

EAST BAY DISCHARGERS AUTHORITY COMMISSION MEETING MINUTES

July 18, 2024

1. Call to Order

Vice Chair Johnson called the meeting to order at 4:00 P.M. on Thursday, July 18, 2024 at the Oro Loma Sanitary District, 2600 Grant Avenue, San Lorenzo, CA 94580.

2. Pledge of Allegiance

3. Roll Call

Present: Anjali Lathi Union Sanitary District
Fred Simon Oro Loma Sanitary District
Bryan Azevedo City of San Leandro (arrived at 4:08 p.m.)
Angela Andrews City of Hayward
Ralph Johnson Castro Valley Sanitary District

Absent: None

Attendees: Jacqueline Zipkin East Bay Dischargers Authority
Howard Cin East Bay Dischargers Authority
Juanita Villasenor East Bay Dischargers Authority
Erica Gonzalez Legal Counsel
Alex Ameri City of Hayward
David Donovan City of Hayward
Hayes Morehouse City of San Leandro
Jimmy Dang Oro Loma Sanitary District
Roland Williams Castro Valley Sanitary District
Jennifer Toy Union Sanitary District
Greg Newmark Meyers Nave
Vivian Heger Meyers Nave

4. Public Forum

No members of the public were present.

CONSENT CALENDAR

5. Commission Meeting Minutes of June 20, 2024

6. List of Disbursements for June 2024

7. Treasurer's Report for June 2024

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

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

REGULAR CALENDAR

8. General Manager's Report

The General Manager (GM) updated the Commission on the First Mile Project. The Environmental Protection Agency has awarded a grant to the San Francisco Estuary Partnership, and EBDA is a sub-awardee. A more detailed update on the project will be included with a future agenda.

9. Report from the Managers Advisory Committee

The GM reported on the Managers Advisory Committee (MAC). The MAC reviewed a recent survey related to private sewer lateral programs conducted by BACWA.

10. Consideration of Designating Juneteenth as an Authority Holiday

The Commission supports the staff's recommendation to add Juneteenth as a designated holiday in exchange for reducing floating holiday leave by eight (8) hours. Staff will bring associated Personnel Policy amendments to the Commission for approval on the Consent Calendar.

11. Feedback on Logo Design

The Commission reviewed the final draft logo. The Commission supports the final draft of the logo and its use.

12. Report from the Regulatory Affairs Committee

The GM reported on the July 16, 2024, Regulatory Affairs Committee. The Committee reviewed BACWA's Key Regulatory Issue Summary. The GM advised that the Regional Water Quality Control Board (Water Board) adopted the Watershed Permit for Nutrients without further changes. Additionally, the Water Board adopted a resolution committing to work toward identifying a pathway for regulatory flexibility with the compliance timeline.

13. Report from the Financial Management Committee

The GM reported on the July 15, 2024, meeting of the Financial Management Committee. The Committee reviewed the Investment Policy and Strategy and agreed with staff that no changes are needed. The Financial Management Committee supports motions to amend the Conflict of Interest and Audit policies.

14. Motion to Approve Revisions to the Authority's Conflict of Interest Policy

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

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

15. Motion to Approve Revisions to the Authority's Audit Policy

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

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

Absent: None
Abstain: None

16. Report from the Operations and Maintenance Committee

The Operations and Maintenance (O&M) Manager and GM reported on the July 15, 2024 meeting. The O&M Manager reviewed compliance and bacterial indicators. The Commission requested staff include nutrient data in future staff reports. Staff provided an update on the Cargill project and their possible use of the Shell pipeline.

17. Motion Approving Amendments to the General Manager's Amended and Restated Employment Agreement

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

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

18. Items from Commission and Staff

Commissioner Johnson expressed thanks to the EBDA members for their attendance at the Regional Water Board hearing.

19. Closed Session

Pursuant to Government Code 54956.9(d)(2), the Commission entered a Closed Session at 5:04 p.m. to confer with legal counsel regarding anticipated litigation.

20. Reconvene Open Session

Vice Chair Johnson reconvened the meeting to Open Session. Legal Counsel reported that after discussion, the Commission directed staff to file a petition for review of the Watershed Permit for Nutrients with the State Water Resources Control Board and to request that the petition be held in abeyance.

21. Adjournment

Vice Chair Johnson adjourned the meeting at 5:45 pm.



Jacqueline Zipkin
General Manager