



COMMISSION MEETING AGENDA

Thursday, December 21, 2023

4:00 P.M.

**Oro Loma Sanitary District Boardroom
2655 Grant Avenue, San Lorenzo, CA 94580**

**The meeting will be conducted in-person and is accessible via the following
Zoom teleconference link.**

Teleconference link: <https://us02web.zoom.us/j/89796898677>

Call-in: 1(669) 900-6833 and enter Webinar ID number: 897 9689 8677

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Public Forum**

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

- MOTION**
- 5. Commission Meeting Minutes of November 16, 2023**
 - 6. List of Disbursements for November 2023 – See Item FM4**
 - 7. Treasurer’s Report for November 2023 – See Item No. FM5**
 - 8. First Quarter Expense Summary, Fiscal Year 2023/2024 – See Item No. FM6**

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

- INFORMATION**
- 9. General Manager’s Report**
(The General Manager will report on EBDA issues.)
 - INFORMATION 10. Report from the Managers Advisory Committee**
(The General Manager will report on Managers Advisory Committee activities.)
 - INFORMATION 11. Report from the Financial Management Committee**
(The General Manager will report on the meeting.)
 - INFORMATION 12. Report from the Operations & Maintenance Committee**
(The Operations & Maintenance and General Managers will report on the meeting.)
 - INFORMATION 13. Report from the Personnel Committee**
(The General Manager will report on the meeting.)
 - INFORMATION 14. Items from the Commission and Staff**
(The Commission and staff may address items of general interest.)

15. Adjournment

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

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

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

**Next Scheduled Commission meeting is
Thursday, January 18, 2024 at 4:00 p.m.**

GLOSSARY OF ACRONYMS

ACWA	Association of California Water Agencies	DSRSD	Dublin San Ramon Services District
AQPI	Advanced Quantitative Precipitation Information	DTSC	Department of Toxic Substances Control
AMP	Asset Management Plan	EBDA	East Bay Dischargers Authority
ANPRM	Advanced Notice of Proposed Rulemaking	EBRPD	East Bay Regional Park District
BAAQMD	Bay Area Air Quality Management District	EIS/EIR	Environmental Impact Statement/Report
BACC	Bay Area Chemical Consortium	EPA	United States Environmental Protection Agency
BACWA	Bay Area Clean Water Agencies	FOG	Fats, Oils and Grease
BPA	Basin Plan Amendment	GASB	Government Accounting Standards Board
BCDC	Bay Conservation and Development Commission	HEPS	Hayward Effluent Pump Station
BOD	Biochemical Oxygen Demand	JPA	Joint Powers Agreement
CARB	California Air Resources Board	LAVWMA	Livermore-Amador Valley Water Management Agency
CASA	California Association of Sanitation Agencies	LOCC	League of California Cities
CBOD	Carbonaceous Biochemical Oxygen Demand	MAC	Managers Advisory Committee
CDFA	CA Department of Food & Agriculture	MCC	Motor Control Center
CEC	Compound of Emerging Concern	MCL	Maximum Contaminant Level
CEQA	California Environmental Quality Act	MDF	Marina Dechlorination Facility
CFR	Code of Federal Regulations	MG	Million Gallons
CMMS	Computerized Maintenance Management System	MGD	Million Gallons per Day
COH	City of Hayward	MMP	Mandatory Minimum Penalty
CPUC	California Public Utilities Commission	MOU	Memorandum of Understanding
CSL	City of San Leandro	MSS	Mixed Sea Salt
CTR	California Toxics Rule	N	Nitrogen
CVCWA	Central Valley Clean Water Association	NACWA	National Association of Clean Water Agencies
CVSAN	Castro Valley Sanitary District	NBS	Nature-Based Solutions
CWA	Clean Water Act	NGO	Non-Governmental Organization
CWEA	CA Water Environment Association	NOX	Nitrogen Oxides
DO	Dissolved Oxygen	NPDES	National Pollutant Discharge Elimination System
DPR	Department of Pesticide Regulation	NPS	Non-Point Source

GLOSSARY OF ACRONYMS

O&M	Operations & Maintenance	SSMP	Sewer System Management Plan
OLEPS	Oro Loma Effluent Pump Station	SSO	Sanitary Sewer Overflow
OLSD	Oro Loma Sanitary District	SWRCB	State Water Resources Control Board
OMB	Office of Management and Budget	TDS	Total Dissolved Solids
P	Phosphorous	TIN	Total Inorganic Nitrogen
PAHs	Polynuclear Aromatic Hydrocarbons	TMDL	Total Maximum Daily Load
PCBs	Polychlorinated Biphenyls	TP	Total Phosphorus
PLC	Programmable Logic Controller	TRC	Total Residual Chlorine
PFAS	Per and Polyfluoroalkyl Substances	TSO	Time Schedule Order
POTW	Publicly Owned Treatment Works	TSS	Total Suspended Solids
QA/QC	Quality Assurance / Quality Control	UEPS	Union Effluent Pump Station
Region IX	Western Region of EPA (CA, AZ, NV & HI)	USD	Union Sanitary District
ReNUWit	Re-Inventing the Nation's Urban Water Infrastructure Engineering Research Center	UV	Ultraviolet Treatment
RFP	Request For Proposals	VFD	Variable Frequency Drive
RFQ	Request For Qualifications	VOCs	Volatile Organic Compounds
RMP	Regional Monitoring Program	WAS	Waste Activated Sludge
RO	Reverse Osmosis	WDR	Waste Discharge Requirements
RRF	Renewal and Replacement Fund	WEF	Water Environment Federation
RWB	Regional Water Board	WET	Whole Effluent Toxicity or Waste Extraction Test
RWQCB	Regional Water Quality Control Board	WIN	Water Infrastructure Network
SBS	Sodium Bisulfite	WLA	Waste Load Allocation (point sources)
SCADA	Supervisory Control and Data Acquisition	WPCF	Water Pollution Control Facility
SCAP	Southern California Alliance of POTWs	WQBEL	Water Quality Based Effluent Limitation
SEP	Supplementary Environmental Project	WQS	Water Quality Standards
SFEI	San Francisco Estuary Institute	WRDA	Water Resource Development Act
SFEP	San Francisco Estuary Partnership	WRF	Water Research Foundation
SLEPS	San Leandro Effluent Pump Station	WWTP	Wastewater Treatment Plant
SRF	State Revolving Fund	WWWIFA	Water and Wastewater Infrastructure Financing Agency

CONSENT CALENDAR

Consent calendar items are typically routine in nature and are considered for approval by the Commission with a single action. The Commission may remove items from the Consent Calendar for discussion. Items on the Consent Calendar are deemed to have been read by title. Members of the public who wish to comment on Consent Calendar items may do so during Public Forum.

- Item No. 5 Commission Meeting Minutes of November 16, 2023
- Item No. 6 List of Disbursements for November 2023 – See Item No. FM4
- Item No. 7 Treasurer’s Report for November 2023 – See Item No. FM5
- Item No. 8 First Quarter Expense Summary, Fiscal Year 2023/2024 – See Item No. FM6

Recommendation

Approve Consent Calendar

ITEM NO. 5 COMMISSION MEETING MINUTES OF NOVEMBER 16, 2023

1. Call to Order

Chair Lathi called the meeting to order at 4:00 P.M. on Thursday, November 16, 2023 at the Oro Loma Sanitary District, 2655 Grant Avenue, San Lorenzo, CA 94580. The meeting was teleconferenced from the following locations: OMNI Hotel CNN Center Lobby, 100 CNN Center, Atlanta, GA and Wynn Hotel Lobby, 3131 S. Las Vegas Boulevard, Las Vegas, NV. Commissioners Simon and Acevedo appeared via Zoom.

