



EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
San Lorenzo, CA 94580-1841
(510) 278-5910
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A Joint Powers Public Agency

ITEM NO. 15

FINANCIAL MANAGEMENT COMMITTEE AGENDA

Monday, September 18, 2023

9:00 A.M.

Meeting will be conducted in-person and virtually via Zoom teleconference.

In-person locations: East Bay Dischargers Authority, 2651 Grant Avenue, San Lorenzo, CA and Mosswood Park, 300 W MacArthur Boulevard, Oakland, CA

**Teleconference link: <https://us02web.zoom.us/j/82575356511>
Call-in: 1(669) 900-6833 and enter Meeting ID number: 825 7535 6511**

Committee Members: Simon (Chair); Andrews

- FM1. Call to Order**
- FM2. Roll Call**
- FM3. Public Forum**
- FM4. Disbursements for July and August 2023**
(The Committee will review the Lists of Disbursements.)
- FM5. Preliminary Treasurer's Reports for July and August 2023**
(The Committee will review the Treasurer's Reports.)
- FM6. Preliminary Fourth Quarter Expense Summary, Fiscal Year 2022/2023**
(The Committee will review the year end expense reports.)
- FM7. Review of the Authority's Purchasing Policy**
(The Committee will review the Authority's Purchasing Policy.)
- FM8. Banking Alternatives**
(The Committee will discuss alternate bank options and provide direction to staff.)
- FM9. Resolution Authorizing the Authority to Join with Other Public Agencies as a Participant of the California Asset Management Trust and to Invest in Shares of the Trust and in Individual Portfolios**
(The Committee will consider the resolution.)
- FM10. Adjournment**

Agenda Explanation
East Bay Dischargers Authority
Financial Management Committee
September 18, 2023

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.

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 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>.

<p>Next Scheduled Financial Management Committee is Monday, October 16, 2023 at 9:00 a.m.</p>
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EAST BAY DISCHARGERS AUTHORITY

List of Disbursements

July 2023

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
26150	07/17/2023	7184	CSRMA	ALLIANT PROPERTY INSURANCE PROGRAM RENEWAL	38,412.43	38,412.43
26164	07/31/2023	1587674	UNION SANITARY DISTRICT	2020 FORD F150	37,095.00	37,095.00
26147	07/17/2023	392715	CITY OF SAN LEANDRO	O&M - MAY	29,613.04	29,613.04
26160	07/17/2023	0046041-2023-1	THE WATER RESEARCH FOUNDATION	UTILITY MEMBERSHIP	27,664.77	27,664.77
26161	07/17/2023	002986	UNION SANITARY DISTRICT	O&M - MAY	26,910.14	26,910.14
26157	07/17/2023	206181	MEYERS NAVE	LEGAL SERVICES - BRINE PROJECT	24,737.50	26,015.69
26157	07/17/2023	206180	MEYERS NAVE	LEGAL SERVICES - MAY	1,278.19	
26175	07/31/2023	11487210	BROWN & CALDWELL	ENGINEERING SERVICES - BRINE ASSESSMENT	15,045.56	15,045.56
26177	07/31/2023	20210105.02-17	ASCENT ENVIRONMENTAL, INC	CONSULTING SERVICES - CARGILL CEQA	13,439.27	13,439.27
26154	07/17/2023	186603	ENVIRONMENTAL SCIENCE ASSOCIATES	FIRST MILE PROJECT WORK ORDER NO. 3	12,715.75	12,715.75
26180	07/31/2023	78690	NACWA	MEMBERSHIP DUES	10,705.00	10,705.00
26174	07/31/2023	51324277	UNIVAR	SODIUM BISULFITE - DELIVERED 07/14/2023	9,652.37	9,652.37
26152	07/17/2023	425054	E&M ELECTRIC & MACHINERY, INC	HISTORIAN & AVEVA REPORTS RENEWAL	8,715.00	8,715.00
26174	07/31/2023	51279956	UNIVAR	SODIUM BISULFITE - DELIVERED 06/30/2023	7,924.15	7,924.15
26141	07/17/2023	7/11/2023	AZYURA	WATERBITS LICENSING AND SMR/EDMR REPORT SERVICES	4,750.00	4,750.00
26156	07/17/2023	APR-JUN2023	KARL D. ROYER	QUARTERLY HEALTH PREMIUM REIMBURSEMENT	4,021.44	4,021.44
26148	07/17/2023	901485	CIVICWELL	BAYCAN ANNUAL MEMBERSHIP	2,500.00	2,500.00
26179	07/31/2023	13728	EAST BAY LEADERSHIP COUNCIL	MEMBERSHIP DUES	2,500.00	2,500.00
26162	07/17/2023	4246-0445-5568-7627	US BANK	PURCHASING CARD EXPENSES	2,346.92	2,346.92
26171	07/31/2023	Apr-23	DEBORAH QUINN	ACCOUNTING SERVICES - APR	2,120.66	2,120.66
26159	07/17/2023	1001649283	STATE COMPENSATION INSURANCE FUND	WORKERS COMPENSATION	1,427.58	1,417.09
26159	07/17/2023	1001660899	STATE COMPENSATION INSURANCE FUND	WORKERS COMPENSATION	(10.49)	
26146	07/17/2023	52205701	CITY OF HAYWARD	BENEFIT PREMIUMS - JUL	1,381.66	1,381.66
26144	07/17/2023	710114	CALTEST	LAB TESTING SERVICES	866.70	866.70
26169	07/31/2023	53932	CALCON	OPS CENTER: SCADA SERVICE CALL	750.00	750.00
26143	07/17/2023	T155404	BAAQMD	PERMIT TO OPERATE HEPS	579.00	579.00
26173	07/31/2023	8406	CAYUGA INFORMATION SYSTEMS	IT SERVICES	551.25	551.25
26151	07/17/2023	4165	DAVISON SYSTEMS, LLC	ANNUAL SUBSCRIPTION	500.00	500.00
26170	07/31/2023	2023141726	UNDERGROUND SERVICE ALERT 811	CALIFORNIA STATE FEE FOR REGULATORY COSTS	300.00	300.00
26142	07/17/2023	41909	BA MORRISON	HVAC SERVICE - ADMIN	285.00	285.00
26153	07/17/2023	10110000001	EBMUD	WATER & SEWER, MDF	241.23	241.23
26145	07/17/2023	APR-JUN2023	CHARLES V. WEIR	QUARTERLY HEALTH PREMIUM REIMBURSEMENT	238.50	238.50
26166	07/31/2023	51048304397166	AT&T	TELEPHONE SERVICE - MDF	231.75	231.75
26158	07/17/2023	CD_000617427	RINGCENTRAL INC	DIGITAL PHONE SERVICE	210.48	210.48

EAST BAY DISCHARGERS AUTHORITY

List of Disbursements

July 2023

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
26172	07/31/2023	251731	FRANK A OLSEN COMPANY	HEPS VALVE ACTUATOR SCREEN PROTECTORS	205.07	205.07
26155	07/17/2023	2318004	GFOA	ANNUAL MEMBERSHIP	160.00	160.00
26149	07/17/2023	53659	COMPUTER COURAGE	WEBSITE HOSTING - JUL	150.00	150.00
26167	07/31/2023	278146	GOVERNMENT FINANCE OFFICERS ASSOCIATION	ANNUAL MEMBERSHIP	150.00	150.00
26176	07/31/2023	3827807	CALTRONICS	COPIER USAGE AND MAINTENANCE	134.33	134.33
26178	07/31/2023	9780	MBC CUSTODIAL SERVICES INC	JANITORIAL SERVICES	130.00	130.00
26163	07/17/2023	9938550285	VERIZON WIRELESS	WIRELESS PHONE SERVICES	102.92	102.92
26140	07/17/2023	2344950	ALLIANT INSURANCE	ALLIANT MOBILE VEHICLE PROGRAM RENEWAL	95.00	95.00
26165	07/31/2023	44777800001	EBMUD	WATER - ADMIN	81.07	81.07
26168	07/31/2023	1001681680	STATE COMPENSATION INSURANCE FUND	WORKERS COMPENSATION	67.25	67.25
TOTAL CHECK PAYMENTS					290,975.49	290,975.49
ELECTRONIC PAYMENTS						
	07/18/2023	100000017198912	CALPERS	PENSION CONTRIBUTION, CLASSIC 07/1 - 15/2023	5,697.08	5,697.08
	07/05/2023	100000017171624	CALPERS	PENSION CONTRIBUTION, CLASSIC 06/16 - 30/2023	4,975.51	4,975.51
	07/05/2023	100000017202330	CALPERS	HEALTH PREMIUMS - JUL	7,630.99	7,630.99
	07/05/2023	5105948980-0	PG&E	GAS & ELECTRIC SERVICE	40,589.59	40,589.59
	07/05/2023	6022296	MISSION SQUARE	DEFERRED COMPENSATION 06/30/2023	2,167.35	2,167.35
	07/18/2023	6630196	MISSION SQUARE	DEFERRED COMPENSATION 07/15/2023	2,181.69	2,181.69
	07/05/2023	100000017171662	CALPERS	PENSION CONTRIBUTION, PEPRA 06/16 - 30/2023	162.45	162.45
	07/18/2023	100000017198951	CALPERS	PENSION CONTRIBUTION, PEPRA 07/1 - 15/2023	166.42	166.42
TOTAL ELECTRONIC PAYMENTS					63,571.08	63,571.08
PAYROLL						
	07/28/2023		ADP, LLC	PAYROLL PERIOD: 07/16-31/2023	25,971.36	25,971.36
	07/13/2023		ADP, LLC	PAYROLL PERIOD: 07/01-15/2023	25,962.83	25,962.83
	07/07/2023	230707	ADP, LLC	PAYROLL FEES, 06/16-30/2023	165.06	165.06
	07/21/2023	230721	ADP, LLC	PAYROLL FEES, 07/01-15/2023	133.54	133.54
	07/06/2023		ADP, LLC	PAYROLL ADJUSTMENT	(871.36)	(871.36)
TOTAL PAYROLL					51,361.43	51,361.43
TOTAL DISBURSEMENTS					405,908.00	405,908.00

