EAST BAY DISCHARGERS AUTHORITY
COMMISSION MEETING MINUTES

June 21, 2018

1. Call to Order
Chair Peixoto called the meeting to order at 9:30 A.M. on Thursday, June 21, 2018, at the Oro Loma Sanitary District Boardroom, 2655 Grant Avenue, San Lorenzo, CA 94580.

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

ABSENT: None

OTHERS PRESENT: Jackie Zipkin East Bay Dischargers Authority
Eric Casher Legal Counsel
Howard Cin East Bay Dischargers Authority
Juanita Villasenor East Bay Dischargers Authority
Maria Buckley East Bay Dischargers Authority
Alex Ameri City of Hayward
Paul Eldredge Union Sanitary District
Jason Warner Oro Loma Sanitary District
Justin Jensen City of San Leandro
Tom Handley Union Sanitary District
Dan Walters Oro Loma Sanitary District

3. Public Form
No member of the public requested to address the Commission at the meeting.

CONSENT CALENDAR

4. Commission Meeting Minutes of May 17, 2018
5. List of Disbursements for May 2018
6. Treasurer’s Report for May 2018

Commissioner Toy moved to approve the Consent Calendar items. The motion was seconded by Commissioner Becker and carried unanimously, 5-0 (Johnson, Cutter, Toy, Becker, Peixoto; ayes).

REGULAR CALENDAR

7. General Manager’s Report
The General Manager thanked everyone for their support and patience during this transitional period. She acknowledged Juanita for the fantastic job she’s doing while
undergoing medical treatment and also Maria for ably stepping in. There will be a send-off for Mike Connor at the July Commission meeting. The GM mentioned that we have received the new copier and will have new capabilities going forward. Staff is working on revisions to the Personnel Policy and will bring it back at a future date. The GM attended, along with other Managers, an East Bay Water Recycling Summit at DSRSD including Senior Managers in Water and Wastewater. She appreciated the collaboration and expects that it will happen at least annually going forward.

8. **Report from the Managers Advisory Committee (MAC)**
The MAC met with the General Manager on June 20, 2018. The MAC recommended moving forward with the budget, including the new nutrient cost allocation and the special projects as outlined. There was a continuing discussion regarding the JPA agreement, in addition to the RF project list, which the O&M Committee had reviewed. There were no actionable reports.

9. **Report from the Financial Management Committee**
The Financial Management Committee met with the General Manager on June 19, 2018, and reviewed the 3rd Quarter summary which showed that the agency is on track relative to the budget. EBDA should come in on target for this year. The recommended budget for next year is relatively flat, with minor changes since EBDA is pretty close to target this year, and the Committee recommended adoption. The General Manager reviewed each of the following four Financial Management Committee resolutions.

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

10. **Resolution Authorizing Amendment No. 7 to the Fee Contract By and Between East Bay Dischargers Authority and Meyers Nave, a Professional Law Corporation**
This contract was first adopted in 2010 and is reviewed annually. Staff is recommended a 3% COLA increase to the contract rates with Meyers Nave. Commissioner Cutter moved to adopt the resolution authorizing amendment No. 7 to the fee contract by and between East Bay Dischargers Authority and Meyers Naves by an increase of 3%. The motion was seconded by Commissioner Toy and carried unanimously, 5-0.

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

11. **Resolution Approving the FY 2018/19 Compensation Plan**
The recommendation was to increase the compensation by 2.9% for 2018/19 and to remove the Transitional General Manager position.

Commissioner Becker moved to approve the FY 2018/2019 Compensation Plan. The motion was seconded by Commissioner Cutter and carried unanimously, 5-0.
Ayes: Commissioners Johnson, Cutter, Toy, Becker, and Chair Peixoto
Noes: None
Absent: None
Abstain: None

12. Resolution Adopting the Fiscal Year 2018/19 Budget
The budget for Special Studies has been recommended at $200,000 to support activities related to emergency response, as well as any needs that might arise in JPA negotiations. The other primary change to the budget is in the way that the nutrient surcharge is allocated. The fee had been a fixed fee as part of Professional Services. In the new budget, it is being considered a fee under Rents and Fees and it has a new allocation methodology based on total nitrogen loads.

