



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 meeting scheduled below will be accessible via Zoom video conferencing.

- Members of the public may participate in the meeting by clicking on the following Zoom link: <https://us02web.zoom.us/j/88633216376>
- You may also participate via telephone by dialing 1(669) 900-6833 and entering Meeting ID number 886 3321 6376.

## **ITEM NO. 12**

### **FINANCIAL MANAGEMENT COMMITTEE AGENDA**

**Monday, October 17, 2022**

**11:00 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. Disbursements for September 2022**  
(The Committee will review the List of Disbursements.)

**FM5. Preliminary Treasurer's Reports for September 2022**  
(The Committee will review the Treasurer's Reports.)

**FM6. Member Agency Credit Allocations for Fiscal Year 2021/2022 and EBDA Reserve Policy Review**  
(The Committee will review a summary of the credits available to the Member Agencies and the intersection with EBDA's Reserve Policy).

**FM7. Adjournment**

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

Agenda Explanation  
East Bay Dischargers Authority  
Financial Management Committee  
October 17, 2022

In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in an Authority meeting, or you need a copy of the agenda, or the agenda packet, in an appropriate alternative format, please contact the Juanita Villasenor at [juanita@ebda.org](mailto:juanita@ebda.org) or (510) 278-5910. Notification of at least 48 hours prior to the meeting or time when services are needed will assist the Authority staff in assuring that reasonable arrangements can be made to provide accessibility to the meeting or service.

