1. Call to Order
Chair Peixoto called the meeting to order at 9:30 A.M. on Thursday, November 21, 2013, at the Oro Loma Sanitary District Boardroom, 2655 Grant Avenue, San Lorenzo, CA 94580.

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

ABSENT: None

OTHERS PRESENT: Mike Connor East Bay Dischargers Authority
Steven Meyers Legal Counsel
Juanita Villasenor East Bay Dischargers Authority
Linda Adams East Bay Dischargers Authority
David Stoops East Bay Dischargers Authority
Dean Wilson City of San Leandro
Roland Williams Castro Valley Sanitary District
Jason Warner Oro Loma Sanitary District
Rich Currie Union Sanitary District
Alex Ameri City of Hayward
Steven Itelson EBDA Consultant

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

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

5. List of Disbursements for October 2013
6. Treasurer’s Report for October 2013
7. First Quarter Expense Summary, FY 2013-2014
A motion by Commissioner Dias, seconded by Commissioner Johnson, to approve the consent calendar passed by a vote of 5 ayes, 0 noes.

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

8. General Manager’s Report
The General Manager invited Steven Itelson, EBDA’s consulting actuary to discuss his
findings of the actuarial report. Assuming EBDA’s current practice of contributing annual payments of $8,400 to the Trust each year and the LAIF expected rate of return at 7.5%, the unfunded liability will be fully amortized in 26 years. Commissioner Prola requested a scenario be evaluated under the return assumption of 6%. Mr. Itelson agreed to do this under the current scope of his contract at no additional cost.

9. **Report from the Managers Advisory Committee (MAC)**
The General Manager invited Alex Ameri to discuss the status of Hayward’s Master Plan in regards to the Hayward Effluent Pump Station. Hayward is considering the relocation of the pump station that is more than one mile away from the WWTP. Moving the pump station makes use of the Hayward oxidation ponds for wet weather storage feasible. Hayward Engineering’s initial costs do not include relocation of the pump station. An estimate of costs may be available in January.

10. **Report from the Financial Management Committee**
The Committee reviewed the first quarter expense summary for FY 2013/2014. The Authority is on budget with the exception of San Leandro electrical and NPDES permit fees due to later than expected invoicing. The NPDES permit fee invoice arrived last week for $405,071.

A motion by Commissioner Johnson, seconded by Commissioner Prola, to accept the Financial Management Committee report passed by a vote of 5 ayes, 0 noes.

11. **Report from the Regulatory Affairs Committee**
The Committee discussed the Nutrient Watershed Permit and the Water Board’s concerns. The Water Board is looking to reduce nutrients in the San Francisco Bay. Their strategy is to implement a standard in five to 10 years with compliance in 20 years. The General Manager advised the Commission of an incident on October 28 of a possible chlorine release at the Marina Dechlorination Facility. There was a false reading that the sodium bisulfite valve was open to allow dechlorination of the effluent for about 14 minutes. The General Manager made the case that given the distance to the outfall, no chlorine made it to the Bay. EBDA’s record of compliance since 2006 was also noted. Commissioner Fernandez asked if there is redundancy in place to avoid such an event in the future. The O&M Manager explained modifications made to the valve programming logic to avoid any future events. Notification from the Water Board as to whether a penalty will be assessed is expected in the next few months.

A State Coastal Conservancy grant of $200,000 was awarded for a feasibility study allowing wetland discharges to improve marsh growth by all member agencies. This would be an alternative to costly replacement of the force main and outfall. The study would not require any additional funds from EBDA.

A motion by Commissioner Prola, seconded by Commissioner Dias, to accept the Regulatory Affairs Committee report passed by a vote of 5 ayes, 0 noes.
12. **Report from the Operations and Maintenance Committee**

The General Manager reported that there were no problems with the Authority’s first wet weather event of the season during which EBDA’s flow peaked at 120 mgd.

A motion by Commissioner Dias, seconded by Commissioner Johnson, to accept the Operations and Maintenance Committee report passed by a vote of 5 ayes, 0 noes.

13. **Report from the Personnel Committee**

The Committee recommends adoption of a resolution to update the Compensation Plan with revisions to the wording to clarify the employer's contribution.

The Committee also recommends adoption of resolutions accepting the Actuarial Valuation of retiree health costs and approving reissuance of the General Manager’s employment agreement.

Transition of administrative staff is progressing. New Administrative Assistant Villasenor stated the transition is proceeding smoothly.

A motion by Commissioner Prola, seconded by Commissioner Fernandez, to accept the Personnel Committee report passed by a vote of 5 ayes, 0 noes.

14. **Resolution Approving Amendments to the Fiscal Year 2013/2014 Compensation Plan and to Section IV, Compensation Plan, of the Personnel Policy**

Commissioner Dias expressed concern that any employee would be entitled to the retiree benefit after one day of work. Assistant Adams noted a provision to the Compensation Plan approved in May 2013 that requires five years of continual employment at EBDA for eligibility to retiree health benefits.

The resolution, introduced by Commissioner Prola and seconded by Commissioner Johnson, approving amendments to the Fiscal Year 2013/2014 Compensation Plan and to Section IV, Compensation Plan, of the Personnel Policy as amended by the Personnel Committee was adopted by a vote of 5 ayes, 0 noes.

Ayes: Commissioners Johnson, Prola, Fernandez, Dias and Chair Peixoto

Noes: None

Absent: None

Abstain: None

15. **Resolution Accepting the Actuarial Valuation of Retiree Health Costs as of June 30, 2013**

The resolution, introduced by Commissioner Prola and seconded by Commissioner Dias, accepting the Actuarial Valuation of Retiree Health Costs as of June 20, 2013 was adopted by a vote of 5 ayes, 0 noes.

Ayes: Commissioners Johnson, Prola, Fernandez, Dias and Chair Peixoto
16. **Resolution Approving Amendments to the General Manager’s Employment Agreement**

The General Manager stated that the amendments include a cost of living adjustment of 3% as approved for all staff. Commission Prola stated that the General Manager has requested a reduction of work hours to 32 hours per week as workload permits. In keeping with that, the provision requiring 160 hours of work to qualify for the retiree medical incentive benefit was adjusted accordingly.

The resolution, introduced by Commissioner Prola and seconded by Commissioner Johnson, approving amendments to the General Manager’s employment agreement was adopted by a vote of 5 ayes, 0 noes.

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

17. **Items from the Commission and Staff**

No additional items from the Commission or Staff.

18. **Adjournment**

With no further business, Chair Peixoto adjourned the meeting at 10:35 a.m.

Michael S. Connor
General Manager