqueline Zipkin	East Bay Dischargers Authority
	Howard Cin	East Bay Dischargers Authority
	Juanita Villaseñor	East Bay Dischargers Authority
	Bert Manzo	East Bay Dischargers Authority
	Eric Casher	Legal Counsel
	Alex Ameri	City of Hayward
	David Donovan	City of Hayward
	Dean Wilson	City of San Leandro
	Anjali Lathi	Union Sanitary District
	Paul Eldredge	Union Sanitary District
	Roland Williams	Castro Valley Sanitary District

4. Public Forum

No members of the public requested to address the Commission.

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

5. Commission Meeting Minutes of December 16, 2021

6. List of Disbursements for December 2021

7. Treasurer's Report for December 2021

8. Resolution Authorizing Remote Teleconference Meetings Pursuant to AB 361

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

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

Abstain: None

REGULAR CALENDAR

9. General Manager's Report

The General Manager (GM) advised the Commission that the National Pollutant Discharge Elimination System (NPDES) permit fee from the State Water Control Board reflected an 11.9% increase over the previous year. In addition, the GM informed the Commission that the Bay Area Clean Water Agencies (BACWA) approved its contribution to the Bruce Wolfe Scholarship Fund, committing to funding \$4,000 per year for five years. BACWA's funds will be added to EBDA's \$1000 per year contributions to offer a \$5000 annual scholarship to a Bay Area student from an underrepresented group pursuing collegiate studies in wastewater-related fields.

10. Report from the Managers Advisory Committee (MAC)

The GM deferred to committee reports.

11. Report from the Regulatory Affairs Committee

The GM informed the Commission that biosolids hauling and reuse prices are rising due to regulatory drivers to move away from use as Alternative Daily Cover (ADC) at landfills. The GM also provided an update on efforts to pursue a collaborative biosolids management strategy for the EBDA and LAVWMA member agencies. The GM stated that near-term costs for a new regional strategy will likely be higher, but the long-term benefits in terms of certainty and cost savings may be worth the investment.

12. Report from the Financial Management Committee

The GM stated that the Financial Management Committee recommended EBDA enroll in the Renewable 100 rate plan offered by East Bay Community Energy. The Commission supports the recommendation.

13. Report from the Operations and Maintenance Committee

The O&M Manager reported on the Operations and Maintenance Committee, which met on January 25, 2022. The O&M Manager used SCADA charts to illustrate how member agencies managed flow during recent wet weather events to remain within limits by working together. The O&M Manager also showed how EBDA will work with Oro Loma to manage flows and operate pumps in a manner that reduces energy costs. The GM provided an update on the Cargill project.

14. Items from Commission and Staff

No items to report from Commission and staff.

15. Adjournment

Chair Cutter adjourned the meeting at 10:20 A.M.

ITEM NO. 9 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 without complying with certain Brown Act provisions under specified conditions and includes a requirement that the Commission make specified findings. AB 361 (2021) took effect October 1, 2021. 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.

On January 5, 2022, Governor Newsom issued Executive Order N-1-22, extending the sunset of sections of AB 361 (2021) through March 31, 2022, in light of the surge in cases due to the novel Omicron variant not previously considered when the Legislature considered AB 361, and to protect the public health and safety.

The Commission adopted resolutions authorizing remote teleconference meetings at its October, November, and December 2021, and January 2022 Commission Meetings. The resolutions included all of the necessary findings required pursuant to AB 361.

Discussion

In order to continue to hold remote meetings during a proclaimed State of Emergency, 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. Thus, the Commission has a standing opportunity to discuss a return to in-person meetings every thirty (30) days.

The conditions that justified the Commission adopting a resolution authorizing teleconference meetings at its January 26, 2022 meeting continue to exist. Since issuing Executive Order N-08-21, the highly contagious Delta and Omicron variants of COVID-19 have emerged, causing an increase in COVID-19 cases throughout the State and Alameda County. Case rates in Alameda County have skyrocketed in recent weeks as the highly contagious Omicron variant of COVID-19 spreads in the community. As a result, the State of Emergency as declared by the Governor, continues in existence. Governor Newsom extended the State of Emergency declared on March 4, 2020 through March 2022. 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. 22-02

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 have significantly increased in Alameda County in recent weeks as the highly contagious Omicron variant of COVID-19 spreads 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 Omicron 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, November 18, 2021, December 16, 2021, and January 26, 2022, the Commission found that the presence of COVID-19 and the increase of cases due to the Omicron 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 Omicron 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 Omicron 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, FEBRUARY 17, 2022, 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, February 10, 2022

1:30 P.M.

Via Zoom

- 1. Disinfection Master Plan**
- 2. NPDES Permit Reissuance**
- 3. Biosolids Management**
- 4. Brine Project**
- 5. FY 2022/2023 Budget and Special Studies Ideas**
- 6. EBDA Commission Agenda**
 - Finance
 - O&M
 - Personnel
- 7. EBDA Managers Information Sharing**

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2651 Grant Avenue
San Lorenzo, CA 94580-1841
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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, February 14, 2022

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 January 2022
(The Committee will review the List of Disbursements.)

FM5. Treasurer's Report for January 2022
(The Committee will review the Treasurer's Report.)

FM6. Second Quarter Expense Summary, Fiscal Year 2021/2022
(The Committee will review the second quarter expenses for FY 2021/2022.)

FM7. Insurance Program Review
(The Committee will review policy changes from the Authority's insurer, CSRMA.)

FM8. State Controller's Special District Financial Transactions Report Fiscal Year 2020/2021
(The Committee will review the report submitted to the State Controller's Office.)

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 addressing the Committee should limit their presentation to three minutes. Non-English speakers using a

Agenda Explanation
East Bay Dischargers Authority
Financial Management Committee
February 14, 2022

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<p>The next Financial Management Committee meeting is scheduled on Monday, March 14, 2022 at 10:00 a.m.</p>
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ITEM NO. FM4 LIST OF DISBURSEMENTS FOR JANUARY 2022

The itemized List of Disbursements for the month of January 2022 totaled \$1,046,375.36.

Reviewed and Approved by:

Rita Duncan, Chair	Date
Financial Management Committee	

Jacqueline T. Zipkin	Date
Treasurer	

EAST BAY DISCHARGERS AUTHORITY
List of Disbursements
January 2022

CHECKS (SORTED BY AMOUNT)

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
25491	01/14/2022	WD-0196676	STATE WATER RESOURCES CONTROL BOARD	ANNUAL PERMIT FEES FOR EBDA COMMON OUTFALL	602,837.00	602,837.00
25497	01/14/2022	6911	CSRMA	ALLIANT PROPERTY INSURANCE PROGRAM RENEWAL	48,917.00	48,917.00
25511	01/31/2022	385509	CITY OF SAN LEANDRO	O&M - NOV	35,276.82	35,276.82
25514	01/31/2022	348854	CITY OF HAYWARD	O&M - QUARTERLY OCT-DEC	28,230.06	28,230.06
25500	01/14/2022	186134	MEYERS NAVE	LEGAL SERVICES - BRINE PROJECT	20,735.00	24,164.90
25500	01/14/2022	186133	MEYERS NAVE	LEGAL SERVICES - GENERAL COUNSEL & SPECIAL SERVICES	3,429.90	
25525	01/31/2022	187227	MEYERS NAVE	LEGAL SERVICES - GENERAL COUNSEL & SPECIAL SERVICES	1,143.30	23,857.70
25525	01/31/2022	187228	MEYERS NAVE	LEGAL SERVICES - BRINE PROJECT	22,714.40	
25502	01/14/2022	11428078	BROWN & CALDWELL	ENGINEERING SERVICES - BRINE ASSESSMENT	23,772.52	23,772.52
25526	01/31/2022	49776844	UNIVAR	SODIUM BISULFITE - DELIVERED 1/17/2022	6,543.72	23,305.60
25526	01/31/2022	49740404	UNIVAR	SODIUM BISULFITE - DELIVERED 01/03/2022	6,576.15	
25526	01/31/2022	49728586	UNIVAR	SODIUM BISULFITE - DELIVERED 12/27/2021	6,392.42	
25526	01/31/2022	49726161	UNIVAR	SODIUM BISULFITE - DELIVERED 08/30/2021	3,793.31	
25515	01/31/2022	002821	UNION SANITARY DISTRICT	O&M - DEC	21,972.09	21,972.09
25513	01/31/2022	6560	ORO LOMA SANITARY DISTRICT	O&M - DEC	20,413.21	20,413.21
25532	01/31/2022	20210105.01-6	ASCENT ENVIRONMENTAL, INC	CONSULTING SERVICES - CARGILL CEQA	9,224.37	14,818.12
25532	01/31/2022	20210105.02-1	ASCENT ENVIRONMENTAL, INC	CONSULTING SERVICES - CARGILL CEQA	5,593.75	
25528	01/31/2022	11433103	BROWN & CALDWELL	ENGINEERING SERVICES - BRINE ASSESSMENT	12,935.00	12,935.00
25519	01/31/2022	Oct-21	DEBORAH QUINN	ACCOUNTING SERVICES - OCT	9,838.13	9,838.13
25529	01/31/2022	171160	ENVIRONMENTAL SCIENCE ASSOCIATES	FIRST MILE PROJECT WORK ORDER NO. 1	8,466.51	8,466.51
25523	01/31/2022	FB1836	CAROLLO ENGINEERS	ENGINEERING SERVICES - WORK ORDER NO. 3	502.50	6,400.00
25523	01/31/2022	FB18440	CAROLLO ENGINEERS	ENGINEERING SERVICES - WORK ORDER NO. 1	588.00	
25523	01/31/2022	FB18512	CAROLLO ENGINEERS	ENGINEERING SERVICES - WORK ORDER NO. 4	5,309.50	
25518	01/31/2022	50333	CALCON	OLEPS SERVICE CALL	1,782.62	6,320.75
25518	01/31/2022	50341	CALCON	HEPS & OPS CENTER SERVICE CALLS	1,223.60	
25518	01/31/2022	50319	CALCON	MDF AUTOMATION UPGRADE	727.33	
25518	01/31/2022	50233	CALCON	OLEPS & OPS CENTER SERVICE CALLS	2,587.20	
25507	01/14/2022	755380	SOUTHERN COUNTIES LUBRICANTS	OLEPS DIESEL FUEL	5,817.62	5,817.62
25503	01/14/2022	171085	ENVIRONMENTAL SCIENCE ASSOCIATES	HAYWARD FEASIBILITY STUDY WORK ORDER NO. 2	5,758.75	5,758.75
25527	01/31/2022	16856PABR	MISCOWATER	SKYWEST CHEMICAL PUMP	3,820.16	3,820.16
25487	01/14/2022	OCT-DEC 2021	KARL D. ROYER	QUARTERLY HEALTH PREMIUM REIMBURSEMENT	3,462.84	3,462.84
25522	01/31/2022	00013.12-7	LARRY WALKER ASSOCIATES	PROFESSIONAL SERVICES - WORK ORDER NO. 3	1,023.00	2,659.75
25522	01/31/2022	00013.14-1	LARRY WALKER ASSOCIATES	PROFESSIONAL SERVICES - WORK ORDER NO. 4	1,636.75	
25508	01/14/2022	2198	CROPPER ACCOUNTANCY	AUDITING SERVICES	2,314.00	2,314.00