2. Pledge of Allegiance

3. Roll Call

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

Absent: None

Attendees:	Jacqueline Zipkin	East Bay Dischargers Authority
	Howard Cin	East Bay Dischargers Authority
	Juanita Villasenor	East Bay Dischargers Authority
	Deborah Quinn	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
	John Cropper	Cropper Accountancy Corporation

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 October 19, 2023

6. List of Disbursements for October 2023

7. Treasurer's Report for October 2023

8. Final Adjusted Treasurer's Reports for June, July, August, and September 2023

Commissioner Andrews moved to approve the Consent Calendar. The motion was seconded by Commissioner Johnson and carried with the following roll call vote:

Ayes: Andrews, Simon, Johnson, Azevedo, Lathi
Noes: None

Absent: None
Abstain: None

REGULAR CALENDAR

9. Motion to Accept the Audited Basic Financial Statements for Fiscal Year Ending June 30, 2023

The Authority's auditor John Cropper of Cropper Accountancy Corporation reviewed the Authority's audited FY2022/2023 Basic Financial Statements and discussed their findings. Commissioner Andrews moved to approve the item. The motion was seconded by Commissioner Johnson and carried with the following roll call vote:

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

10. General Manager's Report

The General Manager (GM) and Commissioner Johnson discussed Alameda County Local Agency Formation Commission (LAFCO)'s establishment of a countywide water and wastewater committee to explore water reuse opportunities in the region. The GM and legal counsel reviewed protocols for Commissioner attendance and invocation of AB 2449.

11. Report from the Managers Advisory Committee

The GM reported on the November 6 meeting of the Managers Advisory Committee (MAC). The MAC discussed the nutrients watershed permit negotiations.

12. Report from the Regulatory Affairs Committee

The GM reported on the November 13 meeting of the Regulatory Affairs Committee. The GM noted that the NPDES blanket permit amendment increasing the limit for chlorine residual will take effect on January 1, 2024.

13. Report from the Financial Management Committee

The GM reported on the November 15 meeting of the Financial Management Committee. The Committee reviewed the FY 2022/2023 Basic Financial Statements with John Cropper and recommended acceptance.

14. Report from the Operations and Maintenance Committee

The Operations and Maintenance (O&M) Manager reported on the November 14, 2023 meeting. The O&M Manager provided updates on current activities, including the HEPS Pump Replacement Project, MDF Painting Project, and Roofing Project. The O&M Manager noted that RestCon Environmental reported that no mold remediation is needed in the Administration Building. The GM updated the Commission on the Cargill brine project and the Advanced Quantitative Precipitation Information (AQPI) project.

15. Motion Approving Revisions to the Authority's Commissioner Compensation Policy

Commissioner Andrews moved to approve the item. The motion was seconded by Commissioner Johnson and carried with the following roll call vote:

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

16. Items from Commission and Staff

Nothing to report from Commission and Staff.

17. Adjournment

Chair Lathi adjourned the meeting at 4:50 p.m.

ITEM NO. 9 GENERAL MANAGER'S REPORT

The General Manager will discuss items of interest to EBDA.

ITEM NO. 10 REPORT FROM THE MANAGERS ADVISORY COMMITTEE

**MANAGERS ADVISORY COMMITTEE
AGENDA**

**Monday, December 4, 2023
2:00 P.M.**

Via Zoom

- 1. Nutrients Watershed Permit Negotiation**
- 2. Wastewater Surveillance Monitoring**
- 3. Biosolids Updates and Next Steps**
- 4. Cargill Brine Project**
- 5. EBDA Commission Agenda**
- 6. Managers Information Sharing**

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ITEM NO. 11

FINANCIAL MANAGEMENT COMMITTEE AGENDA

Wednesday, December 20, 2023

8:00 A.M.

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

Committee Members: Simon (Chair); Andrews

- FM1. Call to Order**
- FM2. Roll Call**
- FM3. Public Forum**
- FM4. Disbursements for November 2023**
(The Committee will review the Lists of Disbursements.)
- FM5. Treasurer's Report for November 2023**
(The Committee will review the Treasurer's Report.)
- FM6. First Quarter Expense Summary, Fiscal Year 2023/2024**
(The Committee will review the first quarter expenses for FY 2023/2024.)
- FM7. Electronic Signature Policy Review**
(The Committee will review the Electronic Signature Policy.)
- FM8. 50th Anniversary Recognition**
(The Committee will discuss options for recognizing EBDA's upcoming anniversary.)
- FM9. Adjournment**

Any member of the public may address the Committee at the commencement of the meeting on any matter within the jurisdiction of the Committee. This should not relate to any item on the agenda. Each person addressing the Committee should limit their presentation to three minutes. Non-English speakers using a 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.

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Agenda Explanation
East Bay Dischargers Authority
Financial Management Committee
December 20, 2023

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**Next Scheduled Financial Management Committee is
Wednesday, January 17, 2024 at 8:00 a.m.**

EAST BAY DISCHARGERS AUTHORITY

List of Disbursements

November 2023

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
26303	11/30/2023	1128-23	AFFORDABLE PAINTING SERVICE INC	MDF PAINTING PROJECT	38,900.00	38,900.00
26297	11/15/2023	190147	ENVIRONMENTAL SCIENCE ASSOCIATES	FIRST MILE PROJECT WORK ORDER NO. 3	36,434.40	36,434.40
26313	11/30/2023	6852	ORO LOMA SANITARY DISTRICT	O&M - SEP	25,411.80	25,411.80
26288	11/15/2023	SW240192896	PETERSON POWER SYSTEMS	OLEPS DIESEL PUMP SERVICE	25,389.10	25,389.10
26285	11/15/2023	394006	CITY OF SAN LEANDRO	O&M - SEP	23,229.97	23,229.97
26315	11/30/2023	51613155	UNIVAR	SODIUM BISULFITE - DELIVERED 11/06/2023	9,825.40	19,473.65
	11/30/2023	51649479	UNIVAR	SODIUM BISULFITE - DELIVERED 11/17/2023	9,648.25	
26307	11/30/2023	55120	CALCON	OPS CENTER: OFFICE HEALTH AND SAFETY	8,168.58	14,310.09
	11/30/2023	55117	CALCON	MDF SERVICES	4,047.91	
	11/30/2023	55118	CALCON	OPS CENTER SERVICES	1,783.60	
	11/30/2023	55119	CALCON	OLEPS SERVICES	310.00	
26305	11/30/2023	11/19/2023	AZYURA	WATERBITS LICENSING AND SMR/EDMR REPORT SERVICES	9,000.00	9,000.00
26299	11/15/2023	2568	CROPPER ACCOUNTANCY	AUDITING SERVICES	8,000.00	8,000.00
26310	11/30/2023	Aug-23	DEBORAH QUINN	ACCOUNTING SERVICES - AUG	6,239.00	6,239.00
26295	11/15/2023	210287	MEYERS NAVE	LEGAL SERVICES - BRINE PROJECT	3,656.50	3,656.50
26302	11/15/2023	FM 2A	NATE KAUFFMAN	FIRST MILE PROJECT	3,500.00	3,500.00
26296	11/15/2023	EA06-0923	EOA, INC	NPDES PERMIT REISSUANCE ASSISTANCE	3,131.75	3,131.75
26295	11/15/2023	210286	MEYERS NAVE	LEGAL SERVICES - SEP	2,812.60	2,812.60
26314	11/30/2023	003044	UNION SANITARY DISTRICT	ENERGY RESILIENCE STUDY	2,264.42	2,264.42
26308	11/30/2023	713951	CALTEST	LAB TESTING SERVICES	2,216.70	2,216.70
26306	11/30/2023	11501405	BROWN & CALDWELL	ENGINEERING SERVICES - BRINE ASSESSMENT	1,544.95	1,544.95
26286	11/15/2023	52205705	CITY OF HAYWARD	BENEFIT PREMIUMS - NOV	1,370.05	1,370.05
26293	11/15/2023	8416	CAYUGA INFORMATION SYSTEMS	IT SERVICES	1,365.00	1,365.00
26294	11/15/2023	4246-0445-5568-7627	US BANK	PURCHASING CARD EXPENSES	1,239.02	1,239.02
26290	11/15/2023	FB43121	CAROLLO ENGINEERS	ENGINEERING SERVICES - WORK ORDER NO. 2	927.00	927.00
26287	11/15/2023	1001649287	STATE COMPENSATION INSURANCE FUND	WORKERS COMPENSATION	878.00	878.00
26304	11/30/2023	5104830439	AT&T	TELEPHONE SERVICE - MDF	279.95	279.95
26291	11/15/2023	2472441	ALLIANT INSURANCE	ALLIANT MOBILE VEHICLE PROGRAM RENEWAL	213.00	213.00
26300	11/15/2023	CD_000686631	RINGCENTRAL INC	DIGITAL PHONE SERVICE	212.60	212.60
26312	11/30/2023	Oct-23	JACQUELINE ZIPKIN	REIMBURSABLE EXPENSES	199.46	199.46
26298	11/15/2023	54573	COMPUTER COURAGE	WEBSITE HOSTING	150.00	150.00
26309	11/30/2023	3932227	CALTRONICS	COPIER USAGE AND MAINTENANCE	140.25	140.25
26301	11/15/2023	9948	MBC CUSTODIAL SERVICES INC	JANITORIAL SERVICES	130.00	130.00
26289	11/15/2023	9948185184	VERIZON WIRELESS	WIRELESS PHONE SERVICES	103.04	103.04