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

**The next Financial Management Committee meeting is scheduled on  
Monday, November 14, 2022 at 11:00 a.m.**



**EAST BAY DISCHARGERS AUTHORITY**

**List of Disbursements**

**September 2022**

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
25823	09/30/2022	3022071	REGIONAL MONITORING PROGRAM C/O SFEI	SEMI-ANNUAL PARTICIPANT FEE FOR THE RMP 2022 BUDGET	159,434.50	159,434.50
25800	09/15/2022	002877	UNION SANITARY DISTRICT	O&M - JUL	48,057.08	48,057.08
25832	09/30/2022	20210105.02-8	ASCENT ENVIRONMENTAL, INC	CONSULTING SERVICES - CARGILL CEQA	47,722.50	47,722.50
25797	09/15/2022	388891	CITY OF SAN LEANDRO	O&M - JUL	39,170.53	39,170.53
25824	09/30/2022	197747	MEYERS NAVE	LEGAL SERVICES - BRINE PROJECT	35,375.00	38,556.60
25824	09/30/2022	197746	MEYERS NAVE	LEGAL SERVICES - AUG	3,181.60	
25807	09/15/2022	197124	MEYERS NAVE	LEGAL SERVICES - BRINE PROJECT	33,362.50	34,051.30
25807	09/15/2022	197123	MEYERS NAVE	LEGAL SERVICES - JUL	688.80	
25798	09/15/2022	6647	ORO LOMA SANITARY DISTRICT	O&M - JUN	16,587.94	32,001.91
25798	09/15/2022	6663	ORO LOMA SANITARY DISTRICT	O&M - JUL	15,413.97	
25815	09/30/2022	6682	ORO LOMA SANITARY DISTRICT	O&M - AUG	16,856.29	16,856.29
25825	09/30/2022	50544036	UNIVAR	SODIUM BISULFITE - DELIVERED 09/2/2022	7,739.72	15,640.82
25825	09/30/2022	50573698	UNIVAR	SODIUM BISULFITE - DELIVERED 09/16/2022	7,901.10	
25828	09/30/2022	178263	ENVIRONMENTAL SCIENCE ASSOCIATES	FIRST MILE PROJECT WORK ORDER NO. 1	14,097.50	14,097.50
25822	09/30/2022	00013.11-12	LARRY WALKER ASSOCIATES	PROFESSIONAL SERVICES - WORK ORDER NO. 2	6,893.25	6,893.25
25818	09/30/2022	51910	CALCON	ELECTRICAL, INSTRUMENTATION, AND MAINTENANCE SERVICES - OLEPS	3,037.50	6,690.22
25818	09/30/2022	51944	CALCON	ELECTRICAL, INSTRUMENTATION, AND MAINTENANCE SERVICES - OLEPS	937.50	
25818	09/30/2022	51945	CALCON	ELECTRICAL, INSTRUMENTATION, AND MAINTENANCE SERVICES - SKYWEST	450.00	
25818	09/30/2022	51907	CALCON	MDF SBS BUILDING HEATING UPGRADE	1,751.18	
25818	09/30/2022	51909	CALCON	MDF REPLACEMENT PLC ETHERNET CARD	514.04	
25829	09/30/2022	9/19/2022	AZYURA	WATERBITS LICENSING AND SMR/EDMR REPORT SERVICES	4,750.00	4,750.00
25827	09/30/2022	11456300	BROWN & CALDWELL	ENGINEERING SERVICES - BRINE ASSESSMENT	2,757.67	2,757.67
25811	09/15/2022	02310	CROPPER ACCOUNTANCY	AUDITING SERVICES	2,250.00	2,250.00
25796	09/15/2022	811595	VANTAGEPOINT	MISSION SQUARE DEFERRED COMPENSATION 09/15/2022	2,156.24	2,156.24
25814	09/30/2022	820189	VANTAGEPOINT	MISSION SQUARE DEFERRED COMPENSATION 09/30/2022	2,156.24	2,156.24
25830	09/30/2022	636458	CALTEST	LAB TESTING SERVICES	2,017.80	2,017.80
25813	09/15/2022	037	CURRIE ENGINEERS	PROJECT / CONSTRUCTION MANAGER SERVICES - WORK ORDER NO. 2	1,507.00	1,507.00
25799	09/15/2022	52205703	CITY OF HAYWARD	BENEFIT PREMIUMS - SEP	1,383.33	1,383.33
25806	09/15/2022	4246044555687627	US BANK	PURCHASING CARD EXPENSES	1,304.58	1,304.58
25801	09/15/2022	1000924858	SCIF	WORKERS COMPENSATION	810.00	810.00
25803	09/15/2022	FB27000	CAROLLO ENGINEERS	ENGINEERING SERVICES - WORK ORDER NO. 4	735.00	735.00
25819	09/30/2022	T143673	BAAQMD	PERMIT TO OPERATE MDF	442.00	442.00
25810	09/15/2022	10110000001	EBMUD	WATER & SEWER, MDF	328.37	328.37
25805	09/15/2022	8368	CAYUGA INFORMATION SYSTEMS	IT SERVICES	210.00	210.00
25812	09/15/2022	CD_000453748	RINGCENTRAL INC	DIGITAL PHONE SERVICE	207.01	207.01
25817	09/30/2022	510-483-0439-716-6	AT&T	TELEPHONE SERVICE - MDF	203.19	203.19