EAST BAY DISCHARGERS AUTHORITY
List of Disbursements
January 2022

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
25510	01/31/2022	682131	VANTAGEPOINT	MISSION SQUARE DEFERRED COMPENSATION 01/31/2022	2,174.54	2,174.54
25489	01/14/2022	674077	VANTAGEPOINT	MISSION SQUARE DEFERRED COMPENSATION 01/15/2022	2,066.28	2,066.28
25505	01/14/2022	628934	CALTEST	LAB TESTING SERVICES	1,904.90	1,904.90
25499	01/14/2022	4246044555687627	US BANK	PURCHASING CARD EXPENSES	1,821.74	1,821.74
25490	01/14/2022	52205707	CITY OF HAYWARD	BENEFIT PREMIUMS - JAN	1,345.92	1,345.92
25495	01/14/2022	675008	CORRPRO COMPANIES, INC	FORCE MAIN BI-ANNUAL CATHODIC PROTECTION SYSTEM SURVEY	1,320.00	1,320.00
25501	01/14/2022	4836	BAY PLANNING COALITION	ANNUAL MEMBERSHIP DUES	1,100.00	1,100.00
25533	01/31/2022	194	CASA EDUCATION FOUNDATION	BRUCE WOLFE SCHOLARSHIP	1,000.00	1,000.00
25512	01/31/2022	385609	CITY OF SAN LEANDRO	ANNUAL HAZARDOUS MATERIALS & WASTE FEE FOR MDF	762.00	762.00
25496	01/14/2022	1855831	ALLIANT INSURANCE	POLLUTION LIABILITY INSURANCE RENEWAL	722.75	722.75
25493	01/14/2022	1746192-21	SCIF	WORKERS COMPENSATION PREMIUM - JAN	679.25	679.25
25487	01/14/2022	OCT-DEC 2021	CHARLES V. WEIR	QUARTERLY HEALTH PREMIUM REIMBURSEMENT	527.88	527.88
25524	01/31/2022	4162	DAVISON SYSTEMS, LLC	ANNUAL SUBSCRIPTION	500.00	500.00
25504	01/14/2022	Dec-21	EVERARDO OROZCO LANDSCAPE MANAGEMENT	LANDSCAPING SERVICES - DEC	375.00	375.00
25531	01/31/2022	1310138	HANSON BRIDGETT	LEGAL SERVICES	360.00	360.00
25498	01/14/2022	525153	R-COMPUTER	MICROSOFT OFFICE FOR SCADA	275.61	275.61
25509	01/14/2022	9033	MBC CUSTODIAL SERVICES INC	JANITORIAL SERVICES -NOV	130.00	260.00
25509	01/14/2022	9034	MBC CUSTODIAL SERVICES INC	JANITORIAL SERVICES - DEC	130.00	
25521	01/31/2022	9184073246	GRAINGER	OLEPS OIL & DIESEL FUEL CLEANUP SUPPLIES	152.97	230.79
25521	01/31/2022	9179656153	GRAINGER	OLEPS OIL & DIESEL FUEL CLEANUP SUPPLIES	77.82	
25517	01/31/2022	510-483-0439 716 6	AT&T	TELEPHONE SERVICE - MDF	197.24	197.24
25506	01/14/2022	49711	COMPUTER COURAGE	WEBSITE HOSTING - JAN	150.00	150.00
25492	01/14/2022	300007935	CSMFO	ANNUAL MEMBERSHIP DUES	110.00	110.00
25516	01/31/2022	44777800001	EBMUD	WATER & SEWER, ADMIN DEC-JAN	102.13	102.13
25494	01/14/2022	9896288284	VERIZON WIRELESS	WIRELESS PHONE SERVICES	62.05	62.05
25530	01/31/2022	3416787	CALTRONICS	COPIER SUPPLIES	36.04	36.04
25520	01/31/2022	9897098419	VERIZON WIRELESS	MODEM FOR SCADA	22.02	22.02
TOTAL CHECK PAYMENTS					953,464.67	953,464.67
ELECTRONIC PAYMENTS						
	01/04/2022	5105948980-0	PG&E	GAS & ELECTRIC SERVICE	29,719.92	29,719.92
	01/10/2022	100000016652100	CALPERS	HEALTH PREMIUMS - JAN	7,136.03	7,136.03
	01/05/2022	100000016618940	CALPERS	PENSION CONTRIBUTION, CLASSIC 12/16 - 31/2021	4,704.60	4,704.60
	01/21/2022	100000016639023	CALPERS	PENSION CONTRIBUTION, CLASSIC 1/01 - 15/2022	4,704.60	4,704.60
	01/05/2022	100000016618971	CALPERS	PENSION CONTRIBUTION, PEPRA 12/16 - 31/2021	157.51	157.51

EAST BAY DISCHARGERS AUTHORITY
List of Disbursements
January 2022

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
	01/21/2022	100000016639066	CALPERS	PENSION CONTRIBUTION, PEPRA 1/01 - 15/2022	157.51	157.51
	01/11/2022		WELLS FARGO	CLIENT ANALYSIS SERVICE CHARGE	28.11	28.11
TOTAL ELECTRONIC PAYMENTS					46,608.28	46,608.28
PAYROLL						
	01/28/2022		ADP, LLC	PAYROLL PERIOD: 01/16-31/2022	24,309.83	24,309.83
	01/13/2022		ADP, LLC	PAYROLL PERIOD: 01/01-15/2022	21,826.68	21,826.68
	01/07/2022	595777979	ADP, LLC	PAYROLL FEES, PERIOD: 12/16-31/2021	90.90	90.90
	01/21/2022	596739053	ADP, LLC	PAYROLL FEES, PERIOD: 01/01-15/2022	75.00	75.00
TOTAL PAYROLL					46,302.41	46,302.41
TOTAL DISBURSEMENTS					1,046,375.36	1,046,375.36

ITEM NO. FM5 TREASURER'S REPORT FOR JANUARY 2022

The beginning cash balance on January 1, 2022 was \$4,491,611.99. The ending cash balance on January 31, 2022 was \$4,408,109.35. Total receipts for the period were \$962,872.72 and disbursements totaled \$1,046,375.36. EBDA's LAIF balance is \$3,261,821.23 and the average monthly effective yield for January was 0.23%.

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

Approval is recommended.