EAST BAY DISCHARGERS AUTHORITY

List of Disbursements

November 2023

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
26292	11/15/2023	0142	ALAMEDA COUNTY EMA	MEMBERSHIP DUES FY 2023/2024	100.00	100.00
26311	11/30/2023	44777800001	EBMUD	WATER SERVICE - ADMIN	86.46	86.46
TOTAL CHECK PAYMENTS					232,908.76	232,908.76
ELECTRONIC PAYMENTS						
	11/02/2023	5105948980-0	PG&E	GAS & ELECTRIC SERVICE	43,840.74	43,840.74
	11/06/2023	100000017324105	CALPERS	HEALTH PREMIUMS - NOV	7,630.03	7,630.03
	11/02/2023	100000017289213	CALPERS	PENSION CONTRIBUTION, CLASSIC 10/16 - 31/2023	5,710.87	5,710.87
	11/17/2023	100000017320794	CALPERS	PENSION CONTRIBUTION, CLASSIC 11/01 - 15/2023	5,710.87	5,710.87
	11/03/2023		MISSION SQUARE	DEFERRED COMPENSATION 10/31/2023	2,134.47	2,134.47
	11/20/2023		MISSION SQUARE	DEFERRED COMPENSATION 11/15/2023	2,134.47	2,134.47
	11/06/2023		INTERMEDIA.NET	EMAIL EXCHANGE HOSTING SERVICE	99.40	99.40
TOTAL ELECTRONIC PAYMENTS					67,260.85	67,260.85
PAYROLL						
	11/29/2023		ADP, LLC	PAYROLL PERIOD: 11/16-30/2023	26,661.63	26,661.63
	11/14/2023		ADP, LLC	PAYROLL PERIOD: 11/01-15/2023	23,843.61	23,843.61
	11/03/2023		ADP, LLC	PAYROLL FEES, 10/16-31/2023	89.22	89.22
	11/24/2023		ADP, LLC	PAYROLL FEES, 11/01-15/2023	77.86	77.86
TOTAL PAYROLL					50,672.32	50,672.32
TOTAL DISBURSEMENTS					350,841.93	350,841.93

ITEM NO. FM5 TREASURER'S REPORT FOR NOVEMBER 2023

The cash balance as of November 30, 2023 is \$4,917,434.05. EBDA's LAIF balance is \$2,362,936.88, and the average monthly effective yield for November is 3.843%. EBDA's CAMP balance is \$1,519,221.31, and CAMP's 7-day yield is 5.55%.

Approval is recommended.

**EAST BAY DISCHARGERS AUTHORITY
TREASURER'S REPORT
November 30, 2023**

FUND	DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	1,527,237.47	64,020.57	220,068.99	1,371,189.05
13	PLANNING & SPECIAL STUDIES	737,614.95	40,090.20	42,198.82	735,506.33
14	RECLAMATION O & M (SKYWEST)	69,029.52		2,522.53	66,506.99
15	BRINE ACCEPTANCE	(57,995.26)	162,310.85	5,201.45	99,114.14
31	RENEWAL & REPLACEMENT	2,714,854.94	7,136.30	76,873.70	2,645,117.54
TOTALS		4,990,741.62	273,557.92	346,865.49	4,917,434.05

Nov-23
12/13/2023

SUPPLEMENTAL TREASURER'S REPORT

DATE	TRANSACTION	RECEIPT	DISBURSEMENT CHECKING	DISBURSEMENT PAYROLL	PAYROLL TRANSFER	LAIF	CAMP	WELLS FARGO CHECKING BALANCE	WELLS FARGO PAYROLL BALANCE	LAIF BALANCE	CAMP BALANCE	TOTAL CASH
10/31/23	BALANCE							988,946.31	126,773.42	2,362,936.88	1,512,085.01	4,990,741.62
11/01/23	DIVIDENDS	7,136.30					7,136.30	988,946.31	126,773.42	2,362,936.88	1,519,221.31	4,997,877.92
11/02/23	ELECTRONIC BILL PAY		5,710.87					983,235.44	126,773.42	2,362,936.88	1,519,221.31	4,992,167.05
11/02/23	ELECTRONIC BILL PAY		43,840.74					939,394.70	126,773.42	2,362,936.88	1,519,221.31	4,948,326.31
11/02/23	DEPOSIT - CARGILL	162,310.85						1,101,705.55	126,773.42	2,362,936.88	1,519,221.31	5,110,637.16
11/03/23	ELECTRONIC BILL PAY		2,134.47					1,099,571.08	126,773.42	2,362,936.88	1,519,221.31	5,108,502.69
11/03/23	PAYROLL FEES			89.22				1,099,571.08	126,684.20	2,362,936.88	1,519,221.31	5,108,413.47
11/06/23	ELECTRONIC BILL PAY		7,630.03					1,091,941.05	126,684.20	2,362,936.88	1,519,221.31	5,100,783.44
11/06/23	ELECTRONIC BILL PAY		99.40					1,091,841.65	126,684.20	2,362,936.88	1,519,221.31	5,100,684.04
11/13/23	DEPOSIT - CVSAN	64,681.77						1,156,523.42	126,684.20	2,362,936.88	1,519,221.31	5,165,365.81
11/14/23	PAYROLL			23,843.61				1,156,523.42	102,840.59	2,362,936.88	1,519,221.31	5,141,522.20
11/15/23	DISBURSEMENT		112,842.03					1,043,681.39	102,840.59	2,362,936.88	1,519,221.31	5,028,680.17
11/17/23	ELECTRONIC BILL PAY		5,710.87					1,037,970.52	102,840.59	2,362,936.88	1,519,221.31	5,022,969.30
11/20/23	ELECTRONIC BILL PAY		2,134.47					1,035,836.05	102,840.59	2,362,936.88	1,519,221.31	5,020,834.83
11/24/23	PAYROLL FEES			77.86				1,035,836.05	102,762.73	2,362,936.88	1,519,221.31	5,020,756.97
11/28/23	VOID CHECK 26247		(3,976.44)					1,039,812.49	102,762.73	2,362,936.88	1,519,221.31	5,024,733.41
11/29/23	PAYROLL			26,661.63				1,039,812.49	76,101.10	2,362,936.88	1,519,221.31	4,998,071.78
11/30/23	DEPOSIT - ABAG	39,429.00						1,079,241.49	76,101.10	2,362,936.88	1,519,221.31	5,037,500.78
11/30/23	DISBURSEMENT		120,066.73					959,174.76	76,101.10	2,362,936.88	1,519,221.31	4,917,434.05
	TOTAL	273,557.92	296,193.17	50,672.32	-	-	7,136.30					
	CURRENT BALANCE							959,174.76	76,101.10	2,362,936.88	1,519,221.31	4,917,434.05