EAST BAY DISCHARGERS AUTHORITY

List of Disbursements

August 2023

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
26183	08/15/2023	002994	UNION SANITARY DISTRICT	O&M - JUN	39,769.96	39,769.96
26202	08/31/2023	6833	ORO LOMA SANITARY DISTRICT	O&M - JUL	21,934.64	35,914.94
26202	08/31/2023	6818	ORO LOMA SANITARY DISTRICT	O&M - JUN	13,980.30	
26182	08/15/2023	1587674	UNION SANITARY DISTRICT	2020 FORD F150	34,812.00	34,812.00
26201	08/31/2023	393266	CITY OF SAN LEANDRO	O&M - JUL	33,457.99	33,457.99
26211	08/31/2023	51352410	UNIVAR	SODIUM BISULFITE - DELIVERED 07/28/2023	9,858.36	29,352.60
26211	08/31/2023	51417977	UNIVAR	SODIUM BISULFITE - DELIVERED 08/21/2023	9,804.80	
26211	08/31/2023	51384051	UNIVAR	SODIUM BISULFITE - DELIVERED 08/09/2023	9,689.44	
26181	08/15/2023	393094	CITY OF SAN LEANDRO	O&M - JUN	27,254.98	27,254.98
26192	08/15/2023	207271	MEYERS NAVE	LEGAL SERVICES - BRINE PROJECT	20,395.00	25,795.16
26192	08/15/2023	207270	MEYERS NAVE	LEGAL SERVICES - JUN	5,400.16	
26194	08/15/2023	187233	ENVIRONMENTAL SCIENCE ASSOCIATES	FIRST MILE PROJECT WORK ORDER NO. 3	11,557.50	11,557.50
26203	08/31/2023	6835	ORO LOMA SANITARY DISTRICT	ADMIN LAND LEASE, JANITORIAL SUPPLIES, & RECYCLING SERVICES	8,880.00	8,880.00
26185	08/15/2023	May-23	DEBORAH QUINN	ACCOUNTING SERVICES - MAY	5,574.94	5,574.94
26190	08/15/2023	529398	R-COMPUTER	COMPUTER HARDWARE	3,852.14	4,692.55
26190	08/15/2023	529584	R-COMPUTER	COMPUTER HARDWARE	781.41	
26190	08/15/2023	529557	R-COMPUTER	COMPUTER SOFTWARE	59.00	
26208	08/31/2023	Jun-23	DEBORAH QUINN	ACCOUNTING SERVICES - JUN	4,525.54	4,525.54
26207	08/31/2023	54194	CALCON	MDF PMS AND ROOF REPLACEMENT PROJECT	1,700.59	4,259.19
26207	08/31/2023	54198	CALCON	HEPS PMS	1,279.30	
26207	08/31/2023	54201	CALCON	OLEPS PMS	1,279.30	
26193	08/15/2023	11489632	BROWN & CALDWELL	ENGINEERING SERVICES - BRINE ASSESSMENT	2,630.89	2,630.89
26197	08/15/2023	2530	CROPPER ACCOUNTANCY	AUDITING SERVICES	2,250.00	2,250.00
26188	08/15/2023	FB39504	CAROLLO ENGINEERS	ENGINEERING SERVICES - WORK ORDER NO. 5	2,230.00	2,230.00
26195	08/15/2023	043	CURRIE ENGINEERS, INC	PROJECT / CONSTRUCTION MANAGER SERVICES - WORK ORDER NO. 2	1,903.50	1,903.50
26206	08/31/2023	19498	DW NICHOLSON	CONTRACT SERVICES - WORK ORDER NO. 2	1,425.00	1,425.00
26189	08/15/2023	8407	CAYUGA INFORMATION SYSTEMS	IT SERVICES	1,050.00	1,050.00
26200	08/15/2023	108636	HUNT EQUIPMENT	STORAGE TANK INSPECTION	960.00	960.00
26199	08/15/2023	32281	INTEC SOLUTIONS	OLEPS VFD PMS	930.00	930.00
26191	08/15/2023	4246-0445-5568-7627	US BANK	PURCHASING CARD EXPENSES	900.74	900.74
26184	08/15/2023	1001649284	STATE COMPENSATION INSURANCE FUND	WORKERS COMPENSATION	878.00	878.00
26212	08/31/2023	710994	CALTEST	LAB TESTING SERVICES	796.70	796.70
26187	08/15/2023	251892	FRANK A OLSEN COMPANY	HEPS SERVICE AND INSPECTION	600.00	600.00
26214	08/31/2023	1011000001	EBMUD	MDF WATER & SEWER	307.83	307.83

EAST BAY DISCHARGERS AUTHORITY
List of Disbursements
August 2023

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
26209	08/31/2023	32792574	PITNEY BOWES INC	DIGITAL MAILING SYSTEM POSTAGE ACCOUNT	300.00	300.00
26204	08/31/2023	2994	UNION SANITARY DISTRICT	O&M - JUN	243.52	243.52
26205	08/31/2023	5104830439	AT&T	MDF TELEPHONE SERVICE	235.05	235.05
26210	08/31/2023	249925829	ORKIN	MDF PEST CONTROL SERVICES	232.99	232.99
26198	08/15/2023	CD_000635905	RINGCENTRAL INC	DIGITAL PHONE SERVICE	210.56	210.56
26196	08/15/2023	53864	COMPUTER COURAGE	WEBSITE HOSTING - AUG	150.00	150.00
26215	08/31/2023	20210105.02-18	ASCENT ENVIRONMENTAL, INC	CONSULTING SERVICES - CARGILL CEQA	142.50	142.50
26216	08/31/2023	9826	MBC CUSTODIAL SERVICES INC	JANITORIAL SERVICES	130.00	130.00
26186	08/15/2023	9940935004	VERIZON WIRELESS	WIRELESS PHONE SERVICES	102.92	102.92
26213	08/31/2023	3853606	CALTRONICS	COPIER USAGE AND MAINTENANCE	69.32	84.32
26213	08/31/2023	3853281	CALTRONICS	FREIGHT CHARGE FOR SUPPLIES	15.00	
26164			UNION SANITARY DISTRICT	VOID CHECK	(37,095.00)	(37,095.00)
TOTAL CHECK PAYMENTS					247,446.87	247,446.87
ELECTRONIC PAYMENTS						
	08/02/2023	5105948980-0	PG&E	GAS & ELECTRIC SERVICE	49,059.63	49,059.63
	08/02/2023	100000017234756	CALPERS	HEALTH PREMIUMS - AUG	7,630.03	7,630.03
	08/02/2023	100000017198932	CALPERS	PENSION CONTRIBUTION, CLASSIC 07/16 - 31/2023	5,697.08	5,697.08
	08/16/2023	100000017258497	CALPERS	PENSION CONTRIBUTION, CLASSIC 08/1 - 15/2023	5,697.08	5,697.08
	08/03/2023	6944369	MISSION SQUARE	DEFERRED COMPENSATION 07/31/2023	2,134.48	2,134.48
	08/16/2023	6703961	MISSION SQUARE	DEFERRED COMPENSATION 08/15/2023	2,134.48	2,134.48
	08/22/2023	100000017249764	CALPERS	GASB 68 REPORT FEES	700.00	700.00
	08/04/2023	2308147054	INTERMEDIA	EMAIL EXCHANGE HOSTING SERVICE	99.40	99.40
TOTAL ELECTRONIC PAYMENTS					73,152.18	73,152.18
PAYROLL						
	08/14/2023		ADP, LLC	PAYROLL PERIOD: 08/01-15/2023	23,153.34	23,153.34
	08/30/2023		ADP, LLC	PAYROLL PERIOD: 08/16-31/2023	23,091.36	23,091.36
	08/04/2023		ADP, LLC	PAYROLL FEES, 07/16-31/2023	92.06	92.06
	08/18/2023		ADP, LLC	PAYROLL FEES, 08/01-15/2023	77.86	77.86
TOTAL PAYROLL					46,414.62	46,414.62
TOTAL DISBURSEMENTS					367,013.67	367,013.67

