



EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
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A Joint Powers Public Agency

COMMISSION MEETING AGENDA

Thursday, September 19, 2024

4:00 PM

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

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**

CONSENT CALENDAR

- | | |
|---------------|--|
| MOTION | 5. Commission Meeting Minutes of July 18, 2024 |
| | 6. List of Disbursements for July 2024 – See Item No. FM4 |
| | 7. List of Disbursements for August 2024 – See Item No. FM4 |
| | 8. Treasurer’s Report for July 2024 – See Item No. FM5 |
| | 9. Treasurer’s Report for August 2024 – See Item No. FM5 |
| | 10. Personnel Policy Holiday Schedule Revisions |

REGULAR CALENDAR

- | | |
|--------------------|--|
| INFORMATION | 11. General Manager’s Report
(The General Manager will report on EBDA issues.) |
| INFORMATION | 12. Report from the Managers Advisory Committee
(The General Manager will report on Managers Advisory Committee activities.) |
| INFORMATION | 13. Logo Design and EBDA Branded Merchandise
(The Commission will discuss the new EBDA logo and purchase of branded materials.) |
| INFORMATION | 14. Report from the Financial Management Committee
(The General Manager will report on the meeting.) |
| INFORMATION | 15. Report from the Operations and Maintenance Committee
(The Operations & Maintenance and General Managers will report on the meeting.) |
| INFORMATION | 16. Items from the Commission and Staff
(The Commission and staff may address items of general interest.) |

17. 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, October 17, 2024 at 4:00 pm**

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 July 18, 2024
- Item No. 6 List of Disbursements for July 2024 – See Item No. FM4
- Item No. 7 List of Disbursements for August 2024 – See Item No. FM4
- Item No. 8 Treasurer’s Report for July 2024 – See Item No. FM5
- Item No. 9 Treasurer’s Report for August 2024 – See Item No. FM5
- Item No. 10 Personnel Policy Holiday Schedule Revisions

Recommendation

Approve Consent Calendar

ITEM NO. 5 COMMISSION MEETING MINUTES OF 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 Villaseñor	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.

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

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

ITEM NO. 10 PERSONNEL POLICY HOLIDAY SCHEDULE REVISIONS

Recommendation

Approve revisions to the EBDA Personnel Policy to add Juneteenth as an Authority holiday and reduce floating holiday hours from 28 to 20 annually.

Background

The Authority's adopted Personnel Policy currently designates the following as Authority holidays, as well as 28 hours of floating holidays:

New Year's Day	January 1
Martin Luther King's Birthday	3 rd Monday in January
President's Day	3 rd Monday in February
Memorial Day	Last Monday in May
Independence Day	July 4
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Day after Thanksgiving	4th Friday in November
Christmas Eve	December 24
Christmas Day	December 25
New Year's Eve	December 31

Juneteenth, observed annually on June 19, was made a federal holiday in 2021. The holiday commemorates June 19, 1865 when, nearly two years after President Abraham Lincoln emancipated enslaved Africans in America, Union troops arrived in Galveston Bay, Texas with news of freedom.

Since the federal holiday designation, many municipal agencies have designated Juneteenth as a holiday. Of EBDA's member agencies, USD and San Leandro have designated the holiday, Oro Loma and CVSan have not, and Hayward has adopted a business closure, where City offices are closed to the public, and staff may work, use accrued leave, or take time off without pay. Some agencies have added Juneteenth to their overall holiday leave, while others have swapped an existing holiday (e.g. Columbus Day) or floating holiday for Juneteenth. Several EBDA Commissioners requested that the Commission discuss and consider designation of Juneteenth as an Authority holiday.

Discussion

At the July 2024 EBDA Commission Meeting, the Commission supported staff's recommendation to add Juneteenth as a designated Authority holiday, and in exchange, to reduce floating holiday leave from 28 hours (3.5 days) to 20 hours (2.5 days). This approach allows for official recognition of the holiday while not impacting the Authority's budget. The Commission suggested that the Personnel Policy revisions be considered as part of this month's Consent Calendar. Attached is the track changes version of the proposed revised Policy for approval.

Personnel Policy

Reviewed February 17, 2005
Reviewed March 16, 2006
Revised March 15, 2007
Revised March 19, 2009
Revised July 16, 2009
Revised November 23, 2009
Revised April 21, 2011
Revised March 22, 2012
Revised March 21, 2013
Revised November 21, 2013
Revised May 15, 2014
Revised May 19, 2016
Revised September 22, 2016
Revised October 18, 2018
Revised August 15, 2019
Revised January 16, 2020
Revised November 19, 2020
Revised June 15, 2023
Revised January 18, 2024
Revised September 19, 2024

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SECTION I – DEFINITIONS

Allocation	The assignment of a position to an appropriate class on the basis of the nature, difficulty and responsibility of duties actually performed.
Applicant	Any person who has made application for a position.
Authority	The East Bay Dischargers Authority.
Candidate	A qualified applicant who has been selected to participate in the selection process.
Class or Classification	A position or group of positions, the duties and responsibilities of which are sufficiently similar so that the same descriptive title, examples of duties and tests for fitness may apply.
Class Specification	A written description of duties, responsibilities and desirable qualifications for employment in a classification.
Commission	The East Bay Dischargers Authority Commission, the legislative and governing body of the Authority.
Compensation	The salary, wage, allowances and all forms of valuable consideration paid to any employee by reason of service in any position.
Demotion	A change of an employee from one position to any other position having a lower maximum salary.
Eligible	A person whose name is on an active employment list.
Employment List	A list of persons who may be considered for appointment to a specific position with the Authority.
Employee	A person officially appointed to a position in the adopted Classification Plan.
Examination	The selection procedure used to measure the relative fitness of persons applying for positions with the Authority.
Full-Time Schedule	The Authority considers full-time employment to be forty (40) hours per week.
General Manager	The General Manager of the Authority, as appointed by the Commission or their duly designated representative.
Job Description	A written description of duties, responsibilities and desirable qualifications for employment in a specific position.
Part-time Position	A position to which an employee shall be assigned for less than forty hours per week.

Personnel Committee	A panel advisory to the Commission on personnel matters consisting of two members of the Commission.
Position	A group of current duties and responsibilities designated by the Commission as requiring the employment of one person.
Probationary Appointment	A working test period during which an employee selected from an employment list is required, by actual performance, to demonstrate fitness for the duties of the position to which appointed.
Promotion	A change of an employee from one position to another position that has a higher maximum salary.
Provisional Appointment	Appointment for a period not to exceed six months to a position for which no employment list exists.
Reallocation	Change in the assignment of a position from one existing class to a new class resulting from a change in the Classification Plan.
Regular Appointment	The type of status granted to an employee who has successfully completed a probationary period.
Seniority	The total length of satisfactory service of an employee within each specific class.
Suspension	Temporary separation of employment with or without pay.
Temporary Appointment	Assignment of an employee to a position for a limited duration.
Termination	Permanent separation of an employee from Authority service.
Unclassified Position	Certain management, professional or confidential positions designated by the Commission to fall outside the classified service and to be exempted from certain provisions of these Rules.

SECTION II – GENERAL PROVISIONS

Purpose

The Personnel Policy is established to provide a comprehensive personnel system and procedure for its administration whereby the Authority may:

1. Establish consistent employment practices.
2. Provide guidelines for recruiting and selection of the best candidates.
3. Establish a fair and equitable compensation system.
4. Provide for the welfare of all employees.
5. Establish guidelines for separation of employment.

Employment under this Personnel Policy shall not constitute an employment contract, and the General Manager may interpret and implement the provisions included in this document as deemed appropriate. Any changes to this document must be in writing and must be adopted by the Commission. Copies shall be provided to employees so that they are aware of all changes to the Personnel Policy. No oral statements shall in any way change or alter the provisions of this Personnel Policy.

Applicability

This Personnel Policy shall apply to all employees of the Authority. In the case of conflicting language, an employment agreement shall supersede this Personnel Policy. The following list of persons are exempt from this document:

1. Commissioners of the Authority
2. Members of Committees advisory to the Commission
3. Persons engaged under contract to supply expert, professional, technical or other services
4. Volunteer personnel

Administration

The Commission shall appoint, and may remove, a General Manager who shall have responsibility for and control of the affairs of the Authority and who shall, among other duties, administer the personnel system set forth herein, including preparation and maintenance of the Classification and Compensation Plans, all essential records required for maintenance of the system and application of the rules, and shall enforce the provisions herein and all other pertinent regulations, directives and policies.

The Commission shall appoint a Personnel Committee consisting of two members of the Commission, the function of which is to review and make recommendations on all personnel matters coming before the Commission for action, including revision to the Classification or Compensation Plans and these Rules, and to hear appeals as indicated herein. Action by the Committee with respect to grievances (Section XVIII) shall be final

and shall not require further action by the Commission unless appealed to the full Commission.

Non-Discrimination (Equal Employment Opportunity)

No person within the service of the Authority, or seeking entry thereto, shall be employed, promoted, demoted, suspended, discharged, in any way favored or discriminated against, or retaliated against for charging acts of discrimination in accordance with Federal Equal Employment Opportunity Laws (EEO) and State of California Department of Fair Employment and Housing Act. This includes but is not limited to the following protected classes and activities:

- Age (40 and over)
- Ancestry
- Citizenship
- Color
- Disability (mental and physical) including HIV and Aids
- Equal Compensation
- Denial of Family and Medical Care Leave
- Gender, Gender Identity, Transgender and Gender Expression
- Genetic Characteristics and Genetic Information
- Marital Status
- Medical Condition
- Military or Veteran Status
- National Origin
- Political Affiliation
- Race
- Religion
- Religious Creed
- Sex (which includes pregnancy, childbirth and medical conditions related to pregnancy or childbirth)
- Sexual Orientation
- Whistleblowing

The Authority is an equal opportunity employer and its personnel policies shall be administered in accordance with applicable state and federal law.

Incompatible Activities

No officer or employee of the Authority shall:

1. Participate in any political activity during working hours on the Authority premises.
2. Use for private gain or advantage the influence of an Authority position or the facilities, equipment or supplies of the Authority.
3. Solicit or accept any favors or gifts from persons, concerns or corporations who have, or seek to have, business contacts with the Authority.

4. Divulge confidential information to anyone to whom issuance of such information has not been authorized by the General Manager.
5. Participate in any employment or other activity which, will prevent the employee from completing assigned duties in an efficient and capable manner, which brings discredit upon the Authority, or which might result in a conflict of interests between the employee's private interest and official duties and responsibilities, or in any event which has not been approved by the General Manager.
6. Provide information or services to contractors or other persons, which would give a competitive advantage over others dealing with the Authority.

Violation

Violation of these rules shall be grounds for rejection of application, removal from an eligible list, suspension, demotion, discharge or other discipline of employees deemed appropriate under the circumstances.

Severability

If any section, subsection, sentence, clause or phrase herein or any application thereof to any person or circumstance, is for any reason held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portions of the Policy.

SECTION III – CLASSIFICATION PLAN

Preparation

The General Manager may review the duties and responsibilities of all positions within the Authority service. All positions shall be grouped into classes and each class shall include those positions sufficiently similar in respect to their duties and responsibilities that similar requirements as to training, experience, knowledge, skills, personal qualities, and the same salary range may be made to apply with equity to all positions in the same class.

Content

The Classification Plan shall have written class specifications, which shall include concise descriptive titles, physical requirements and working conditions as required by the Americans with Disabilities Act, general descriptions of the essential duties and responsibilities of the class including job definitions, and statements of the required and desirable qualifications.

Each class specification outlines the main characteristics and qualification requirements of positions allocated to the class and gives examples of duties which employees holding such positions may properly be required to perform. The class specification is descriptive and explanatory, but not restrictive. The listing of particular examples of duties does not preclude the assignment of other tasks and duties of related kind or character or of lesser skills. The statement of desirable qualifications in a class specification is intended to be

used as a guide in selecting candidates for employment as an aid in the preparation of competitive examination, and for use in determining the relative value of positions in one class with positions in other classes. Such personal characteristics as honesty, sobriety and industry are deemed to be included in all class requirements and need not be specifically mentioned.

Nothing in the class specifications is to be interpreted as restricting a supervisor in assigning an employee of one class to perform the duties of a higher class for limited relief periods. Such assignment to perform the work of a higher class for a limited period comes within the requirements of work in all classes.

Adoption

Before the Classification Plan or any part thereof shall become effective, it shall be adopted by the Commission upon recommendation of the Personnel Committee.

Revisions

Each basic revision in the Classification Plan shall be made in the same manner as the Plan was originally established.

The General Manager may review duties of positions and prepare recommendations to the Personnel Committee for action by the Commission to ensure that the Plan is kept current and those changes in existing classes, the establishment of new classes or the abolition of classes is properly reflected in the Classification Plan.

The General Manager may reallocate a position to a different class whenever its duties change materially. Any proposed reallocation to be made shall be made with the knowledge of the employee concerned.

Whenever a new position is proposed, the General Manager shall prepare a comprehensive statement of the circumstances and description of the proposed duties and responsibilities and recommend allocation of the position to an appropriate class in the Classification Plan. No new position shall be filled by an individual until the position has been created by the Commission and until there is an approved class specification describing the work to be performed which has been adopted under the Classification Plan.

Reclassification of a position may not be used to circumvent the procedures concerning demotion, promotion, or compensation.

Incumbents of Reclassified Positions

When a position is reclassified from one class to another, the employee occupying the position may be retained in the position without further competitive examination provided that:

1. It is determined by the General Manager that the reclassification results from a change in duties and responsibilities that have already occurred.

2. The performance of the duties and responsibilities of the incumbent have been satisfactory.
3. The General Manager certifies that the incumbent possesses the knowledge, skills and abilities necessary to perform the duties of the new class.

