EAST BAY DISCHARGERS AUTHORITY
COMMISSION MEETING MINUTES

May 18, 2017

1. Call to Order
Chair Johnson called the meeting to order at 9:30 A.M. on Thursday, May 18, 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
Howard Cin East Bay Dischargers Authority
Juanita Villasenor East Bay Dischargers Authority
Alex Ameri City of Hayward
Paul Eldredge Union Sanitary District
Jason Warner Oro Loma Sanitary District
Roland Williams Castro Valley Sanitary District
Dean Wilson City of San Leandro

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

CONSENT CALENDAR

4. Commission Meeting Minutes of April 20, 2017
5. List of Disbursements for April 2017
6. Treasurer's Report for April 2017
Commissioner Peixoto moved to approve the Consent Calendar items. The motion was
seconded by Commissioner Becker and carried unanimously, 5-0 (Becker, Peixoto,
Cutter, Toy, Johnson; ayes).

REGULAR CALENDAR

7. General Manager’s Report
The General Manager advised the Commission of agenda item updates to the RRF
Resolution, FY 2017/18 Budget proposal, and meeting schedule; these items will be
discussed in the corresponding Committee reports. During this budget process an
additional JPA topic has been identified. RRF funding allocations will be added to the four JPA topics the MAC has been discussing. The Commission requested staff organize another Strategic Plan workshop for summer/fall 2017.

8. Report from the Managers Advisory Committee (MAC)
Erik Zalkin of Brown and Caldwell presented a summer schedule for the Transport System Inspection to the MAC. The MAC requested the Carollo Engineers, Inc. contract include member agency maximum flow rates. Staff will have the request added to the task order and a revised scope of work will be provided to the MAC for review. The MAC expressed support of the various agenda items and resolutions.

9. Report from the Financial Management Committee
The Financial Management Committee met with the General Manager on May 16, 2017 and approved the April list of disbursements and Treasurer’s Reports. The Committee reviewed year to date FY 2016/17 third quarter expenses, which are about $126K (3%) over budget. Contributing factors are the heavy rainfall this past winter, Enterococcus in the transport system, and the hiring of an O&M Manager. The Committee recommends full Commission approval of resolutions adopting the Fiscal Year 2017/18 Budget, a FY 2016/17 contribution to the CERBT, and Amendment No. 6 to the Meyers Nave agreement.

Commissioner Cutter 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. Resolution Adopting the Fiscal Year 2017/18 Budget
The General Manager reviewed the proposed Fiscal Year 2017/18 Budget with the Commission. The budget proposal was revised to adjust the member agencies 2017/18 Renewal and Replacement Fund (RRF) contribution to $450,000.

Commissioner Peixoto introduced the resolution adopting the Fiscal Year 2017/18 Budget with the noted adjustment to the RRF contribution. The motion was seconded by Commissioner Cutter and carried unanimously, 5-0.

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

11. Resolution Approving the FY 2017 California Employers’ Retiree Benefit Trust (CERBT) Fund Contribution
Commissioner Cutter requested staff research the option of a separate PARS (Public Agency Retirement Services) account for future OPEB contributions.

Commissioner Cutter introduced the resolution approving the FY 2017 CERBT fund contribution of $13,389. The motion was seconded by Commissioner Toy and carried unanimously, 5-0.
Ayes: Commissioners Becker, Peixoto, Cutter, Toy, and Chair Johnson
Noes: None
Absent: None
Abstain: None

12. Resolution Authorizing Amendment No. 6 to the Fee Contract by and Between East Bay Dischargers Authority and Meyers Nave, a Professional Law Corporation
Commissioner Cutter introduced the resolution authorizing Amendment No. 6 to the Meyers Nave fee contract. The motion was seconded by Commissioner Toy and carried unanimously, 5-0.

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

13. Report from the Regulatory Affairs Committee
The Regulatory Affairs Committee met with the General Manager on May 16, 2017 and discussed permit compliance. The General Manager advised the Committee that the BAAQMD has agreed to move POTW facilities to Priority 2 implementation of Proposed Rule 11-18. EBDAs NPDES permit was approved at the Water Board’s May meeting.

The Water Board has agreed to amend the San Francisco Bay Basin Plan’s Total Residual Chlorine (TRC) limit to 1.5 ppm. BACWA, including EBDAs, agreed to provide funding for the additional staff time the Water Board may incur. Chair Johnson complimented General Manager Connor on the successful negotiation of the EBDAs NPDES permit.

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

14. Report from the Operations and Maintenance Committee (O&M)
The Operations and Maintenance Committee met with the General Manager on May 15, 2017 and discussed the status of EBDAs facilities. The Committee was updated on the status of the AEPS No. 1 and No. 6 effluent pumps, Hayward MCC replacement project, OLEPS fuel tank replacement, and Skywest No. 1 Pump. The MAC also discussed the Enterococcus issue in the transport system. The Committee was advised of a State Water Board inspection of the underground storage tanks at OLEPS. The Committee reviewed the proposed R&R Fund spending for FY 2017/18. The R&R schedule includes expenses totaling $931,000 with a contingency of $100,000.

The Committee expressed its support of the funding resolutions for 1) R&R Fund schedule for FY 2017/18, 2) Pump Repair Service Company, Inc. contracts for AEPS
No. 1 and 6 pumps, 3) Purchase order to Univar, 4) Agreement with Calcon, 5) Carollo Engineers contract, and 6) Purchase order for Donlee Pump.

