

EAST BAY DISCHARGERS AUTHORITY COMMISSION MEETING MINUTES

February 16, 2023

1. Call to Order

Chair Andrews called the telephonic meeting to order in compliance with AB 361 (2021) at 9:30 A.M. on Thursday, February 16, 2023. Dial-in information for the meeting was provided in the agenda for public attendees.

2. Pledge of Allegiance – Deferred

3. Roll Call

Present:	Bryan Azevedo	City of San Leandro
	Anjali Lathi	Union Sanitary District
	Fred Simon	Oro Loma Sanitary District
	Ralph Johnson	Castro Valley Sanitary District
	Angela Andrews	City of Hayward

Absent: None

Attendees:	Jacqueline Zipkin	East Bay Dischargers Authority
	Howard Cin	East Bay Dischargers Authority
	Juanita Villasenor	East Bay Dischargers Authority
	Bert Manzo	East Bay Dischargers Authority
	Eric Casher	Legal Counsel
	Alex Ameri	City of Hayward
	David Donovan	City of Hayward
	Hayes Morehouse	City of San Leandro
	Jimmy Dang	Oro Loma Sanitary District
	Paul Eldredge	Union 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 January 19, 2023

6. List of Disbursements for January 2023

7. Treasurer's Report for January 2023

8. Second Quarter Expense Summary, Fiscal Year 2022/2023

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

Ayes:	Commissioners Azevedo, Lathi, Simon, Johnson, Chair Andrews
Noes:	None
Absent:	None
Abstain:	None

REGULAR CALENDAR

9. General Manager's Report

The General Manager (GM) reminded the Commission that the COVID-19 State of Emergency will end on February 28, 2023, eliminating the conditions allowing EBDA to hold remote meetings. Therefore, EBDA expects to resume in-person meetings in March 2023. In addition, the GM announced Annual Statements of Economic Interest (Form 700) will be distributed soon. The Commission provided feedback on future Commission meeting times and directed that they be moved to 4:00PM beginning in March 2023. Lastly, the Commission set a date and time for the next Strategic Planning Workshop, scheduled for March 30 at 4:00PM.

10. Management Advisory Committee

The GM reported that the MAC discussed wet weather, the strategic planning process, the Cargill project, and the Advanced Quantitative Precipitation Information (AQPI) project.

11. Report from the Regulatory Affairs Committee

The GM reported on the February 15 meeting of the Regulatory Affairs Committee. The Committee reviewed compliance data and discussed the annual National Pollutant Discharge Elimination System (NPDES) report and the upcoming renewal of the regional Nutrients Watershed Permit.

12. Motion Authorizing the General Manager to Execute Amendment No. 2 to the Contract with Ascent Environmental for CEQA Consulting Services for the Cargill Mixed Sea Salt Brine Discharge Project in the Amount of \$63,500, for a Total Not to Exceed Amount of \$556,555

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

Ayes: Commissioners Azevedo, Lathi, Simon, Johnson, Chair Andrews
Noes: None
Absent: None
Abstain: None

13. Report from the Financial Management Committee

The GM reported on the February 13 meeting of the Financial Management Committee. The Committee reviewed the List of Disbursements, Treasurer's Report, and the Second Quarter Expense Report and recommended approval. The GM provided an update on the budget following recent wet weather.

14. Motion Appointing Commissioner Simon as an Alternate Authorized Signer on the Authority's Checking Account

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

Ayes: Commissioners Azevedo, Lathi, Simon, Johnson, Chair Andrews
Noes: None
Absent: None
Abstain: None

15. Report from the Operations and Maintenance Committee

The Operations and Maintenance (O&M) Manager and GM reported on the February 13 meeting of the Operations and Maintenance Committee. The O&M Manager updated the Commission on EBDA's facilities and the status of current projects. The O&M Manager reviewed for the Commission the temporary capacity exceedance fees that will be assessed as a result of the recent wet weather. The GM provided an update on the Cargill project and the AQPI project.

16. Motion Authorizing the General Manager to Issue a Change Order to 4B On Site Services, LLC for Diesel Fuel for Fiscal Year 2022/2023 in the Amount of \$15,001, for a total purchase order value of \$40,000

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

Ayes: Commissioners Azevedo, Lathi, Simon, Johnson, Chair Andrews
Noes: None
Absent: None
Abstain: None

17. Motion Authorizing the General Manager to Issue a Change Order to Southern Counties Lubricants, LLC for Diesel Fuel for Fiscal Year 2022/2023 in the Amount of \$15,001, for a total purchase order value of \$40,000

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

Ayes: Commissioners Azevedo, Lathi, Simon, Johnson, Chair Andrews
Noes: None
Absent: None
Abstain: None

18. Motion Authorizing the General Manager to Issue a Change Order to Univar Solutions USA, Inc. for Sodium Bisulfite 25% Solution for Fiscal Year 2022/2023 in the Amount of \$150,000, for a total purchase order value of \$275,000

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

Ayes: Commissioners Azevedo, Lathi, Simon, Johnson, Chair Andrews
Noes: None
Absent: None
Abstain: None

19. Report from the Personnel Committee

The GM reported on the February 14, meeting of the Personnel Committee. The Committee recommends updating the Personnel Policy to include a cost-of-living adjustment range of 2% - 5%. The Committee also recommends increasing the employer contribution under the Public Employees' Medical and Hospital Care Act (PEMHCA) by 3%. The Committee recommends staff return with a markup of the Commissioner Compensation Policy with changes to the lists of eligible and ineligible activities. Lastly, the GM updated the Commission on the GM's performance review process and recommends tying the next GM Performance Plan to the Authority's Strategic Plan and

shifting to a fiscal year basis.

20. Items from Commission and Staff

Chair Andrew's provided an update of the National Association of Clean Water Agencies conference recently attended and recommends the GM provide a debrief of the conference for the Commission.

21. Adjournment

Chair Andrews adjourned the meeting at 10:47 a.m.



Jacqueline Zipkin
General Manager