EAST BAY DISCHARGERS AUTHORITY

TREASURER'S REPORT

JANUARY 31, 2022

FUND	DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	1,369,866.20	539,506.07	319,179.12	1,590,193.15
13	PLANNING & SPECIAL STUDIES	393,871.70	377,710.60	619,947.76	151,634.54
14	RECLAMATION O & M (SKYWEST)	58,330.18	9,000.00	4,011.86	63,318.32
15	BRINE ACCEPTANCE	171,429.07		101,921.29	69,507.78
31	RENEWAL & REPLACEMENT	2,498,114.84	36,656.05	1,315.33	2,533,455.56
TOTALS		4,491,611.99	962,872.72	1,046,375.36	4,408,109.35

Jan-22

2/8/2022

SUPPLEMENTAL TREASURERS REPORT

DATE	TRANSACTION	RECEIPT	DISBURSEMENT CHECKING	DISBURSEMENT PAYROLL	PAYROLL TRANSFER	LAIF TRANSFER	WELLS FARGO CHECKING BALANCE	WELLS FARGO PAYROLL BALANCE	LAIF BALANCE	TOTAL CASH
12/31/21	BALANCE						1,194,724.71	36,767.71	3,260,119.57	4,491,611.99
01/04/22	ELECTRONIC BILL PAY		29,719.92				1,165,004.79	36,767.71	3,260,119.57	4,461,892.07
01/05/22	ELECTRONIC BILL PAY		4,704.60				1,160,300.19	36,767.71	3,260,119.57	4,457,187.47
01/05/22	ELECTRONIC BILL PAY		157.51				1,160,142.68	36,767.71	3,260,119.57	4,457,029.96
01/07/22	PAYROLL FEES			90.90			1,160,142.68	36,676.81	3,260,119.57	4,456,939.06
01/07/22	DEPOSIT	757.50					1,160,900.18	36,676.81	3,260,119.57	4,457,696.56
01/10/22	ELECTRONIC BILL PAY		7,136.03				1,153,764.15	36,676.81	3,260,119.57	4,450,560.53
01/10/22	PAYROLL TRANSFER				40,000.00		1,113,764.15	76,676.81	3,260,119.57	4,450,560.53
01/11/22	ANALYSIS FEE		28.11				1,113,736.04	76,676.81	3,260,119.57	4,450,532.42
01/13/22	PAYROLL			21,826.68			1,113,736.04	54,850.13	3,260,119.57	4,428,705.74
01/14/22	INTEREST	1,701.66				1,701.66	1,113,736.04	54,850.13	3,261,821.23	4,430,407.40
01/14/22	DISBURSEMENT		729,766.01				383,970.03	54,850.13	3,261,821.23	3,700,641.39
01/18/22	DEPOSIT - HAYWARD	305,291.25					689,261.28	54,850.13	3,261,821.23	4,005,932.64
01/21/22	DEPOSIT - OLSD	155,894.96					845,156.24	54,850.13	3,261,821.23	4,161,827.60
01/21/22	ELECTRONIC BILL PAY		157.51				844,998.73	54,850.13	3,261,821.23	4,161,670.09
01/21/22	ELECTRONIC BILL PAY		4,704.60				840,294.13	54,850.13	3,261,821.23	4,156,965.49
01/21/22	PAYROLL FEES			75.00			840,294.13	54,775.13	3,261,821.23	4,156,890.49
01/27/22	DEPOSIT - CSL	80,794.60					921,088.73	54,775.13	3,261,821.23	4,237,685.09
01/28/22	DEPOSIT - LAVWMA	418,432.75					1,339,521.48	54,775.13	3,261,821.23	4,656,117.84
01/28/22	PAYROLL			24,309.83			1,339,521.48	30,465.30	3,261,821.23	4,631,808.01
01/31/22	DISBURSEMENT		223,698.66				1,115,822.82	30,465.30	3,261,821.23	4,408,109.35
TOTAL		962,872.72	1,000,072.95	46,302.41	40,000.00	1,701.66				
CURRENT BALANCE							1,115,822.82 ^①	30,465.30 ^②	3,261,821.23 ^③	4,408,109.35

Reconciliation

① Per Bank Statement @ 1/31/22	\$ 1,391,144.40
Less: Outstanding Checks	275,321.58
	\$ 1,115,822.82
② Per Bank Statement @ 1/31/22	\$ 30,465.30
③ Per LAIF Statement @ 1/31/22	\$ 3,261,821.23

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 SECOND QUARTER EXPENSE SUMMARY, FISCAL YEAR 2021/2022

Recommendation

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

Background

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

Discussion

At the end of the second quarter, 50% through the fiscal year, EBDA's spending is just a bit over budget, at 53% spent. Staff notes that the Authority's most significant annual fees including BACWA dues, Nutrient Surcharge, Water Research Foundation, and NPDES permit fee have been paid in the first half of the year, and therefore those line items are expected to revert to budget at year end. O&M spending is tracking slightly under budget at 46% through the second quarter.

East Bay Dischargers Authority
EXPENSE SUMMARY BY PROGRAM

FY 2021/2022 THROUGH DECEMBER 31, 2021 (50% of YEAR)

	YTD Expenses	Budget	Revenues Cargill, Grant, & Skywest	Variance	% of Budget	Explanations for Variance Over 10%
O&M EFFLUENT DISPOSAL						
General Administration	\$507,079	\$1,293,382.00		(\$786,303)	39%	Budget for Commissioner compensation assumes maximum number of meetings and several Committees are currently on reduced schedules. Also, some salary costs are reimbursed by Cargill.
Outfall & Force mains	\$76,244	\$181,977.00		(\$105,733)	42%	
Marina Dechlor Facility	\$202,918	\$510,454.00		(\$307,536)	40%	
Oro Loma Pump Station	\$238,963	\$514,954.00		(\$275,991)	46%	
Hayward Pump Station	\$67,848	\$170,977.00		(\$103,129)	40%	
Union Pump Station	\$176,751	\$363,233.00		(\$186,482)	49%	
Bay & Effluent Monitoring	\$350,727	\$506,382.00		(\$155,655)	69%	BACWA annual dues paid in Q1.
TOTAL O&M EFFLUENT DISPOSAL	\$1,620,530	\$3,541,359		(\$1,920,829)	46%	
SPECIAL PROJECTS						
NPDES Permit Fees	\$602,837	\$593,473.00		\$9,364	102%	Annual NPDES permit fee was paid in Q2 and was higher than budgeted due to State Water Board increase.
NPDES Permit Issues	\$33,919	\$100,000.00		(\$66,081)	34%	Staff anticipates increased spending in Q3 and Q4 when new NPDES permit will be negotiated.
Regional Monitoring Program	\$62,010	\$280,000.00		(\$217,991)	22%	2022 calendar year invoice not yet received.
Nutrient Surcharge	\$285,346	\$285,346.00		\$0	100%	Annual surcharge paid in Q1.
Water Research Foundation	\$23,407	\$25,580.00		(\$2,173)	92%	Annual membership fee paid in Q1.
Transport System Evaluation	\$0	\$20,000.00		(\$20,000)	0%	Work to date in this FY has not yet been invoiced.
JPA Legal Support	\$6,165	\$10,000.00		(\$3,835)	62%	Work is substantially complete.
AQPI	\$0	\$29,000.00		(\$29,000)	0%	EBDA will be invoiced later this year by Sonoma Water due to project delays.
Operator Training Modules	\$0	\$16,000.00		(\$16,000)	0%	Work is delayed, and EBDA will be invoiced when complete.
Strategic Planning	\$0	\$10,000.00		(\$10,000)	0%	Work will begin next fiscal year.
Disinfection Master Plan	\$37,083	\$45,726.00		(\$8,643)	81%	Work was initiated in Q3 of last FY and is expected to be completed in Q3 of this FY.
Nature-Based Solutions Study	\$81,876	\$150,000.00	\$19,375	\$0		All costs are reimbursed by EPA grant.
Biosolids Feasibility Study	\$0	\$100,000.00		(\$100,000)	0%	Work has begun, but external funds have not yet been needed.
Solar Feasibility Study	\$0	\$20,000.00		(\$20,000)	0%	Work has begun, but external funds have not yet been needed.
Bruce Wolfe Memorial	\$0	\$5,000.00		(\$5,000)	0%	Commission has committed \$1k, which will be paid in Q3.
NPDES Testing - CSL	\$1,500	\$1,500.00		\$0	100%	Hach WIMS invoice was paid in Q1.
NPDES Testing - OLSD	\$1,500	\$1,500.00		\$0	100%	Hach WIMS invoice was paid in Q1.
NPDES Testing - HAY	\$1,500	\$1,500.00		\$0	100%	Hach WIMS invoice was paid in Q1.
NPDES Testing - USD	\$1,500	\$1,500.00		\$0	100%	Hach WIMS invoice was paid in Q1.
TOTAL SPECIAL PROJECTS	\$1,138,643	\$1,696,125	\$19,375	(\$489,358)	68%	
TOTAL AGENCY-FUNDED PROGRAMS	\$2,677,297	\$5,087,484	\$19,375	(\$2,410,187)	53%	
WATER RECYCLING						
Skywest Golf Course	\$8,849	\$36,000	\$18,000			Operations spending reduced due to efficiencies, and capital deferred.
TOTAL WATER RECYCLING	\$8,849	\$36,000	\$18,000			
BRINE ACCEPTANCE						
Brine Acceptance	\$314,884	\$400,000	\$229,984			All work performed is reimbursed by Cargill. Not all expenses have yet been invoiced.
TOTAL BRINE ACCEPTANCE	\$314,884	\$400,000	\$229,984			

East Bay Dischargers Authority
EXPENSE SUMMARY BY ACCOUNT

FY 2021/2022 THROUGH DECEMBER 31, 2021 (50% OF YEAR)