**ITEM NO. FM5 PRELIMINARY TREASURER'S REPORTS FOR JULY AND AUGUST
2023**

The cash balance as of August 31, 2023 is \$5,262,123.86. EBDA's LAIF balance is \$2,341,823.30, and the average monthly effective yield for August is 3.434%. At the July 20 meeting, the Commission supported staff's recommendation to invest funds in the California Asset Management Program (CAMP) – see also Item No. FM9. Staff opened an account with CAMP in August and has transferred \$1,500,000. As of August 25, 2023, CAMP's 7-day yield is 5.53%. Both CAMP and LAIF are fully liquid, allowing funds to move back and forth as rates vary.

Approval is recommended.

**EAST BAY DISCHARGERS AUTHORITY
PRELIMINARY
TREASURER'S REPORT
July 31, 2023**

FUND	DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	276,197.87	300,631.50	274,573.15	302,256.22
13	PLANNING & SPECIAL STUDIES	366,887.51	59,567.50	40,380.52	386,074.49
14	RECLAMATION O & M (SKYWEST)	69,567.09	-	637.00	68,930.09
15	BRINE ACCEPTANCE	(275,536.18)	212,307.94	53,222.33	(116,450.57)
31	RENEWAL & REPLACEMENT	2,465,340.13	187,910.12	37,095.00	2,616,155.25
TOTALS		2,902,456.42	760,417.06	405,908.00	3,256,965.48

Jul-23

9/14/2023

SUPPLEMENTAL TREASURER'S REPORT

DATE	TRANSACTION	RECEIPT	DISBURSEMENT CHECKING	DISBURSEMENT PAYROLL	PAYROLL TRANSFER	LAIF TRANSFER	WELLS FARGO CHECKING BALANCE	WELLS FARGO PAYROLL BALANCE	LAIF BALANCE	TOTAL CASH
06/30/23	BALANCE						568,018.19	14,025.05	2,320,413.18	2,902,456.42
07/05/23	ELECTRONIC BILL PAY		162.45				567,855.74	14,025.05	2,320,413.18	2,902,293.97
07/05/23	ELECTRONIC BILL PAY		2,167.35				565,688.39	14,025.05	2,320,413.18	2,900,126.62
07/05/23	ELECTRONIC BILL PAY		4,975.51				560,712.88	14,025.05	2,320,413.18	2,895,151.11
07/05/23	ELECTRONIC BILL PAY		7,630.99				553,081.89	14,025.05	2,320,413.18	2,887,520.12
07/05/23	ELECTRONIC BILL PAY		40,589.59				512,492.30	14,025.05	2,320,413.18	2,846,930.53
07/06/23	PAYROLL			(871.36)			512,492.30	14,896.41	2,320,413.18	2,847,801.89
07/07/23	PAYROLL FEES			165.06			512,492.30	14,731.35	2,320,413.18	2,847,636.83
07/07/23	DEPOSIT - CARGILL	53,202.25					565,694.55	14,731.35	2,320,413.18	2,900,839.08
07/10/23	DEPOSIT - CARGILL	139,105.69					704,800.24	14,731.35	2,320,413.18	3,039,944.77
07/10/23	PAYROLL TRANSFER				60,000.00		644,800.24	74,731.35	2,320,413.18	3,039,944.77
07/12/23	DEPOSIT - OLSD	526,699.00					1,171,499.24	74,731.35	2,320,413.18	3,566,643.77
07/13/23	PAYROLL			25,962.83			1,171,499.24	48,768.52	2,320,413.18	3,540,680.94
07/14/23	INTEREST	21,410.12				21,410.12	1,171,499.24	48,768.52	2,341,823.30	3,562,091.06
07/17/23	DISBURSEMENT		189,892.76				981,606.48	48,768.52	2,341,823.30	3,372,198.30
07/18/23	ELECTRONIC BILL PAY		166.42				981,440.06	48,768.52	2,341,823.30	3,372,031.88
07/18/23	ELECTRONIC BILL PAY		2,181.69				979,258.37	48,768.52	2,341,823.30	3,369,850.19
07/18/23	ELECTRONIC BILL PAY		5,697.08				973,561.29	48,768.52	2,341,823.30	3,364,153.11
07/21/23	DEPOSIT - DSRSD	20,000.00					993,561.29	48,768.52	2,341,823.30	3,384,153.11
07/21/23	PAYROLL FEES			133.54			993,561.29	48,634.98	2,341,823.30	3,384,019.57
07/28/23	PAYROLL			25,971.36			993,561.29	22,663.62	2,341,823.30	3,358,048.21
07/31/23	DISBURSEMENT		101,082.73				892,478.56	22,663.62	2,341,823.30	3,256,965.48
	TOTAL	760,417.06	354,546.57	51,361.43	60,000.00	21,410.12				
	CURRENT BALANCE						892,478.56	22,663.62	2,341,823.30	3,256,965.48
							①	②	③	

Reconciliation

① Per Bank Statement @ 7/31/23	\$ 1,022,458.06
Less: Outstanding Checks	129,979.50
	\$ 892,478.56
② Per Bank Statement @ 7/31/23	\$ 22,663.62
③ Per LAIF Statement @ 7/31/23	\$ 2,341,823.30

The Supplemental Treasurer's Report is prepared monthly by the General Manager. It also serves as EBDA's cash and investments reconciliation.

**EAST BAY DISCHARGERS AUTHORITY
PRELIMINARY
TREASURER'S REPORT
August 31, 2023**

FUND	DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	302,256.22	1,377,900.98	287,448.45	1,392,708.75
13	PLANNING & SPECIAL STUDIES	386,074.49	457,555.50	11,557.50	832,072.49
14	RECLAMATION O & M (SKYWEST)	68,930.09	-	4,047.54	64,882.55
15	BRINE ACCEPTANCE	(116,450.57)	76,244.41	23,168.39	(63,374.55)
31	RENEWAL & REPLACEMENT	2,616,155.25	460,471.16	40,791.79	3,035,834.62
TOTALS		3,256,965.48	2,372,172.05	367,013.67	5,262,123.86