Reconciliation - 11/30/2023

① Bank Statement Balance	\$ 1,079,471.49
Less: Outstanding Checks	120,296.73
	\$ 959,174.76
② Payroll Bank Statement	\$ 76,101.10
③ LAIF Statement	\$ 2,362,936.88
④ CAMP Statement	\$ 1,526,189.59
Less: Accrual Income Dividend	6,968.28
	\$ 1,519,221.31

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 FIRST QUARTER EXPENSE SUMMARY, FISCAL YEAR 2023/2024

Recommendation

Approve the First Quarter Expense Summary for Fiscal Year 2023/2024.

Background

The First Quarter Expense Summary for FY 2023/2024 is attached for the Committee's review. Expenses are presented by Program and by Account Code. These categories have been grouped to provide an overview of Authority expenses. The tables include discussion of particular items that varied significantly (>10%) from the budget.

Discussion

At the end of the first quarter, EBDA's spending is just slightly under budget, with 24% spent at 25% through the year. Staff notes that certain annual fees (i.e., BACWA dues and Water Research Foundation) were paid in the first quarter, while others (i.e., NPDES Permit Fee, Regional Monitoring Program) had yet to be billed. This led to certain line items appearing over or under budget, but balances out overall for the quarter.

East Bay Dischargers Authority

EXPENSE SUMMARY BY PROGRAM

FY 2023/2024 THROUGH SEPTEMBER 30, 2023 (25% of YEAR)

	YTD Expenses	Budget	Revenues Cargill, Grant, & Skywest	Variance	% of Budget	Explanations for Variance Over 10%
O&M EFFLUENT DISPOSAL						
General Administration	\$331,749	\$1,487,812		(\$1,156,063)	22%	
Outfall & Forcemains	\$20,146	\$269,800		(\$249,654)	7%	Spending was lower due to staffing constraints.
Marina Dechlor Facility	\$127,150	\$614,100		(\$486,950)	21%	
Oro Loma Pump Station	\$138,234	\$613,000		(\$474,766)	23%	
Hayward Pump Station	\$41,584	\$186,000		(\$144,416)	22%	
Union Pump Station	\$121,944	\$466,000		(\$344,056)	26%	
Bay & Effluent Monitoring	\$385,498	\$729,867		(\$344,369)	53%	BACWA dues were paid for FY.
TOTAL O&M EFFLUENT DISPOSAL	\$1,166,305	\$4,366,579	\$0	(\$3,200,274)	27%	
SPECIAL PROJECTS						
NPDES Permit Fees	\$0	\$693,023		(\$693,023)	0%	Paid in Q2.
Regional Monitoring Program	\$0	\$293,760		(\$293,760)	0%	Fees will be paid later this year.
Alternative Monitoring and Reporting	\$0	\$32,314		(\$32,314)	0%	Fees will be paid later this year.
Nutrient Surcharge	\$240,143	\$240,143		\$0	100%	Fees paid for FY.
Water Research Foundation	\$27,553	\$27,665		(\$112)	100%	Fees paid for FY.
Strategic Planning	\$363	\$0		\$363	-	
Nature-Based Solutions Study	\$39,429	\$200,000	\$39,429	(\$200,000)	20%	
Solar Feasibility Study	\$0	\$5,000		(\$5,000)	0%	Final expenses will be billed in Q2.
Bruce Wolfe Memorial	\$0	\$1,000		(\$1,000)	0%	Contribution will be made later this year.
TOTAL SPECIAL PROJECTS	\$307,487	\$1,492,905	\$39,429	(\$1,224,847)	18%	
TOTAL AGENCY-FUNDED PROGRAMS	\$1,473,792	\$5,859,484	\$39,429	(\$4,425,121)	24%	
WATER RECYCLING						
Skywest Golf Course	\$10,280	\$36,000	\$7,637		29%	
TOTAL WATER RECYCLING	\$10,280	\$36,000	\$7,637		29%	
BRINE ACCEPTANCE						
Brine Acceptance	\$32,917		\$29,122			All work performed is reimbursed by Cargill.
TOTAL BRINE ACCEPTANCE	\$32,917		\$29,122			
TOTAL ALL PROGRAMS	\$1,516,989	\$5,895,484	\$76,188	(\$4,454,684)	24%	

East Bay Dischargers Authority

PRELIMINARY EXPENSE SUMMARY BY ACCOUNT

FY 2023/2024 THROUGH SEPTEMBER 30, 2023 (25% OF YEAR)

	YTD Expenses	Budget	Revenues Cargill, Grant, & Skywest	Variance	% of Budget	Explanations for Variance Over 10%
4010 - Salary	\$158,897	\$663,595	\$0	(\$504,699)	24%	
4020 - Benefits	\$63,178	\$257,217		(\$194,039)	25%	
4030 - Commissioner Compensation	\$5,520	\$45,000		(\$39,480)	12%	Budget assumes maximum number of meetings.
4070 - Insurance	\$38,152	\$75,900	\$0	(\$37,748)	50%	Property and auto policy premiums paid for the FY.
4080 - Memberships & Subscriptions	\$148,429	\$166,472		(\$18,043)	89%	BACWA & WRF dues paid for the FY.
4100 - Supplies, Variable	\$190,633	\$670,000		(\$479,367)	28%	
4100 - Supplies, Fixed	\$5,526	\$23,000		(\$17,474)	24%	
4110 - Contract Services	\$12,042	\$60,841		(\$48,799)	20%	
4120 - Professional Services	\$209,267	\$598,831	\$68,551	(\$458,115)	23%	
4140 - Rents & Fees	\$250,248	\$939,446		(\$689,198)	27%	
4141 - NPDES Fines	\$0	\$9,000		(\$9,000)	0%	Reserve funds in case of enforcement.
4150 - Maintenance & Repair	\$157,067	\$937,100	\$6,567	(\$786,600)	16%	
4160 - Monitoring	\$54,385	\$558,282	\$1,070	(\$504,967)	10%	RMP fees not billed yet
4170 - Travel	\$2,300	\$18,000		(\$15,700)	13%	Reduced travel due to many meetings transitioning to video conference.
4191 - Utility, Variable	\$220,970	\$864,800	\$0	(\$643,830)	26%	
4200 - Acquisitions & Other	\$14	\$8,000	\$0	(\$7,987)	0%	Allowance for Skywest capital projects.
TOTAL ALL ACCOUNTS	\$1,516,625	\$5,895,484	\$76,188	(\$4,455,047)	24%	

ITEM NO. FM7 ELECTRONIC SIGNATURE POLICY REVIEW

Recommendation

Review and provide direction to staff.

Background

The COVID-19 pandemic necessitated new ways of working and accelerated trends that had already begun, with more people working remotely and conducting business digitally. In order for the Authority to conduct business efficiently in a remote-work environment while still ensuring legal requirements are consistently met, the Authority adopted an Electronic Signature Policy in August 2020.