**EAST BAY DISCHARGERS AUTHORITY**

**List of Disbursements**

**September 2022**

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
25809	09/15/2022	51445	COMPUTER COURAGE	WEBSITE HOSTING - SEP	150.00	191.25
25809	09/15/2022	51480	COMPUTER COURAGE	GENERAL WEBSITE UPDATES	41.25	
25804	09/15/2022	3105690418	PITNEY BOWES INC	QUARTERLY LEASING CHARGE FOR DIGITAL MAILING SYSTEM	150.55	150.55
25816	09/30/2022	44777800001	EBMUD	WATER SEWER, ADMIN	128.57	128.57
25808	09/15/2022	2092457	ALPHA ANALYTICAL LABORATORIES	LAB SAMPLES FOR SKYWEST	85.00	85.00
25826	09/30/2022	2093454	ALPHA ANALYTICAL LABORATORIES	LAB SAMPLES FOR SKYWEST	85.00	85.00
25820	09/30/2022	126	TG'S BACKFLOW SERVICE	TEST & INSPECT BACKFLOW ASSEMBLY @ MDF	85.00	85.00
25831	09/30/2022	3581596	CALTRONICS	COPIER USAGE AND MAINTENANCE	82.79	82.79
25802	09/15/2022	9914743941	VERIZON WIRELESS	WIRELESS PHONE SERVICES	62.08	62.08
25821	09/30/2022	9915593650	VERIZON WIRELESS	MODEM FOR SCADA	22.02	22.02
<b>TOTAL CHECK PAYMENTS</b>					<b>483,283.19</b>	<b>483,283.19</b>
<b>ELECTRONIC PAYMENTS</b>						
	09/06/2022		PG&E	GAS & ELECTRIC SERVICE	37,258.72	37,258.72
	09/02/2022	100000016905471	CALPERS	HEALTH PREMIUMS - SEP	7,198.00	7,198.00
	09/20/2022	100000016834365	CALPERS	PENSION CONTRIBUTION, CLASSIC 9/1 - 15/2022	4,975.51	4,975.51
	09/02/2022	100000016864993	CALPERS	PENSION CONTRIBUTION, CLASSIC 8/16 - 31/2022	4,975.51	4,975.51
	09/20/2022	100000016834377	CALPERS	PENSION CONTRIBUTION, PEPRA 9/1 - 15/2022	162.45	162.45
	09/02/2022	100000016865026	CALPERS	PENSION CONTRIBUTION, PEPRA 8/16 - 31/2022	162.45	162.45
<b>TOTAL ELECTRONIC PAYMENTS</b>					<b>54,732.64</b>	<b>54,732.64</b>
<b>PAYROLL</b>						
	9/29/2022		ADP, LLC	PAYROLL PERIOD: 09/16-30/2022	25,163.50	25,163.50
	9/14/2022		ADP, LLC	PAYROLL PERIOD: 09/01-15/2022	23,058.88	23,058.88
	9/30/2022		ADP, LLC	PAYROLL FEES, 09/01-15/2022	77.30	77.30
	9/9/2022		ADP, LLC	PAYROLL FEES, 09/16-30/2022	77.30	77.30
<b>TOTAL PAYROLL</b>					<b>48,376.98</b>	<b>48,376.98</b>
<b>TOTAL DISBURSEMENTS</b>					<b>586,392.81</b>	<b>586,392.81</b>

**ITEM NO. FM5 PRELIMINARY TREASURER'S REPORTS FOR SEPTEMBER 2022**

The beginning cash balance on September 1, 2022 was \$5,607,126.89. Total receipts for the month of September were \$253,786.58 and disbursements totaled \$586,392.81, bringing the cash balance to \$5,274,520.66 at September 30. EBDA's LAIF balance is \$3,771,626.54 and the average monthly effective yield for September was 1.513%.

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  
PRELIMINARY  
TREASURER'S REPORT  
September 30, 2022**

FUND	DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	1,844,317.61	110,483.50	277,429.87	1,677,371.24
13	PLANNING & SPECIAL STUDIES	535,265.42	44,763.50	173,532.00	406,496.92
14	RECLAMATION O & M (SKYWEST)	84,797.55		3,691.60	81,105.95
15	BRINE ACCEPTANCE	164,839.94	98,539.58	126,110.92	137,268.60
31	RENEWAL & REPLACEMENT	2,977,906.37		5,628.42	2,972,277.95
TOTALS		5,607,126.89	253,786.58	586,392.81	5,274,520.66