	YTD Expenses	Budget	Revenues Cargill, Grant, & Skywest	Variance	% of Budget	Explanations for Variance Over 10%
4010 - Salary	\$248,925	\$586,103		(\$337,178)	42%	
4010 - Salary (reimburseable)	\$27,264	\$0	\$11,334			Expenses for Cargill are reimbursed.
4020 - Benefits	\$121,517	\$269,324		(\$147,807)	45%	
4030 - Commissioner Compensation	\$13,200	\$45,000		(\$31,800)	29%	Budget assumes maximum number of meetings and several Committees are currently on reduced schedules.
4070 - Insurance	\$20,470	\$62,000		(\$41,530)	33%	Major policies will be paid in Q3.
4070 - Insurance (reimburseable)	\$0	\$3,000	\$1,500			Skywest portion of insurance premiums.
4080 - Memberships & Subscriptions	\$141,999	\$147,702		(\$5,703)	96%	BACWA and WRF annual dues paid in Q1.
4100 - Supplies, Variable	\$137,165	\$312,000		(\$174,835)	44%	
4100 - Supplies, Fixed	\$5,185	\$22,000		(\$16,815)	24%	Office supply needs to date lower than budgeted.
4110 - Contract Services	\$28,415	\$104,280		(\$75,865)	27%	Limited contract support for O&M has been required.
4120 - Professional Services (non-reimburseable)	\$270,727	\$736,976		(\$466,249)	37%	Certain Special Studies services (e.g. biosolids) have been deferred while preliminary work proceeds.
4120 - Professional Services (reimburseable)	\$373,312	\$558,000	\$242,025			Expenses for Cargill and the Nature-based Solutions Project are reimbursed.
4140 - Rents & Fees	\$959,945	\$1,161,099		(\$201,155)	83%	NPDES permit fee paid in Q2.
4141 - NPDES Fines	\$0	\$109,000		(\$109,000)	0%	Reserve funds in case of enforcement.
4150 - Maintenance & Repair	\$297,231	\$667,500		(\$370,269)	45%	
4150 - Maintenance & Repair (reimburseable)	\$4,013	\$9,000	\$4,500			
4160 - Monitoring	\$85,513	\$170,000		(\$84,487)	50%	
4160 - Monitoring (reimburseable)	\$1,020	\$5,000	\$2,500			
4170 - Travel	\$1,253	\$18,000		(\$16,747)	7%	Reduced travel due to COVID pandemic.
4190 - Utility, Fixed	\$6,302	\$16,500		(\$10,198)	38%	Negotiated more favorable telecom packages, including decreased costs for Verizon & AT&T.
4190 - Utility, Fixed (reimburseable)	\$0	\$1,000	\$500			
4191 - Utility, Variable (PG&E)	\$339,450	\$660,000		(\$320,550)	51%	
4200 - Acquisitions & Other	\$0	\$10,000	\$5,000	(\$10,000)		
TOTAL ALL ACCOUNTS	\$3,082,906	\$5,673,484	\$267,359			
TOTAL AGENCY FUNDED	\$2,677,297	\$5,087,484		(\$2,410,187)	53%	

ITEM NO. FM7 INSURANCE PROGRAM REVIEW

Recommendation

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

Background

The Authority is a member of the California Sanitation Risk Management Authority JPA (CSRMA). CSRMA offers shared risk and group purchase programs to its members. The shared risk programs, which include Pooled Liability and Workers' Compensation, are member owned and operated. Interest-earning funds are placed on deposit with CSRMA, where they are used to pay claims and related expenses. Funds not spent or reserved are refunded to members through retrospective rating adjustments and dividend payments. In addition, members have access to an array of group purchase programs including primary insurance, auto physical damage, and storage tank programs.

Discussion

The Authority participates in the Pooled Liability Program (PLP), which provides members with third-party liability coverage specifically designed to meet the exposures faced by the wastewater industry. The PLP, which EBDA renewed on December 31, 2021, provides members with General, Auto, Errors and Omissions, Employment Practices, and Excess Liability coverages. The total limits of coverage in the PLP remain at \$25,500,000. Increases in member payroll, loss development in the PLP, and re/insurance market conditions contributed to an increase in the total costs for the program. The 2021/2022 premium of \$48,917 increased \$11,841 (24%) over the previous policy term. PLP participants have received an annual dividend representing favorable loss experience for the past several years. Due to recently approved changes in CSRMA's Dividend Policy & Procedure, a dividend was not declared this year.

Effective July 1, 2021, CSRMA implemented a pooled layer for the Property Program. The pooled layer is CSRMA's response to the hardening insurance market where insurers are requiring higher deductibles, while at the same time reducing coverage and imposing sub-limits. This \$100,000 layer is funded by program participants and allows them to remain at their current deductibles. The renewal premium increased \$6,442 (29%) for a total of \$22,103.

Additional coverages afforded by CSRMA to the Authority include:

- Public Entity Vehicle Physical Damage Program – Physical damage coverage for the Authority owned vehicle.
- Storage Tank Program – Third party pollution legal liability and clean-up for above ground storage tank exposure at OLEPS.

The Authority does not participate in the CSRMA Workers' Compensation Program due to the minimum premium requirement of \$15,000. The Authority purchases workers' compensation coverage through the State Compensation Insurance Fund at a current cost of \$8,151.

**ITEM NO. FM8 STATE CONTROLLER'S SPECIAL DISTRICT FINANCIAL
TRANSACTIONS REPORT FISCAL YEAR 2020/2021**

Recommendation

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

Background

The Special District Financial Transactions Report is required to be submitted each year to the State Controller's Office (SCO) by January 31. The report is prepared in conformance with requirements set by the SCO and submitted electronically.

Discussion

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

Your electronically signed cover page was successfully submitted. If you would like to keep a hard copy for you records click on the "Print Cover Page" button at the top of the page.

The name and/or email provided does not match the information on file. Please check that the information entered is correct.

SPECIAL DISTRICTS' FINANCIAL TRANSACTIONS REPORT COVER PAGE

Special District of East Bay Dischargers Authority

Reporting Year: **2021**

ID Number: **12500108500**

Certification:

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

Special District Fiscal Officer


hjGyKfUqDf/QA2...

Signature

General Manager

Title

Jacqueline Zipkin

Name (Please Print)

1/31/2022

Date

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

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

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

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

The Financial Transactions Report was successfully submitted to the State Controller's Office on 1/31/2022 2:12:03 PM

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

Reporting Year: 2021

District Mailing Address

Street 1 ☐ Has Address Changed?
Street 2
City State Zip
Email

Members of the Governing Body

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

District Fiscal Officers

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

Report Prepared By

First Name M. I. Last Name
Telephone Email

Independent Auditor

Firm Name
First Name M. I. Last Name
Telephone

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

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

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

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

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

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

Reporting Year: 2021

Operating Revenues		
R01.	Service Charges	5,010,046
R02.	Permit and Inspection Fees	
R03.	Connection Fees	
R04.	Standby and Availability Charges	
R05.	Service-Type Assessments	
R06.	Service Penalties	
R07.	Other Operating Revenues	36,327
R08.	Total Operating Revenues	\$5,046,373
Operating Expenses		
R09.	Transmission	
R10.	Treatment and Disposal	3,188,363
R11.	Taxes	
R12.	Personnel Services	
R13.	Contractual Services	
R14.	Materials and Supplies	
R15.	General and Administrative Expenses	1,116,507
R16.	Depreciation and Amortization Expenses	955,671
R17.	Other Operating Expenses	
R18.	Total Operating Expenses	\$5,260,541
R19.	Operating Income (Loss)	\$-214,168
Nonoperating Revenues		
R20.	Investment Earnings	15,683
R21.	Rents, Leases, and Franchises	
	Taxes and Assessments	
SD22.	Current Secured and Unsecured (1%)	
SD23.	Voter-Approved Taxes	
SD24.	Pass-through Property Taxes (ABX1 26)	
SD25.	Property Assessments	
SD26.	Special Assessments	
SD27.	Special Taxes	
SD28.	Prior-Year Taxes and Assessments	
SD29.	Penalties and Cost of Delinquent Taxes and Assessments	
	Intergovernmental – Federal	
R30.	Aid for Construction	
R31.	Other Intergovernmental – Federal	90,329
	Intergovernmental – State	
R32.	Aid for Construction	
SD33.	Homeowners Property Tax Relief	
SD34.	Timber Yield	
R35.	In-Lieu Taxes	
R36.	Other Intergovernmental – State	
R37.	Intergovernmental – County	
R38.	Intergovernmental – Other	

R39.	Gain on Disposal of Capital Assets	
R40.	Other Nonoperating Revenues	617,165
R41.	Total Nonoperating Revenues	\$723,177
	Nonoperating Expenses	
R42.	Interest Expense	
R43.	Loss on Disposal of Capital Assets	2,962,510
R44.	Other Nonoperating Expenses	558,172
R45.	Total Nonoperating Expenses	\$3,520,682
R46.	Income (Loss) Before Capital Contributions, Transfers, and Special and Extraordinary Items	\$-3,011,673
	Capital Contributions	
R47.	Federal	
R48.	State	
R49.	Connection Fees (Capital)	
R50.	County	
R51.	Other Government	
R52.	Other Capital Contributions	
R53.	Total Capital Contributions	\$0
R54.	Transfers In	744,570
R55.	Transfers Out	-744,570
	Special and Extraordinary Items	
R55.5	Special Item	
R55.6	Extraordinary Item	
R55.7	Total Special and Extraordinary Items	\$0
R56.	Change in Net Position	\$-3,011,673
R57.	Net Position (Deficit), Beginning of Fiscal Year	\$31,146,310
R58.	Adjustment	114,277
R59.	Reason for Adjustment	Fiscal year 2020 audit adjusting journal entry which
R60.	Net Position (Deficit), End of Fiscal Year	\$28,248,914
	Net Position (Deficit)	
R61.	Net Investment in Capital Assets	25,697,640
R62.	Restricted	
R63.	Unrestricted	2,551,274
R64.	Total Net Position (Deficit)	\$28,248,914