Staff reviewed legal requirements as well as best practices for issuance and acceptance of electronic signatures. The attached Policy outlines the approach, including a summary of situations where an electronic signature is acceptable, and those where, by code, it is not.

The Financial Management Committee recommended at the time that the Policy reflect the Authority's currently selected electronic signature certification service, to avoid confusion. After reviewing several options, staff recommended implementation of DocuSign eSignature.

Discussion

EBDA has successfully been implementing the Policy as electronic signatures have become increasingly preferred. While implementation of DocuSign has been smooth, staff recommends that the Policy be modified to avoid specifying a particular software package. While staff is still employing DocuSign for formal documents initiated by the Authority that require external signatures, e.g. contracts, staff is occasionally asked to sign documents initiated by others on other approved digital platforms. In addition, for signatures on internal documents such as accounting-related approvals, staff finds Adobe Acrobat to be an easier tool.

Staff is therefore proposing minor modifications to the Policy and Signature Matrix, shown attached in track changes, that allow for greater flexibility in choice of software as tools and preferences change.

POLICY NUMBER: 3

NAME OF POLICY: Electronic Signature

LAST REVISED: August 20, 2020

PREVIOUSLY REVISED: NA

PURPOSE: This Policy establishes the acceptable technologies and procedures for the use of electronic signatures in EBDA-related business.

EBDA recognizes the need to increase efficiency, reduce waste, and provide members of the public with convenient access to EBDA services. Advances in technology can assist EBDA in achieving these goals while providing security for document management. This policy balances the need for efficient services against the risks of unauthorized activities by providing the approved electronic signature method and guidelines for certain documents and transactions.

This Policy applies to EBDA's acceptance of electronic signatures from parties outside of EBDA, and the use of electronic signatures on documents executed on behalf of EBDA. It does not increase the scope of authority of EBDA's authorized signatories, rather it provides an alternative means to execute EBDA-related documents. These are minimum standards. Nothing in this policy prohibits an EBDA official or employee, with the consent of the EBDA General Manager, from requiring a wet signature or higher form of secure electronic signature if he or she believes it is prudent or necessary. The General Manager may accept or authorize the acceptance of an electronic signature when the circumstances surrounding the transaction address authentication and security concerns. This Policy does not apply to electronic signatures accepted or utilized before the original effective date, and is intended to provide guidance for electronic signatures accepted thereafter. Any transaction must be analyzed under the facts and circumstances existing at the time a transaction was executed.

DEFINITIONS:

An "**electronic record**" is defined by California's Uniform Electronic Transactions Act ("UETA") (Civil Code section 1633.1, et seq.), as "a record created, generated, sent, communicated, received, or stored by electronic means." An electronic record generally contains information or a data file that was created and stored in digitized form through the use of computers, machines, and software applications. The format of an electronic

record does not change the fact that it is a record subject to applicable public records law, but its electronic form and its dependence on machines for creation and reference do change the way these records must be stored and managed.

An “**electronic signature**” is defined both in the federal Electronic Signatures in Global and National Commerce Act and the UETA. It is defined as “any sound, symbol, or process attached to or associated with an electronic record and executed or adopted by a person with the intent to sign the electronic record.” (Civil Code section 1633.2(h).) It is the electronic equivalent of a handwritten, wet, or manual signature on paper, and therefore must have certain characteristics for evidentiary purposes. EBDA divides this broad scope of electronic signatures into categories of documents based upon the level of security needed both to ensure the proper person is conducting the transaction and that the technology for transmission of the signature is adequate.

Under California law, a “**digital signature**” is defined as “an electronic identifier, created by computer, intended by the party using it to have the same force and effect as the use of a manual signature.” Government Code section 16.5 states a digital signature shall have the same force and effect as a manual signature if and only if:

1. It is unique to the person using it.
2. It is capable of verification.
3. It is under the sole control of the person using it.
4. It is linked to data in such a manner that if the data are changed, the digital signature is invalidated, and
5. It conforms to regulations adopted by the Secretary of State.

Government Code section 16.5 also states that the use or acceptance of a digital signature is at the option of the parties to the transaction and nothing in the law requires a public entity to use or accept the submission of a document containing a digital signature.

For the purpose of this policy, “digital signature” and “electronic signature” shall have the same meaning.

An “**electronically signed record**” is a record, file, or document that has been electronically signed by means of an electronic signature and that is related to the conduct of the EBDA’s official business.

POLICY:

Requirements for Electronic Signatures

EBDA staff shall establish and maintain a software system to be used by EBDA staff for the purposes of requesting, collecting, and executing digital signatures and electronic records, consistent with the encryption standards established by, and selected from the “Approved List” of digital signature providers, authorized by the State of California. **Staff**

~~has selected DocuSign eSignature as EBDA's current Digital Signature System. EBDA may change Digital Signature System vendors in the future via Commission approval of changes to this Policy.~~

For electronic signatures and records created and executed using EBDA's Digital Signature System, the criteria below shall be considered met:

1. **Intent to Sign**

Electronic signatures, i.e. not traditional wet ink signatures, are only valid and legally binding if both parties intend to sign and execute the agreement electronically.

2. **Consent of the Signing Party**

EBDA will accept electronic signatures when the parties:

- consent to the transaction,
- consent that the transaction be completed electronically, and
- consent to receive disclosures electronically.

3. **Documentation of Effect of Signature**

The Administrative Assistant will maintain the security procedure and audit trails for various electronic signature technologies.

Routing of Electronically Signed Documents

Use of electronic signatures will not change who within EBDA must approve or execute a transaction, nor will it change the routing process for the transaction. Agreements and contracts will continue to require the attestation of the General Manager.

Signed Copies Provided to All Parties

When a document is electronically signed by all parties, EBDA will provide a copy of the electronically signed document to the other parties in an electronic format that is capable of being retained and printed by the other parties.

Storage and Archiving of Electronically Signed Documents

EBDA staff primarily responsible for execution of a transaction shall ensure that a fixed version of the final electronic document, and any supporting documentation, is executed and collected in a manner determined by the General Manager. EBDA staff is responsible for filing and maintaining electronic records in a manner that complies with EBDA's document retention schedule and policies.

For example, the following methods of electronically securing the final version of a document are acceptable, starting with the more secure methods: creating a final PDF that includes an encrypted signature which "breaks" if the document is modified; or saving

a native file (Word Document) that is locked to prevent future changes. Storage and archive locations may include EBDA's electronic filing system, a networked drive, or other electronic system, as may be determined by the General Manager.

Classes of Documents Permitted by the General Manager

The security requirements for electronic signatures range from simple to complex, depending on the transaction. A list of the documents for which electronic signatures are approved by the General Manager is available below. This list is not intended to be an exhaustive list, nor does it impose electronic signature as a requirement for any particular transaction.

EBDA staff should work with the General Manager to determine if EBDA's Digital Signature System can be used for specific documents and with EBDA Legal Counsel to determine where applicable law permits an electronic signature be used. Any other document that, by law, requires a wet signature shall not be signed electronically.

A digital signature may be used or accepted on the following documents:

- i. Requests for proposals
- ii. Certificates and Permits (if permitted by law)
- iii. HR-related items, such as Employee Reviews and Personnel Action Forms
- iv. Commission/committee applications
- v. Legal filings such as Declarations
- vi. Service Agreements for Consulting & Professional Services
- vii. Financial Documents (if allowed by law)
- viii. Non-Professional Services Agreements
- ix. Internal and External Memoranda
- x. Letters and other correspondence

EBDA may accept an electronic signature form, and utilize the electronic signature software for the execution of documents for any other public entity, regulatory body, or non-profit public benefit corporation that has adopted electronic signature protocols acceptable to EBDA. Further, EBDA may accept any signature and execute any document using the digital signature technology with a certificate authority as approved by the California Secretary of State.