Sep-22

10/12/2022

# 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
08/31/22	BALANCE						2,247,095.38	88,404.97	3,271,626.54	5,607,126.89
09/01/22	DEPOSIT - DSRSD	20,000.00					2,267,095.38	88,404.97	3,271,626.54	5,627,126.89
09/02/22	ELECTRONIC BILL PAY		162.45				2,266,932.93	88,404.97	3,271,626.54	5,626,964.44
09/02/22	ELECTRONIC BILL PAY		4,975.51				2,261,957.42	88,404.97	3,271,626.54	5,621,988.93
09/02/22	ELECTRONIC BILL PAY		7,198.00				2,254,759.42	88,404.97	3,271,626.54	5,614,790.93
09/06/22	ELECTRONIC BILL PAY		37,258.72				2,217,500.70	88,404.97	3,271,626.54	5,577,532.21
09/07/22	DEPOSIT - CSL	155,247.00					2,372,747.70	88,404.97	3,271,626.54	5,732,779.21
09/09/22	PAYROLL FEES			77.30			2,372,747.70	88,327.67	3,271,626.54	5,732,701.91
09/14/22	PAYROLL			23,058.88			2,372,747.70	65,268.79	3,271,626.54	5,709,643.03
09/15/22	DISBURSEMENT		164,661.23				2,208,086.47	65,268.79	3,271,626.54	5,544,981.80
09/20/22	ELECTRONIC BILL PAY		4,975.51				2,203,110.96	65,268.79	3,271,626.54	5,540,006.29
09/20/22	ELECTRONIC BILL PAY		162.45				2,202,948.51	65,268.79	3,271,626.54	5,539,843.84
09/23/22	PAYROLL FEES			77.30			2,202,948.51	65,191.49	3,271,626.54	5,539,766.54
09/28/22	DEPOSIT - CARGILL	78,539.58					2,281,488.09	65,191.49	3,271,626.54	5,618,306.12
09/28/22	LAIF TRANSFER					500,000.00	1,781,488.09	65,191.49	3,771,626.54	5,618,306.12
09/29/22	PAYROLL			25,163.50			1,781,488.09	40,027.99	3,771,626.54	5,593,142.62
09/30/22	DISBURSEMENT		318,621.96				1,462,866.13	40,027.99	3,771,626.54	5,274,520.66
	<b>TOTAL</b>	<b>253,786.58</b>	<b>538,015.83</b>	<b>48,376.98</b>	<b>-</b>	<b>500,000.00</b>				
	<b>CURRENT BALANCE</b>						<b>1,462,866.13</b>	<b>40,027.99</b>	<b>3,771,626.54</b>	<b>5,274,520.66</b>

Reconciliation

① Per Bank Statement @ 9/30/22	\$ 1,785,375.09
Less: Outstanding Checks	322,508.96
	\$ 1,462,866.13
② Per Bank Statement @ 9/30/22	\$ 40,027.99
③ Per LAIF Statement @ 9/30/22	\$ 3,771,626.54

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 MEMBER AGENCY CREDIT ALLOCATIONS FOR FISCAL YEAR 2021/2022 AND EBDA RESERVE POLICY REVIEW**

**Recommendation**

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

**Background**

As presented to the Committee in September 2022, EBDA’s annual expenses for Fiscal Year 2021/2022 were under budget. Accounting for the \$188k that was carried over for Special Studies projects that are still underway, approximately \$707k was collected from the Member Agencies and not spent.

The Commission’s direction at the September meeting was to hold these funds in EBDA reserve. However, in the intervening weeks, agencies have requested that the Commission reconsider this approach in terms of its consistency with EBDA’s Emergency Reserves Policy (see attached).

**Discussion**

The table below shows the amounts owed by each agency for FY 2021/2022 Operations & Maintenance (O&M) and Special Studies, as well as the amounts collected. The difference, plus revenues received from other sources, is the credit accruing to each agency. Costs associated with the Cargill project, for which Cargill has reimbursed the Authority, have been deducted from the O&M expenses. Each Member Agency will be receiving a memo detailing their FY 2021/2022 payments and credits.

