EAST BAY DISCHARGERS AUTHORITY
COMMISSION MEETING MINUTES

March 16, 2017

1. Call to Order
Chair Johnson called the meeting to order at 9:35 A.M. on Thursday, March 16, 2017, at the Oro Loma Sanitary District Boardroom, 2655 Grant Avenue, San Lorenzo, CA 94580.

2. Roll Call
PRESENT: Timothy Becker, Oro Loma Sanitary; Marvin Peixoto, City of Hayward; Ralph Johnson, Castro Valley Sanitary District; Pauline Russo Cutter, City of San Leandro; Jennifer Toy, Union Sanitary District;

ABSENT: None

OTHERS PRESENT: Michael Connor East Bay Dischargers Authority
Eric Casher Legal Counsel
David Stoops East Bay Dischargers Authority
Juanita Villasenor East Bay Dischargers Authority
Alex Ameri City of Hayward
Jason Warner Oro Loma Sanitary District
Roland Williams Castro Valley Sanitary District
Dean Wilson City of San Leandro
Bill Faisst Brown and Caldwell
Erik Zalkin Brown and Caldwell

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

CONSENT CALENDAR

4. Commission Meeting Minutes of February 16, 2017
5. List of Disbursements for February 2017
6. Treasurer’s Report for February 2017
Commissioner Becker requested that the minutes on item 14 Report from the Ad Hoc be amended to clarify the Commission’s request. At the February 16 Commission, the MAC was asked to further discuss the key points identified at the Strategic Plan workshop. At this point in the process it is too early to develop specific Joint Exercise of Powers Agreement (JPA) language. Therefore, the phrase “and propose specific language for the JPA renewal” should be removed from the minutes.

Commissioner Cutter moved to approve the Consent Calendar items with the requested change to the minutes. The motion was seconded by Commissioner Becker and carried unanimously, 5-0 (Becker, Peixoto, Cutter, Toy, Johnson; ayes).
7. General Manager’s Report
The General Manager advised the Commission that he will be traveling to Seoul, South Korea as a representative of the Water Environment and Reuse Foundation. Mr. Bruce Wolfe of the State Water Board is scheduled to address the Commission on April 20, 2017.

8. Report from the Managers Advisory Committee (MAC)
The MAC met with the General Manager on March 15, 2017. The MAC discussed the upcoming meeting on April 7, 2017, regarding Strategic Plan next steps and draft NPDES permit. The Managers reviewed the Commission agenda and were updated on the status of the Transport System Inspection.

9. Report from the Financial Management Committee
The Financial Management Committee met with the General Manager on March 14, 2017 and approved the February list of disbursements and Treasurer’s Reports. The Committee reviewed the Special Districts Financial Transactions report submitted to the State Controller’s Office for fiscal year 2015/16.

Commissioner Peixoto moved to approve the report from the Financial Management Committee. The motion was seconded by Commissioner Toy and carried unanimously, 5-0 (Becker, Peixoto, Cutter, Toy, Johnson; ayes).

10. Report from the Regulatory Affairs Committee
The Regulatory Affairs Committee met with the General Manager on March 14, 2017 and discussed permit compliance. The Committee reviewed EBDA’s historical flow data and the draft NPDES permit. A meeting is scheduled for March 28, 2017 for member agencies to review EBDA’s response letter.

Commissioner Peixoto moved to approve the report from the Regulatory Affairs Committee. The motion was seconded by Commissioner Becker and carried unanimously, 5-0 (Becker, Peixoto, Cutter, Toy, Johnson; ayes).

11. Report from the Operations and Maintenance Committee (O&M)
The Operations and Maintenance Committee met with the General Manager on March 13, 2017 and discussed the status of EBDA facilities. The Committee was updated on the status of the AEPS No. 1 Effluent Pump study, Hayward MCC replacement project, OLEPS fuel tank replacement and Skywest distribution pump refurbishment. The Committee reviewed the wet weather report for February.

The Superintendent of O&M updated the Committee on the status of the Transport Pipe Condition Assessment project. Brown and Caldwell (B&C) is developing the inspection plan. The Enterococcus issue within the transport system has subsided; this may be due to the several wet weather events that occurred in January and February.
Commissioner Becker moved to approve the report from the Operations & Maintenance Committee. The motion was seconded by Commissioner Peixoto and carried unanimously, 5-0 (Becker, Peixoto, Cutter, Toy, Johnson; ayes).

12. Resolution Accepting the Outfall Pipe Inspection and Condition Assessment Technical Memorandum from Brown and Caldwell
Bill Faisst and Erik Zalkin of Brown and Caldwell presented the technical memorandum to the Commission. The outfall and 251 diffuser tee assemblies, after the repairs completed, are in good condition. The B&C report concluded that with maintenance the effluent outfall system should last 100 to 150 years. The Commission thanked Brown and Caldwell for providing a well written technical memorandum.

Commissioner Cutter introduced the resolution accepting the Outfall Pipe Inspection and Condition Assessment Technical Memorandum from Brown and Caldwell. The motion was seconded by Commissioner Becker and carried unanimously, 5-0.

Ayes: Commissioners Becker, Peixoto, Cutter, Toy, and Chair Johnson
Noes: None
Absent: None
Abstain: None

13. Report from the Personnel Committee
The Personnel Committee met with the General Manager on March 13, 2017. The Committee reviewed budget estimates for salaries and benefits for FY 17/18 and the personnel policy. Staff presented a General Manager transition strategy for the Committee’s consideration. The authority completed the recruitment of Operations and Maintenance Manager. Howard Cin was selected to join EBDA on May 1, 2017.

Commissioner Toy moved to approve the report from the Personnel Committee. The motion was seconded by Commissioner Cutter and carried unanimously, 5-0 (Becker, Peixoto, Cutter, Toy, Johnson; ayes).

14. Report from the Ad Hoc Committee
The Ad Hoc Committee met with the General Manager on March 15, 2017 and discussed the next steps in renewing the EBDA JPA. The Committee added that the transport pipe is needed by all member agencies for possibly another twenty (20) years. The Ad Hoc recommends that the MAC continue the discussions on how member agencies share costs and including an exit clause in the JPA.

Commissioner Peixoto moved to approve the report from the Ad Hoc Committee. The motion was seconded by Commissioner Becker and carried unanimously, 5-0 (Becker, Peixoto, Cutter, Toy, Johnson; ayes).

15. Items from the Commission and Staff
The Authority's legal counsel was asked what would happen if the member agencies, that are represented by Meyers Nave, do not sign a Conflict Waiver. Counsel advised that Meyers Nave would not be able to represent any of their existing EBDA clients on
the JPA renewal. However, Mr. Casher also stated that the matter that Meyers Nave is representing the City of Hayward on is in the process of being settled.

16. **Adjournment**
With no further business, Chairman Johnson adjourned the meeting at 10:40 a.m.

Michael S. Connor  
General Manager