Classes of Documents for which Electronic Signatures are Prohibited

Civil Code section 1633.3 contains a list of transactions for which electronic signatures are not available. Any other document that, by law, requires a wet signature shall not be signed electronically.

A digital signature may not be used or accepted on the following documents:

- i. Documents or transactions that require a handwritten signature, including but not limited to transfers of interest in real property
- ii. Documents or transactions requiring a signature to be notarized or acknowledged
- iii. Unless the County Recorder issues an order or directive that otherwise permits electronic signatures, documents that are to be recorded with the County Recorder (including but not limited to Deeds, Conditional Use Permits, and Regulatory Agreements)
- iv. Initiative petitions
- v. Authority Resolutions
- vi. Authority Minutes

Electronic Signature Policy

Document	Signer	Email Approval	DocuSign/Adobe	Wet Signature Required
Bank Statements	GM			x
Cash Disbursement PrePymnt Rprt	GM	x		
Cash Receipts	ALL		x	*
Certificates/Permits if allowable	O&M/GM		x	
Checks	O&M/GM			x
Commissioner Timesheets	Commissioners	x		
Contracts	GM/Contrctr/Legal		x	*
Employee Benefit Forms/Applctns	ALL		x	*
Employee Expense Report	GM/Staff		x	
Employee Reviews/ PAF's	GM/Staff		x	*
GM Expense Report	Finance Chair		x	
GM Timesheet	Finance Chair		x	
Journal Entries	GM/Acct		x	
Legal Filings/Forms Excluding Recorder	ALL		x	*
Letters & Memos	ALL	x	x	*
List of Disbursements	Finance Chair/GM		x	
Minutes	GM			x
Misc Financial Documents	GM/Staff		x	*
Purchase Orders	Staff/GM		x	
Quotes	O&M/GM		x	
Request for Proposals	GM		x	
Resolutions	Comm Chair/GM			x
Small O&M Contracts	GM/O&M		x	*
Staff Timesheets	GM/Staff		x	
Vendor Maintenance Worksheet (VMW)	Admin/GM/Acct		x	*
Vendor Payment Worksheet (VPW) (checks)	ALL		x	*
VPW (EFT)	ALL			*

ITEM NO. FM8 50TH ANNIVERSARY RECOGNITION

Recommendation

Review and provide direction to staff.

Discussion

EBDA was created with the initial adoption of a Joint Exercise of Powers Agreement on February 15, 1974. As such, in 2024, EBDA will be celebrating its 50th anniversary. Staff is seeking Committee input on how to mark this milestone. Options include, but are not limited to:

- Celebration in conjunction with a regular Commission meeting
- Celebration at a separate designated time, to be held at a member agency's facility or another offsite location
- Creation of commemorative items (e.g. apparel, mugs, etc.)

EBDA's FY 2023/2024 budget does not include any specific allocation for this topic. Depending on the scale of proposed activities, expenditures may be accommodated within the existing budget, or if desired, activities could be deferred until after July 1, 2024, and an allocation included in the FY 2024/2025 budget. Staff also notes that the Livermore-Amador Valley Water Management Agency (LAVWMA) also turns 50 next year, and LAVWMA's General Manager has expressed interest in exploring a joint celebration.

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EAST BAY DISCHARGERS AUTHORITY
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A Joint Powers Public Agency

ITEM NO. 12

OPERATIONS & MAINTENANCE COMMITTEE AGENDA

Tuesday, December 19, 2023

2:00 P.M.

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

Committee Members: Johnson (Chair); Lathi

OM1. Call to Order

OM2. Roll Call

OM3. Public Forum

OM4. EBDA Permit Compliance

(The Committee will be updated on EBDA's NPDES compliance.)

OM5. Status Report

(The Committee will be updated on EBDA's O&M activities.)

OM6. Adjournment

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

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, contact 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 posted on the East Bay Dischargers Authority website located at <http://www.ebda.org>.

**Next Scheduled Operations and Maintenance Committee is
Tuesday, January 16, 2024, at 2:00 p.m.**

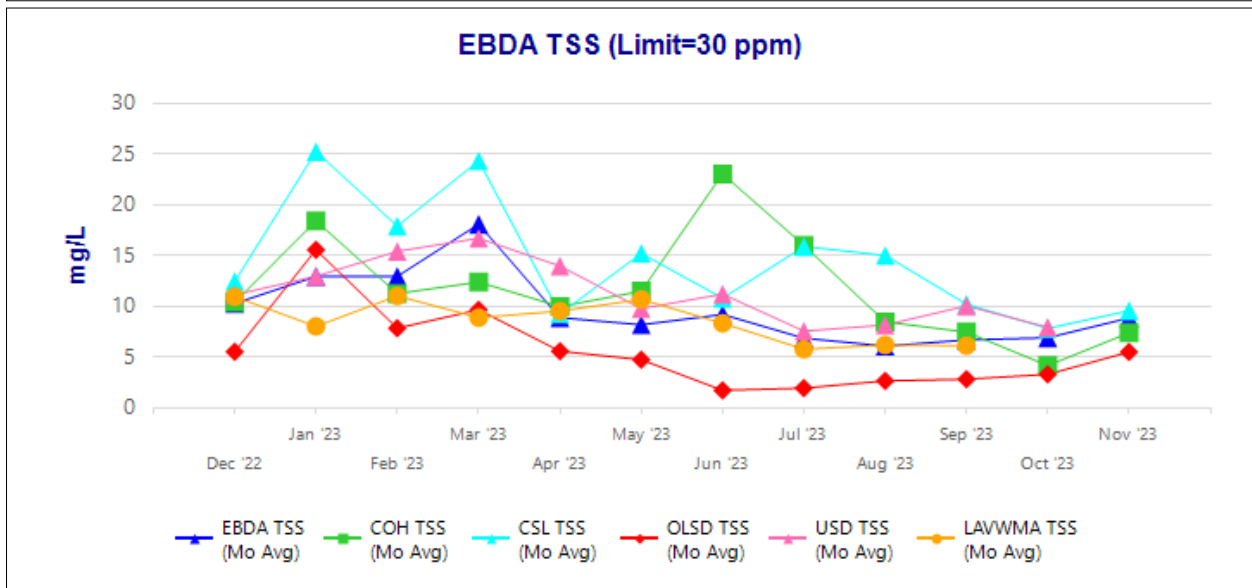
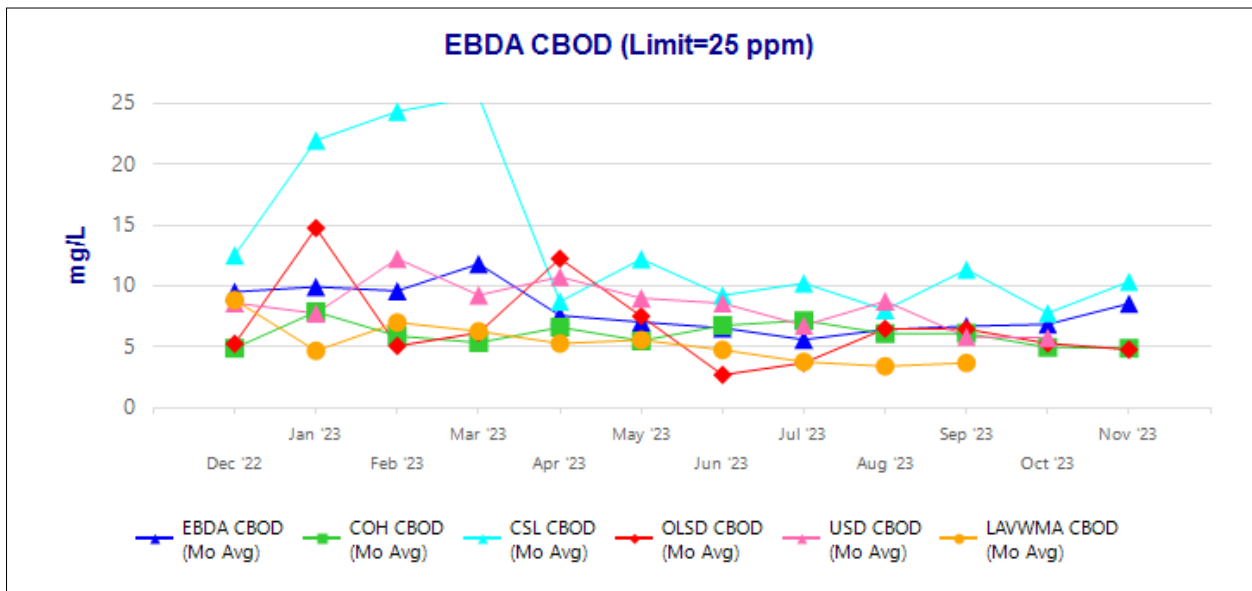
ITEM NO. OM4 EBDA PERMIT COMPLIANCE