Aug-23

9/14/2023

SUPPLEMENTAL TREASURER'S REPORT

DATE	TRANSACTION	RECEIPT	DISBURSEMENT CHECKING	DISBURSEMENT PAYROLL	PAYROLL TRANSFER	LAIF TRANSFER	CAMP TRANSFER	WELLS FARGO CHECKING BALANCE	WELLS FARGO PAYROLL BALANCE	LAIF BALANCE	CAMP BALANCE	TOTAL CASH
07/31/23	BALANCE							892,478.56	22,663.62	2,341,823.30	-	3,256,965.48
08/01/23	DEPOSIT - USD	1,209,085.50						2,101,564.06	22,663.62	2,341,823.30	-	4,466,050.98
08/01/23	PAYROLL TRANSFER				50,000.00			2,051,564.06	72,663.62	2,341,823.30	-	4,466,050.98
08/02/23	VOID CHECK		(37,095.00)					2,088,659.06	72,663.62	2,341,823.30	-	4,503,145.98
08/02/23	ELECTRONIC BILL PAY		49,059.63					2,039,599.43	72,663.62	2,341,823.30	-	4,454,086.35
08/02/23	ELECTRONIC BILL PAY		7,630.03					2,031,969.40	72,663.62	2,341,823.30	-	4,446,456.32
08/02/23	ELECTRONIC BILL PAY		5,697.08					2,026,272.32	72,663.62	2,341,823.30	-	4,440,759.24
08/03/23	CAMP TRANSFER						1,000,000.00	1,026,272.32	72,663.62	2,341,823.30	1,000,000.00	4,440,759.24
08/03/23	ELECTRONIC BILL PAY		2,134.48					1,024,137.84	72,663.62	2,341,823.30	1,000,000.00	4,438,624.76
08/04/23	DEPOSIT - CVSAN	277,475.00						1,301,612.84	72,663.62	2,341,823.30	1,000,000.00	4,716,099.76
08/04/23	ELECTRONIC BILL PAY		99.40					1,301,513.44	72,663.62	2,341,823.30	1,000,000.00	4,716,000.36
08/04/23	PAYROLL FEES			92.06				1,301,513.44	72,571.56	2,341,823.30	1,000,000.00	4,715,908.30
08/08/23	DEPOSIT	9,100.00						1,310,613.44	72,571.56	2,341,823.30	1,000,000.00	4,725,008.30
08/14/23	PAYROLL			23,153.34				1,310,613.44	49,418.22	2,341,823.30	1,000,000.00	4,701,854.96
08/14/23	DEPOSIT - CARGILL	27,528.99						1,338,142.43	49,418.22	2,341,823.30	1,000,000.00	4,729,383.95
08/15/23	DISBURSEMENT		164,253.70					1,173,888.73	49,418.22	2,341,823.30	1,000,000.00	4,565,130.25
08/16/23	DEPOSIT - CARGILL	48,715.42						1,222,604.15	49,418.22	2,341,823.30	1,000,000.00	4,613,845.67
08/16/23	ELECTRONIC BILL PAY		5,697.08					1,216,907.07	49,418.22	2,341,823.30	1,000,000.00	4,608,148.59
08/16/23	ELECTRONIC BILL PAY		2,134.48					1,214,772.59	49,418.22	2,341,823.30	1,000,000.00	4,606,014.11
08/17/23	DEPOSIT - CERBT	58,949.48						1,273,722.07	49,418.22	2,341,823.30	1,000,000.00	4,664,963.59
08/18/23	DEPOSIT - LAVWMA	549,270.00						1,822,992.07	49,418.22	2,341,823.30	1,000,000.00	5,214,233.59
08/18/23	PAYROLL FEES			77.86				1,822,992.07	49,340.36	2,341,823.30	1,000,000.00	5,214,155.73
08/21/23	CAMP TRANSFER						500,000.00	1,322,992.07	49,340.36	2,341,823.30	1,500,000.00	5,214,155.73
08/22/23	ELECTRONIC BILL PAY		700.00					1,322,292.07	49,340.36	2,341,823.30	1,500,000.00	5,213,455.73
08/22/23	DEPOSIT - CSL	186,826.50						1,509,118.57	49,340.36	2,341,823.30	1,500,000.00	5,400,282.23
08/30/23	PAYROLL			23,091.36				1,509,118.57	26,249.00	2,341,823.30	1,500,000.00	5,377,190.87
08/31/23	DIVIDENDS	5,221.16					5,221.16	1,509,118.57	26,249.00	2,341,823.30	1,505,221.16	5,382,412.03
08/31/23	DISBURSEMENT		120,288.17					1,388,830.40	26,249.00	2,341,823.30	1,505,221.16	5,262,123.86
	TOTAL	2,372,172.05	320,599.05	46,414.62	50,000.00	-	1,505,221.16					
	CURRENT BALANCE							1,388,830.40	26,249.00	2,341,823.30	1,505,221.16	5,262,123.86

Reconciliation - 08/31/2023

① Bank Statement Balance	\$ 1,511,282.07
Less: Outstanding Checks	122,451.67
	\$ 1,388,830.40
② Bank Statement Balance	\$ 26,249.00
③ LAIF Statement	\$ 2,341,823.30
④ CAMP Statement	\$ 1,505,221.16

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 PRELIMINARY FOURTH QUARTER EXPENSE SUMMARY, FISCAL YEAR 2022/2023

Recommendation

Review year end expenses.

Background

This report presents a preliminary final expense summary for Fiscal Year 2022/2023.

Discussion

The Year End Expense Summary for FY 2022/2023 is attached for the Committee’s review. Expenses are presented by Program and by Account Number. These categories have been grouped to provide a summary overview of Authority expenses. The tables include discussion of particular items that varied significantly (>10%) from the budget. Staff notes that this is a preliminary summary, and additional expenses may come in before the fiscal year is officially closed.

Overall, EBDA’s annual net expenses were 14% under budget. While O&M spending on energy and chemicals exceeded the budget due to extreme wet weather, these overruns were more than offset by underruns resulting from staffing constraints and optimization, as well as deferred special studies spending. In addition, revenues totaling nearly \$1M from Cargill, the EPA Nature-based Solutions grant, and Skywest operating fees further offset costs. The table below shows revenues broken down by project. While professional services revenues were simply a pass through to fund consultant work, some Cargill revenue directly offset Authority salary and other expenses.

	Professional Services (Pass-through)	Salary	Overhead
EPA Grant	\$ 106,356		
Cargill Due Diligence	\$ 306,158	\$ 33,297	\$ 25,135
Cargill CEQA	\$ 396,456	\$ 10,232	\$ 56,396
Total	\$ 808,970	\$ 43,529	\$ 81,531

The FY 2022/2023 underrun is expected to be approximately \$720k. Consistent with EBDA’s Budget Policy, these funds will be returned to the agencies in the form of a credit in the proportions they were contributed. In addition, for the first time this year, two agencies were assessed Capacity Exceedance Fees during extreme wet weather. These revenues, summarized below, will be proportionally added to the credits that non-exceeding agencies will see on their FY 2023/2024 bills.

	Total Duration	Total Gallons	Capacity Exceedance Fee
OLSD/CVSan	94.5 Hours	43,600,000	\$218,000
San Leandro	4.5 Hours	1,100,000	\$5,500

East Bay Dischargers Authority

EXPENSE SUMMARY BY PROGRAM

FY 2022/2023 THROUGH JUNE 30, 2023 (100% of YEAR)

	YTD Expenses	Budget	Revenues Cargill, Grant, & Skywest	Variance	% of Budget	Explanations for Variance Over 10%
O&M EFFLUENT DISPOSAL						
General Administration	\$1,045,350	\$1,383,712	\$81,531	(\$338,362)	70%	Expenses offset by Cargill revenues. Benefits expenses were also offset by CERBT reimbursement.
Outfall & Force mains	\$133,560	\$181,300		(\$47,740)	74%	Spending was lower due to staffing constraints.
Marina Dechlor Facility	\$463,615	\$389,100		\$74,515	119%	SBS costs were higher than budgeted due to wet weather and delay in change to chlorine limit.
Oro Loma Pump Station	\$602,055	\$531,000		\$71,055	113%	Diesel and electricity were high due to wet weather.
Hayward Pump Station	\$170,244	\$173,000		(\$2,756)	98%	
Union Pump Station	\$418,017	\$390,000		\$28,017	107%	
Bay & Effluent Monitoring	\$566,605	\$593,450		(\$26,845)	95%	
TOTAL O&M EFFLUENT DISPOSAL	\$3,399,446	\$3,641,562	\$81,531	(\$242,116)	91%	
SPECIAL PROJECTS						
NPDES Permit Fees	\$627,544	\$656,019		(\$28,475)	96%	
NPDES Permit Issues	\$4,552	\$20,000		(\$15,448)	23%	Estimate for finalizing the reissued NPDES permit was conservative.
Regional Monitoring Program	\$286,205	\$292,320		(\$6,115)	98%	
Alternative Monitoring and Reporting	\$32,155	\$32,155		\$0	100%	
Nutrient Surcharge	\$237,125	\$237,114		\$11	100%	
Water Research Foundation	\$26,282	\$25,580		\$702	103%	
Transport System Evaluation	\$1,623	\$7,951		(\$6,328)	20%	Additional work was deferred to a future contract.
AQPI	\$29,000	\$29,000		\$0	100%	
Strategic Planning	\$5,268	\$10,000		(\$4,732)	53%	Some work carried over into FY 23/24. Also, additional planned workshop is not needed
Nature-Based Solutions Study	\$106,356	\$200,000	\$106,356	(\$200,000)	53%	All costs are reimbursed by EPA grant.
Biosolids Feasibility Study	\$0	\$100,000		(\$100,000)	0%	Work has begun, but external funds have not yet been needed.
Solar Feasibility Study	\$28,567	\$28,000		\$567	102%	
Bruce Wolfe Memorial	\$1,000	\$1,000		\$0	100%	Contribution will be made later this year.
TOTAL SPECIAL PROJECTS	\$1,385,677	\$1,639,139	\$106,356	(\$359,818)	78%	
TOTAL AGENCY-FUNDED PROGRAMS	\$4,785,122	\$5,280,701	\$187,886	(\$683,465)	87%	
WATER RECYCLING						
Skywest Golf Course	\$31,832	\$36,000	\$31,832		88%	Operations spending reduced due to efficiencies, and capital deferred.
TOTAL WATER RECYCLING	\$31,832	\$36,000	\$31,832		88%	
BRINE ACCEPTANCE						
Brine Acceptance	\$746,143		\$746,143			All work performed is reimbursed by Cargill.
TOTAL BRINE ACCEPTANCE	\$746,143		\$746,143			
TOTAL ALL PROGRAMS	\$5,563,098	\$5,316,701	\$965,862	(\$719,465)	86%	