The incumbent has regular status in the class to which the position was formerly allocated.

SECTION IV – COMPENSATION PLAN

Content

The Compensation Plan shall consist of a schedule of monthly salary ranges, the method of computing hourly equivalents of actual salaries, and a summary list of additional benefits provided by the Authority.

Preparation

At least once annually, prior to the beginning of the fiscal year, the General Manager shall prepare a tentative Compensation Plan and shall present it to the Personnel Committee for review and recommendation to the Commission.

In preparing the tentative plan, the General Manager shall take into consideration class-by-class salary comparisons with Member Agencies and other comparable agencies to be designated by the Personnel Committee and across-the-board compensation adjustments received by Member Agencies since the last EBDA adjustment. Appropriate consideration shall be given to adjustments of the cost of living as measured by the Consumer Price Index for All Urban Consumers (CPI-U), the base figure for comparison shall be the San Francisco-Oakland-Hayward, CA for the period of January 1 through December 30 of the previous year. Adjustments in the cost of living shall be considered once a year as the General Manager prepares the Compensation Plan. The cost-of-living adjustment (COLA) shall be based on the above index within a floor-to ceiling-range of 2% - 5%. The COLA range shall be reviewed every three years. In adopting a COLA, the Commission may also consider the short- and long-term financial status of the Authority. Effective July 1, by adoption of an amended Compensation Plan, adjustments shall be applied to the salary range of each position to reflect the COLA.

Adoption

The Compensation Plan for all employees shall be established by the Commission upon recommendation of the Personnel Committee prior to the effective date of any amendments thereto.

Administration

The Compensation Plan shall be administered by the General Manager. The General Manager, after review by the Personnel Committee and approval by the full Commission, shall determine the actual salary of individual employees, within the ranges established

in the compensation plan, based on an evaluation of the employee's qualifications, performance and merit.

Salary step increases shall be earned, shall be subject to satisfactory service, and shall not be considered a right of the employee. After an employee completes twelve (12) months of continuous service in the same position, the employee may be advanced to the next higher rate of compensation as set forth in the Compensation Plan upon approval of the General Manager. Subsequent step increases shall be effective annually on the anniversary of the employee's hire date until the employee reaches the top step of the range. After reaching step 5, the employee shall remain at the same rate provided for at step 5 while continuing to serve in the same position, subject to satisfactory service.

A written performance evaluation shall accompany a recommendation for salary advancement. Performance standards are based on satisfactory achievement of the qualifications outlined in the classification plan in addition to customary employment standards, such as knowledge of the position; quality of work; ability to handle responsibility; acceptable rate of productivity; demonstrated initiative; and an acceptable attendance record. Performance evaluations, which may include employee comments or rebuttals, shall be maintained in the employee's personnel file. A copy shall be provided to the employee.

SECTION V – RECRUITMENT AND APPLICATION

Recruiting

Public announcement of all employment opportunities shall be made at least three weeks prior to the final filing date of the announcement. The General Manager shall prepare an official announcement for posting in appropriate public places and its publication in appropriate news media or trade journals. The announcement shall contain all information of importance for potential applicants. Suitable and effective methods of distributing information concerning employment opportunities and securing the most qualified candidates available for competition shall be practiced.

Application

Applications for employment shall be made readily available to potential applicants. Applications filed with the Authority shall be filed at the time, place, and manner prescribed in the job announcement and, once filed, shall become the property of the Authority.

Disqualification of Applicants

The Authority may reject an application, may disqualify an applicant in an examination, may refuse to place a name on an eligibility list, or may remove a name from an eligibility list for any legitimate reason, including but not limited to the following:

1. Substantive failure to fulfill any of the qualifications for the class or position for which the application is made.

2. Failure to pass written examinations required by the Authority.
3. Failure to pass the appraisal board interview.
4. Failure to pass a pre-offer background check and/or post-offer physical examination.
5. Failure to furnish true statements of material facts.
6. Practice or attempted practice of fraud or deception in connection with filing an application or during examination.
7. Previous dismissal from any public service for cause.
8. Previous resignation from the Authority or a Member Agency without adequate notice or under other prejudicial circumstances.
9. Being under the influence of intoxicant(s) that would impair the applicant's ability to perform in a safe and competent manner.
10. Previous conviction of a crime against person or property of a violent nature.
11. Failure of an applicant, after notification, to present themselves promptly at the time and place designated for any portion of the examination.
12. Obtaining either directly or indirectly, information about an examination that, as an applicant or competitor, would give applicant an unfair advantage or to which applicant was not entitled.
13. Failure to respond to communications concerning the applicant's availability for employment.
14. Request by the applicant that their name be withheld from consideration.

Confidentiality

The names of applicants and information contained on applications for employment shall not be made public.

Verification

Information presented on applications may, during the course of the hiring process, be verified, and applicants may be subject to a background check by the Authority. The Authority has the right to conduct a complete and exhaustive background investigation of all applicants seeking employment.

Exemption

All at-will positions shall be exempted from the foregoing recruitment and application procedure. Recruitment and application for at-will positions shall be conducted in a manner established by the Commission as vacancies occur.

SECTION VI – SELECTION PROCEDURE

The selection procedure shall be impartial, of a practical nature, and shall indicate a good faith effort to fairly measure and evaluate capacities of the applicants to execute the

essential duties and responsibilities of the position to which they seek to be appointed. Applicants participating in the recruitment shall compete in the same process and follow the same selection methodology. The selection procedure may include any one or a combination of the following:

- A. Information extracted from the application form, resume and other pertinent documentation submitted;
- B. Written, practical (hands-on), or physical tests or examinations, or any combination thereof;
- C. Oral interview with an appraisal board and/or one-on-one interview with Authority staff; and/or,
- D. Other appropriate means.

Applications shall be screened and evaluated. The most qualified candidates will be selected to participate in the selection process.

The Authority shall notify each applicant in writing of their standing as important steps in the selection process are completed. Once a candidate is selected and a job offer is made, the other candidates on the eligibility list shall be notified of the fact, and informed that their names will remain on the eligibility list for that position for a period of one year.

Medical Examination

Before any appointment may be made to a regular position, the individual shall be required to satisfactorily pass a medical examination given by a regularly licensed physician designated by the Authority and made at the Authority's expense. No person shall be given a probationary or regular appointment that, at the time of such appointment, is physically unable to satisfactorily fulfill the duties of the position. An eligible candidate may be accepted conditionally when it is the opinion of the examining physician that the individual's physical disqualification may be temporary or when it is deemed that treatment may satisfactorily correct any impairment. Such impairment shall be corrected no later than one month prior to the completion of the employee's probationary period. Regular employees being appointed to positions involving increased physical effort may also be required to satisfactorily pass an appropriate physical examination.

SECTION VII – EMPLOYMENT LISTS

Establishment

At the completion of the examination process, an employment list containing the names of all persons who have successfully passed all parts of the selection process shall be prepared by the General Manager.

Order of Names

The names of successful candidates shall be placed on the employment list in the order of their final ratings. If two or more candidates have final scores that are identical, these candidates shall occupy an identical position on the employment list.

Duration of List

Each employment list shall normally remain in force for one year from the date of its establishment, except that the General Manager, may extend the list for an additional period of time up to one year.

Removal of Names

The name of any eligible candidate may be removed or withheld from an employment list for any of the reasons specified in Section V.

Restoration of Names

An eligible candidate's name shall be reinstated to an employment list in the same relative position as originally held upon showing cause satisfactory to the General Manager.

Termination of List

An employment list may be terminated prior to its usual expiration date upon recommendation of the General Manager and approval of the Commission when it is considered to be in the best of interest of the Authority.

SECTION VIII – APPOINTMENT

The power to appoint, discipline and dismiss employees of the classified service shall be vested in the General Manager or designee.

The successful candidate will be required to provide proof of identity and authorization to work in the United States. Documentation of eligibility to work in the United States will be required as a condition of employment.

Oath

In accordance with California Constitution Article 20, Section 3, and as mandated by California Government Code Sections 3100-3109, all public employees are declared to be disaster service workers, and must take and subscribe to an oath of loyalty as a condition of employment.

Regular Appointments

Regular appointments shall be made by the General Manager or designee from established eligibility lists. Candidates appointed to regular positions shall be considered in a probationary status until successfully completing the probationary period. For employees who are not classified as at-will, regular appointments shall be made upon successful completion of the probationary period.

Provisional Appointments

The General Manager may make a provisional appointment to a position if there is no eligibility list for the class, and if the needs of the service require that the position be filled before a selection process can be completed. A provisional appointee shall:

- Meet the requirements of training and experience established for the position;
- Not be continued for more than thirty (30) days after an eligibility list for the position has been established, unless there are no candidates on such eligibility list who are available or wish to be considered for appointment to the position;
- Not serve under provisional appointment for longer than a 12-month period except when employed for a specific contract undertaken by the Authority.

Temporary Appointments

If an employee is needed for a temporary period, certification shall be made from the names of those eligible candidates, if any are available, that have indicated willingness to accept temporary employment and appointment shall be made by the General Manager. The duration of the temporary appointment shall be limited to the period of the need.

The acceptance or refusal of a temporary appointment shall not affect an eligible candidate's standing on an employment list and the period of temporary service shall not constitute a part of a probationary period. Successive temporary appointments to the same position shall not be made nor shall an individual receive continued temporary appointments. If an appropriate employment list does not exist, an offer of temporary appointment may be made to a person who has not qualified under provision of these rules, but through a comparable process.

Part-Time Appointments

If an employee is needed for less than a total of 40 hours per week, a part-time appointment shall be made by the General Manager from eligible candidates that have indicated willingness to accept part-time employment. The Authority is responsible for following the same recruitment/selection process for part-time employees as for regular, full-time employees.

SECTION IX – EMPLOYMENT STATUS

Probationary Status

The first six (6) months of employment is a period of evaluation for all regular employees and is called a Probationary Period. This is a time to monitor both work performance and work habits of the newly appointed employee. The probationary period may be extended for an additional period, not to exceed six (6) additional months, if an employee requires additional evaluation. If an employee successfully completes the probationary period, the employee moves from probationary status to regular status.

If, at the sole determination of the Authority, the newly appointed employee is unsuccessful in completing the probationary period, the employee shall be terminated with no right of appeal or hearing.

Regular full-time employees occupying management or supervisory positions are not subject to probationary periods and serve as at-will employees at the pleasure of the Authority; they can be terminated anytime, with or without cause.

Regular Full-Time Status

Regular full-time employees are not in a temporary status and are regularly scheduled to work the Authority's full-time schedule. Generally, they are eligible for the full benefits package, subject to the terms, conditions and limitations of each benefit program.

Employees in this employment status have completed the probationary period and work a forty (40) hour work week on a regular basis.

At-Will Status

An at-will employee is one whose employment may be terminated at the discretion of the Commission and/or General Manager at any time with or without cause. At-will positions include managerial employees whose terms of employment are stipulated in a written employment agreement signed by both parties. At-will status also applies to any probationary, provisional, and/or temporary employee.

At-will employees shall enjoy the same statutory protections of regular employees, including laws that prohibit discrimination or harassment based on protected classes such as those listed in the [Non-Discrimination section](#) of the General Provisions in Section II. At-will employees shall also be entitled to engage in protected activities without fear of retaliation, such as filing a charge of discrimination, whistleblowing or participating in an investigation.

Rules providing pre-discipline meeting rights and post-discipline appeal rights for discipline or separation for cause do not apply to at-will employees.

Part-Time Employment

Part-time positions are those that are required on a long-term basis and are scheduled to work less than 40 hours per week. Part-time employees do not serve a probationary period. At the end of each 2080 hours worked, the part-time employee is eligible for a salary step increase based on satisfactory performance. Such employees serve at the discretion of the General Manager, are at-will, and can be terminated any time, with or without cause. The General Manager shall periodically review the part-time positions to determine that there are appropriate staffing levels to meet the needs and requirements of the Authority and make adjustments as necessary.

Part-time employees shall be entitled to participate in the Authority's benefit programs as specified in the Compensation Plan. The Authority's payment toward these insurance programs shall be proportionate to the employee's scheduled work hours.

Temporary Employment

Temporary employees are hired as interim replacements if regular staff are unavailable, to temporarily supplement the workforce, or to assist in the completion of a specific project or set of projects for a limited duration. Employment beyond any initially-stated period does not in any way imply a change in employment status.

Temporary full-time employees are scheduled to work the Authority's full-time schedule. Temporary part-time employees are scheduled to work less than 40 hours per week. Employees in temporary classes are not eligible for benefits or accrued leaves, with the exception of sick leave.

Resignation

An employee who resigns shall present notice in writing to the Authority at least 14 calendar days prior to the effective date of the resignation.

Reduction in Force

The Commission may separate any employee, without prejudice, because of lack of work or funds, or because of material change in duties or organization. No regular employee, however, shall be separated while there are provisional, probationary or temporary employees serving in the same class; provided, however, a regular employee otherwise subject to separation under this Policy may elect voluntary demotion to a lower class if vacancies exist. The order of separation due to reduction in force shall be based upon seniority. All employees subject to separation under these provisions shall receive written notice at least 14 calendar days prior to the effective date.

A summary of employment types and relevant status and benefits is provided in the following table:

	Status	Benefits
Temporary Part-time	At-will	Sick leave only
Temporary Full-time	At-will	Sick leave only
Regular Part-time	At-will	All proportionate to scheduled work hours
Probationary Full-time	At-will	All
Regular Full-time	Subject to discipline procedures	All

SECTION X – DISCIPLINE AND GENERAL RULES OF CONDUCT

It is expected that all employees shall render the best possible service and reflect credit on the Authority. Therefore, the highest standards of professional conduct are essential and expected of all employees. This Section does not apply to temporary, probationary, and provisional employees, though the Authority holds these employees to the same high

standards of professional conduct. Discipline for at-will employees is at the discretion of the General Manager.