Recommendation

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

Discussion

There were no NPDES permit violations in October, and preliminary data from November are also free of permit exceedances. Member Agency CBOD and TSS performance are shown below. A table with bacterial indicators is also included. Staff notes that the spike observed in CBOD at San Leandro in the Spring of 2023 was primarily the result of repeated non-compliant discharges to the plant by an industrial discharger.



EBDA Bacterial Indicators

Date	FECAL	ENTERO
	MPN/ 100mL	MPN/ 100mL
Limit (90th Percentile)	1100	1100
Limit (Geomean)	500	280
December 2022 Geomean	21	9
January 2023 Geomean	12	14
February 2023 Geomean	4	2
March 2023 Geomean	3	2
April 2023 Geomean	10	7
May 2023 Geomean	15	122
June 2023 Geomean	8	83
July 2023 Geomean	7	18
August 2023 Geomean	17	5
September 2023 Geomean	47	4
10/2/2023	23	6
10/3/2023	79	2
10/9/2023	110	2
10/10/2023	2	< 2
10/16/2023	4	2
10/17/2023	4	< 2
10/23/2023	4	< 2
10/24/2023	540	6
10/30/2023	13	4
10/31/2023	23	6
October 2023 Geomean	18	3
11/1/2023	NA	69
11/6/2023	33	< 2
11/7/2023	2	4
11/8/2023	NA	19
11/13/2023	11	6
11/14/2023	8	10
11/20/2023	2	26
11/21/2023	4	6
11/27/2023	23	8
11/28/2023	11	2
November 2023 Geomean	8	8

ITEM NO. OM5 STATUS REPORT

Union Effluent Pump Station (UEPS)

No change; all equipment is operational.

Hayward Effluent Pump Station (HEPS)

Effluent Pump Replacement Project

The new HEPS Effluent Pump motors and pumps were delivered on December 1 and December 7, respectively. The new pumps and motors are being stored at the Hayward Water Pollution Control Facility until they are installed. On December 8, a coordination and scheduling meeting was held at HEPS. The concrete subcontractor is planning to start work in mid-January on the new concrete base for Effluent Pump No. 4. Because Effluent Pump No. 4 had previously been removed, starting this work during wet weather will not decrease the current capacity of the pump station. This work will involve demolishing the old concrete pump base, coring holes in the pump station to install new threaded rod pump anchors, installing new rebar, and pouring the new concrete pump base. The work also includes coating of the metal sleeve around the hole in the pump station that the pump sits in. Depending on the condition of the metal sleeve, it may need to be replaced with a new stainless-steel sleeve. Once the new Effluent Pump No. 4 is installed, it will be put in service and tested for several weeks before work is started on the next pump. Below is a photo of the new pumps being delivered.



Oro Loma Effluent Pump Station (OLEPS)

Emergency Outfall Upgrade

On December 8, D.W. Nicholson Corporation (DWN) completed the installation of the new OLEPS Emergency Outfall Weir. This project removed the old lumber weir and replaced it with a new permanent stainless-steel weir at an increased height, increasing system detention time and delaying or preventing an unanticipated bypass in the event of a catastrophic failure at OLEPS. After the old lumber weir was removed, it was found to be rotting on the bottom and inside, confirming the validity of the concern that a piece of the old lumber weir could have broken off and restricted flow to the Emergency Outfall. Along with the weir installation, DWN also repaired the expansion joint between the weir structure and the outfall structure. Below are the before and after photos.



Old Lumber Emergency Outfall Weir



New Stainless-Steel Emergency Outfall Weir



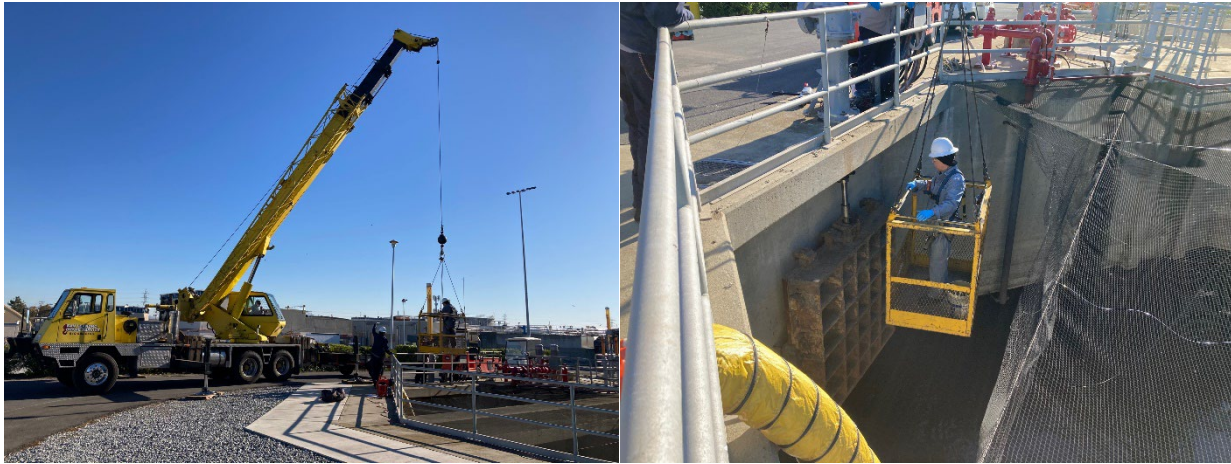
Old Lumber Weir & Expansion Joint



New Stainless-Steel Weir & Expansion Joint

Wet Well Sluice Gate Repairs and Preventative Maintenance

On November 27, a crane was used to assist with the inspection of the OLEPS North Wet Well Influent Gate new shaft and guide-bearing, which were installed in October. This inspection was conducted to ensure that the new shaft and guide-bearing are operating properly.



OLEPS North Wet Well Influent Gate New Shaft & Guide-Bearing Inspection

Skywest Pump Station

Recycled Water Production

During the month of November 2023, the Skywest Recycled Water System did not produce any recycled water.

Marina Dechlorination Facility (MDF)

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

As discussed previously, on November 8, the Regional Water Quality Control Board adopted a blanket permit amendment revising the TRC effluent limits for all wastewater dischargers to San Francisco Bay. The permit amendment raises EBDA's TRC effluent limit from 0.0 mg/L at all times to 0.98 mg/L measured as a one-hour average. The new limit will take effect on January 1, 2024. On November 28, Calcon restarted work on the programmable logic controller (PLC) programming and control system modifications necessary to implement this new effluent limit. Staff is also working with Calcon to update the spreadsheets used for compliance reporting and data management.