Note:

(R59) Reason for Adjustment: Fiscal year 2020 audit adjusting journal entry which overstated accounts payable and understated revenue from the City of San Leandro

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

Reporting Year: 2021

	Enterprise	Internal Service
Assets		
Current Assets		
Cash and Investments		
R01. Unrestricted	3,391,760	
R02. Restricted		
R03. Accounts Receivable (net)	308,543	
R04. Taxes Receivable		
R05. Interest Receivable (net)	1,843	
R06. Due from Other Funds		
R07. Due from Other Governments	218,146	
R08. Inventories	34,474	
R09. Prepaid Items	103,365	
R10. Other Current Assets 1		
R11. Other Current Assets 2		
R12. Total Current Assets	\$4,058,131	\$0
Noncurrent Assets		
R13. Cash and Investments, Restricted		
R14. Investments		
R15. Loans, Notes, and Contracts Receivable		
Capital Assets		
R16. Land	442,339	
R17. Buildings and Improvements	20,157,499	
R18. Equipment	908,676	
R18.5 Infrastructure	36,457,793	
R19. Intangible Assets – Amortizable		
R20. Construction in Progress		
R21. Intangible Assets – Nonamortizable		
R22. Other Capital Assets		
R23. Less: Accumulated Depreciation/Amortization	-32,268,667	
R23.5 Net Pension Asset		
R23.6 Net OPEB Asset		
R24. Other Noncurrent Assets 1		
R25. Other Noncurrent Assets 2		
R26. Total Noncurrent Assets	\$25,697,640	\$0
R27. Total Assets	\$29,755,771	\$0
Deferred Outflows of Resources		
R28. Related to Pensions	527,236	
R28.5 Related to OPEB	31,928	
R28.6 Related to Debt Refunding		
R29. Other Deferred Outflows of Resources		
R30. Total Deferred Outflows of Resources	\$559,164	\$0
R31. Total Assets and Deferred Outflows of Resources	\$30,314,935	\$0
Liabilities		
Current Liabilities		

R32.	Accounts Payable	362,674	
R33.	Contracts and Retainage Payable		
R34.	Interest Payable		
R35.	Due to Other Funds		
R36.	Due to Other Governments	812,129	
R37.	Deposits and Advances		
R38.	Accrued Compensated Absences		
R39.	Long-Term Debt, Due Within One Year	0	0
R40.	Other Long-Term Liabilities, Due Within One Year		
R41.	Other Current Liabilities 1		
R42.	Other Current Liabilities 2		
R43.	Total Current Liabilities	\$1,174,803	\$0
Noncurrent Liabilities			
R44.	Deposits and Advances, Net of Current Portion		
R45.	Compensated Absences, Net of Current Portion	66,901	
R46.	General Obligation Bonds		
R47.	Revenue Bonds		
R48.	Certificates of Participation		
R49.	Other Bonds		
R50.	Loans (Other Long-Term Debt)		
R51.	Notes (Other Long-Term Debt)		
R52.	Other (Other Long-Term Debt)		
R53.	Construction Financing – Federal		
R54.	Construction Financing – State		
R55.	Lease Principal		
R56.	Net Pension Liability	232,381	
R57.	Net OPEB Liability	90,344	
R58.	Other Noncurrent Liabilities 1		
R59.	Other Noncurrent Liabilities 2		
R60.	Total Noncurrent Liabilities	\$389,626	\$0
R61.	Total Liabilities	\$1,564,429	\$0
Deferred Inflows of Resources			
R62.	Related to Pensions	431,576	
R62.5	Related to OPEB	70,016	
R62.6	Related to Debt Refunding		
R63.	Other Deferred Inflows of Resources		
R64.	Total Deferred Inflows of Resources	\$501,592	\$0
R65.	Total Liabilities and Deferred Inflows of Resources	\$2,066,021	\$0
R66.	Total Net Position (Deficit)	\$28,248,914	\$0
Net Position (Deficit)			
R67.	Net Investment in Capital Assets	25,697,640	
R68.	Restricted		
R69.	Unrestricted	2,551,274	
R70.	Total Net Position (Deficit)	\$28,248,914	\$0
R71.	Total Liabilities, Deferred Inflows of Resources, and Net Position (Deficit)	\$30,314,935	\$0

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

Fiscal Year: 2021		
FORM DESC	FIELD NAME	FOOTNOTES
SewerEnterpriseFund	(R07)OtherOperatingRevenues	Sale of reclaimed water \$27,000 Other Operating Revenues \$9,327
SewerEnterpriseFund	(R31)OtherIntergovernmentalFederal	Federal grant managed by Association of Bay Area Governments (ABAG)
SewerEnterpriseFund	(R40)OtherNonoperatingRevenues	Reimbursements from Cargill for brine project development
SewerEnterpriseFund	(R44)OtherNonoperatingExpenses	Expenses related to Cargill brine project development \$467,843 Expenses related to federal grant managed by Association of Bay Area Governments (ABAG) \$90,329
SewerEnterpriseFund	(R54)TransfersIn	Transfer of capital assets from Renewal and Replacement Fund to Operations and Maintenance Fund.
SewerEnterpriseFund	(R55)TransfersOut	Transfer of capital assets from Renewal and Replacement Fund to Operations and Maintenance Fund.

Total Footnote: 6

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

A Joint Powers Public Agency

NOTICE: In compliance with AB 361 (2021), the 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. 13

OPERATIONS & MAINTENANCE COMMITTEE AGENDA

Tuesday, February 15, 2022

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.

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Agenda Explanation
East Bay Dischargers Authority
O&M Agenda
February 15, 2022