Disciplinary Actions

The Authority may invoke the following types of disciplinary actions:

- a) Verbal Warning
- b) Written Reprimand
- c) Suspension With or Without Pay
- d) Reduction in Pay
- e) Demotion
- f) Disciplinary Probation
- g) Discharge/Termination

Grounds for Discipline

Disciplinary measures may be taken for any good and sufficient cause. Authority employees who are employed at-will, including temporary, provisional, and probationary employees, are not subject to the requirement of good cause, and are not entitled to pre-discipline procedures or appeals under these policies and may be separated with or without advance notice.

Good cause exists not only when there has been an improper act or omission by an employee in the employee's official capacity, but when any conduct by an employee brings discredit to the Authority, affects the employee's ability to perform their duties, causes other employees to be unable to perform their duties, or involves any improper use of the employee's position for personal advantage or the advantage of others. Rules requiring good cause do not apply to at-will employees. The type of disciplinary action shall depend on the seriousness of the offense and the relevant employment history of the employee. Causes for disciplinary action against an employee may include, but shall not be limited to, the following:

- a) Misstatements or omissions of fact in completion of the employment application or to secure appointment to a position with the Authority.
- b) Furnishing knowingly false information in the course of the employee's duties and responsibilities.
- c) Inefficiency, incompetence, carelessness or negligence in the performance of duties.
- d) Violation of safety rules.
- e) Violation of any of the provisions of these personnel rules and regulations or Authority policies.
- f) Inattention to duty.
- g) Tardiness, or overstaying lunch periods.

- h) Being under the influence of an intoxicating beverage or non-prescription drug, or prescription drugs not authorized by the employee's physician, while on duty or on Authority property, or when called in for emergency duty.
- i) Disobedience to proper authority, refusal or failure to perform assigned work, to comply with a lawful order, or to accept a reasonable and proper assignment from an authorized supervisor.
- j) Any violation of the Authority's No Harassment Policy.
- k) Unauthorized soliciting on Authority property.
- l) Unauthorized absence without leave; failure to report after leave of absence has expired or after a requested leave of absence has been disapproved, revoked or canceled; or any other unauthorized absence from work.
- m) Conviction of a felony, or a misdemeanor involving moral turpitude, or a violation of a federal, state or local law which negatively impacts the employee's ability to effectively perform assigned job or brings discredit to the Authority.
- n) Offensive treatment of the public or other employees.
- o) Falsifying any Authority document or record.
- p) Misuse of Authority property; improper or unauthorized use of Authority equipment or supplies, damage to or negligence in the care and handling of Authority property.
- q) Fighting, assault, and/or battery.
- r) Theft or sabotage of Authority property.
- s) Sleeping on the job, except as specifically authorized for 24-hour duty personnel.
- t) Accepting bribes or kickbacks.
- u) Intimidation or interference with the rights of any employee.
- v) Outside work or any other activity or conduct which creates a conflict of interest with Authority work, which causes discredit to the Authority, negatively impacts the effective performance of Authority functions or is not compatible with good public service.
- w) Failure to maintain the minimum qualifications, including necessary licenses or certifications specified for the position.
- x) Abusive or intemperate language toward or in the presence of others in the workplace.
- y) Any other conduct of equal gravity to the reasons enumerated above as determined by the Authority.

Procedure for Disciplinary Action

Regular employees covered by this policy shall be governed by the following provisions:

Written Notice

The General Manager shall issue a written notice of discipline, describing the intended discipline, the basis for the discipline, and attaching any documents upon which the discipline is based. The affected employee may respond by submitting a rebuttal to be lodged in the employee's personnel file, and in the case of a suspension of one to four days, shall have the ability to present their side of the story by responding orally or in writing before the discipline becomes final within five working days of the notice being issued. Any such response to a proposed suspension of one to four days shall be considered before a final decision is made. For minor discipline—any action up to and including a suspension of four (4) working days—no further appeal shall be permitted. For disciplinary actions of suspensions of more than four (4) working days, a reduction in pay resulting in loss of pay equal to or exceeding a suspension of more than four (4) days, demotion or termination (serious discipline), employees shall retain pre-discipline meeting and post-discipline appeal rights as described below.

Pre-Discipline Meeting

For serious discipline, the employee shall receive written notice of the charges upon which the disciplinary action is based, the materials upon which the charges are based, and the employee's rights under *Skelly vs. State Personnel Board*, 15 Cal.3d 194 (1975.) The employee then has an opportunity to respond, either orally or in writing.

The General Manager shall designate an individual to convene a meeting to review the employee's response and position before imposing discipline. As soon as practical following the meeting, the designated individual shall present their written opinion for consideration by the General Manager. If the General Manager is not the direct supervisor of the employee, the General Manager may convene the meeting.

The employee shall be entitled to a representative of their choice; provided, however, that the inability of a particular representative to attend the meeting shall not cause a continuance of the meeting. At the meeting, the employee shall be provided the opportunity to respond to the charges and to present any new information for consideration by the General Manager or their designee.

Final Action

After the employee responds to the charges, they shall be given by the General Manager a final notice of discipline to be imposed and an opportunity to appeal the discipline after it is imposed, in accordance with the rules contained herein. The notice shall include the final decision, the effective date of the discipline, and the facts upon which the discipline is based.

Appeal

For serious discipline, employees shall have the right to appeal the final decision. The notice of appeal must be received within seven (7) calendar days from the date of the final notice of discipline, or the right to appeal is waived and the discipline shall become final.

The appeal shall be heard by an independent hearing officer from the Office of Administrative Hearings of the State of California; a neutral mediator from another recognized organization; or a neutral mediator selected by mutual agreement of the employee and the Authority.

The costs of the hearing officer shall be borne by the Authority. Either party may request that the matter be transcribed. The requesting party shall bear the expense of the transcript.

The hearing officer shall have the authority to convene the hearing, receive evidence through testimony and documents, and to make findings of fact and conclusions about the discipline. The hearing officer may recommend an outcome, but the final authority rests with the Commission. The hearing officer shall serve a recommended decision on the Authority and the employee. The Commission shall issue a final decision. The Commission's decision is reviewable by administrative writ of mandamus.

SECTION XI – HOURS OF WORK

Hours of Work

A full-time employee shall be scheduled to work a forty (40) hour work week within a seven (7) day work period. Employees may vary their starting and ending times with management approval, and provided there is sufficient coverage during the hours the Authority is open to the public.

The General Manager may vary the working hours of any employee within the limits of State Law or other labor regulations should the need arise. Daily attendance records shall be kept and certified for payroll purposes. Any employee absent without leave, who fails to return to work within 24 hours after notice to return, shall be subject to disciplinary action.

Overtime

Authorized or required work performed by non-exempt employees in excess of forty (40) hours per week shall be deemed overtime.

Overtime Rate

Overtime shall be paid at the rate of one and one-half (1.5) times the straight-time hourly rate. Overtime hours may be paid on the next regular pay check. With the approval of the General Manager prior to performance of the overtime work, employees may choose to receive compensatory time off rather than overtime pay. Compensatory time shall be used or paid to the employee within a 12-month period from the date earned.

Call Back

When an employee is required to return to work following a lapse of at least one hour after their normal working hours, a minimum of two hours shall be recorded.

Exception

Exempt positions shall not accrue overtime but may adjust their working hours in lieu thereof as approved by the General Manager.

SECTION XII – HOLIDAYS

Authority Holidays

The following days shall be holidays for all full-time Authority employees:

New Year's Eve	December 31
New Year's Day	January 1
Martin Luther King's Birthday	3 rd Monday in January
President's Day	3 rd Monday in February
Memorial Day	Last Monday in May
<u>Juneteenth</u>	<u>June 19</u>
Independence Day	July 4
Labor Day	1st Monday in September
Thanksgiving Day	4th Thursday in November
Day after Thanksgiving	4th Friday in November
Christmas Eve	December 24
Christmas Day	December 25

If a holiday falls on a Sunday, the following Monday shall be observed as a holiday. If a holiday falls on a Saturday, the preceding Friday shall be observed as a holiday. A part-time employee's holiday leave shall be proportionate to their scheduled work hours.

Floating Holidays

Full-time employees are allotted twenty~~-eight~~ (208) hours of floating holiday to be used within the fiscal year, July 1 – June 30. Use of the allotted hours shall be approved by the General Manager. Floating holiday leave hours do not accrue and employees will not be compensated for unused hours.

A person hired after July 1, or a temporary full-time employee hired to work for less than 12 months, shall be provided the pro rata share of floating holiday hours for the number of months of work in the fiscal year compared to the annual allotment of ~~twenty-eight (28)~~ floating holiday hours ~~per year~~.

Floating holiday hours shall be reconciled upon an employee's permanent separation from the Authority. Hours used in excess of those earned shall be deducted from the employee's final pay.

Compensation for Holidays Worked

Holidays shall be worked only on order and authorization of the General Manager. Work performed by a non-exempt employee on a holiday shall be compensated at the rate of one and one-half (1.5) times the straight-time hourly rate.

SECTION XIII – LEAVES AND VACATIONS

Vacation Leave

Vacation leave is an earned benefit of eligible employees and its use shall be approved by the General Manager. Employees shall take vacation leave in increments of one (1) hour. Leave begins to accrue upon date of hire, but shall not be granted to the employee for use during the first six (6) months of employment. Vacation is accrued for all regular hours worked and shall continue to be earned during other authorized leaves with pay.

Vacation Leave Allowance

All full-time employees, shall earn vacation leave at the rate of 80 working hours per year from the date of employment. Full-time employees shall earn an additional eight (8) hours vacation leave allowance for each full year of continuous employment thereafter, up to a maximum of 200 working hours per year. With the exception of the General Manager, whose maximum annual accrual is governed by their agreement, all full-time employees that were earning the maximum vacation leave prior to January 18, 2024, shall receive the maximum of 200 working hours per year. Part-time employees shall earn vacation leave proportionate to their scheduled work hours.

All eligible employees shall be permitted to accumulate unused vacation at a rate of 2-1/2 times their annual vacation allowance. Vacation accruals will be reviewed at the end of each fiscal year. If the accrual exceeds 2-1/2 times the annual allowance, the value of the excess accrual shall be paid to the employee at the end of that fiscal year and those hours shall be subtracted from the balance.

Computing and Recording Vacation Leave

Vacation leave credits shall be computed and recorded in increments of one hour. When periods of less than one full month have been worked, vacation leave credits shall be based on service computed to the nearest half month.

On July 1st of each year, employees who have completed at least six months of satisfactory full-time continuous service shall be credited in advance with vacation leave allowance for the entire fiscal year. Vacation leave shall be earned during authorized leave with pay. When a holiday falls during an employee's absence on vacation leave, it shall not be deducted from the employee's accrued leave.

Vacation leave shall be reconciled upon an employee's permanent separation from the Authority. Unused vacation leave is not transferable to retirement service credit. Leave used in excess of earned leave shall be deducted from the employee's final pay. Leave

that is earned but unused at the time of separation shall be added to employee's final pay.

Administrative Leave

Exempt employees are expected to observe their regular work schedules and perform any further hours needed to satisfactorily execute the duties and responsibilities of their positions without receiving overtime pay. In recognition of the additional time they spend, all full-time exempt employees shall be granted ten (10) days at the start of each fiscal year. Any unused hours shall expire at the end of the fiscal year.

Sick Leave

The Authority's sick leave policy complies with the Healthy Workplaces/Healthy Families Act of 2014. Sick leave shall be allowed in case of actual sickness of the employee. Sick leave shall be granted only on approval of the General Manager in increments of not less than one hour. If an employee will not be at work as scheduled, they must notify the supervisor within one-half hour of the time to report for work or at the first practical opportunity.

An employee may use a maximum of five (5) days of sick leave each fiscal year for absences caused by the illness or injury of a *family member*. A family member is defined as a child, parent, spouse or registered domestic partner, grandparent, grandchild, sibling, or designated person. A "designated person" under the Healthy Workplaces/Healthy Families Act means a person identified by the employee at the time the employee requests paid sick leave. This definition does not require the person be related by blood, or even a family-equivalent relationship. Use of sick leave for this purpose is intended to apply in serious and unforeseen conditions where the presence of the employee in the home or hospital is required for the care, legal requirement, or health of the family member. Authorization to use additional sick leave beyond the five-day maximum may be granted by the General Manager when exceptional circumstances warrant.

Sick Leave Accrual

Employees who work thirty (30) days or more within a year shall receive sick leave in accordance with the Healthy Workplace, Healthy Families Act of 2014.

Regular and Temporary Full-time employees accrue sick leave at the rate of four (4) hours per payroll period, up to 96 hours per calendar year. Part-time employees shall accrue sick leave proportionate to their scheduled work hours, with a minimum of 40 hours per year. Sick leave shall be cumulative without limit.

Computing and Recording Sick Leave

Initial crediting of sick leave shall be based on service computed to the nearest half month. Sick leave records shall be maintained on an hourly basis. On July 1st each year, an employee shall be credited in advance with the annual allowance. After an absence is approved as sick leave, it shall be deducted from the employee's leave balance. If at time

of separation an employee owes the Authority for unearned sick leave, the actual time shall be deducted from their final pay.

Medical and Dental Appointments

Sick leave may be used for medical, dental, therapy or similar purposes for a minimum period of one (1) hour and should not exceed four (4) hours except in unusual circumstances. A maximum of forty (40) hours of sick leave per year may be used for medical, dental or therapy appointments for a family member when the employee's presence is required.