East Bay Dischargers Authority

PRELIMINARY EXPENSE SUMMARY BY ACCOUNT

FY 2022/2023 THROUGH JUNE 30, 2023 (100% OF YEAR)

	YTD Expenses	Budget	Revenues Cargill, Grant, & Skywest	Variance	% of Budget	Explanations for Variance Over 10%
4010 - Salary	\$622,103	\$632,367	\$51,214	(\$61,478)	90%	
4020 - Benefits	\$198,021	\$264,959		(\$66,938)	75%	CERBT refund of \$58,949 was credited against expenses for retiree medical.
4030 - Commissioner Compensation	\$31,440	\$45,000		(\$13,560)	70%	Budget assumes maximum number of meetings.
4070 - Insurance	\$77,072	\$75,900	\$5,000	(\$3,828)	95%	
4080 - Memberships & Subscriptions	\$148,046	\$149,475		(\$1,429)	99%	
4100 - Supplies, Variable	\$460,208	\$269,000		\$191,208	171%	SBS costs were higher than budgeted due to wet weather and delay in change to chlorine limit. Diesel costs were also higher than budgeted due to wet weather.
4100 - Supplies, Fixed	\$6,845	\$22,000		(\$15,155)	31%	Office supply needs were lower than budgeted.
4110 - Contract Services	\$44,209	\$58,611		(\$14,402)	75%	Some IT and instrumentation and controls programming expenses were not needed or deferred.
4120 - Professional Services	\$1,110,474	\$713,101	\$808,970	(\$411,597)	42%	External support for certain Special Studies (e.g. biosolids) has been deferred while preliminary work proceeds. Also much of the Professional Services costs are for Cargill and the Nature-based Solutions grant project, and are reimbursed.
4140 - Rents & Fees	\$877,725	\$895,413		(\$17,688)	98%	
4141 - NPDES Fines	\$0	\$9,000		(\$9,000)	0%	Reserve funds in case of enforcement.
4150 - Maintenance & Repair	\$605,925	\$833,600	\$16,126	(\$243,802)	71%	Staff optimized labor to counter wet weather-related spending in other categories.
4160 - Monitoring	\$520,828	\$579,475	\$2,250	(\$60,897)	89%	Staff optimized labor, including lab support, to counter wet weather-related spending in other categories.
4170 - Travel	\$6,878	\$18,000		(\$11,122)	38%	Reduced travel due to many meetings transitioning to video conference.
4190 - Utility, Fixed	\$771	\$1,000		(\$229)	77%	Skywest utilities were lower than budgeted.
4191 - Utility, Variable	\$850,352	\$739,800	\$771	\$109,782	115%	High pump station energy usage due to wet weather.
4200 - Acquisitions & Other	\$2,202	\$10,000	\$81,531	(\$89,329)	-793%	Revenue from Skywest & Cargill overhead.
TOTAL ALL ACCOUNTS	\$5,563,098	\$5,316,701	\$965,862	(\$719,465)	86%	

ITEM NO. FM7 REVIEW OF THE AUTHORITY'S PURCHASING POLICY

Recommendation

Review the Authority's Purchasing Policy and provide input to staff.

Background

Prior to the adoption of the Authority's Amended and Restated Joint Powers Agreement (JPA), the JPA stated that, "The affirmative vote of four members of the Commission shall be required to: [...] Award, modify or accept work under any contract (including but not limited to contracts for the acquisition or construction of any building, works or improvements for the Phase I Project) in excess of \$10,000." The Commission and the Member Agencies determined that it was appropriate to remove that level of detail from the Amended and Restated JPA, with the agreement that the rules governing procurement would be captured in the Authority's Purchasing Policy ("Purchasing Policy").

The Purchasing Policy was adopted in December 2020. The Amended and Restated JPA requires unanimous approval of any changes to the Purchasing Policy.

Discussion

Staff is proposing revisions to the Purchasing Policy for the Committee's review and consideration. A tracked change version of the Purchasing Policy is attached for review and discussion. The proposed changes fall into two categories, the first relatively minor and the second more substantive:

- The Purchasing Policy uses a threshold of \$25,000 to determine bidding requirements as well as General Manager (GM) signature authority. Staff is not proposing to change the minimum threshold at this time, but is recommending revising the Purchasing Policy to indicate that the threshold is "\$25,000 or less" rather than "Under \$25,000" for ease of implementation. The practical effect of the current wording is that certain routine engagements that are within the GM's authority are set at \$24,999 or a similar number. Clarifying that Commission approval is needed for contracts greater than \$25,000 would make for cleaner contracting and allow the General Manager to approve and execute contracts in the amount of \$25,000.
- As noted for the Committee previously, the Authority has made use in recent years of task order-based contracts that allow the flexibility to scope specific engagements with a particular contractor or consultant over time. The proposed changes to the Purchasing Policy would clarify how task order-based contracts are to be used, as well as the Commission's role in approving task order-based contracts. Staff recommends that every few years, the Authority solicit qualifications from contractors and consultants to develop a list of pre-qualified service providers. Following evaluation of the qualifications of proposing contractors and consultants, staff would develop a list of pre-approved contractors

and consultants. Staff would then bring to the Commission for approval contracts for each pre-qualified contractor and consultant that would set a not-to-exceed amount for each contract and allow the issuance of task orders for discreet scopes of work to that contractor or consultant. The aggregate of all task orders under the contract would not exceed the original contract amount. Staff would seek proposals, bids, and/or scopes of work from multiple pre-approved contractors or consultants, depending on the expected dollar value. As long as the funds for any task order were within the Authority's adopted Budget or Renewal and Replacement Fund List, the GM would be able to authorize the task order, up to the contract capacity. Staff would inform the Commission of all task orders over \$25,000. The Public Contract Code and the Department of Industrial Relations (DIR) provide guidance for public agencies seeking to pre-qualify consultants and contractors, and EBDA would adopt a pre-qualification questionnaire modeled after the DIR template.

Benefits of this proposed approach include:

- Increased competition – Because the Authority is a small agency and does not have many large projects, we often struggle to get proposals for projects. By lowering the workload for consultants and contractors to propose, and by giving consultants and contractors an expectation that there will be continued work coming from the Authority, companies may be more likely to engage. This increased competition should lead to better pricing and quality.
- Flexibility – By pre-qualifying consultants up front, detailed Requests for Proposals would not always be needed, allowing projects to move faster and more nimbly.
- Disaster cost recovery – Several years ago, the Authority engaged a consultant with expertise in disaster cost recovery to advise on strategies for maximizing FEMA reimbursement in the event of a disaster response. One of the consultant's recommendations was to pre-qualify contractors and consultants that may be used in an emergency so that the Authority can access them quickly and still point to a robust competitive selection process.

POLICY NUMBER: 1.7

NAME OF POLICY: Finance – Purchasing

LAST REVISED: ~~December 17, 2020~~ TBD

PREVIOUSLY REVISED: ~~December 17, 2020~~ N/A

PURPOSE: Policy Regarding the Procurement of Equipment, Supplies, Services, and Contracts for Construction Projects

POLICY:

I. AUTHORITY CONTRACTS WITH OUTSIDE CONTRACTORS, VENDORS, AND CONSULTANTS

A. Procurement of Equipment, Supplies, and Services

1. Purchases and Contracts Under of \$25,000 or less. If the estimated cost of the equipment, supplies, and services is less than \$5,000, the General Manager will attempt to secure the best value for the Authority, but need not solicit quotes, bids, or proposals. If the estimated cost is between \$5,000 and \$10,000, the General Manager will solicit informal quotes, bids, or proposals from at least two vendors/consultants. If the estimated cost exceeds \$10,000, but is ~~less than~~ \$25,000 or less, the General Manager will solicit informal quotes, bids, or proposals from at least three contractors, vendors, or consultants. For all purchases or contracts for equipment, supplies, or services at or below \$25,000, the General Manager may award the contract or purchase order, without further approval by the Commission.