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

**The next O&M Committee meeting will be held
Tuesday, March 15, 2022, at 9:00 a.m.**

ITEM NO. OM4 EBDA PERMIT COMPLIANCE

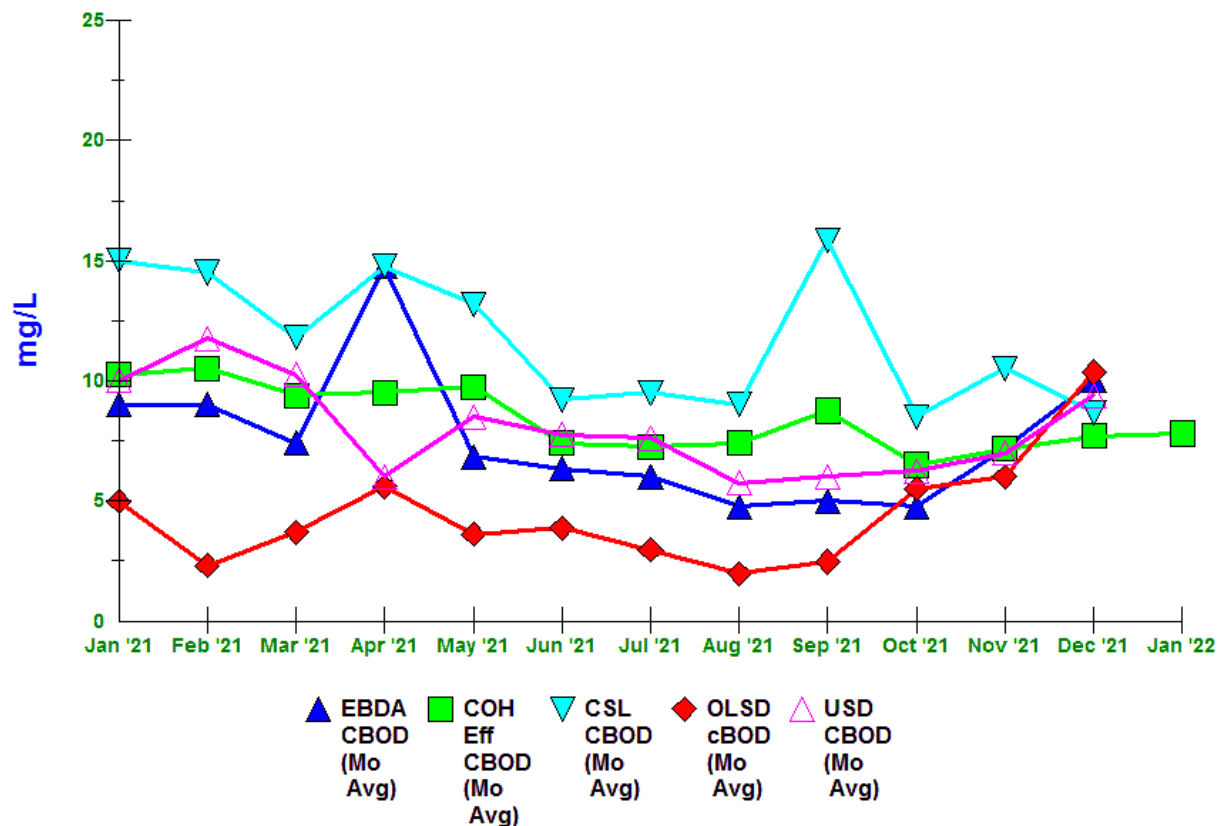
Recommendation

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

Permit Compliance Issues

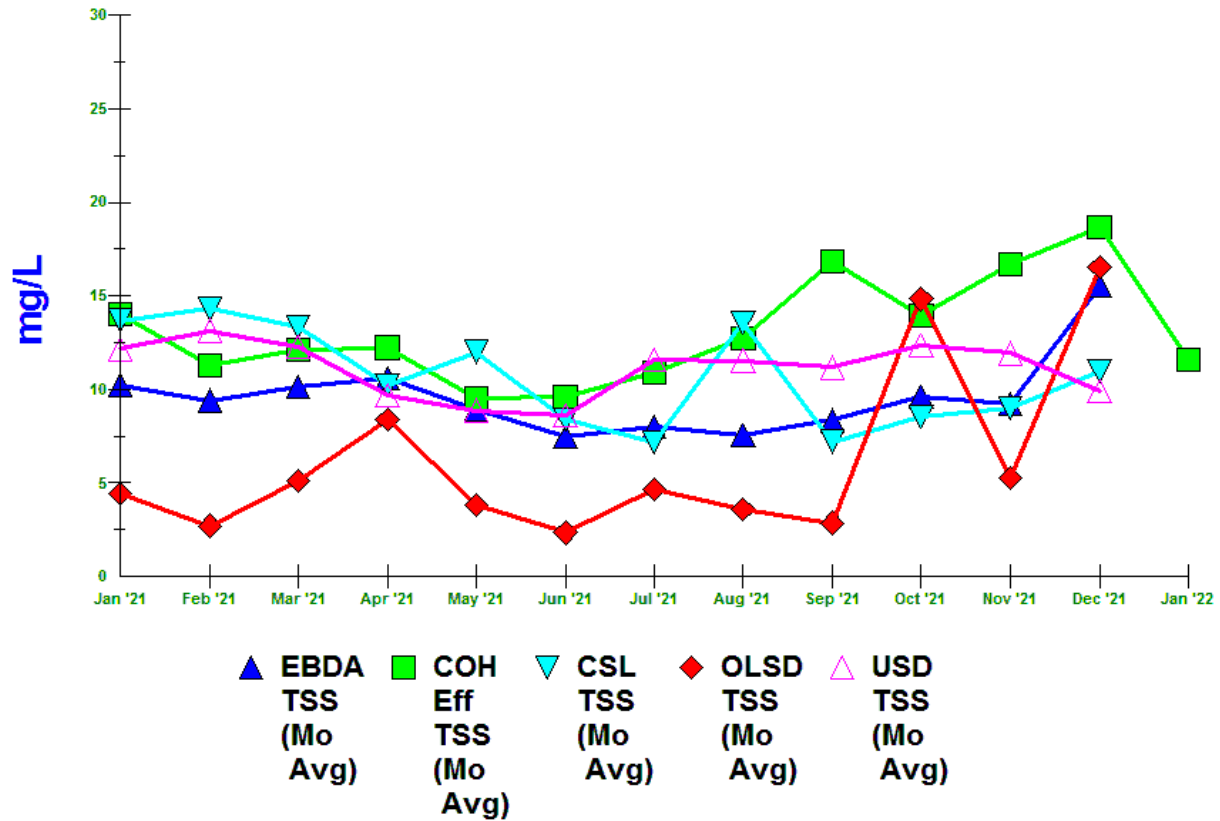
There were no NPDES permit violations in November, and preliminary data from December are also free of permit exceedances. Member Agency CBOD and TSS performance are shown below. A table with bacterial indicators is also included.

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
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
October 2021 Geomean	33	4
November 2021 Geomean	13	8
12/6/2021	4	2
12/7/2021	8	3
12/8/2021	17	154
12/13/2021	80	20
12/14/2021	23	7
12/15/2021	11	4
12/20/2021	189	10
12/21/2021	49	3
12/22/2021	220	4
12/27/2021	3	17
12/28/2021	8	5
December 2021 Geomean	22	8
1/3/2022	2	6
1/4/2022	4	< 2
1/5/2022	4	2
1/10/2022	7	< 2
1/11/2022	2	2
1/12/2022	4	2
1/17/2022	3	< 2
1/18/2022	< 2	4
1/24/2022	2	2
1/25/2022	22	2
1/31/2022	4	< 2
January 2022 Geomean	4	2

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)

Emergency Outfall Evaluation

EBDA staff is working with Carollo Engineers (Carollo) on an evaluation of the OLEPS emergency outfall. The purpose of evaluating the emergency outfall is to determine its maximum capacity and whether modifications to the outfall weir are recommended to increase system detention time and delay or possibly prevent an unanticipated bypass in the event of a catastrophic failure at OLEPS. A draft report was reviewed by staff, and Carollo is working to address comments. Once completed, the findings will be presented to the MAC, and recommendations will subsequently be discussed with this Committee.

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 Spring 2022.

Skywest Pump Station

Recycled Water Production

The Skywest Recycled Water System did not produce any recycled water during the month of January 2022.

Marina Dechlorination Facility (MDF)

Total Residual Chlorine (TRC) Effluent Limit Implementation and Automation Upgrades

As discussed previously, the Regional Water Quality Control Board recently adopted a blanket permit amendment revising the TRC effluent limits for all wastewater dischargers to San Francisco Bay. The permit amendment, which is expected to take effect March 1, 2022, raises EBDA's TRC effluent limit from 0.0 mg/L at all times to 0.98 mg/L measured as a one-hour average. Work continues on the programmable logic controller (PLC) programming and control system modifications necessary to implement this new effluent limit. Staff is also working with Calcon to update the spreadsheets used for compliance reporting and data management.

Force Main

Development Along the EBDA Force Main Easement

EBDA was recently contacted regarding site development near the EBDA force main easement in Hayward. The preliminary design of the new development calls for parking spaces above the force main and a warehouse constructed next to the easement. This design is consistent with development directly to the north of this site and in other areas of the easement. On February 3rd, at the request of EBDA's contract geotechnical engineer, the developer conducted potholing above the force main. Potholing is an investigative construction method used to locate underground utilities, and it involves using a vactor truck to dig exploratory holes. The potholing determined the exact location and depth of the EBDA force main and will be used to prepare a technical memorandum with site specific restrictions and instructions for the developer. The developer has agreed to site improvements that will benefit EBDA by providing better access to a force main manhole to the south of the property.



Vactor truck potholing the EBDA force main



The EBDA force main can be seen 127 inches below grade at the center of the photo

Operations Center

No change; all equipment is operational.

Miscellaneous Items

Underground Service Alerts

EBDA received ten (10) Underground Service Alert (USA) tickets during the month of January 2022. Five required an Electronic Positive Response (EPR), and of the five, four required calls/emails to the excavators, and two required field verification.

Wet Weather

During the month of January 2022, there were no significant rain events that required the operation of an OLEPS diesel pump.

COVID-19 Response

All EBDA staff members are fully vaccinated and boosted. 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. 9.

Special Projects

Disinfection Master Plan

Staff is continuing to work with 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. Carollo will present their findings to the MAC at its February meeting. Recommendations will subsequently be discussed with this Committee. The goal is to implement recommendations in time for Summer, when bacteria levels tend to elevate with the heat.

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. EBDA's CEQA consultant, Ascent Environmental (Ascent) is progressing with development of an Environmental Impact Report (EIR) for the pipeline from Cargill to OLEPS. 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 the EIR assuming a street route for the pipeline.

The street route is challenging because it would cause major traffic disruption on Hesperian Blvd., a main artery through Hayward that is currently in good condition. The team is therefore continuing to evaluate other options, including:

- Bayside route, generally paralleling EBDA's Transport System. This route is challenging due to the sensitive habitat it traverses.
- Railroad route along the Union Pacific (UP) Railroad corridor. Cargill's design consultant is evaluating whether a pipeline could be installed along this route with a minimum of 35 feet clearance from the railroad center line at all points. This clearance is a UP threshold requirement.
- Southern connection with sliplining. This option would return to the original concept of connecting the brine pipeline just north of USD and then sliplining sensitive sections of EBDA's pipeline to prevent corrosion. This option also requires construction in sensitive habitat areas and will have greater impact on EBDA operations during construction.

Brown & Caldwell (BC) is continuing work to evaluate potential brine impacts on OLEPS equipment and the metal portion of the force main at MDF, both of which would encounter brine in any of the scenarios presented above. BC will recommend corrosion protection measures as needed based on their evaluation. A workshop to review preliminary recommendations is planned for February 23. Carollo is also performing laboratory testing to assess impacts of the brine on disinfection and dechlorination.

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. Installation of the radar at Rocky Ridge has faced some delays and is now planned for early 2022. National Oceanographic and Atmospheric Administration (NOAA) staff is continuing to make refinements to the user interface, which EBDA member agencies can access now for precipitation data and projections.

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

- Zoom link: <https://us02web.zoom.us/j/86570791282>
- Telephone dial-in: 1(669) 900-6833, meeting ID #865 7079 1282

ITEM NO. 14

PERSONNEL COMMITTEE AGENDA

**Tuesday, February 15, 2022
10:00 a.m.**

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

Committee Members: Johnson (Chair), Duncan

P1. Call to Order

P2. Roll Call

P3. Public Forum

P4. FY 2022/2023 Budget Assumptions for Wages and Benefits
(The Committee will review proposed recommendations.)