Payment for Unused Sick Leave

CalPERS' sick leave credit benefit is included in the Authority's pension contract. An employee whose effective date of retirement is within four months of separation from employment shall be credited with 0.004 year of service credit for each unused day of sick leave.

Upon the death of an employee prior to separation from employment, the employee's heir(s) or beneficiary(ies) shall receive compensation for sick leave earned but unused by the employee equal to 0.167% of the number of hours of sick leave, times the number of whole months of continuous employment, times the employee's hourly rate of pay at the time of death.

Bereavement Leave

Full-time regular employees shall be granted bereavement leave with pay not to exceed twenty-four (24) hours, as necessary, upon the occasion of the death of a family member. A family member is defined as a spouse, domestic partner, child, parent, parent-in-law, sibling, grandparent, or grandchild. An employee may also use other available paid time off such as vacation pay, personal leave, sick leave, or compensatory time off during their leave. The General Manager may grant bereavement leave for other relatives on a case-by-case basis. Additional leave for travel purposes not to exceed five (5) calendar days may be granted by the General Manager when circumstances warrant.

Catastrophic Leave

Full-time regular employees (i.e., excludes temporary, probational, and part-time employees), are eligible to receive catastrophic leave donations in the following circumstances:

- The employee must have exhausted all available leave (i.e., vacation and sick leave, floating holidays).
- The absence must be due to the employee's or their spouse, domestic partner, or child's life threatening or debilitating illness, injury, or condition.
- Use of catastrophic leave must be approved by the General Manager.

Employees may donate vacation leave on a voluntary basis. The employee making the donation must authorize in writing that a designated portion of their accrued vacation may

be transferred from their leave account to the recipient employee's vacation account. Once made, donations are irrevocable.

All donated hours shall be converted to the donor's hourly rate, and the equivalent dollar amount shall be deposited and converted to hours at the recipient's hourly rate. Donors must retain a minimum of eighty (80) hours of their own vacation leave.

Family Leave

The California Family Rights Act (CFRA) and Family Medical Leave Act (FMLA) entitle eligible employees of covered employers to take unpaid, job-protected leave for certain specified reasons. While EBDA is a covered employer under the CFRA and FMLA, only leave benefits under the CFRA are available for eligible employees. The maximum amount of leave employees may use under this policy is twelve (12) weeks within a 12-month period.

Employees that meet the following conditions are eligible for CFRA leave:

- the employee has worked for EBDA for at least twelve (12) months; and
- the employee worked at least 1,250 hours in the 12 months prior to their leave.

Eligible employees may take CFRA leave for any of the following reasons:

- For the employee's own serious health condition.
- To care for or bond with a newborn child.
- To care for or bond with a child placed with the employee and/or the employee's registered domestic partner for adoption or foster care.
- To care for an immediate family member (spouse, parent, parent-in-law, registered domestic partner, child or registered domestic partner's child of any age, sibling, grandparent, grandchild, or designated person) with a serious health condition. A "designated person" under CFRA means any individual related by blood or whose association with the employee is the equivalent of a family relationship. The designated person may be identified by the employee at the time the employee requests the leave.

Time Off to Vote

An employee may take time off to vote at the beginning or the end of the shift, whichever provides the most time to vote. The employee may take off no more than two (2) hours without loss of pay, providing that reasonable notice is given to their supervisor.

Jury and Witness Duty

Leave is provided for employees who are called to serve jury duty or who are summoned to appear as a witness in a judicial proceeding, pursuant to a subpoena or other court order. Employees must notify the Authority as soon as practicable of the need for leave under this policy. Employees will receive time off with regular base pay for the length of service. If an employee does not have to attend court, the employee is expected to report to work. Any jury fees received by an employee shall be remitted to the Authority. Reimbursements for mileage or food may be retained by the employee.

Military Leave

Any employee who is a member of the Reserve Corps of the Armed Forces of the United States, the National Guard or the National Militia is entitled to a temporary leave while engaged in military duty ordered for purposes of military training, drills, encampment, naval cruises, and special duty or like activity. Such temporary leave does not have to exceed seventeen (17) calendar days including travel time and does not have to be compensated. Military leave shall be granted in accordance with the provisions of State law. All employees entitled to military leave shall give the General Manager an opportunity, within the limits of military requirements, to determine when such leave shall be taken. Military leave may be granted with pay provided employees reimburse the Authority for the amount of compensation, excluding travel and sustenance, which may be earned during the leave period.

Time Off To Appear At School When Required By the School

All employers must allow a parent or guardian of a pupil to appear at the school when the school has given advance notice. It is not a requirement that the employee be compensated for the time. The employee is required to give reasonable notice to the employer. An employee may take vacation or personal leave.

Disability Leave

For employee injury or disability falling within the provision of the State Workers' Compensation Disability Act, disability compensation at the rate allowed under said Act shall be basic remuneration during the employee's period of disability. In the case of full-time employees, additional compensation equal to the difference between said employee's regular pay and disability compensation allowance shall be granted not to exceed one year for any one period of incapacity. In the event a waiting period is required before an employee's disability compensation allowance is payable, the employee's regular pay shall be provided during said waiting period.

Compensation for short- and long-term disability leave resulting from employee injury or disability not related to Workers' Compensation is addressed in the Compensation Plan. Authority employees do not pay into the California State Disability Insurance (SDI) Program.

Voluntary Leave of Absence

The Commission, upon written request of a full-time regular employee (i.e. excludes temporary, probational, and part-time employees), may grant a voluntary leave of absence, without pay, for a period up to six (6) months. Upon written request of the employee, accompanied by justification and assurance of intent to return to duty, such leave of absence may be extended by the Commission another six (6) months, for a total continuous leave not to exceed a period of one (1) year. Leaves hereby authorized shall include educational leave, maternity leave, and leave for any other purpose promoting the good of the service. Upon expiration of such a leave, the employee shall be reinstated to the position held at the time leave was granted. Failure of the employee to report promptly at its expiration, or within 24 hours after notice to return to duty, shall terminate

their right to be reinstated. During such leave an employee shall not earn sick leave or vacation leave, but shall maintain seniority at the time leave was first granted.

If the employee elects to maintain benefits during a voluntary leave of absence, prior to the start of the leave period, the employee shall pay to the Authority an amount equal to 100% of medical, dental, vision and disability insurance premium costs that are due and payable during the scheduled leave period. If the employee elects to suspend or discontinue benefits during a voluntary leave of absence, they may re-enroll during the Open Enrollment period upon return to work.

SECTION XIV – EMPLOYEE EDUCATION OR TRAINING

An employee may be authorized to attend special training courses, seminars or conferences which are determined to be job-related or will enhance the employee's work performance. In addition to receiving leave with pay, the employee may be reimbursed for the cost of registration, tuition, books, supplies or other expenses incurred in attending special training courses, seminars or conferences which are job-related or will enhance work performance.

SECTION XV – EMPLOYEE HEALTH AND SAFETY

Accident Reports

Any employee involved in an accident (whether involving injury or not) while on the job, must notify their supervisor and complete the required accident report forms within 24 hours of occurrence.

Work Injury or Illness

If an employee is unable to work as a result of what is believed to be an injury or illness arising out of or in the course of employment, the employee must visit a doctor for examination and the necessary forms shall be prepared for compliance with State laws and compensation insurance. If it is determined that the injury or illness is job-related, no deduction will be made from the employee's sick leave.

Filing a false or fraudulent workers' compensation claim is a violation of Authority policy, and will result in disciplinary action, up to and including immediate termination.

Employee Health

When, in the judgment of the General Manager, an employee's health or physical condition may have an adverse effect on the performance of the employee's duties, or affect safety or health of fellow employees, the employee may be required to undergo a medical or psychological examination at the expense of the Authority.

On the basis of authoritative medical advice, the General Manager shall determine whether an employee is physically and psychologically incapacitated for the duties of their position and may take whatever action deemed appropriate.

Safety Rules

All employees shall be expected to comply with all safety rules which may be adopted by the Authority as an integral part of their job duties. Failure to comply with adopted safety rules shall be grounds for disciplinary action.

Safety Equipment

The Authority shall determine the need for protective clothing and safety equipment for all employees and shall require its use where necessary for the protection of the employee. The Authority will furnish, at no expense to the employee, all protective clothing and safety equipment required for the employee's performance of duties.

SECTION XVI – ANTI-HARASSMENT POLICY

The Authority does not tolerate harassment of any of our employees, customers or clients. Any form of harassment which violates federal, state or local law, including, but not limited to the items listed in the [Non-Discrimination](#) section of the General Provisions in Section II is a violation of this policy and will be treated as a disciplinary matter. For these purposes the term harassment includes slurs and any other offensive remarks or jokes, and other verbal, graphic, or physical conduct. Harassment also includes sexual advances, requests for sexual favors, unwelcome or offensive touching and other verbal, graphic or physical conduct of a sexual nature.

Questions about what constitutes harassing behavior shall be directed to the General Manager or to the Commission Chair.

Harassment shall be immediately reported to the General Manager or to the Commission Chair. The Authority strictly prohibits retaliation of any kind and will not tolerate employees' attempts to hinder internal investigations and/or corrective actions. All complaints of harassment that are reported to management will be looked into as promptly as possible and may be investigated. All complaints of harassment that are reported to management will be treated to the extent allowable by law.

Harassment of our employees in connection with their work by non-employees is also strictly prohibited. Any employee who experiences harassment by a non-employee or who observes harassment of an employee by a non-employee should report such harassment to the General Manager or Commission Chair. Harassment of our customers or clients by our employees is also strictly prohibited. Any violation of this policy will result in appropriate disciplinary action, up to and including termination.

Authority employees are required to complete sexual harassment prevention training and education that meet all requirements outlined by Government Code §12950.1.

SECTION XVII – LACTATION ACCOMODATION POLICY

Per California Senate Bill (SB) 142, the Authority will provide a reasonable amount of break time to accommodate an employee desiring to express breast milk for the employee's infant child. The break time shall, if possible, run concurrently with any break

time already provided to the employee. The employer shall make reasonable efforts to provide the employee with the use of a room, other than a toilet stall, in close proximity to the employee's work area, for the employee to express milk in private. The room may include the place where the employee normally works.

Employees requesting an accommodation under this policy are responsible for communicating their needs to the General Manager. The General Manager will work with the employee to make the appropriate accommodations needed, including allowing for flexible break periods if necessary.

Management will not discriminate or retaliate against any employee for exercising or attempting to exercise their rights under this policy.

If an employee feels that their rights, as described in this Policy, have been violated, they may file a complaint with the California Labor Commissioner.

SECTION XVIII – GRIEVANCES

Definition

A grievance is any dispute between the Authority and an employee or employees with respect to the meaning, interpretation, application or enforcement of Authority rules and regulations or other terms or conditions of employment. Grievance shall not include actions taken by the Authority in accordance with [Section X](#), Discipline and General Rules of Conduct, hereof.

Policy

It is the intent of the Authority to anticipate and diminish causes of grievances and to settle any which arise, at the lowest practicable level of supervision and as fairly and promptly as possible. Therefore, time limits have been established between initiation of a grievance and its occurrence and between steps of the procedure. Any grievance not initiated or pursued within these limits will be considered settled on the basis of the last timely demand or answer, unless the time is extended to a definite date by agreement of the Authority and the employee.

Any regular employee (i.e. excludes temporary, probationary, and part-time employees) shall have the right to use this grievance procedure free from restraint, discrimination, pressure or reprisal from any other employee or officer of the Authority. Each employee shall have the right to present the grievance individually or through a designated representative at any step of the procedure. Employees shall have the right to withdraw the grievance at any step in the procedure

Procedure

If an employee has a grievance which cannot be settled by informal discussion with their immediate supervisor, the employee shall proceed in the following manner:

- Step 1. Present the grievance, in writing, to the General Manager, within ten (10) working days following occurrence of the event on which the grievance is based. The General Manager shall make a thorough investigation of the reported grievance and circumstances surrounding it and render a decision, in writing, to the employee within three (3) working days.
- Step 2. If the employee is not satisfied with the decision in Step 1, they may appeal to the Personnel Committee. Such appeal must be made within five (5) working days after the General Manager's decision is received. The Personnel Committee shall make a thorough investigation and shall arrange for a hearing of the grievance at which both the employee and the Authority shall have the right to call witnesses. The Personnel Committee shall render its decision in writing within five (5) days after close of the hearing.
- Step 3. If the employee is not satisfied with the decision of the Personnel Committee in Step 2, they may appeal to the Commission. Such appeal must be made within five (5) working days after the Personnel Committee's decision is given. The Commission or its appointed representative shall conduct an investigation and hearing within twenty (20) days and shall render a decision in writing. The decision of the Commission shall be final in all grievance proceedings.

SECTION XIX – PERSONNEL RECORDS

Personnel records are maintained in accordance with State and Federal guidelines. The personnel file shall contain, but not be limited to, performance evaluations, as well as other forms, letters, and memoranda addressed to or pertaining to an employee. If an employee refuses to sign a form, letter, or document, the supervisor shall indicate "REFUSED TO SIGN" on the document and shall sign their name as witness to the fact, and the document shall then be placed in the employee's personnel file.

The personnel employment records are confidential. Only administrative staff specifically designated by the General Manager and those persons who are in a supervisory capacity to an employee may review an employee's file. Employees may review their own file upon request by scheduling an appointment with the administrative staff.

SECTION XX – WHAT THE AUTHORITY EXPECTS OF YOU

Attitude

Every employee should display a positive attitude toward their job. A negative attitude creates a difficult working environment and prevents the Authority from providing quality service.

Business Ethics and Conflict Of Interest

The Authority requires its personnel to conduct Authority business with integrity and to maintain a high standard of personal conduct in outside activities.