Force Main

No change; all equipment is operational.

Operations Center

Office Health & Safety Improvements

During the EBDA Administration Building flooring replacement, mold was observed on subfloors in some areas. On the recommendation of Chair Lathi, EBDA staff contacted RestCon Environmental (RestCon) to evaluate the EBDA office for mold. On November 10, RestCon inspected the EBDA office building and collected air samples. RestCon found that mold levels in all air samples were at or below background. The summary of their visual inspection noted that “No elevated moisture was detected in the building materials,” and “Visible moisture was observed in the soil throughout the crawlspace.” RestCon’s overall conclusion was as follows: “Based upon the analytical data and observation accumulated during the inspection, RestCon Environmental recommends: No Mold remediation is recommended at this time.”

In parallel with the RestCon inspection, EBDA staff is procuring quotes for the installation of additional vents and a fan that is controlled automatically with a moisture sensor for the crawl space of the EBDA Administration Building.

Miscellaneous Items

Underground Service Alerts

EBDA received fourteen (14) Underground Service Alert (USA) tickets during the month of November 2023. Two required an Electronic Positive Response (EPR) and calls/emails to the excavators, and of the two, one required field verification.

Special Projects

Roof Replacement Projects

The Administration Building, the MDF Sodium Bisulfite (SBS) Building, and the OLEPS roofs are all complete. The roofing contractor is currently working on punch list items and a final inspection will be scheduled once the items are completed.

On November 8, all three roofs were inspected. There are still several outstanding items that the roofing contractor needs to complete.

Cargill Brine Project

As discussed at previous Commission Meetings, following certification of the Final Environmental Impact Report (EIR) for the proposed project, Cargill informed EBDA staff that they have made the decision to re-evaluate the “Bayside” pipeline route. Cargill is continuing to refine the route and expects it to be very similar to the Bayside alternative outlined in the EIR. On December 11, 2023, EBDA staff participated in a briefing for regulatory agencies on the revised pipeline route and timeline. The briefing was attended by staff from the Regional Water Quality Control Board, California Department of Fish and Wildlife, U.S. Army Corps of Engineers, and Bay Conservation and Development

Commission. Cargill committed to continuing the dialogue with the agencies as project details are developed.

Since Cargill is entirely re-engineering the pipeline and route, EBDA staff has requested they take another look at connecting at or after MDF instead of OLEPS, which would alleviate EBDA's concerns about corrosion. Cargill and their engineering consultants conducted a site visit to MDF with EBDA staff in early August, and they are working on engineering concepts. Cargill expects to make a decision on this extension in Spring 2024.

Cargill's preliminary schedule shows revised CEQA analysis in 2025, and construction beginning sometime between 2027 and 2029 depending on permitting, with operation commencing between 2031 and 2033. Staff may bring an interim agreement between EBDA and Cargill to the Commission for consideration in 2024, as the parties continue to negotiate the final operating agreement.

Advanced Quantitative Precipitation Information (AQPI) Project

The regional AQPI project continues to move forward with a goal of improving prediction of rainfall events in the Bay Area. Following a series of delays, the East Bay radar was installed at [Rocky Ridge](#) in Las Trampas Regional Wilderness Park in December 2022. Data from the Rocky Ridge site finally became available in early December 2023, and can be viewed and downloaded from the [NOAA](#) or [Colorado State](#) websites. Program Management of AQPI is shifting from Colorado State University to the Center for Western Weather and Water Extremes (CW3E) at Scripps Institution of Oceanography, UC San Diego. CW3E will be developing an updated website and data management tools, which they expect to make available before the 2024-2025 wet season. Sonoma Water and the AQPI team will also be seeking local funding to install a C-Band radar to complete the regional system. More information on the cost-share proposal will be provided in the coming months.



ITEM NO. 13

PERSONNEL COMMITTEE AGENDA

**Tuesday, December 19, 2023
4:00 p.m.**

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

Committee Members: Azevedo (Chair), Simon

- P1. Call to Order**
- P2. Roll Call**
- P3. Public Forum**
- P4. Personnel Policy Review**
(The Committee will review the personnel policy.)
- P5. Adjournment**

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

In compliance with the Americans with Disabilities Act of 1990, if you need special assistance to participate in an Authority meeting, or you need a copy of the agenda, or the agenda packet, in an appropriate alternative format, please contact 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 posted on the East Bay Dischargers Authority website located at <http://www.ebda.org>.

**Next Scheduled Personnel Committee meeting is
February 13, 2024 at 4:00 p.m.**

ITEM NO. P4 PERSONNEL POLICY REVIEW

Recommendation

Review and provide direction to staff.

Background

The Authority's Personnel Policy was last revised in June 2023. The following changes were made at that time:

- Cost-of-living-adjustment range was updated.
- Table summarizing employment types and relevant status and benefits was updated to correct benefits currently provided to Regular Part-time staff.
- Pronouns were updated and simplified, where appropriate.
- Sick Leave and Bereavement Leave sections were updated to conform to current law.
- Revisions to the Family Leave section were made to clarify the applicability of Family Medical Leave Act (FMLA) and California Family Rights Act (CFRA) to EBDA and its employees.
- California Public Records Act was recodified effective January 1, 2023; reference to the code has been updated.

Staff periodically reviews the Personnel Policy to ensure consistency with current applicable laws and industry best practices.

Discussion

Following a performance review and negotiation process, the EBDA General Manager (GM)'s Employment Agreement was updated earlier this year. At that time, the Commission recommended that the GM consider opportunities to provide incentives to EBDA staff to ensure their continued positive performance and alignment with GM benefits and compensation. To that end, the GM recommends that the Commission consider addition of administrative leave to flexibility and benefits afforded to staff through EBDA's Personnel Policy.

The provision of administrative leave is a common practice at public agencies to acknowledge that unrepresented, exempt, and/or managerial staff often are required to work extra time beyond their scheduled work hours in service of the agency without receiving compensation for that time. The administrative leave hours do not have a direct financial cost to the agency, but provide an element of fairness and benefit to the employee.

A summary of administrative leave provided by EBDA member and contract agencies is provided in the following table:

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	Vacation Max (days)	Administrative Leave (days)	Total Leave (days)
EBDA	20	0	20
Castro Valley Sanitary District	21.5	7.5	29
Dublin San Ramon Services District	25	10	35
City of Hayward	25	10	35
City of Livermore	24	10	34
Oro Loma Sanitary District*	25	0	25
City of San Leandro	25	10	35
Union Sanitary District	25	8	33
Mean (excluding EBDA)	24	8	32

*Oro Loma managers are eligible to receive comp time at a rate of 1/2 hour for each extra hour worked.

Based on this information, 10 days (80 hours) of paid administrative leave was added to the GM Employment Agreement. Staff recommends amending the Personnel Policy to add this same benefit for EBDA's Operations and Maintenance Manager and Administration Manager.

Governor Newsom signed Senate Bill 616 (SB616) into law in October. SB616 amends the Healthy Workplaces, Healthy Families Act of 2014 (Act) to increase the minimum number of paid sick days to which employees are entitled. The new law does not change the accrual rate set forth under the existing law. However, SB616 requires employers to provide employees a minimum of five days (40 hours) of paid sick leave by the employees' 200th day of employment. Staff has reviewed the Authority's sick leave policy and notes that it complies with the law. Staff is not recommending any additional revisions to the Personnel Policy at this time. Following Committee input, staff will bring a proposed revised Personnel Policy to the Commission for approval.

ITEM NO. 14 ITEMS FROM THE COMMISSION AND STAFF

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

ITEM NO. 15 ADJOURNMENT