2. Purchases and Contracts of More than \$25,000-or More. When the estimated cost of equipment or supplies ~~is-exceeds~~ \$25,000-or more, the General Manager will solicit formal written bids/proposals through means and methods which he or she determines to be most cost-effective, which may include advertisement in a newspaper of general circulation in the Authority.

When the estimated cost of services ~~is-exceeds~~ \$25,000 or more, the General Manager will solicit informal proposals through means and methods which he or she determines to be most cost-effective. With the exception of contracts for services procured pursuant to California Government Code Section 4525 et seq., all services contracts shall be awarded to the proposer(s) that offer the best value to the Authority, which is defined as the overall combination of quality, price, and other elements of a proposal that, when considered together, provide the greatest overall benefit to the Authority in response to the requirements described in the solicitation documents.

All contracts in ~~the an~~ amount ~~of exceeding~~ \$25,000 ~~or more~~ shall be submitted to the Commission for approval.

3. Qualifications Based Solicitations. Pursuant to California Government Code Section 4525 et seq. (the Mini-Brooks Act), the Authority will use qualifications-based competitive proposal procedures for the procurement of architectural, landscape architectural, engineering, environmental (but, not where the scope of work consists of planning services), land surveying or construction project management services regardless of the contract value. Under this method, proposals will be evaluated based upon qualifications and demonstrated competence.

B. Procurement of Construction Projects

1. California Uniform Public Construction Cost Accounting Act. The Authority has opted in to the California Uniform Public Construction Cost Accounting Act (California Public Contract Code Section 22000 et seq., the "Act"). Pursuant to the Act projects for the construction, reconstruction, erection, alteration, renovation, improvement, demolition, repair work, painting, or repainting of Authority-owned, leased, or operated facilities will be procured as follows:

a. Projects of \$60,000 (or the current threshold set forth in California Public Contract Code Section 22032(a)) or less may be let by negotiated contract or purchase order, or performed by the Authority's own employees by force account.

b. Projects of \$200,000 (or the current threshold set forth in California Public Contract Code Section 22032(b)) or less may be let by informal procedures set forth in the Authority's informal bidding resolution and in the Act.

c. Projects of more than \$200,000 (or the current threshold set forth in California Public Contract Code Section 22032(c)) will be let by formal bidding procedures set forth in the Act.

2. Maintenance Work. The Authority may, but is not required to, use the procedures set forth in this section B for maintenance work, which includes routine, recurring, and usual work for the preservation or protection of any Authority-owned or operated facility for its intended purposes, minor repainting, resurfacing of streets and highways of less than 1 inch, landscape maintenance, and work to keep, operate, and maintain Authority-owned water, power, or waste disposal systems.

3. Other Statutorily Authorized Methods. Alternative methods of procurement, such as a design build approach, may be utilized if authorized by state law and in full compliance with all applicable requirements.

C. Contractor Roster ~~Pre-Qualification and Task Order-Based Contracts~~

~~The Authority may solicit qualifications and hourly rates and expenses from contractors for the purpose of creating a pre-qualified roster of contractors for a range of projects. The General Manager may then recommend to the Commission for approval a task order-based contract with each contractor deemed pre-qualified. Each task order-based contract shall have a total not-to-exceed dollar value. When a particular project arises, if the estimated cost is \$60,000 or less, the General Manager may issue a task order to the contractor most qualified for the work from the pre-qualified roster. If the estimated cost is greater than \$60,000 and less than \$200,000, the General Manager may follow the process outlined in Section I.B.1.b, or he or she may solicit bids from pre-qualified firms. Following selection, the General Manager may issue a task order to the lowest bidder, without further approval by the Commission, as long as the total value of all task orders issued under that contract is less than the Commission-approved not-to-exceed dollar value. Staff would inform the Commission of all task orders over \$25,000.~~

D. Consultant Roster ~~Pre-Qualification and Task Order-Based Contracts~~

~~The Authority may solicit qualifications and hourly rates and expenses from consultants for the purpose of creating a pre-qualified roster of consultants for a range of services and projects. The General Manager may then recommend to the Commission for approval a task order-based contract with each consultant deemed pre-qualified. Each task order-based contract shall have a total not-to-exceed dollar value. When a particular consulting need or project arises, if the estimated cost is \$25,000 or less, the General Manager may issue a task order to the consultant most qualified for the work from the pre-qualified roster. If the estimated cost is greater than \$25,000, the General Manager may follow the process outlined in Section I.A.2, or he or she may solicit proposals from pre-qualified firms. Following selection, the General Manager may issue a task order to the most qualified firm, without further approval by the Commission, as long as the total value of all task orders issued under that contract is less than the Commission-approved not-to-exceed dollar value. Staff would inform the Commission of all task orders over \$25,000.~~

CE. Sole Source

Regardless of the estimated cost of the procurement, the Authority is not required to follow the processes detailed in this Policy when procuring materials, equipment, supplies, or services for which there exists only a sole source of supply.

DF. Leasing of Equipment

If the total rental payments due under a lease are ~~below~~ \$25,000 ~~or less~~, the General Manager will follow the procedure in Section I.A.1. If the total rental payments due under a lease are ~~over~~ \$25,000 ~~or more~~, the General Manager will follow the procedure in Section I.A.2.

EG. Reporting

The General Manager will report to the Commission on all contracts entered into under the General Manager's authority.

FH. Contract Extensions

Commission approval is required for extension of contracts or purchase orders beyond one (1) year where the cost of the extension is estimated to be greater than \$25,000 ~~or greater~~.

GI. Minority Business Enterprises/Women's Business Enterprises Policy

The Authority recognizes the value of diversity and it is the intention of the Authority to create a level playing field on which Minority Business Enterprises and Women's Business Enterprises can compete fairly for contracts and subcontracts.

HJ. Splitting Procurements Prohibited

The Authority will not arbitrarily split purchases into smaller segments or partial orders to remain below the authorized dollar threshold for formal solicitation in an effort to take advantage of informal solicitation procedures or otherwise avoid requirements of this Policy.

II. AUTHORITY CONTRACTS WITH MEMBER AGENCIES FOR WORK BY MEMBER AGENCY EMPLOYEES

A. Contracts with Member Agencies

The Authority has entered into contracts with its member agencies for the operation and routine maintenance of Authority Facilities and additional tasks, as requested by the Authority. Work performed pursuant to contracts between the Authority and its member agencies will conform to the East Bay Dischargers Authority Amended and Restated Joint Exercise of Powers Agreement, this Policy, and the respective contract. In particular, each member agency contract will require the member agency to indemnify the Authority against all losses that may arise out of the performance of the work. Furthermore, the Authority will require the member agency to maintain insurance in such types and amounts as the Authority may from time to time establish and naming the Authority and the member agencies as additional insureds.

B. Operations and Maintenance Manager Determination

Consistent with the above referenced contracts with the member agencies, the Authority's Operations and Maintenance Manager may authorize one or more member agencies to perform work on Authority Facilities when he or she determines that the agency(ies) can perform such work more cost effectively than if the work were let to contract by the Authority.

III. COOPERATIVE PROCUREMENTS WITH MEMBER AGENCIES

To foster greater economy and efficiency, the Authority may avail itself of joint procurements and assignment of existing contract rights ("piggybacking") with its member agencies.

IV. PURCHASE OR LEASE OF REAL PROPERTY

Any contract for the purchase of real property must be submitted to and approved by the Commission. Any lease or sublease of real property, including any renewal or extension of an existing lease or sublease, for which the annual rent is greater than \$25,000 ~~or greater~~, must be submitted to and approved by the Commission. For any lease or sublease of real property, including any renewal or extension of an existing lease, for which the annual rent is ~~below~~ \$25,000 or less, the General Manager may approve and execute the lease, sublease, renewal, or extension, without further approval by the Commission.

V. GENERAL MANAGER SIGNATURE AUTHORITY

A. Signature Authority Generally

Except as otherwise described in this Policy, the General Manager is authorized to expend funds, issue purchase orders, and sign contracts for procurements and activities for equipment, supplies, and for professional or other services where the cost is ~~less than~~ \$25,000 or less.

B. Change Orders and Amendments Generally

The General Manager is authorized to issue change orders or amendments where the cost is ~~less than~~ \$25,000 or less without further Commission approval, so long as such change order or amendment would not result in a total contract value of greater than \$25,000 ~~or greater~~. The Commission reserves to itself the right to approve all amendments to contracts previously approved by the Commission.