Employees are expected to recognize and avoid activities or investments which involve, or might appear to involve, a conflict of interest. While it is impossible to list in this policy statement every circumstance which may suggest a possibility of conflict of interest, the standards for evaluating such activities or investments set forth in the paragraph below are suggested for use by employees in deciding whether a conflict may exist.

No employee may engage in any outside business activity, pursuit, action or investment which could by its nature or scope (with or without personal gain): be objectively construed as preventing or potentially preventing an impartial discharge of duties; or interfere with the satisfactory performance of assigned duties within the Authority; or reflect a compromise or misuse of Authority information; or adversely affect the interests or reputation of the Authority.

Commissioners and the General Manager are required to attend ethics training classes that meet all requirements outlined by Government Code Section 53234-53235.

Electronic Systems and Media

East Bay Dischargers Authority's electronic media is provided for employees to perform job functions. Electronic media includes but is not limited to: computers, software, laptops, telephones, cellular phones, electronic mail (e-mail) and internet access. Personal use of the Authority's electronic media shall be kept to a minimum. The Authority reserves the right to access these items at any time with or without prior notice, and the employees should have no expectation of privacy when storing or exchanging information on these devices or system.

All files and records stored on Authority computers are the property of the Authority. Authority computers are for business purposes only. No personal information or personal advertising or soliciting is permitted on our computer system. Use of Authority computers for unauthorized purposes is prohibited.

Authority e-mail is to be used for business purposes only and is considered Authority property. The Authority maintains the right to access these items at any time with or without prior notice, and the employees should not assume that such messages are confidential. Inappropriate or offensive messages are prohibited. Passwords are assigned in complete confidence. Employees are not to share their passwords with anyone. Upon suspecting that someone has learned their password, the employee shall contact the General Manager immediately.

Employees shall conduct Authority business only on their Authority e-mail account, not on personal e-mail accounts.

Telephone, Voice Mail, and Cell Phone Use

The Authority has a limited number of telephone lines. It is essential that we keep those lines open for business calls. Therefore, employees are to minimize use of the Authority's telephone lines for personal calls. Use of the Authority's voice mail system for personal reasons shall also be kept to a minimum.

The Authority may provide managers with cellular phones to facilitate Authority business. Personal use of the employer-provided cell phone is excludable from the employee's income as a working condition de minimus fringe benefit.

Employees who prefer to use their personal cell phones for business reasons shall be entitled to a tax-free reimbursement in an amount equal to the monthly cost per line for Authority provided cell phones, or the employee's actual cost for their cell phone plan, whichever is lower. The reimbursement shall be paid with the first payroll of every month. The reimbursement amount shall be reviewed every January and updated as needed, to reflect the then in-effect monthly cost per line under the Authority's cellular service plan. The Authority's cellular service plan will also be reviewed periodically to ensure that it is the most cost-effective available.

Employees must comply with submitting data from personal cell phones used for Authority business in the event of a public records request for such information.

Confidentiality

All records and files of the Authority are property of the Authority and considered confidential. No employee is authorized to copy or disclose any file or record.

Notwithstanding the confidentiality provision, requests for information are subject to the California Public Records Act, Government Code §7920, et seq., and shall be responded to in the manner permitted by law.

Copy Machines and Facsimile

The facsimile and copy machines are for legitimate business purposes only and should not be used for personal use. Employees are prohibited from using these machines for the purpose of transmitting, receiving or copying materials which may be deemed offensive or insulting. Any employee who receives such materials via facsimile transmission, the mail, or from any other source, should report the transmission immediately to the General Manager.

Gambling

Gambling is prohibited on Authority property.

Personal Mail

Employees shall minimize personal mail deliveries to the Authority premises. Mail sent to an employee at the Authority will be opened by office personnel.

Authority postage meters and letterhead may not be used for personal correspondence.

Searches and Inspections

Employees do not hold any privacy rights in any Authority property. The Authority reserves the right, at all times and without prior notice, to inspect and search any and all

of its property for the purpose of determining whether any policy, rule, or directive has been violated, or when the Authority determines an inspection is necessary for purposes of promoting safety in the workplace or compliance with state and federal laws. These inspections may be conducted during or after business hours and in the presence or absence of the employee. These searches may include, without limitation, workspaces, desks, electronic devices and equipment, cabinets, motor vehicles, and where appropriate non-Authority belongings that are brought onto District property.

All files and records stored on Authority computers are the property of the Authority and may be inspected at any time. Electronic mail and voice mail messages are to be used for business purposes only and are considered Authority property. The Authority may access these items at any time with or without prior notice, and the employee should not assume that such messages are confidential.

Unauthorized Interviews

From time to time, Authority employees may be contacted by outside parties to discuss Authority business. As a means of protecting employees and the Authority, no unauthorized interviews are permitted to be conducted by individuals representing themselves as attorneys, peace officers, investigators, reporters, or someone who wants to *ask a few questions* regarding Authority business. If an employee is asked questions about the Authority or its current or former employees, the employee is to refer that individual(s) to their supervisor. A decision will then be made as to whether that individual may conduct any interview. Similarly, an employee becomes aware of an unauthorized interview occurring at the Authority, they must immediately notify the General Manager.

This provision is not intended to, nor does it interfere with any employee's ability to speak on matters of public concern; to report suspected harassment, discrimination, retaliation, fraud, misuse of public funds/resources and/or suspected criminal activity; or to engage in any lawful whistleblowing activities.

Whistleblowing

Notwithstanding the provisions of unauthorized interviews, the Authority will not prevent an employee from disclosing information to a government agency or law enforcement agency when the employee has reasonable cause to believe the information discloses a violation of a state or federal statute or a violation or noncompliance with a state or federal rule or regulation. Furthermore, the Authority will not retaliate against an employee for making such a disclosure or for refusing to participate in an activity that would result in a violation of state or federal statute, or violation or noncompliance with a state or federal rule or regulation. Employees who believe they have been retaliated against shall promptly report such retaliation to the General Manager or Commission Chair.

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ITEM NO. 11 GENERAL MANAGER'S REPORT

The General Manager will discuss items of interest to EBDA.

ITEM NO. 12 REPORT FROM THE MANAGERS ADVISORY COMMITTEE

**MANAGERS ADVISORY COMMITTEE
AGENDA**

**Friday, September 20, 2024
10:00 am**

Via Zoom

- 1. BACWA Strategic Planning Debrief**
- 2. Nutrients Watershed Permit**
 - a. Compliance Schedule Policy**
 - b. Agency Allocations and Trading**
- 3. AQPI Meeting Debrief**
- 4. Biosolids Check-in**
- 5. EBDA Commission Agenda**
- 6. Managers Information Sharing**

ITEM NO. 13 LOGO DESIGN AND EBDA BRANDED MERCHANDISE

Recommendation

Finalize new EBDA logo and provide feedback on proposed approach to merchandise.

Background

Historically, EBDA has not had a formal logo. The following block letter representations have been used in EBDA correspondence:



In recognition of EBDA's 50th anniversary in 2024, the Commission directed staff to develop some element of EBDA-branded merchandise that could be provided to Commissioners along with key Member Agency staff and officials as part of an anniversary celebration. After developing some high-level concepts, staff sought the expertise of graphic designer Laura Patterson, who was engaged to provide several logo concepts for consideration. A set of potential logo options was reviewed by the Commission in June and July 2024.

Discussion

Using the feedback from the Commission, staff has worked with Ms. Patterson to develop the final logo shown here. Staff has begun preliminarily using the new logo and associated letterhead in correspondence.



Agenda Explanation
East Bay Dischargers Authority
Commission Agenda
September 19, 2024

Now that the logo is ready, staff is seeking feedback on the Commission's preferred approach to special merchandise commemorating the anniversary. One proposed approach is to provide branded apparel for Commissioners, Member Agency managers, and EBDA Staff, and then to order a larger quantity of a lower-priced branded item for a broader group of Member Agency staff, regulators, and partners. For example, members of the Commission, MAC, and EBDA staff could be given a stipend under which they can select the apparel item of their choice, and then staff would order a larger quantity of mugs, water bottles, or similar. \$8000 has been allocated in EBDA's FY 2024/2025 Budget for supplies, a portion of which can cover merchandise purchases. The table below provides an example budget breakdown for the Commission's consideration. This would be a one-time expenditure for the 50th anniversary. Individual branded apparel items may be purchased for staff in the future on an as-needed basis.

Apparel	\$150	per unit	13	units (5 Commissioners + 5 MA Managers + 3 EBDA Staff)	\$1,950
Giveaways	\$20	per unit	75	units	\$1,500
				taxes, shipping, fees	\$250
					\$3,700

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EAST BAY DISCHARGERS AUTHORITY
2651 Grant Avenue
San Lorenzo, CA 94580-1841
(510) 278-5910
FAX (510) 278-6547

A Joint Powers Public Agency

ITEM NO. 14

FINANCIAL MANAGEMENT COMMITTEE AGENDA

Monday, September 16, 2024 at 11:00 AM

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

Committee Members: Andrews (Chair); Toy

- FM1. Call to Order**
- FM2. Roll Call**
- FM3. Public Forum**
- FM4. Disbursements for July and August 2024**
(The Committee will review the Lists of Disbursements.)
- FM5. Treasurer's Reports for July and August 2024**
(The Committee will review the Treasurer's Reports.)
- FM6. Preliminary Fourth Quarter Expense Summary, Fiscal Year 2023/2024**
(The Committee will review the year end expense reports.)
- FM7. 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.

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 Villaseñor 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>.

**Next Scheduled Financial Management Committee is
Monday, October 14, 2024 at 11:00 am**

ITEM NO. FM4 DISBURSEMENTS FOR JULY AND AUGUST 2024

Disbursements for the months of July and August totaled \$1,390,812.41.

Reviewed and Approved by:

Angela Andrews, Chair	Date
Financial Management Committee	

Jacqueline T. Zipkin	Date
Treasurer	

EAST BAY DISCHARGERS AUTHORITY
List of Disbursements
July 2024

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
26519	07/15/2024	003072	UNION SANITARY DISTRICT	UEPS & FORCE MAIN O&M AND PG&E - MAR	46,520.29	92,769.83
	07/15/2024	003073	UNION SANITARY DISTRICT	UEPS & FORCE MAIN O&M AND PG&E - APR	46,249.54	
26509	07/15/2024	7352	CSRMA	ALLIANT PROPERTY INSURANCE PROGRAM RENEWAL	41,818.94	41,818.94
26533	07/31/2024	003093	UNION SANITARY DISTRICT	UEPS & FORCE MAIN O&M AND PG&E - MAY	41,464.07	41,464.07
26517	07/15/2024	0046041	THE WATER RESEARCH FOUNDATION	UTILITY MEMBERSHIP	28,048.00	28,048.00
26514	07/15/2024	197740	ENVIRONMENTAL SCIENCE ASSOCIATES	FIRST MILE PROJECT WORK ORDER NO. 3	26,743.50	26,743.50
26507	07/15/2024	396605	CITY OF SAN LEANDRO	MDF O&M, EFFLUENT MONITORING, FORCE MAIN - MAY	25,291.14	25,291.14
26530	07/31/2024	17045	REGIONAL GOVERNMENT SERVICES	MANAGEMENT AND ADMINISTRATIVE SERVICES	11,680.46	11,680.46
26521	07/31/2024	56961	CALCON	HEPS PM & PLC PROGRAMMING	3,850.05	10,803.83
	07/31/2024	56956	CALCON	MDF PM & ELECTRICAL UPGRADE	2,109.07	
	07/31/2024	56960	CALCON	OLEPS PM	1,920.30	
	07/31/2024	56958	CALCON	OPS INSTALL NEW HVAC WATER LINE	1,644.21	
	07/31/2024	56959	CALCON	OLEPS & SKYWEST SCADA & PLC PROGRAMMING	1,280.20	
26511	07/15/2024	443854	E&M ELECTRIC & MACHINERY, INC	CITECT SCADA RENEWAL	9,770.32	9,770.32
26518	07/15/2024	4246-0445-5568-7627	U.S. BANK	PURCHASING CARD EXPENSES	6,237.33	6,237.33
26528	07/31/2024	24011576	RAVAGO CHEMICALS NORTH AMERICA	CAPTOR	5,050.53	5,050.53
26520	07/15/2024	S2182728.001	WILLE ELECTRIC SUPPLY CO, INC	ELECTRICAL PARTS	4,364.66	4,364.66
26510	07/15/2024	Feb-24	DEBORAH QUINN	ACCOUNTING SERVICES - FEB	4,289.31	4,289.31
26515	07/15/2024	APR-JUN 2024	KARL D. ROYER	QUARTERLY HEALTH PREMIUM REIMBURSEMENT	3,229.22	3,229.22
26512	07/15/2024	13919	EAST BAY LEADERSHIP COUNCIL	MEMBERSHIP DUES	2,500.00	2,500.00
26525	07/31/2024	24215171	JOHNSON CONTROLS	FIRE ALARM SERVICE AGREEMENT FOR INSPECTION & TESTING	1,100.00	2,010.00
	07/31/2024	24215363	JOHNSON CONTROLS	FIRE ALARM MONITORING AGREEMENT	910.00	
26516	07/15/2024	531930	R-COMPUTER	OLEPS & ADMIN UPS's	1,404.59	1,404.59
26506	07/15/2024	52205701	CITY OF HAYWARD	EMPLOYEE BENEFIT PROGRAMS - JUL	1,377.18	1,377.18
26529	07/31/2024	10986	REDWOOD PUBLIC LAW, LLP	LEGAL SERVICES - JUN	1,269.10	1,269.10
26522	07/31/2024	721247	CALTEST	LAB TESTING SERVICES - JUN	808.96	808.96
26504	07/15/2024	T171219	BAY AREA AIR QUALITY MGMT DISTRICT	HEPS PERMIT TO OPERATE	650.00	650.00
26524	07/31/2024	9168043645	GRAINGER, INC	FORCE MAIN SUMP PUMP	518.76	612.39
	07/31/2024	9163705057	GRAINGER, INC	FORCE MAIN TOOLS	93.63	
26505	07/15/2024	APR-JUN 2024	CHARLES V. WEIR	QUARTERLY HEALTH PREMIUM REIMBURSEMENT	442.74	442.74
26527	07/31/2024	532103	R-COMPUTER	ADMIN UPS BATTERIES	211.51	418.03
	07/31/2024	532124	R-COMPUTER	HEPS UPS	206.52	
26513	07/15/2024	10110000001	EBMUD	MDF WATER & SEWER SERVICE	357.80	357.80
26503	07/15/2024	2711690	ALLIANT INSURANCE	ALLIANT MOBILE VEHICLE PROGRAM RENEWAL	311.00	311.00
26532	07/31/2024	1417262024	UNDERGROUND SERVICE ALERT 811	CALIFORNIA STATE FEE FOR REGULATORY COSTS	300.00	300.00

