

EAST BAY DISCHARGERS AUTHORITY COMMISSION MEETING MINUTES

June 15, 2023

1. Call to Order

Chair Andrews called the meeting to order at 12:00 P.M. on Thursday, June 15, 2023 at the Oro Loma Sanitary District, 2655 Grant Avenue, San Lorenzo, CA 94580.

2. Pledge of Allegiance

3. Roll Call

Present:	Ralph Johnson	Castro Valley Sanitary District
	Anjali Lathi	Union Sanitary District
	Fred Simon	Oro Loma Sanitary District
	Bryan Azevedo	City of San Leandro
	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
	David Donovan	City of Hayward
	Jimmy Dang	Oro Loma Sanitary District
	Paul Eldredge	Union Sanitary District
	Roland Williams	Castro Valley Sanitary District
	Andrea Shephard	Ascent Environmental, Inc
	Don Brown	Cargill, Inc
	Barry Shotts	Cargill, Inc

4. Public Forum

No members of the public were present.

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

5. Commission Meeting Minutes of May 18, 2023

6. List of Disbursements for May 2023

7. Treasurer's Report for May 2023

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

Ayes: Commissioners Johnson, Lathi, Simon, Azevedo, Andrews

Noes: None

Absent: None

Abstain: None

REGULAR CALENDAR

8. General Manager's Report

The General Manager (GM) discussed the Commission meeting time. After polling the Commissioners, the GM found that 4:00 p.m. is the most suitable time for the meeting. The GM then announced EBDA's participation in a "WET Talk" hosted via zoom by Sustainable Silicon Valley on June 29. The GM's presentation will focus on the Cargill Mixed Sea Salt Project and the First Mile Horizontal Levee Project. The GM also advised the Commission that the CASA Education Foundation had selected this year's Bruce Wolfe Scholarship recipient. Lastly, the GM noted 2024 marks the 50th anniversary of EBDA and LAVWMA and will collaborate with staff and the Commission on how to commemorate the milestone.

9. Management Advisory Committee

The GM reported that the MAC discussed regional partnerships for biosolids management. The GM updated the Commission on the Strategic Planning Process.

10. Report from the Regulatory Affairs Committee

The GM reported on the June 14 meeting of the Regulatory Affairs Committee. The Committee discussed the Cargill Environmental Impact Report and the Bay Area Clean Water Agencies' (BACWA) Regulatory Issue Summary. The GM reported on regional efforts to facilitate recycled water conversations between wastewater and drinking water agencies. The GM also noted that the Committee discussed nutrient regulations and a presentation to the Commission on this topic is planned for September.

11. Resolution Adopting Findings of Certification of the Environmental Impact Report for the Cargill Mixed Sea Salts Processing and Brine Discharge Project

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

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

12. Report from the Financial Management Committee

The GM reported on the June 12 meeting of the Financial Management Committee. The Committee reviewed the List of Disbursements and Treasurer's Report and recommended approval.

13. Motion Setting the City of Hayward Recycled Water Fee for Fiscal Year 2023/2024 at \$9000 per Quarter

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

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

14. Motion Authorizing the General Manager to Execute Amendment No. 11 to the Fee Contract by and Between East Bay Dischargers Authority and Meyers Nave, a Professional Corporation

Commissioner Johnson moved to approve the item with the caveat that staff would bring the underlying agreement for review before FY 2024/2025. The motion was seconded by Commissioner Lathi and carried unanimously 5-0, by roll call vote.

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

15. Resolution Adopting the East Bay Dischargers Authority's Fiscal Year 2023/2024 Budget

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

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

16. Report from the Operations and Maintenance Committee

The Operations and Maintenance (O&M) Manager and GM reported on the June 12 meeting of the Operations and Maintenance Committee. The O&M Manager updated the Commission on EBDA's facilities and the status of current projects and recent compliance data.

17. Motion to Approve the Renewal and Replacement Fund Project List for Fiscal Year 2023/2024

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

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

18. Motion Authorizing the General Manager to Issue a Purchase Order to Univar Solutions USA, Inc. for Sodium Bisulfite 25% Solution for Fiscal Year 2023/2024 in the Amount of \$350,000

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 Johnson, Lathi, Simon, Azevedo, Andrews
Noes: None
Absent: None
Abstain: None

19. Motion Authorizing the General Manager to Execute Agreement with Affordable Painting Services Inc. for Painting and Flooring Projects at the EBDA Administration Building and MDF in the Amount of \$98,808

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

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

20. Motion to Accept Fiscal Year 2023/2024 Committee Appointments and Schedule

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

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

21. Resolution Adopting Updated Rules of the Commission

EBDA's legal counsel advised that the Brown Act provides for Commissioners to participate remotely without invoking AB 2449. The following criteria must be met: 1) The location from which the Commissioner will participate must be included in the agenda and posted at least 72 hours in advance of the meeting; 2) The public must be able to access the remote location to participate in the meeting; and 3) A quorum must meet in person within the jurisdiction.

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

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

22. Resolution Approving Updates to the Personnel Policy

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

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

23. Items from Commission and Staff

The City of Hayward observances of Juneteenth will begin Thursday, June 15, at 5:30pm.

Commissioner Simon requested adjournment and a moment of silence in memory of John Faria.

24. Closed Session

Pursuant to Government Code 54957(b)(1), the Commission entered Closed Session at 1:05 p.m. to discuss the General Manager's performance evaluation.

25. Reconvene Open Session

The Commission reconvened to Open Session at 1:28 p.m. Chair Andrews noted there were no reportable actions from closed session.

26. Adjournment in Memory of John Faria

Chair Andrews adjourned the meeting at 1:30 p.m.



Jacqueline Zipkin
General Manager