	San Leandro	O.L.S.D.	C.V.S.D.	Hayward	U.S.D.	LAVWMA	Total
Total O&M Expenses	\$ 165,520.28	\$ 447,650.28	\$ 198,994.22	\$ 455,590.76	\$ 1,095,397.51	\$ 493,500.81	\$ 2,856,653.85
Total O&M Paid	\$ 225,192.38	\$ 527,143.26	\$ 247,494.52	\$ 551,637.06	\$ 1,343,680.46	\$ 646,209.12	\$ 3,541,356.80
O&M Balance	\$ (59,672.10)	\$ (79,492.98)	\$ (48,500.30)	\$ (96,046.30)	\$ (248,282.95)	\$ (152,708.31)	\$ (684,702.95)
Total Special Studies Expenses	\$ 96,903.73	\$ 148,506.11	\$ 70,248.46	\$ 295,015.17	\$ 414,369.53	\$ 295,279.82	\$ 1,320,322.82
Total Special Studies Paid	\$ 99,825.36	\$ 152,552.26	\$ 74,504.50	\$ 289,294.66	\$ 450,471.66	\$ 284,476.80	\$ 1,351,125.24
Special Studies Balance	\$ (2,921.63)	\$ (4,046.15)	\$ (4,256.04)	\$ 5,720.51	\$ (36,102.13)	\$ 10,803.02	\$ (30,802.42)
Other O&M Revenue	\$ (5,500.00)	\$ (553.45)	\$ (296.67)	\$ (426.31)	\$ (1,216.59)	\$ (880.48)	\$ (8,873.50)
Share of R&R Fund	\$ 857.46	\$ -	\$ -	\$ -	\$ -	\$ 15,974.44	\$ 16,831.90
Total Available Credit	\$ (67,236.27)	\$ (84,092.57)	\$ (53,053.00)	\$ (90,752.10)	\$ (285,601.68)	\$ (126,811.34)	\$ (707,546.97)

While the Preliminary Fourth Quarter Expense Report approved by the Commission in September 2022 was correct, the associated staff report incorrectly indicated that approximately \$1.4 million would be available as unspent FY 2021/2022 budget. That value reflected revenues from Cargill without accurately accounting for the expenses those revenues were intended to offset. The correct value is just over \$700k, as shown above.

In November 2021, the Commission adopted the Emergency Reserves Policy. The Policy adopted a reserve dollar value that each Member Agency and LAVWMA was responsible for, adding to \$1.25 million as follows.

Agenda Explanation  
 East Bay Dischargers Authority  
 Financial Management Committee  
 October 17, 2022

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

The Policy then states that each Member Agency shall have the option to:

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

Holding all unspent funds from FY 2021/2022 in EBDA reserves, as recommended by the Committee last month, may be interpreted as inconsistent with this policy, in that it does not permit each agency to make its own determination on whether to hold funds with EBDA or in its own accounts. Staff is seeking Committee and Commission direction on the following options:

- Maintain recommendation. One interpretation of the adopted Emergency Reserves Policy is that it deals with a specific amount and use of reserves, and use of unspent budget for supplementing reserves can be a separate decision process.
- Permit each Member Agency to make its own decision as to whether to have EBDA hold their unspent funds in reserve or to receive the unspent funds back as a credit on their next FY 2022/2023 EBDA invoice.
- Revise the Emergency Reserves Policy to specifically address the use of unspent funds and/or to adjust reserve amounts and processes.

# EAST BAY DISCHARGERS AUTHORITY POLICY

**POLICY NUMBER:** 1.8

---

**NAME OF POLICY:** Finance – Emergency Reserves

---

**LAST REVISED:** November 18, 2021

**PREVIOUSLY REVISED:** NA

---

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

---

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

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

Section 10(c)(5) of EBDA’s Amended and Restated JPA governs “Allocation of Costs of Repairing Failure of the Transport System,” and states:

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

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

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

## EAST BAY DISCHARGERS AUTHORITY POLICY

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

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

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

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

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

Each Member Agency shall have the option to:

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

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

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