EAST BAY DISCHARGERS AUTHORITY
List of Disbursements
July 2024

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
26531	07/31/2024	CD_000831115	RINGCENTRAL INC	DIGITAL PHONE SERVICE	211.91	211.91
26523	07/31/2024	4128400	CALTRONICS	COPIER USAGE AND MAINTENANCE	175.30	175.30
26508	07/15/2024	56481	COMPUTER COURAGE	WEBSITE HOSTING	150.00	150.00
26526	07/31/2024	10267	MBC CUSTODIAL SERVICES INC	JANITORIAL SERVICES - JUN	130.00	130.00
					324,690.14	324,690.14
ELECTRONIC PAYMENTS						
	07/02/2024	5105948980-0	PG&E	GAS & ELECTRIC SERVICE	43,784.11	43,784.11
	07/26/2024	100000017591076	CALPERS	CALPERS UAL CONTRIBUTION CLASSIC	20,565.00	20,565.00
	07/09/2024	100000017575574	CALPERS	HEALTH PREMIUMS - JUN	7,797.69	7,797.69
	07/08/2024	52160431	UNIVAR SOLUTIONS	SODIUM BISULFITE - DELIVERED 06/10/2024	6,542.02	6,542.02
	07/17/2024	100000017569939	CALPERS	PENSION CONTRIBUTION, CLASSIC 7/01 - 15/2024	5,877.93	5,877.93
	07/05/2024	100000017544132	CALPERS	PENSION CONTRIBUTION, CLASSIC 6/16 - 30/2024	5,710.87	5,710.87
	07/18/2024	6192676	MISSION SQUARE	DEFERRED COMPENSATION CONTRIBUTION 7/15/2024	2,115.22	2,115.22
	07/08/2024	6867096	MISSION SQUARE	DEFERRED COMPENSATION CONTRIBUTION 6/30/2024	2,106.70	2,106.70
	07/25/2024	1002368902	STATE COMPENSATION INSURANCE FUND	WORKERS COMPENSATION PREMIUM	1,541.29	1,541.29
	07/18/2024	51048304397166	AT&T	MDF TELEPHONE SERVICE	277.43	277.43
	07/26/2024	100000017590604	CALPERS	CALPERS UAL CONTRIBUTION PEPRA	203.00	203.00
	07/05/2024	2407310059	INTERMEDIA.NET INC	EMAIL EXCHANGE HOSTING	91.36	91.36
	07/25/2024	9967969957	VERIZON WIRELESS	WIRELESS PHONE SERVICES	63.74	63.74
TOTAL ELECTRONIC PAYMENTS					96,676.36	96,676.36
PAYROLL						
	07/30/2024		ADP, LLC	PAYROLL PERIOD: 06/16-30/2024	29,314.61	29,314.61
	07/12/2024		ADP, LLC	PAYROLL PERIOD: 07/01-15/2024	24,569.36	24,569.36
	07/08/2024		ADP, LLC	PAYROLL FEES, 6/16-30/2024	104.90	104.90
	07/19/2024		ADP, LLC	PAYROLL FEES, 7/01-15/2024	90.94	90.94
TOTAL PAYROLL					54,079.81	54,079.81
TOTAL DISBURSEMENTS					475,446.31	475,446.31

EAST BAY DISCHARGERS AUTHORITY
List of Disbursements
August 2024

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
26547	08/31/2024	10188299	BACWA	MEMBERSHIP AND SPECIAL PROGRAMS FEE	552,274.00	552,274.00
26537	08/15/2024	352395	CITY OF HAYWARD	HEPS O&M APR-JUN	45,761.10	45,761.10
26556	08/31/2024	6972	ORO LOMA SANITARY DISTRICT	OLEPS O&M - MAY	28,645.96	44,530.19
26556	08/31/2024	6982	ORO LOMA SANITARY DISTRICT	OLEPS O&M - JUN	15,884.23	
26545	08/15/2024	003097	UNION SANITARY DISTRICT	UEPS & FORCE MAIN O&M AND PG&E - JUN	41,453.68	41,453.68
26558	08/31/2024	SW240199281	PETERSON POWER SYSTEMS	OLEPS DIESEL ENGINE MAJOR SERVICE	26,741.15	26,741.15
26539	08/15/2024	396973	CITY OF SAN LEANDRO	MDF O&M, EFFLUENT MONITORING, FORCE MAIN - JUN	23,386.05	23,386.05
26561	08/31/2024	17195	REGIONAL GOVERNMENT SERVICES	MANAGEMENT AND ADMINISTRATIVE SERVICES	15,054.38	15,054.38
26557	08/31/2024	7009	ORO LOMA SANITARY DISTRICT	ADMIN LAND LEASE, JANITORIAL SUPPLIES, & RECYCLING SERVICES	8,880.00	8,880.00
26548	08/31/2024	57227	CALCON	HEPS POND 3 VALVE ACTUATOR UPGRADE	5,483.83	8,095.43
26548	08/31/2024	57220	CALCON	OPS & MDF SCADA BACKUP AND OLEPS SCADA PROGRAMMING	1,000.20	
26548	08/31/2024	57229	CALCON	OLEPS REPLACED PLC BATTERY & PLC PROGRAMMING	931.20	
26548	08/31/2024	57221	CALCON	OLEPS PLC TROUBLESHOOTING	520.20	
26548	08/31/2024	57219	CALCON	HEPS CAMERA SYSTEM TROUBLESHOOTING	160.00	
26563	08/31/2024	0915591	VINCENT ELECTRIC MOTOR CO	OLEPS PUMP NO 4 MOTOR REBUILD / GROUND FAULT	5,780.09	5,780.09
26538	08/15/2024	52205702	CITY OF HAYWARD	EMPLOYEE BENEFIT PROGRAMS - AUG	1,377.18	2,747.84
26538	08/15/2024	52205712	CITY OF HAYWARD	EMPLOYEE BENEFIT PROGRAMS - REISSUE	1,370.66	
26560	08/31/2024	11602	REDWOOD PUBLIC LAW, LLP	LEGAL SERVICES - JUL	2,615.20	2,615.20
26546	08/31/2024	202436	ACTERRA	BAYCAN ANNUAL MEMBERSHIP	2,500.00	2,500.00
26554	08/31/2024	4069	LAURA PATTERSON DESIGN	EBDA LOGO DESIGN	1,518.75	1,518.75
26543	08/15/2024	7347001	SAN FRANCISCO ESTUARY INSTITUTE	FIRST MILE PROJECT	1,249.20	1,249.20
26535	08/15/2024	Jan-01	CASA EDUCATION FOUNDATION	BRUCE WOLFE SCHOLARSHIP	1,000.00	1,000.00
26544	08/15/2024	4246-0445-5568-7627	U.S. BANK	PURCHASING CARD EXPENSES	953.67	953.67
26551	08/31/2024	8440	CAYUGA INFORMATION SYSTEMS	IT SERVICES	945.00	945.00
26549	08/31/2024	721977	CALTEST	LAB TESTING SERVICES - JUL	808.96	808.96
26553	08/31/2024	33688	INTEC SOLUTIONS	OLEPS VFD PMS	710.00	710.00
26562	08/31/2024	CD_000856138	RINGCENTRAL INC	DIGITAL PHONE SERVICE	211.91	421.72
26562	08/31/2024	CD_000880610	RINGCENTRAL INC	DIGITAL PHONE SERVICE	209.81	
26536	08/15/2024	8438	CAYUGA INFORMATION SYSTEMS	IT SERVICES	420.00	420.00
26552	08/31/2024	10110000001	EBMUD	MDF WATER & SEWER SERVICE	341.38	341.38
26542	08/15/2024	265523854	ORKIN	MDF PEST CONTROL SERVICE	253.99	253.99
26555	08/31/2024	265523854	ORKIN	REISSUE PAYMENT	253.99	253.99
26534	08/15/2024	0724-24	BEECHER ENGINEERING, INC	ELECTRICAL ENGINEERING SERVICES	210.00	210.00
26559	08/31/2024	3106793933	PITNEY BOWES INC	DIGITAL MAILING SYSTEM QUARTERLY LEASE CHARGE	150.55	150.55
26540	08/15/2024	56680	COMPUTER COURAGE	WEBSITE HOSTING	150.00	150.00

EAST BAY DISCHARGERS AUTHORITY
List of Disbursements
August 2024

Check #	Payment Date	Invoice #	Vendor Name	Description	Invoice Amount	Disbursement Amount
26541	08/15/2024	10303	MBC CUSTODIAL SERVICES INC	JANITORIAL SERVICES - JUL	130.00	130.00
26550	08/31/2024	4152499	CALTRONICS	COPIER USAGE AND MAINTENANCE	42.40	42.40
26494	08/14/2024	--	CITY OF HAYWARD	VOID CHECK	(1,370.66)	(1,370.66)
26542	08/26/2024	--	ORKIN	VOID CHECK	(253.99)	(253.99)
					787,754.07	787,754.07
				ELECTRONIC PAYMENTS		
	08/02/2024	5105948980-0	PG&E	GAS & ELECTRIC SERVICE	54,150.80	54,150.80
	08/06/2024	100000017612971	CALPERS	HEALTH PREMIUMS - AUG	7,790.14	7,790.14
	08/02/2024	100000017569959	CALPERS	PENSION CONTRIBUTION, CLASSIC 7/16 - 31/2024	5,877.93	5,877.93
	08/16/2024	100000017609684	CALPERS	PENSION CONTRIBUTION, CLASSIC 8/01 - 15/2024	5,877.93	5,877.93
	08/02/2024	6524501	MISSION SQUARE	DEFERRED COMPENSATION CONTRIBUTION 7/31/2024	2,115.22	2,115.22
	08/16/2024	6336539	MISSION SQUARE	DEFERRED COMPENSATION CONTRIBUTION 8/15/2024	2,115.22	2,115.22
	08/14/2024	51048304397166	AT&T	MDF TELEPHONE SERVICE	279.33	279.33
	08/05/2024	2408036589	INTERMEDIA.NET INC	EMAIL EXCHANGE HOSTING	91.36	91.36
	08/28/2024	9970395450	VERIZON WIRELESS	WIRELESS PHONE SERVICES	63.74	63.74
				TOTAL ELECTRONIC PAYMENTS	78,361.67	78,361.67
				PAYROLL		
	08/14/2024		ADP, LLC	PAYROLL PERIOD: 08/01-15/2024	24,569.36	24,569.36
	08/29/2024		ADP, LLC	PAYROLL PERIOD: 08/16-31/2024	24,481.36	24,481.36
	08/09/2024		ADP, LLC	PAYROLL FEES, 7/16-31/2024	108.70	108.70
	08/23/2024		ADP, LLC	PAYROLL FEES, 8/01-15/2024	90.94	90.94
				TOTAL PAYROLL	49,250.36	49,250.36
				TOTAL DISBURSEMENTS	915,366.10	915,366.10

ITEM NO. FM5 TREASURER'S REPORTS FOR JULY AND AUGUST 2024

The cash balance as of August 31, 2024 is \$5,270,622.69. EBDA's LAIF balance is \$1,313,851.40, and the average monthly effective yield for August is 4.579%. EBDA's CAMP balance is \$1,590,085.57, and CAMP's 7-day yield is 5.41%.

Approval is recommended.