P5. General Manager Performance Self-Assessment
(The Committee will review the GM's self-assessment against the FY 2021/2022 Performance Plan in preparation for a performance review during the February 17, 2022 Commission Meeting.)

P6. Adjournment

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

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Agenda Explanation
East Bay Dischargers Authority
Personnel Committee
February 15, 2022

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**The next Personnel Committee meeting will be held
Tuesday, April 19, 2022 at 10:00 a.m.**

ITEM NO. P4 FY 2022/2023 BUDGET ASSUMPTIONS FOR WAGES AND BENEFITS

Recommendation

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

Background

Each year's budget makes a number of assumptions on wages and benefits. The proposed assumptions for FY2022/2023 are summarized below for the Committee's input.

Discussion

1. **Salary.** EBDA's adopted Personnel Plan states the following:

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

Data from the CPI-U for San Francisco-Oakland-Hayward is shown in the table below. The December to December comparison yields a 4.2% increase. Consistent with the Personnel Policy, staff recommends setting the cost-of-living adjustment (COLA) at 4%. Staff is presenting this information here to vet budget assumptions. The Commission will consider the COLA as part of the annual Compensation Plan adoption.

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

Month	2017		2018		2019		2020		2021	
	2-month	12-month	2-month	12-month	2-month	12-month	2-month	12-month	2-month	12-month
February	0.8	3.4	1.4	3.6	0.5	3.5	0.9	2.9	0.5	1.6
April	1.1	3.8	0.8	3.2	1.2	4.0	-0.5	1.1	1.7	3.8
June	0.3	3.5	0.9	3.9	0.2	3.2	0.7	1.6	0.0	3.2
August	0.2	3.0	0.6	4.3	0.1	2.7	0.0	1.6	0.5	3.7
October	0.6	2.7	0.7	4.4	1.0	3.0	0.5	1.1	0.7	3.8
December	-0.1	2.9	0.1	4.5	-0.5	2.5	0.4	2.0	0.8	4.2

2. **Medical Premiums.** Premium rates are estimated to increase 5.4% based on the National Health Expenditure projections for 2019-2028.
3. **PEMHCA.** The Authority's fixed contribution under the Public Employees' Medical and Hospital Care Act (PEMHCA) is \$473 per month for each annuitant. The PEMHCA

rate was last updated in 2018, and the Commission may consider increasing it up to 3% annually. Currently, four EBDA retirees receive PEMHCA, and two retirees receive full medical based on their negotiated contracts. The effect of increasing the PEMHCA by 3% would be \$681 annually.

4. **Dental Insurance.** Rates are established on a calendar year basis by the provider and will remain flat through 2022. Staff recommends budgeting for a 2% increase in 2023.
5. **Vision Insurance.** Rates will remain flat through 2022. Staff recommends budgeting for a 2% increase in 2023.
6. **Disability Insurance.** Disability insurance includes Long & Short-Term effective January 1, 2018. Premiums are unchanged.
7. **CalPERS.** Annual valuation reports indicate the FY22/23 Employer Normal Cost Rates for the classic and PEPRA plans will be 12.21% and 7.47% respectively. EBDA pays 0% of the Employee contribution rate.
8. **Deferred Compensation.** Employer contribution expenditures are assumed to increase 4%, commensurate with salary increases.
9. **Workers Compensation.** Premiums are based on classification rates multiplied by all discount modifiers from the CDI website.

ITEM NO. P5 GENERAL MANAGER PERFORMANCE SELF-ASSESSMENT

Recommendation

For the Committee's review and input to the Commission's performance assessment process for the General Manager (GM).

Background

The General Manager's performance is reviewed annually each February, corresponding with the month of her hire. The review takes place in Closed Session at the Commission Meeting. In advance of the review, the GM provides a self-assessment of performance against the goals established the previous year. The Commissioners are each provided with a scoring sheet to complete, all of which are then compiled by the Chair for use in the assessment.

Discussion

At the Commission Meeting on February 17, 2022, the Commission will meet in closed session to discuss the following:

Public Employee Performance Evaluation (Government Code §54957(b)(1))
Title: General Manager

Attached for the Committee's review and discussion is the GM's Performance Plan for FY 2021/2022, including a self-assessment capturing progress against goals.

EBDA General Manager 2021/2022 Performance Plan

Self Assessment – January 2022

Key Objectives

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

Maintained consistent compliance. Key accomplishments included:

- *Avoided any compliance concerns related to bacterial contaminants – enterococcus and fecal coliform. Implemented a strategy of managing chlorine residual in close communication with Member Agencies to prevent outbreaks. Awarded contract for and initiated development of Disinfection Master Plan to further optimize chlorine dosing and minimize bacterial risks. Preliminary conclusions of the Master Plan will be discussed with the MAC in February 2022, with implementation expected to begin in Summer 2022.*
- *Continued regular meetings of EBDA's Lab Committee and supported lab managers in moving toward TNI compliance.*
- *Began customization and implementation of a new Laboratory Information Management System for managing compliance data, in collaboration with City of San Leandro. This system will improve laboratory compliance as well as data quality and reliability. It is also easier to query than EBDA's current data management system, making it a useful tool for tracking trends and developing charts and reports.*

2. **NPDES Permit Reissuance.** EBDA's current NPDES permit expires in June 2022, and the application package for the permit renewal is due in September 2021. The GM will coordinate the efforts of the expert consultant and the Member Agencies to develop a thorough and thoughtful Report of Waste Discharge and permit reissuance application for submittal to the Regional Water Board. The process will include vetting of potential requests for permit changes, including revisions to monitoring and reporting requirements. The GM will then work with the team to negotiate permit language favorable to the Authority and the members, including new provisions on toxicity and chlorine residual.

Working with staff from all of the Member Agencies and consultant EOA, submitted EBDA's 433-page Report of Waste Discharge and application for NPDES permit reissuance on September 30, 2021. This application included summary and analysis of water quality data from the past four years. The application also discussed potential changes to EBDA's discharge related to the Cargill brine project and implications for the permit. A draft of the new permit is expected in Spring 2022, with adoption by June 30, 2022.

3. **Develop Strategic Plan.** Work with the MAC and Commission to develop a Strategic Plan for the Authority. The Strategic Plan would build on plans developed by the Member Agencies and aim to support the agencies in fulfilling their goals. The focus would be on the next 3-5 years, with a longer-term planning exercise to follow in a few years, after the agencies' long-term goals are further fleshed out.

Strategic Planning process was postponed due to COVID-19 restrictions on in-person meetings, as well as Member Agency staffing constraints. That said, I presented a proposed approach and schedule for Strategic Planning beginning in July 2022 and have begun gathering background information such as Member Agencies' Strategic Plans and industry trends.

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

Worked with the MAC to begin development of a joint EBDA biosolids management strategy and/or facility to improve certainty and predictability in biosolids outlets and costs for the member agencies. I developed a summary of current Member Agency practices and management costs, and then calculated potential land requirements for agricultural land application. I also summarized advantages, disadvantages, and issues associated with land application as well as compost. I then began discussions with potential partners including StopWaste, land acquisition consultants, and companies with biosolids management solutions including Synagro, Anaergia, Waste Management, and Republic Services. These efforts culminated in distribution in December 2021 of a primer summarizing current practices and desired outcomes for the project and seeking partner presentations.

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

- Recycled Water Policy
- Reserve Policy
- Appeals Policy
- Member Agency Agreements

The following policies were updated or created and approved in the past year:

- Brine
- Electronic Signature
- Personnel
- Commissioner Compensation
- Rules of the Commission

- *Records Management and Retention*
- *Administrative Appeals*
- *Purchasing*
- *Emergency Reserves*
- *Budget*

The Recycled Water Policy will be updated following the Strategic Planning process. Updates to the Member Agency Agreements are in process.

5. **Complete LAVWMA Agreement Renewal.** The current agreement with LAVWMA, including extensions, is scheduled to expire on June 30, 2021. The GM will work with LAVWMA to develop agreement language consistent with the adopted Term Sheet and bring the amended agreement to the Commission for consideration prior to June.

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

In May 2021, the Commission also approved an agreement with LAVWMA-member Dublin San Ramon Services District (DSRSD) regarding discharge of brine from Zone 7 Water Agency's demineralization facility. Though this brine has been discharged through EBDA's system for many years, EBDA had never before been compensated for it. The agreement included payment to EBDA of a \$60,000 review fee, as well as ongoing annual payments of \$20,000. The agreement also gives EBDA the right to review water quality data and to suspend discharges.

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

- Playing a lead role, working through BACWA, in continued development of the regional study on nature-based solutions to nutrients, and the regional water recycling study.
- Participating in the Nutrient Management Strategy Steering Committee to drive the science efforts toward actionable information.
- Working with BACWA to develop Key Tenets for the third watershed permit, including seeking written commitment to extend the term of the current permit beyond 2024 to allow time for implementation of the science plan.

As an active participant in the Nutrient Management Strategy Steering Committee, I've continued to advocate for scientific inquiries to focus on management questions. I have also pressed for more management and Board-focused communications on the findings of each scientific study that BACWA is funding. A summary communication piece is currently under development in response to this request and will be shared with the MAC and Commission when it is available.