General Manager is authorized to administer all contracts on behalf of the Authority.

VI. EMERGENCY CONTRACTS

A. Competitively Bid Emergency Contracts

The General Manager has been authorized by the Commission to take all necessary and proper measures in emergency conditions to keep the Authority Facilities in operation. The Authority's practice is to competitively solicit contracts for emergency services in advance of any emergency, consistent with the California Governor's Office of Emergency Services (CalOES) and Federal Emergency Management Agency (FEMA) reimbursement requirements.

B. Non-Competitively Bid Emergency Contracts

In the event the Authority does not have a current contract for emergency services and the emergency conditions do not permit a delay resulting from a formal competitive solicitation process, the General Manager is authorized to make emergency purchases without giving notice for bids or proposals and to enter into such contracts without prior Commission approval. The General Manager will promptly report on the reasons and necessity for proceeding without a competitive solicitation to the Commission as required by Public Contract Code Section 22050 et seq.

C. Ratification

Commission ratification is required for any emergency contract where the cost ~~is exceeds~~ \$25,000 ~~or more~~ and will be obtained as soon as it is practicable to do so.

VII. WAIVER

The Commission may suspend or waive the requirements of this Policy in any instance when the Commission deems it in the best interest of the Authority to do so.

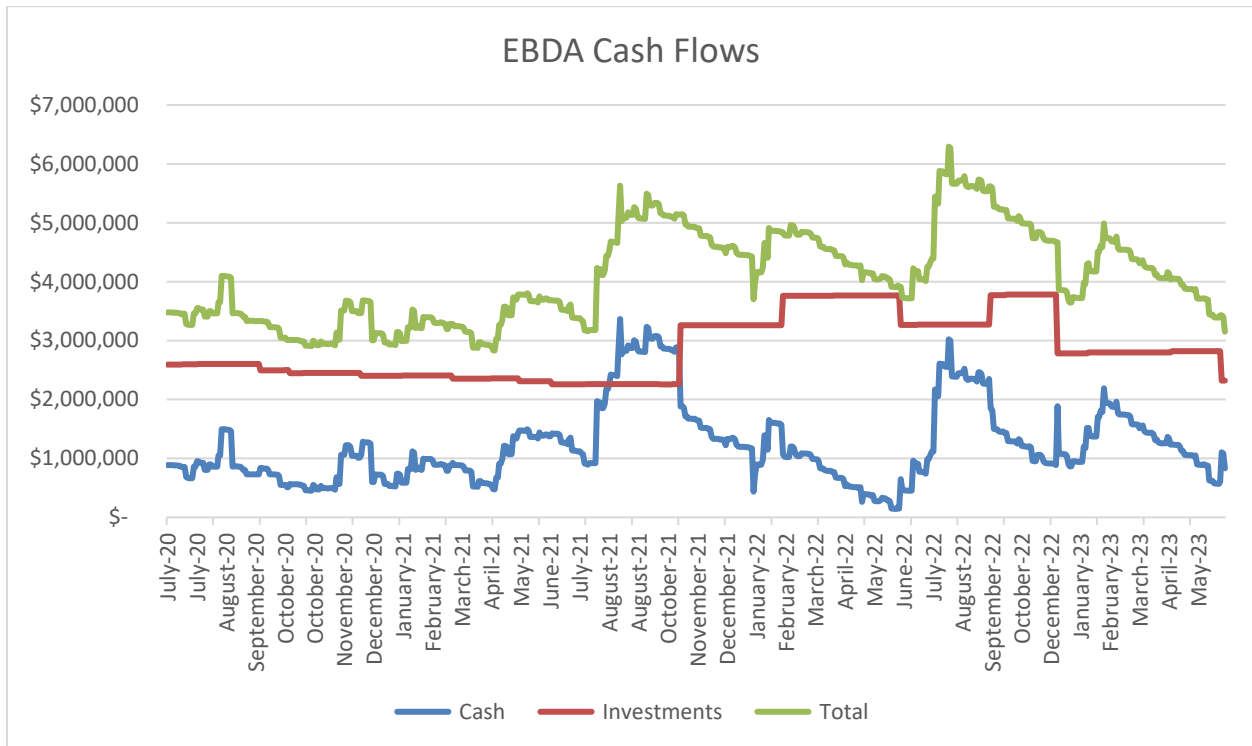
ITEM NO. FM8 BANKING ALTERNATIVES

Recommendation

This information is for the Committee to review and provide direction to staff.

Background

As shown in the Supplemental Treasurer’s Report in Item No. FM5, EBDA currently holds two checking accounts with Wells Fargo Bank – one that is used specifically for payroll, and the other that is used to pay the Authority’s other bills. The Authority’s investments are currently with LAIF and CAMP, as discussed in Item No. FM5. Over the past three years, balances in EBDA’s Wells Fargo checking account have ranged from approximately \$90,000 to \$3.3 million, with significant variability associated with cash flows, as shown in the following graph.



The Committee requested that staff research opportunities for switching from Wells Fargo’s banking services to a more local financial institution, with a goal of keeping the Authority’s financial resources in the community it serves, and investing in banks with socially-responsible lending practices.

In 2020, staff performed an alternatives assessment at the Committee’s direction. Staff surveyed four banks and two credit unions within a five-mile radius of the Authority. The following services were evaluated: treasury management, fraud prevention, and in-branch and online access. The credit unions offer basic checking accounts without treasury management or fraud prevention services. Staff does not recommend using an

institution that does not offer fraud prevention services. The banks surveyed all offer similar services to what the Authority currently has with Wells Fargo, including treasury management and fraud prevention (e.g., Positive Pay and ACH preauthorization). At that time, the Authority’s checking accounts had recently been converted to Wells Fargo’s treasury management services. Staff’s recommendation was to stay with Wells Fargo to allow staff time to better understand the new platform and fee structure.

In 2023, the Committee directed staff to continue to evaluate alternative banks that are more locally-focused and/or have strong records of social responsibility. Staff continues to be satisfied with Wells Fargo’s services and online platform. The driver for switching to another institution is to place EBDA's funds in a socially-responsible bank that invests in our local community.

Discussion

Most recently, staff has consulted with three banks to assess their advantages and disadvantages relative to Wells Fargo:

- **Fremont Bank** is a local bank that is committed to investing in the local community, which is consistent with the Committee’s expressed goals. Services offered by Fremont Bank are similar to those the Authority currently has with Wells Fargo, including treasury management and fraud prevention (e.g., Positive Pay and ACH preauthorization). Using EBDA data for May 2023, Fremont Bank provided the comparison below showing their fees and credits relative to Wells Fargo’s. EBDA’s balance and activity would have incurred a \$150 fee from Fremont Bank in May, whereas with Wells Fargo, EBDA had a net credit, meaning fees were fully offset. Over the past fiscal year, EBDA incurred no fees with Wells Fargo, whereas with Fremont Bank, EBDA would be more likely to incur fees, though they may be small.

Review	Fremont Bank	Wells Fargo
Analysis	2 Analysis accts	2 Analysis accts
	Average Collected Balance \$1,033,796.69	Average Collected Balance \$1,033,796.69
	Positive Pay ACH, Check & Payee Match & Wire	Positive Pay ACH, Check & Payee Match & Wire
	Using May's activities to perform analysis	Using May's activities to perform analysis
Activity Charges	\$ 465.62	\$ 278.82
Earnings Credit	\$ 316.09	\$ 1,448.73
Deficit	\$ 149.53	Net 1169.91

- **Community Bank of the Bay (CBB)** is a San Francisco Bay Area commercial bank with full-service offices in Oakland, Danville and San Mateo. CBB is committed to investing in Bay Area communities, which is consistent with the Commission’s expressed goals. Services offered by CBB are similar to those the Authority currently has with Wells Fargo, including treasury management and fraud prevention (e.g., Positive Pay and ACH preauthorization). Remote deposit service would be added, since the nearest branch is located in downtown Oakland. A recent comparison between CBB and Wells Fargo client analyses shows almost no difference in their rates. CBB has limited experience with government agencies. Though they list East Bay Municipal Utility District (EBMUD) as a customer, follow-

up with EBMUD staff revealed that they only held certificates of deposit with CBB, and they do their primary banking with Wells Fargo.

- **Beneficial State Bank** is a certified community development financial institution (CDFI) with a local office in Oakland. CDFIs are certified by the US Department of Treasury’s Community Development Financial Institutions Fund and meet requirements to address banking barriers in low-income and disadvantaged communities. They offer Treasury Management, including fraud services, and they have indicated that mobile deposits would be allowed at higher thresholds.