EAST BAY DISCHARGERS AUTHORITY

TREASURER'S REPORT

July 2024

FUND	FUND DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	\$ 1,078,457.26	\$ 1,479,835.19	\$ 415,083.26	\$ 2,143,209.19
13	PLANNING & SPECIAL STUDIES	109,357.79	511,526.25	54,791.50	566,092.54
14	RECLAMATION O & M (SKYWEST)	81,830.75	-	673.07	81,157.68
15	BRINE ACCEPTANCE	120,423.73	16,231.68	-	136,655.41
31	RENEWAL & REPLACEMENT	2,425,326.36	344,140.15	4,898.48	2,764,568.03
<hr/>					
TOTALS		\$ 3,815,395.89	\$ 2,351,733.27	\$ 475,446.31	\$ 5,691,682.85

Ending Balance per STR \$ 5,691,682.85

Jul-24
9/12/2024

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
06/30/24	BALANCE							761,205.16	186,404.48	1,299,193.19	1,568,593.06	3,815,395.89
07/01/24	DIVIDENDS	6,981.94					6,981.94	761,205.16	186,404.48	1,299,193.19	1,575,575.00	3,822,377.83
07/02/24	ELECTRONIC BILL PAY		43,784.11					717,421.05	186,404.48	1,299,193.19	1,575,575.00	3,778,593.72
07/05/24	ELECTRONIC BILL PAY		91.36					717,329.69	186,404.48	1,299,193.19	1,575,575.00	3,778,502.36
07/05/24	ELECTRONIC BILL PAY		5,710.87					711,618.82	186,404.48	1,299,193.19	1,575,575.00	3,772,791.49
07/08/24	ELECTRONIC BILL PAY		2,106.70					709,512.12	186,404.48	1,299,193.19	1,575,575.00	3,770,684.79
07/08/24	ELECTRONIC BILL PAY		6,542.02					702,970.10	186,404.48	1,299,193.19	1,575,575.00	3,764,142.77
07/08/24	PAYROLL FEES			104.90				702,970.10	186,299.58	1,299,193.19	1,575,575.00	3,764,037.87
07/09/24	ELECTRONIC BILL PAY		7,797.69					695,172.41	186,299.58	1,299,193.19	1,575,575.00	3,756,240.18
07/12/24	PAYROLL			24,569.36				695,172.41	161,730.22	1,299,193.19	1,575,575.00	3,731,670.82
07/12/24	DEPOSIT - OLSD	567,987.05						1,263,159.46	161,730.22	1,299,193.19	1,575,575.00	4,299,657.87
07/15/24	DISBURSEMENT		249,755.56					1,013,403.90	161,730.22	1,299,193.19	1,575,575.00	4,049,902.31
07/15/24	INTEREST	14,658.21				14,658.21		1,013,403.90	161,730.22	1,313,851.40	1,575,575.00	4,064,560.52
07/17/24	ELECTRONIC BILL PAY		5,877.93					1,007,525.97	161,730.22	1,313,851.40	1,575,575.00	4,058,682.59
07/18/24	DEPOSIT - CARGILL	12,161.77						1,019,687.74	161,730.22	1,313,851.40	1,575,575.00	4,070,844.36
07/18/24	ELECTRONIC BILL PAY		277.43					1,019,410.31	161,730.22	1,313,851.40	1,575,575.00	4,070,566.93
07/18/24	ELECTRONIC BILL PAY		2,115.22					1,017,295.09	161,730.22	1,313,851.40	1,575,575.00	4,068,451.71
07/19/24	PAYROLL FEES			90.94				1,017,295.09	161,639.28	1,313,851.40	1,575,575.00	4,068,360.77
07/25/24	DEPOSIT - CARGILL	4,069.91						1,021,365.00	161,639.28	1,313,851.40	1,575,575.00	4,072,430.68
07/25/24	ELECTRONIC BILL PAY		63.74					1,021,301.26	161,639.28	1,313,851.40	1,575,575.00	4,072,366.94
07/25/24	ELECTRONIC BILL PAY		1,541.29					1,019,759.97	161,639.28	1,313,851.40	1,575,575.00	4,070,825.65
07/26/24	DEPOSIT - LAVWMA	574,980.54						1,594,740.51	161,639.28	1,313,851.40	1,575,575.00	4,645,806.19
07/26/24	ELECTRONIC BILL PAY		20,565.00					1,574,175.51	161,639.28	1,313,851.40	1,575,575.00	4,625,241.19
07/26/24	ELECTRONIC BILL PAY		203.00					1,573,972.51	161,639.28	1,313,851.40	1,575,575.00	4,625,038.19
07/30/24	PAYROLL			29,314.61				1,573,972.51	132,324.67	1,313,851.40	1,575,575.00	4,595,723.58
07/30/24	DEPOSIT - USD	1,170,893.85						2,744,866.36	132,324.67	1,313,851.40	1,575,575.00	5,766,617.43
07/31/24	DISBURSEMENT		74,934.58					2,669,931.78	132,324.67	1,313,851.40	1,575,575.00	5,691,682.85

TOTAL
CURRENT BALANCE

2,351,733.27
421,366.50
54,079.81
-
14,658.21
6,981.94
2,669,931.78
132,324.67
1,313,851.40
1,575,575.00
5,691,682.85

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Reconciliation - 07/31/2024

① Bank Statement Balance \$ 2,813,586.15
Less: Outstanding Checks 143,654.37
\$ 2,669,931.78

② Payroll Bank Statement \$ 132,324.67

③ LAIF Statement \$ 1,313,851.40

④ CAMP Statement \$ 1,582,826.30
Less: Accrual Income Dividend 7,251.30
\$ 1,575,575.00

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

TREASURER'S REPORT

August 2024

FUND	FUND DESCRIPTION	BEGINNING CASH BALANCE	DEBITS (INCREASE)	CREDITS (DECREASE)	ENDING CASH BALANCE
12	OPERATIONS & MAINTENANCE	\$ 2,143,209.19	\$ 218,724.46	\$ 518,048.19	\$ 1,843,885.46
13	PLANNING & SPECIAL STUDIES	566,092.54	152,172.47	353,737.20	364,527.81
14	RECLAMATION O & M (SKYWEST)	81,157.68	-	5,365.64	75,792.04
15	BRINE ACCEPTANCE	136,655.41	26,907.71	-	163,563.12
31	RENEWAL & REPLACEMENT	2,764,568.03	96,501.30	38,215.07	2,822,854.26
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TOTALS		\$ 5,691,682.85	\$ 494,305.94	\$ 915,366.10	\$ 5,270,622.69
<hr/>					
Ending Balance per STR					\$ 5,270,622.69

Aug-24
9/12/2024

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
07/31/24	BALANCE							2,669,931.78	132,324.67	1,313,851.40	1,575,575.00	5,691,682.85
08/01/24	DIVIDENDS	7,251.30					7,251.30	2,669,931.78	132,324.67	1,313,851.40	1,582,826.30	5,698,934.15
08/02/24	ELECTRONIC BILL PAY		54,150.80					2,615,780.98	132,324.67	1,313,851.40	1,582,826.30	5,644,783.35
08/02/24	ELECTRONIC BILL PAY		5,877.93					2,609,903.05	132,324.67	1,313,851.40	1,582,826.30	5,638,905.42
08/02/24	ELECTRONIC BILL PAY		2,115.22					2,607,787.83	132,324.67	1,313,851.40	1,582,826.30	5,636,790.20
08/02/24	DEPOSIT - DSRSD	20,000.00						2,627,787.83	132,324.67	1,313,851.40	1,582,826.30	5,656,790.20
08/05/24	ELECTRONIC BILL PAY		91.36					2,627,696.47	132,324.67	1,313,851.40	1,582,826.30	5,656,698.84
08/06/24	ELECTRONIC BILL PAY		7,790.14					2,619,906.33	132,324.67	1,313,851.40	1,582,826.30	5,648,908.70
08/09/24	PAYROLL FEES			108.70				2,619,906.33	132,215.97	1,313,851.40	1,582,826.30	5,648,800.00
08/12/24	DEPOSIT - CVSan	281,972.62						2,901,878.95	132,215.97	1,313,851.40	1,582,826.30	5,930,772.62
08/14/24	PAYROLL			24,569.36				2,901,878.95	107,646.61	1,313,851.40	1,582,826.30	5,906,203.26
08/14/24	ELECTRONIC BILL PAY		279.33					2,901,599.62	107,646.61	1,313,851.40	1,582,826.30	5,905,923.93
08/14/24	VOID CHECK 26494		(1,370.66)					2,902,970.28	107,646.61	1,313,851.40	1,582,826.30	5,907,294.59
08/15/24	DISBURSEMENT		117,715.53					2,785,254.75	107,646.61	1,313,851.40	1,582,826.30	5,789,579.06
08/16/24	ELECTRONIC BILL PAY		5,877.93					2,779,376.82	107,646.61	1,313,851.40	1,582,826.30	5,783,701.13
08/16/24	ELECTRONIC BILL PAY		2,115.22					2,777,261.60	107,646.61	1,313,851.40	1,582,826.30	5,781,585.91
08/16/24	DEPOSIT - CERBT	66,608.08						2,843,869.68	107,646.61	1,313,851.40	1,582,826.30	5,848,193.99
08/19/24	DEPOSIT - CARGILL	6,907.71						2,850,777.39	107,646.61	1,313,851.40	1,582,826.30	5,855,101.70
08/23/24	PAYROLL FEES			90.94				2,850,777.39	107,555.67	1,313,851.40	1,582,826.30	5,855,010.76
08/26/24	DEPOSIT - ABAG	111,566.23						2,962,343.62	107,555.67	1,313,851.40	1,582,826.30	5,966,576.99
08/28/24	ELECTRONIC BILL PAY		63.74					2,962,279.88	107,555.67	1,313,851.40	1,582,826.30	5,966,513.25
08/28/24	VOID CHECK 26542		(253.99)					2,962,533.87	107,555.67	1,313,851.40	1,582,826.30	5,966,767.24
08/29/24	PAYROLL			24,481.36				2,962,533.87	83,074.31	1,313,851.40	1,582,826.30	5,942,285.88
08/29/24	DISBURSEMENT		671,663.19					2,290,870.68	83,074.31	1,313,851.40	1,582,826.30	5,270,622.69

TOTAL
CURRENT BALANCE

494,305.94
866,115.74
49,250.36
-
-
7,251.30

2,290,870.68
83,074.31
1,313,851.40
1,582,826.30
5,270,622.69

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Reconciliation - 08/31/2024

① Bank Statement Balance \$ 3,018,024.06
Less: Outstanding Checks 727,153.38
\$ 2,290,870.68

② Payroll Bank Statement \$ 83,074.31

③ LAIF Statement \$ 1,313,851.40

④ CAMP Statement \$ 1,590,085.57
Less: Accrual Income Dividend 7,259.27
\$ 1,582,826.30

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 2023/2024

Recommendation

Review year end expenses.

Background

This report presents a preliminary final expense summary for Fiscal Year 2023/2024.

Discussion

The Year End Expense Summary for FY 2023/2024 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 and reimbursements may come in before the fiscal year is officially closed.

Overall, staff is estimating EBDA's annual net expenses to be 14% under budget. Implementation of the new chlorine residual effluent limit resulted in reduced chemical expenses. Savings also resulted from leaving the Administrative Support Specialist position vacant, as well as efficient maintenance of the force main through a transition in service providers. In addition, revenues totaling nearly over \$300k from Cargill and the EPA Nature-based Solutions grant.

The FY 2023/2024 underrun is expected to be approximately \$800k. 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. No Capacity Exceedance Fees were incurred by agencies during wet weather in FY 2023/2024.

East Bay Dischargers Authority

EXPENSE SUMMARY BY PROGRAM

FY 2023/2024 THROUGH JUNE 30, 2024 (100% of YEAR)

	YTD Expenses	Budget	Revenues Cargill, Grant, & Skywest	Variance	% of Budget	Explanations for Variance Over 10%
O&M EFFLUENT DISPOSAL						
General Administration	\$1,176,626	\$1,487,812		(\$311,186)	79%	Administrative Support Specialist position remains vacant. Variance includes disbursement from CERBT fund. Also, professional services, contract services, and travel were lower than budgeted.
Outfall & Force mains	\$110,641	\$269,800		(\$159,159)	41%	Budget was conservative as we transitioned service providers.
Marina Dechlor Facility	\$409,068	\$614,100		(\$205,032)	67%	Decrease in chemical costs due to permit change.
Oro Loma Pump Station	\$583,935	\$613,000		(\$29,065)	95%	
Hayward Pump Station	\$197,249	\$186,000		\$11,249	106%	
Union Pump Station	\$482,722	\$466,000		\$16,722	104%	
Bay & Effluent Monitoring	\$645,866	\$729,867		(\$84,001)	88%	Lower use of sodium hypochlorite than anticipated.
TOTAL O&M EFFLUENT DISPOSAL	\$3,606,107	\$4,366,579	\$0	(\$760,472)	83%	
SPECIAL PROJECTS						
NPDES Permit Fees	\$685,195	\$693,023		(\$7,828)	99%	
NPDES Permit Issues	\$1,580	--		\$1,580	-	Consultant assistance with nutrients permit comment letter.
Alternative Monitoring and Reporting	\$33,120	\$32,314		\$806	102%	
Regional Monitoring Program	\$284,503	\$293,760		(\$9,258)	97%	
Nutrient Surcharge	\$240,143	\$240,143		\$0	100%	
Water Research Foundation	\$27,553	\$27,665		(\$112)	100%	
Strategic Planning	\$363	--		\$363	-	Completed last Fiscal Year.
Nature-Based Solutions Study	\$271,435	--	\$271,435	\$0	-	All expenses reimbursed by EPA Grant.
Solar Feasibility Study	\$4,364	\$5,000		(\$636)	87%	Project is complete.
Bruce Wolfe Memorial	\$1,000	\$1,000		\$0	100%	
TOTAL SPECIAL PROJECTS	\$1,549,255	\$1,292,905	\$271,435	(\$15,085)	99%	
TOTAL AGENCY-FUNDED PROGRAMS	\$5,155,362	\$5,659,484	\$271,435	(\$775,557)	86%	
WATER RECYCLING						
Skywest Golf Course	\$37,971	\$36,000	\$37,971	\$0	105%	
TOTAL WATER RECYCLING	\$37,971	\$36,000	\$37,971		105%	
BRINE ACCEPTANCE						
Brine Acceptance	\$58,452	--	\$58,452	\$0	--	All work performed is reimbursed by Cargill.
TOTAL BRINE ACCEPTANCE	\$58,452		\$58,452			
TOTAL ALL PROGRAMS	\$5,251,785	\$5,695,484	\$367,858	(\$811,557)	86%	

East Bay Dischargers Authority

PRELIMINARY EXPENSE SUMMARY BY ACCOUNT

FY 2023/2024 THROUGH JUNE 30, 2024 (100% OF YEAR)