As part of BACWA leadership, I've also served a key role in shaping BACWA's Key Tenets for the third watershed permit. In particular, I brought forward the concept of a "one-Bay" approach for the permit. Previous discussions had centered on sub-embayments and apportioning dischargers' nutrient load to different segments of the Bay. This partitioning of the Bay limits potential trading partners for EBDA and provides slimmer margins to address variability in loads without exceeding a sub-regional load cap. Given that Water Board staff stated the third watershed permit would be based on a no net loading "antidegradation" approach rather than establishing impairment, there did not appear to be a scientific basis or need for defining geographic boundaries. I was able to successfully convince the BACWA membership and Water Board staff that a Baywide load cap is consistent with current goals and scientific knowledge and is the appropriate approach for the watershed permit. There is now consensus on the one-Bay approach, and this will be documented in the Key Tenets.

BACWA and Water Board staff have also reached consensus that because the third watershed permit will be based on antidegradation, additional scientific studies do not need to be concluded prior to permit issuance. Therefore, the permit will be reissued on time in 2024. This is a positive outcome for BACWA and hence EBDA, in that the permit reissuance will be fully overseen by Water Board leadership with whom BACWA has positive working relationships prior to anticipated retirements.

In addition, I have continued to actively participate in the Steering Committee for development of BACWA's Nature-based Solutions report under the current watershed permit and have engaged in discussions between BACWA's consultant and EBDA members. I also served on the Planning Committee and participated in a Bay Area One Water Network Round Table on furthering Nature-based Solutions.

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

The First Mile Project will include extensive coordination with East Bay Parks, who

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

As Project Manager for EBDA-led projects under the Transforming Shorelines Project, I worked with the consulting team to advance the First Mile Horizontal Levee at Oro Loma Marsh and study nature-based treatment systems at Hayward. These projects are being undertaken in close coordination with project partners including East Bay Regional Park District and San Francisco Estuary Partnership. Efforts this year for the First Mile Project included biological surveys, development of preliminary design options, and an initial presentation to the BRRIT. The team is also collaborating on a parallel effort to identify and work through permitting barriers to horizontal levee implementation. This included a kick-off presentation to the Policy Management Committee overseeing the BRRIT to launch a collaborative process to identify permitting pathways and resolve barriers.

I have actively engaged with the Technical Advisory Committee of the Hayward Area Shoreline Planning Agency (HASPA) as HASPA contemplates its JPA renewal and implementation of its Shoreline Master Plan. Based on feedback from EBDA and other stakeholders, HASPA staff is recommending to its Trustees a secondary level of membership in HASPA that allows EBDA to participate in technical collaboration but does not commit us to high dues or administrative responsibilities. In addition, through significant outreach, EBDA now has an open dialogue with Alameda County Flood Control District staff on shoreline planning, and monthly meetings have been taking place.

To further EBDA's interests in regional planning for sea level rise, I have also participated in work groups for the development of the Bay Conservation and Development Commission's BayAdapt Joint Platform, the Bay Area Climate Adaptation Network (BayCAN), and other regional forums.

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

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

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

- Chlorine Residual Basin Plan Amendment – Working with the Regional Water Board through the Bay Area Clean Water Agencies, successfully concluded the formal process to remove the 0.0 mg/L chlorine residual limit from the Basin Plan and adopt a blanket permit amendment changing EBDA's chlorine limit to 0.98 mg/L as a one-hour average. This change will result in significant dechlorination savings.*
- State Water Board Toxicity Provisions – These provisions will change the way toxicity is regulated in EBDA's permit. We successfully secured provisions allowing reduced monitoring for agencies like EBDA with good compliance records. Staff has been working with Regional Water Board staff on permit language implementing the new provisions. Depending on the timing of the state's final approval of the provisions, EBDA's may be one of the first permits in the region to incorporate the new language.*
- Microplastics – Engaged in ongoing discussions with the Ocean Protection Council on strategies to prevent plastics from entering waterways. Maintained focus on pollution prevention and stormwater management, not wastewater treatment. Also worked through CASA and San Leandro lab staff to pilot test methods for effluent sampling.*
- PFAS – Participated in successful effort to exempt Bay Area wastewater agencies from statewide PFAS monitoring requirements for influent, effluent, and biosolids. Instead, Bay Area agencies are engaging in a regional study to more holistically evaluate sources of PFAS loading to the Bay and potential impacts.*
- BAAQMD Collaboration – Worked with Chair Cutter to organize a meeting between BACWA and BAAQMD senior management regarding amendments to Regulation 2. The discussion resulted in adoption of a BAAQMD Resolution to initiate a POTW Work Group. This Work Group will allow wastewater agencies and BAAQMD staff to collaborate early in rule development and permitting processes to ensure that air quality and water quality protection efforts are aligned.*

8. **Personnel Management and Planning.** EBDA's small staff team is critical to ensuring success on all of the above objectives. The GM will work with each staff member to establish and meet performance goals and to mentor staff members to support them in reaching their full potential. Work this year will also include implementing the updated EBDA Staffing Plan, including hiring a new Administrative Support Specialist and supporting the Administration Manager in transitioning work. Efforts will also include continued succession planning for EBDA's accounting function.

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

Began implementation of a long-term Staffing Plan, including approval of revisions to EBDA's Classification Plan to revise the job description for the current Administrative Assistant, propose a new classification for an entry-level Administrative Support Specialist, and update the Operations & Maintenance Manager classification. Recruited and onboarded the new Administrative Support Specialist.

9. **Stretch Goal: Cargill Project.** The GM will continue to coordinate efforts with Cargill, Inc. to bring this project to dispose of mixed sea salts through the EBDA outfall to fruition. This project provides for sustainable, climate-resilient management of the mixed sea salts, while providing an additional revenue stream to EBDA's Member Agencies. Efforts this year will include the following:

- Serving as lead agency for CEQA analysis.
- Coordinating with the cities of Union City, Fremont, and Newark on pipeline design and construction, including integration with Union City's Union City Boulevard bike path project.
- Completing due diligence work, including developing a monitoring and accountability framework for water quality issues, and developing a strategy to protect EBDA infrastructure from accelerated corrosion.
- Developing a long-term agreement with Cargill for the project, incorporating language to address all issues identified in due diligence, as well as financial terms consistent with the adopted Term Sheet.

Continued the due diligence process with Cargill for this brine disposal project, which is expected to generate \$5 million in capacity revenue and an additional \$1.4 million in annual flow-based charges for EBDA. Work included the following:

- *Extensive evaluation of the potential for corrosion of the force main and options to protect it. This included numerous force main shutdowns to facilitate inspections, two force main tours, and a dissolved oxygen study along the force main. Successfully convinced Cargill that corrosion*

mitigation to protect EBDA's assets would be a necessary element of the project. Work then included a systematic evaluation of potential corrosion protection measures, concluding that sliplining would be the lowest cost and lowest risk approach.

- Development of the "parallel pipe" approach to extend the brine pipeline to OLEPS rather than connecting north of USD. This approach has significantly lower risks and impacts to EBDA, as it prevents brine from interacting with EBDA's transport system in the most vulnerable segments where there is air entrainment and flows are lowest.*
- Currently working with Cargill to assess multiple potential routes for the parallel pipe, including a street route along Union City Boulevard and Hesperian, and a Bayside route following the Cargill ponds and EBDA's transport system easement.*
- Legal analysis of ownership and franchise rights, resulting in determination that EBDA's risk is reduced if Cargill owns the pipeline and seeks franchise rights with the cities as needed.*
- Legal analysis of EBDA's ability to allow Cargill to utilize its easements for the purpose of installing the brine pipeline.*
- Initiation of a technical assessment of the corrosion risks at OLEPS and MDF. This study will lead to recommendations on the location for brine mixing at OLEPS and for materials selection at both facilities.*
- Initiation of a laboratory study analyzing the brine impacts on disinfection and chlorine demand. This information will be used to negotiate compensation from Cargill for additional chlorine dosing that may be required.*
- Kick-off of the CEQA review process, including consultant selection, development of project objectives and project description, and two CEQA-focused site visits. We are on track to complete CEQA for the pipeline street route by the end of this calendar year to align with Union City's Union City Boulevard bike path project.*
- Coordination with the jurisdictions that the new pipeline will cross, including Union City, Fremont, Newark, Hayward, Alameda County, East Bay Parks, and the agencies that manage Eden Landing and other refuge areas.*

10. Financial Management. Continue to manage EBDA operations and maintenance, as well as special projects, with an aim of optimizing expenditures for the benefit of the Member Agencies. This includes managing EBDA's adopted budget and implementing special projects such as the Disinfection Master Plan, which has a goal of optimizing chemical dosing and associated expenses.

Completed Fiscal Year 2020/2021 25% under budget, resulting in over \$850,000 returned to the Member Agencies.

This included continued efforts to optimize operations, resulting in cost reductions that offset labor cost increases. At MDF, for example, actual labor costs for FY 2020/2021 were lower than those in FY 2014/2015 or any year since, despite the fact that hourly labor rates have increased by 6% each year excluding last year (3% annual salary increases, plus markup).

EBDA also transitioned to new auditors – Cropper Accountancy – and received a successful Unmodified Audit opinion of the Authority's Financial Statements.

ITEM NO. 17 ITEMS FROM THE COMMISSION AND STAFF

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

ITEM NO. 18 ADJOURNMENT