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).

15. Resolution Approving Asset Management Plan / Renewal and Replacement Fund Schedule for Fiscal Year 2017/2018
Commissioner Peixoto introduced the resolution approving the Renewal and Replacement Fund schedule for FY 2017/18. 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

16. Resolution Authorizing the General Manager to Enter Into a Contract With Pump Repair Service Company Inc. in the Amount of $98,278 for the Replacement of the No. 1 Effluent Pump at the Alvarado Effluent Pump Station
Commissioner Becker introduced the resolution authorizing the contract with Pump Repair Service Company Inc. in the amount of $98,278. The motion was seconded by Commissioner Toy and carried unanimously, 5-0.

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

17. Resolution Authorizing the General Manager to Enter Into a Contract With Pump Repair Service Company Inc. in the Amount of $21,885 for the Overhaul of the No. 6 Effluent Pump at the Alvarado Effluent Pump Station
Commissioner Becker introduced the resolution authorizing the contract with Pump Repair Service Company Inc. in the amount of $21,885. The motion was seconded by Commissioner Peixoto and carried unanimously, 5-0.

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

18. Resolution Authorizing the General Manager to Issue a Purchase Order to Univar USA, Inc. for Sodium Bisulfite 25% Solution in FY 2017/2018 in the Amount of $250,000
Commissioner Cutter introduced the resolution authorizing a purchase order to Univar USA, Inc.. 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

19. Resolution Authorizing the General Manager to Enter Into a Professional Services Agreement With Calcon Systems, Inc. in the Amount of $150,000 Per Year for Electrical, Instrumentation, and Emergency Services in Fiscal Years 2017/18 and 2018/2019
Commissioner Peixoto introduced the resolution authorizing a professional services agreement with Calcon Systems, Inc. in the amount of $150,000 per year. The motion was seconded by Commissioner Toy and carried unanimously, 5-0.

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

20. Resolution Authorizing the General Manager to Enter Into a Contract With Carollo Engineers, Inc. in the Amount of $81,800 for an update of the System Flow Master Plan Modeling
David Stoops advised the Commission that the previous flow model will be calibrated with current wet weather data. The draft Scope of Work will be revised and presented to the MAC for approval. Commissioner Toy introduced the resolution authorizing the contract with Carollo Engineers, Inc. for $81,800. The motion was seconded by Commissioner Peixoto and carried unanimously, 5-0.

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

21. Resolution Authorizing the General Manager to Issue a Purchase Order to Donlee Pump Company for the Purchase of One (1) 8,000-Gallon Above Ground Fuel Storage Tank in the Amount of $49,930 for the Oro Loma Pump Station Underground Fuel Tank Replacement Project No. EBDA-OLEPS 2017-2
The Superintendent of Operations & Maintenance advised the Commission that the pre-purchase of the fuel storage tank is needed to coordinate with the Alameda County Department of Environmental Health permit process. Commissioner Becker introduced the resolution authorizing a purchase order to Donlee Pump Company for the above ground fuel storage tank in the amount of $49,930. The motion was seconded by Commissioner Cutter and carried unanimously, 5-0.
Ayes: Commissioners Becker, Peixoto, Cutter, Toy, and Chair Johnson
Noes: None
Absent: None
Abstain: None

22. **Report From the Personnel Committee**
The Personnel Committee met with the General Manager on May 15, 2017 and considered a resolution approving the FY 2017/18 Compensation Plan that provides for a 3.5% cost-of-living adjustment based on the Bay Area Consumer Price Index. The Committee recessed to closed session to discuss renewal of the General Manager’s employment agreement.

The General Manager advised that the Commission will review his employment agreement at the next Commission meeting.

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

23. **Motion to Accept Committee Assignments and Meeting Schedule for FY 2017/18**
The incoming Chair advised the Commissioners of their Committee assignments. The Personnel and O&M Committees were adjusted to 9:00a and 10:00a respectively to accommodate Commissioners schedules.

Commissioner Becker moved to accept the Fiscal Year 2017/18 Committee appointments and revised meeting schedule. The motion was seconded by Commissioner Cutter and carried unanimously, 5-0 (Becker, Peixoto, Cutter, Toy, Johnson; ayes).

24. **Resolution Approving the FY 2017/18 Compensation Plan**
Commissioner Becker introduced the resolution approving the FY 2017/18 Compensation Plan. The motion was seconded by Commissioner Peixoto and carried unanimously, 5-0.

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

25. **Report from the Ad Hoc Committee**
The Ad Hoc Committee met with the General Manager on May 18, 2017 and discussed the Special MAC meeting of May 12. Commissioner Peixoto expressed appreciation to the MAC for their continued work.
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).

26. Items from the Commission and Staff
Commission Becker advised that the Boards of Directors for the Oro Loma Sanitary District and Castro Valley Sanitary District are being honored by the Bay Institute for the horizontal levee project. Commissioner Becker recognized Jason Warner for his vision and work on the project.

Jason Warner complimented EBDA’s General Manager for not only successfully negotiating the NPDES permit renewal but for also having all of EBDA’s goals included in the permit.

The Commission cancelled the June 15, 2017 Commission. The next Commission meeting will be held on July 20, 2017. Committee meetings may be scheduled in June if needed.

27. Adjournment
With no further business, Chairman Johnson adjourned the meeting at 11:20 a.m.

Michael S. Connor
General Manager