	YTD Expenses	Budget	Revenues Cargill, Grant, & Skywest	Variance	% of Budget	Explanations for Variance Over 10%
4010 - Salary	\$632,427	\$663,595	\$17,805	(\$48,973)	93%	
4020 - Benefits	\$192,829	\$257,217		(\$64,388)	75%	Variance reflects distribution from CERBT fund.
4030 - Commissioner Compensation	\$37,007	\$45,000		(\$7,993)	82%	Budget assumes maximum number of meetings.
4070 - Insurance	\$85,031	\$75,900	\$5,000	\$4,131	105%	
4080 - Memberships & Subscriptions	\$162,107	\$166,472		(\$4,365)	97%	
4100 - Supplies, Variable	\$384,675	\$670,000		(\$285,325)	57%	Decrease in chemical costs due to permit change.
4100 - Supplies, Fixed	\$8,696	\$23,000		(\$14,304)	38%	Deferred replacement of several computers.
4110 - Contract Services	\$43,109	\$60,841		(\$17,732)	71%	Fewer contractor resources required than projected for pump stations.
4120 - Professional Services	\$645,460	\$398,831	\$321,609	(\$74,981)	81%	Revenues from Cargill and grant bring item under budget overall.
4140 - Rents & Fees	\$938,866	\$939,446		(\$580)	100%	
4141 - NPDES Fines	\$0	\$9,000		(\$9,000)	0%	Reserve funds in case of enforcement.
4150 - Maintenance & Repair	\$663,823	\$937,100	\$20,304	(\$293,581)	69%	Force Main budget was conservative as we transitioned service providers.
4160 - Monitoring	\$505,082	\$558,282	\$2,320	(\$55,520)	90%	
4170 - Travel	\$9,684	\$18,000		(\$8,316)	54%	Reduced travel due to many meetings transitioning to video conference.
4191 - Utility, Variable	\$940,649	\$864,800	\$820	\$75,029	109%	
4200 - Acquisitions & Other	\$2,339	\$8,000	-	(\$5,661)	29%	Budgeted Skywest capital funds were spent on Skywest O&M.
TOTAL ALL ACCOUNTS	\$5,251,785	\$5,695,484	\$367,858	(\$811,557)	86%	



EAST BAY DISCHARGERS AUTHORITY
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A Joint Powers Public Agency

ITEM NO. 15

OPERATIONS & MAINTENANCE COMMITTEE AGENDA

Monday, September 16, 2024

4:00 PM

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

**This meeting will be teleconferenced from the following location:
Hyatt Hotel Lobby, 1 Market Place, San Diego, CA**

**Teleconference link: <https://us02web.zoom.us/j/85748282191>
Call-in: 1(669) 900-6833 and enter Webinar ID number: 857 4828 2191**

Committee Members: Simon (Chair); Azevedo

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 Villaseñor 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.

Agenda Explanation
East Bay Dischargers Authority
O&M Agenda
September 16, 2024

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
Monday, October 14, 2024, at 4:00 pm**

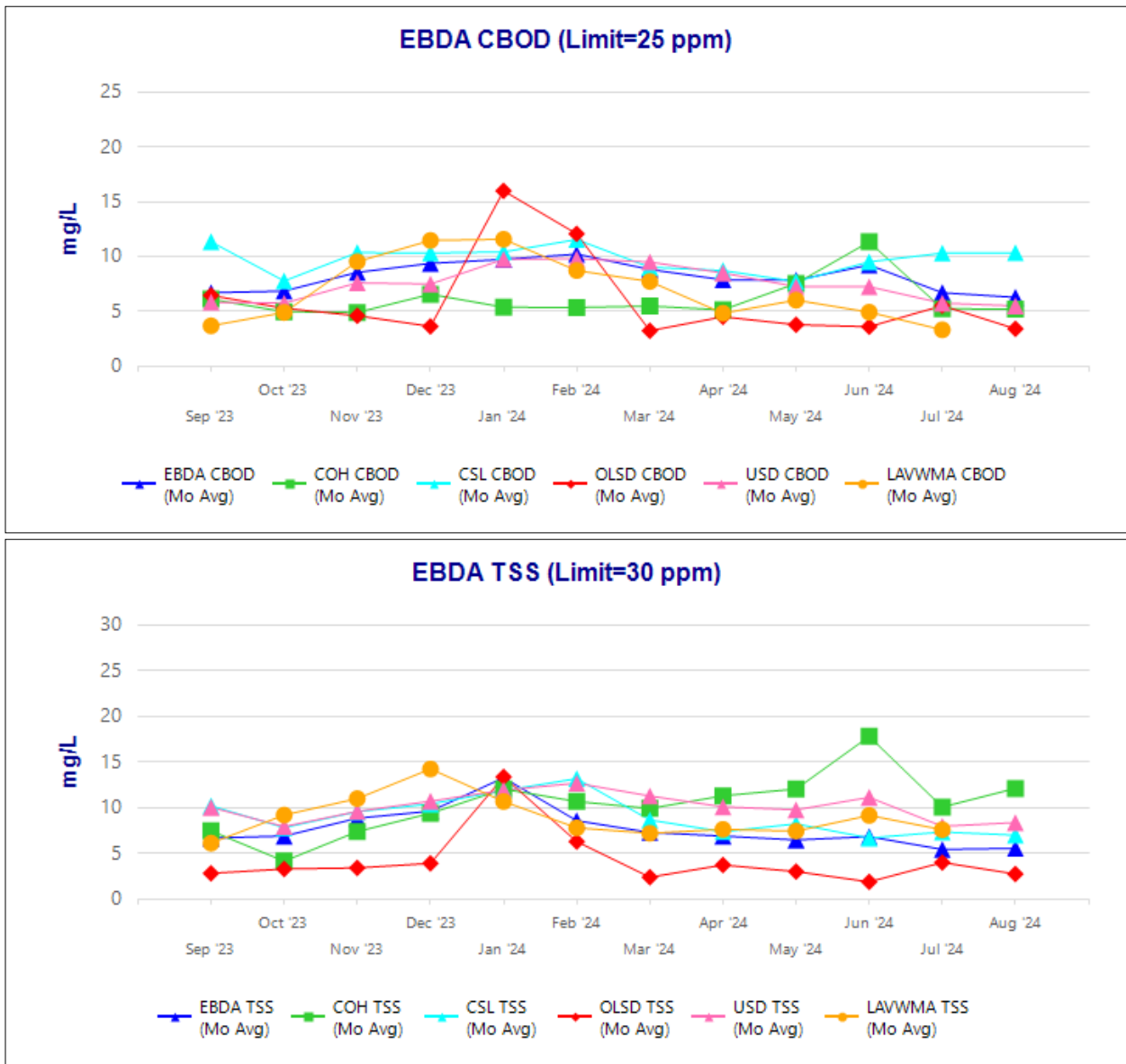
ITEM NO. OM4 EBDA PERMIT COMPLIANCE

Recommendation

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

Discussion

EBDA and its members continued our NPDES compliance in July, and preliminary August data indicates compliance as well. Member Agency CBOD and TSS performance are shown below. A table with bacterial indicators follows. Nitrogen data requested by the Commission will be provided with next month’s Regulatory Affairs Committee agenda.



EBDA Bacterial Indicators

Date	FECAL	ENTERO
	MPN/ 100mL	MPN/ 100mL
Limit (90th Percentile)	1100	1100
Limit (Geomean)	500	280
September 2023 Geomean	47	4
October 2023 Geomean	18	3
November 2023 Geomean	8	8
December 2023 Geomean	7	5
January 2024 Geomean	12	4
February 2024 Geomean	8	15
March 2024 Geomean	6	7
April 2024 Geomean	9	3
May 2024 Geomean	12	4
June 2024 Geomean	60	9
7/1/2024	17	2
7/2/2024	170	6
7/8/2024	220	4
7/9/2024	32	15
7/15/2024	11	6
7/16/2024	17	10
7/22/2024	23	6
7/23/2024	240	4
7/29/2024	27	4
7/30/2024	920	6
July 2024 Geomean	59	5
8/5/2024	70	10
8/6/2024	13	17
8/7/2024	NA	20
8/12/2024	350	10
8/13/2024	130	20
8/14/2024	NA	86
8/19/2024	350	24
8/20/2024	920	24
8/26/2024	49	17
8/27/2024	460	24
August 2024 Geomean	153	21

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

On July 23 & 24, the first new effluent pump discharge coupling and motor were installed, and the second old effluent pump was removed. The new pump was tested for several days and was experiencing a slight vibration. The pump was turned off, and vibration testing will be scheduled after the second new pump is installed. On July 31, a new concrete pump base was installed for the second new pump. The second new pump will be installed in the next several weeks.

Pond 3 Valve Actuator Replacement

As part of the FY 2022/2023 RRF project list, EBDA agreed to split the cost of a new Pond 3 valve actuator with the City of Hayward (City). The actuator is the property of the City, but replacing it will benefit both the City and EBDA. The current actuator does not have a feedback loop, so the information displayed on SCADA is limited. During wet weather storm events, having better information on SCADA will greatly improve EBDA operations. The ability to automatically divert flow to Pond 3 will save EBDA the cost of pumping the flow to Pond 7, which requires using the HEPS pumps. The ability to automatically divert flow to Pond 3 will also save the City the cost of adding sodium hypochlorite to the diverted flow. This project also includes the programming necessary to add the valve operations to SCADA.

In June, the City's maintenance staff mounted the new actuator on the Pond 3 valve. On July 18, Calcon, EBDA's electrical and instrumentation contractor, completed the installation of the new radios and a new Programmable Logic Controller (PLC) that communicates with and controls the new valve actuator. On August 15, Frank Olsen Company, the new actuator's supplier, completed commissioning of the new actuator, and Calcon completed the associated SCADA programming. The new Pond 3 valve actuator is now fully operational, allowing the diversion of flow automatically to Pond 3.

Oro Loma Effluent Pump Station (OLEPS)

Water System Upgrade

As part of a past project, EBDA connected a #4 water line from OLSD to OLEPS. This line brought water to the station, but it had to be manually connected by operations for use. In August, Calcon completed the second phase of the project by installing a new line that runs along the East side of building. With this new extension and additional fittings, the #4 water from OLSD is connected to the OLEPS water system and available to automatically supplement the pump gear drives' cooling water. This new #4 line will also

be used to hose the OLEPS wet wells when they are taken down for preventive maintenance activities.

Diesel Engine #1 (Pump #2) Major Service

On August 13, 2024, Peterson Caterpillar completed a major service on OLEPS Diesel Engine #1 (Pump #2). The major service included replacing all filters, fluids, thermostats and hoses, replacing the oil cooler, performing valve adjustments, and checking injector timing. Peterson Caterpillar completed this same major service on OLEPS Diesel Engine #2 (Pump #3) on October 11, 2023. In preparation for wet weather, Peterson Caterpillar also serviced all of EBDA's diesel generators at OLEPS, HEPS, and MDF.

Effluent Pump #4 Motor

During the course of performing normal preventative maintenance activities, an issue was discovered with the Effluent Pump #4 Motor. OLSD maintenance staff removed the motor, and it was sent to Vincent Electric for refurbishment. The motor was returned, and OLSD maintenance staff reinstalled the motor on July 18.



OLEPS Effluent Pump #4 Motor & Right Angle Gear Drive

Skywest Pump Station

Recycled Water Production

During the month of July 2024, the Skywest Recycled Water System operated for three days and produced 1.7 million gallons of recycled water.

In August 2024, the Skywest Recycled Water System operated for two days and produced 1.0 million gallons of recycled water.

Marina Dechlorination Facility (MDF)

No change; all equipment is operational.

Force Main

No change; all equipment is operational.

Operations Center

No change; all equipment is operational.

Miscellaneous Items

Underground Service Alerts

EBDA received sixteen (16) Underground Service Alert (USA) tickets during the month of July 2024. Eleven required an Electronic Positive Response (EPR) and calls/emails to the excavators, and of the eleven, seven required field verification.

EBDA received eight (8) Underground Service Alert (USA) tickets during the month of August 2024. Four required an Electronic Positive Response (EPR) and calls/emails to the excavators, and of the four, one required field verification.

Special Projects

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. Cargill is continuing to meet with landowners along the new proposed route. Cargill is also investigating an alternative that would upgrade and repurpose a former Shell pipeline.

Cargill’s preliminary schedule shows revised CEQA analysis in 2025, and construction beginning sometime between 2027 and 2030 depending on permitting, with operation commencing between 2031 and 2033. Cargill has requested that EBDA consider an interim Project Approval Agreement between the parties that would allow Cargill to begin construction on elements of the project that do not directly affect EBDA, such as reconfiguration of intakes and pond structures at Cargill’s Newark salt facility. Staff is currently working with Cargill to negotiate this agreement and expects to bring it to the Commission for consideration in the coming months. The Project Approval Agreement would be superseded by the final Operating Agreement, once negotiated.

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 AQPI [website](#). Commissioners and staff attended a site visit at Rocky Ridge on the afternoon of June 28, 2024 and were able to see the radar close up.

Program Management of AQPI has shifted from Colorado State University to the Center for Western Weather and Water Extremes (CW3E) at Scripps Institution of Oceanography, UC San Diego. CW3E is developing an updated website and data management tools, which they expect to make available before the 2024-2025 wet season. A user feedback meeting to inform development of the website and tools was held at Zone 7 Water Agency on August 27, 2024 and was attended by EBDA staff and several Member Agency Managers, as well as staff from Contra Costa Flood Control, East Bay Municipal Utility District, and Alameda County Water District.

ITEM NO. 16 ITEMS FROM THE COMMISSION AND STAFF

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

ITEM NO. 17 ADJOURNMENT