After reviewing the options presented here and considering the Authority’s goals and needs, staff recommends that the Authority either stay with Wells Fargo or switch to Fremont Bank. Of the alternatives evaluated, Fremont Bank is local in terms of both investments and branches, they have a track record of working with agencies similar to EBDA, and they offer the services we require.

Staff is seeking Committee direction on whether to stay with Wells Fargo or switch to Fremont Bank. The table below summarizes pros and cons of each option.

Bank	Pros	Cons
Fremont Bank	<ul style="list-style-type: none"> - Local focus and investments. 	<ul style="list-style-type: none"> - Staff estimates that the process of in setting up the accounts, authorized signers, approved vendors, and other administration would cost approximately \$8600. - Potential risk associated with a regional bank (i.e. recent collapse of Silicon Valley Bank and/or acquisition). - Unknown customer service quality.
Wells Fargo Bank	<ul style="list-style-type: none"> - Strong customer service. - National presence and strength. - Low risk of change. 	<ul style="list-style-type: none"> - Poor social responsibility record. - National rather than local focus and investments.

ITEM NO. FM9 RESOLUTION AUTHORIZING THE AUTHORITY TO JOIN WITH OTHER PUBLIC AGENCIES AS A PARTICIPANT OF THE CALIFORNIA ASSET MANAGEMENT TRUST AND TO INVEST IN SHARES OF THE TRUST AND IN INDIVIDUAL PORTFOLIOS

Recommendation

Adopt a resolution authorizing the Authority to join with other public agencies as a Shareholder of the California Asset Management Trust, a joint powers authority (JPA), to invest in shares of the Trust and/or utilize an individual portfolio.

Background

The Authority's Investment Strategy was adopted in March 2019. The Committee reviewed the Strategy in July 2023 and did not recommend any changes. The Strategy states that EBDA will invest its idle long-term funds in certificates of deposit (CDs), California's Local Agency Investment Fund (LAIF), and California Asset Management Program (CAMP). LAIF and CAMP are both pooled investments by public agencies. The Strategy further states "Staff may select which of the above instruments in which to invest and in what quantities, as long as there is less than a 50 basis point (0.5%) differential between the instruments. If the differential is higher, staff shall direct funds to the instrument with higher returns."

Historically, the Authority invested in a set of laddered CDs. However, with interest rates dropping over the last five years, staff moved funds into LAIF as CDs matured. More recently, CAMP has had higher yields than LAIF, so in August 2023, staff moved \$1.5M into CAMP. Both funds are fully liquid and can therefore be moved back and forth as rates vary. As of August 25, 2023, CAMP's 7-day yield is 5.53%, whereas LAIF's is 3.31%.

While it is not required in order to invest funds, at its July meeting, the Committee recommended that the Authority join CAMP as a participant/shareholder. Becoming a CAMP participant essentially means becoming part of the Joint Powers Authority, similar to the way the Authority participates in the California Sanitation Risk Management Authority (CSRMA). The advantage to being a participant is the ability to weigh in on decision-making. EBDA's decision authority will be proportional to the amount the Authority has invested relative to other participants.

Discussion

The proposed resolution is based on a template provided by CAMP. CAMP was created in 1989 when two public agencies formed the California Asset Management Trust (Trust) with the objective of meeting local government investment needs at a reasonable cost. CAMP is governed by a seven-member board of California public finance officials. CAMP's Investment Adviser, PFM Asset Management LLC, provides day-to-day portfolio management and program administrative services. Initially, the Trust was formed to assist

Agenda Explanation
East Bay Dischargers Authority
Financial Management Committee
September 18, 2023

California public agencies with investing proceeds of tax-exempt bonds and complying with the arbitrage regulations. Responding to the needs of its Shareholders, the Trust was later modified to provide for the investment of operating funds and capital reserves.

Staff is also seeking input from the Committee on balancing investments. Currently, the highest yields are with CAMP at 5.5%, which is totally liquid. However, economists believe that we may be near the peak of interest rates. If that is the case, there may be some value in locking a portion of EBDA's funds in a treasury bill or other longer-term instrument with a yield of 5%.

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

RESOLUTION NO. 23-10

INTRODUCED BY _____

**RESOLUTION AUTHORIZING THE EAST BAY DISCHARGERS AUTHORITY
("AUTHORITY") TO JOIN WITH OTHER PUBLIC AGENCIES AS A PARTICIPANT
OF THE CALIFORNIA ASSET MANAGEMENT TRUST AND TO INVEST IN SHARES
OF THE TRUST AND IN INDIVIDUAL PORTFOLIOS**

WHEREAS, Section 6509.7 of Title 1, Division 7, Chapter 5 of the Government Code of the State of California (the "Joint Exercise of Powers Act") provides that, if authorized by their legislative or other governing bodies, two or more public agencies that have the authority to invest funds in their treasuries may, by agreement, jointly exercise that common power;

WHEREAS, under Sections 6500 and 6509.7(b) of the Joint Exercise of Powers Act, a "public agency" includes, but is not limited to, any California county, county board of education, county superintendent of schools, city, public corporation, public district, regional transportation commission, state department or agency, any joint powers authority formed pursuant to the Joint Exercise of Powers Act by public agencies or any nonprofit corporation whose membership is confined to public agencies or public officials;

WHEREAS, public agencies that constitute local agencies, as that term is defined in Sections 53600 of Title 5, Division 2, Part 1, Chapter 4, Article 2 of the Government Code of the State of California (the "California Government Code"), are authorized pursuant to Section 53601(p), to invest all money belonging to, or in the custody of, a local agency not required for its immediate need in shares of beneficial interest issued by a joint powers authority organized pursuant to Section 6509.7 of the California Government Code that invests in the securities and obligations authorized in subdivisions (a) to (q), inclusive, of Government Code Section 53601;

WHEREAS, the California Asset Management Trust (the "Trust") was established, pursuant to and in accordance with the Joint Exercise of Powers Act, by a Declaration of Trust, made as of December 15, 1989, as subsequently amended from time to time (the "Declaration of Trust"), as a vehicle for public agencies to jointly exercise their common power to invest the proceeds of debt issues and Authority surplus funds;

WHEREAS, pursuant to and in accordance with the Joint Exercise of Powers Act, the Authority desires to join the other public agencies which are or will be Participants of the Trust by adopting and executing the Declaration of Trust, a form which is on file in the office of the General Manager;

WHEREAS, the Authority is a “public agency” as that term is defined in Sections 6500 and 6509.7(b) of the Joint Exercise of Powers Act and a “local agency” as that term is defined in Section 53600 of the California Government Code;

WHEREAS, the Authority is otherwise permitted to be a Participant of the Trust and to invest funds in the Trust and in the individual portfolios to be managed by the Investment Adviser to the Trust (“Individual Portfolios”); and

WHEREAS, a program guide describing the Trust and the Individual Portfolios (the “Program Guide”) is on file in the office of the General Manager.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the Public Agency as follows:

Section 1. The Authority shall join with other public agencies pursuant to and in accordance with the Joint Exercise of Powers Act by executing the Declaration of Trust and thereby becoming a Participant in the Trust, which Declaration of Trust is hereby approved and adopted. A copy of the Declaration of Trust, which is available in the office of the General Manager, shall be filed with the minutes of the meeting at which this Resolution was adopted. The Commission Chair is hereby authorized to execute, and the General Manager is hereby authorized to attest and deliver, the Declaration of Trust.

Section 2. The Authority is hereby authorized to purchase shares in the Trust from time to time with available funds of the Authority, and to redeem some or all of those shares from time to time as such funds are needed.

Section 3. The Authority is hereby authorized to invest available funds of the Authority from time to time in one or more Individual Portfolios managed by the Investment Adviser to the Trust and described in the Program Guide.

Section 4. The appropriate officers, agents and employees of the Authority are hereby authorized and directed in the name and on behalf of the Authority to take all actions and to make and execute any and all certificates, requisitions, agreements, notices, consents, warrants and other documents, and any changes, amendments, modifications, or waivers thereto which they, or any of them, might deem necessary or appropriate in order to accomplish the purposes of this Resolution.

Section 5. This Resolution shall take effect at the earliest date permitted by law.

SAN LORENZO, CALIFORNIA, SEPTEMBER 21, 2023 ADOPTED BY THE FOLLOWING VOTE:

AYES:
NOES:
ABSENT:
ABSTAIN:

CHAIR
EAST BAY DISCHARGERS AUTHORITY

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