EAST BAY DISCHARGERS AUTHORITY
COMMISSION MEETING MINUTES

June 19, 2014

1. Call to Order
Chair Peixoto called the meeting to order at 10:25 A.M. on Thursday, June 19, 2014, at the City of Hayward Water Pollution Control Facility, 3700 Enterprise Avenue, Hayward, CA 94545.

2. Roll Call
PRESENT: Ralph Johnson, Castro Valley Sanitary District; Jim Prola, City of San Leandro; Marvin Peixoto, City of Hayward; Tom Handley, Union Sanitary District; Ron Dias, Oro Loma Sanitary District

ABSENT: None

OTHERS
PRESENT: Mike Connor, East Bay Dischargers Authority
Steve Meyers, Legal Counsel
Juanita Villasenor, East Bay Dischargers Authority
David Stoops, East Bay Dischargers Authority
Justin Jenson, City of San Leandro
Rich Currie, Union Sanitary District
Jason Warner, Oro Loma Sanitary District
Roland Williams, Castro Valley Sanitary District
Alex Ameri, City of Hayward

3. Public Form
There were no members of the public in attendance at the meeting.

CONSENT CALENDAR

5. List of Disbursements for May 2014
6. Treasurer’s Report for May 2014

Commissioner Handley moved to approve the consent calendar. The motion was seconded by Commissioner Prola and carried unanimously (Johnson, Prola, Handley, Dias, Peixoto; ayes).

REGULAR CALENDAR

7. General Manager’s Report
The General Manager congratulated staff for the excellent tour of the CalPine and the Hayward Effluent Pump Station (HEPS) facilities at the beginning of the meeting. Staff will be updating the Commission on long-term HEPS rehabilitation plans this fall.
8. **Report from the Managers Advisory Committee (MAC)**
Brown & Caldwell presented an extensive mid-course evaluation of its work on outfall condition assessment with detailed discussion with MAC members. The MAC also reviewed the Asset Management Plan / Renewal and Replacement budget for FY 2014/2015 and recommends adoption of the resolution approving asset management plan / renewal and replacement fund schedule for fiscal year 2014/2015.

9. **Report from the Financial Management Committee**
The Finance Committee approved the May List of Disbursements and Treasurer’s Reports. The Committee recommends adoption of the resolution amending the fee contract with Meyers Nave, increasing the hourly rate to $275.00/hour for general services and $303.00/hour for litigation services, effective July 1, 2014.

The Committee discussed and recommended adoption of resolution approving revisions to the Financial Management System Policy and Procedures Manual. The MAC had determined increasing the signatory limit of the General Manager to $50,000 will allow for timely repairs of critical assets.

The Commission asked for clarification of the criteria justifying Sole Source procurement. Sole source is appropriate when no competitive advantage is to be gained through competitive bidding. The General Manager consulted the MAC prior to presenting a sole source purchasing contract to the Commission.

Commissioner Dias moved to approve the resolution from the Financial Management Committee. The motion was seconded by Commissioner Prola and carried unanimously (Johnson, Prola, Handley, Dias, Peixoto; ayes).

10. **Resolution Authorizing Amendment No. 3 to the Fee Contract by and Between East Bay Dischargers Authority and Meyers Nave, a Professional Law Corporation**
Commissioner Dias introduced the resolution to amend the Fee Contract by and between EBDA and Meyers Nave to allow a 2.4% CPI fee adjustment on July 1, 2014. The motion was seconded by Commissioner Handley and was adopted by a vote of 5 ayes, 0 noes.

   Ayes: Commissioners Johnson, Prola, Handley, Dias, and Chair Peixoto
   Noes: None
   Absent: None
   Abstain: None

Commissioner Handley introduced the resolution to approve revisions to Sections I Through X, Financial Management System Policy and Procedures Manual. Adoption of this resolution satisfies EBDA’s policy to annually review its Investment Policy, included in the manual as Chapter X. The motion was seconded by Commissioner Johnson and was adopted by a vote of 5 ayes, 0 noes.
12. Report from the Regulatory Affairs Committee
EBDA facilities continue to perform well as evidenced in the April monthly and semi-annual Discharge Monitoring Reports. The Committee discussed the Bay Conservation and Development Commission (BCDC) case study on the effects of sea level rise on the Hayward Shoreline. Maggie Wenger and Sarah Richmond from the Adapting to Rising Tides (ART) Program at the BCDC will present preliminary findings from the Hayward Resilience Study to the Committee in July.

Commissioner Prola moved to approve the report from the Regulatory Affairs Committee. The motion was seconded by Commissioner Dias and carried unanimously (Johnson, Prola, Handley, Dias, Peixoto; ayes).

13. Report from the Operations and Maintenance Committee
The Committee discussed the estimate of $160,000 provided by TJC and Associates for the Automation Control System project at OLEPS. Staff is evaluating a phased approach to completing the project--Phase 1 would consist of an in depth review of the current status of the Automation Control System, which is ~$38,800 of the TJC and Associates bid.

The Committee discussed the resolution approving the Asset Management Plan/Renewal and Replacement Fund Schedule for fiscal year 2014/2015. The Committee recommends adoption of the resolution with the amended budget amount of $411,202, as reflected in Table 1. The Committee also discussed and recommends adoption of a resolution for the purchase of Sodium Bisulfite 25% Solution through Univar in fiscal year 2014/2015, not to exceed $250,000.

Commissioner Dias moved to approve the report from the Operations & Maintenance Committee. The motion was seconded by Commissioner Handley and carried unanimously (Johnson, Prola, Handley, Dias, Peixoto; ayes).

Commissioner Dias introduced the resolution approving the Asset Management Plan / Renewal and Replacement Fund Schedule for FY 2014/2015. The motion was seconded by Commissioner Prola and was adopted by a vote of 5 ayes, 0 noes.

Ayes: Commissioners Johnson, Prola, Handley, Dias, and Chair Peixoto
Noes: None
Absent: None
Abstain: None
15. Resolution Approving an Agreement Between East Bay Dischargers Authority and Univar USA, Inc. for Sodium Bisulfite 25% Solution in FY 2014/2015 in an Amount not to Exceed $250,000 Without Prior Commission Approval

Commissioner Handley introduced the resolution approving the purchase of Sodium Bisulfite 25% Solution through Univar USA, Inc. in FY 2014/2015. The motion was seconded by Commissioner Johnson and was adopted by a vote of 5 ayes, 0 noes.

Ayes: Commissioners Johnson, Prola, Handley, Dias, and Chair Peixoto
Noes: None
Absent: None
Abstain: None
Abstain: None

16. Items from the Commission

There were no items from the Commission

17. Adjournment

With no further business, Chair Peixoto adjourned the meeting at 11:00 a.m.

Michael S. Connor
General Manager