Commissioner Becker moved to approve the resolution. The motion was seconded by Commissioner Johnson and carried unanimously, 5-0.

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

13. Resolution Approving the Annual Contribution to the Renewal and Replacement Fund for FY 2018/19 in the Amount of $450,000
The General Manager noted that a final project list will be brought to the Commission next month for consideration. Staff also intends to update the asset management plan.

Commissioner Cutter moved to approve the resolution. The motion was seconded by Commissioner Toy, and approved unanimously, 5-0.

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

14. Report from the Regulatory Affairs Committee
The Committee discussed compliance, which continues to look good. The Committee also discussed strategies for managing enterococcus, working with each agency.

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

15. Report From the Operations & Maintenance Committee
The Operations and Maintenance Committee met on June 18, 2018 and discussed the status of EBDA facilities. The O&M Manager presented updates on all facilities. At AEPS, staff is evaluating the cause and potential remedies for pump cavitation, or the formation
of air bubbles, which can damage impellers and bearings. The HEPS MCC project is moving along. Staff is recommending that Beecher do an electrical evaluation of several EBDA facilities. EBDA staff will also look at automating Skywest data collection. There is some dry rot at the admin offices, so there will be requests to remove it and also spruce up the outdated office a bit. San Leandro has completed their manhole maintenance work, including repair of an EBDA manhole. The draft list of RRF projects for FY2018/19 was reviewed.

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

16. Resolution Authorizing the General Manager it Issue Amendment No. 2 to the Contract with Beecher Engineering, Inc. Dated October 20, 2015, in the Amount of $21,750 for Three Months of Construction Management Services for the Hayward Effluent Pump Station Motor Control Center Replacement Project for a Total not to Exceed Amount of $164,030

EBDA staff recommended contracting with Beecher Engineering for project management for the HEPS MCC Project for three months, during which an RFP for continuing construction management services will be issued.

Commissioner Cutter moved to approve the resolution. The motion was seconded by Commissioner Johnson, and approved unanimously, 5-0.

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

17. Resolution Authorizing the General Manager to Issue a Purchase Order to Univar USA, Inc. for Sodium Bisulfite 25% Solution in FY2018/19 in the Amount of $250,000

The O&M Manager explained that this is the annual resolution for sodium bisulfite. If it is a dry year, less will be spent.

Commissioner Becker moved to approve the resolution. The motion was seconded by Commissioner Toy, and approved unanimously, 5-0.

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

18. Resolution of Appreciation for Jennifer Toy

Chair Peixoto presented the resolution of Appreciation to Commissioner Toy who thanked the Commission and wished them well, stressing the importance of their
continued collaboration. Commissioner Cutter expressed appreciation for help in the Finance Committee.

Commissioner Cutter moved to approve the resolution. The motion was seconded by Commissioner Becker, and approved, 4-0-1.

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

19. **FY 2018/19 Commission Chair Rotation**
Commissioner Cutter will step aside from the Chair role in the upcoming year so that her schedule would not interfere with the Chair position. Tom Handley will be the new Chair.

Commissioner Johnson moved to approve the Commission Chair rotation. The motion was seconded by Commissioner Becker and carried unanimously, 5-0 (Johnson, Cutter, Toy, Becker, Peixoto; ayes).

20. **Motion to Accept Committee Appointments and Calendar for FY 2018/19**
The Commission agreed to switch the times for the Financial Management and Personnel Committees.

Commissioner Cutter moved to accept the Committee appointments and calendar for FY 2018/2019. The motion was seconded by Commissioner Becker and carried unanimously, 5-0 (Johnson, Cutter, Toy, Becker, Peixoto; ayes).

21. **Items From the Commission and Staff**
The Commission thanked Chair Peixoto for his Chairmanship.

22. **Adjournment**
With no further business, Chairman Peixoto adjourned the meeting at 10:37 a.m.

Jacqueline Zipkin
General Manager