EAST BAY DISCHARGERS AUTHORITY
COMMISSION MEETING MINUTES

September 20, 2018

1. Call to Order
Chair Handley called the meeting to order at 9:30 A.M. on Thursday, September 20, 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; Tom Handley, 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
Maria Buckley, East Bay Dischargers Authority
Alex Ameri, City of Hayward
Paul Eldredge, Union Sanitary District
Jason Warner, Oro Loma Sanitary District
Justin Jenson, City of San Leandro
Dan Walters, Oro Loma Sanitary District
Jeff Carson, Dublin San Ramon Services District

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

CONSENT CALENDAR

4. Commission Meeting Minutes of August 16, 2018
5. List of Disbursements for August 2018
6. Treasurer's Report for August 2018

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

REGULAR CALENDAR

7. General Manager's Report
The General Manager mentioned that she is back to full time as of September and thanked the Commission for their flexibility and support.
8. **Report from the Managers Advisory Committee (MAC)**
   The MAC met with the General Manager on September 17, 2018. The General Manager stated that the MAC discussed the Advanced Quantitative Precipitation Information Project, which aims to predict precipitation in the Bay Area, EBDA interest in participating in an East Bay sub-project, and related costs. More information will be forthcoming. The MAC also continued discussions regarding the JPA and different ways of fairly allocating costs.

9. **Report from the Ad Hoc Committee**
   The Ad Hoc Committee met with the General Manager on September 18, 2018, and discussed whether or not to bring in a third-party or other mode of facilitation for the cost allocation piece of the JPA. Commissioner Cutter suggested a “smoothing” period for Member Agencies to be able to incorporate the new amounts in their budgets. The General Manager will look into it further and bring recommendations back to the Commission.

10. **Report from the Financial Management Committee**
    The Financial Management Committee met with the General Manager on September 14, 2018. The General Manager pointed out that the disbursement register is now in order of check amount and that BACWA annual dues and HEPS MCC were the largest payments in August. She next reported on the CERBT annual report, and the PERS pension annual actuarial valuation. Funding for any contributions in addition to the required contribution will be determined in the fourth quarter after reviewing the year-to-date expenditures. If it is a dry year, there should be a budget surplus, and additional funds may be allocated, as in FY 2018. The recommendation is to follow this practice rather than commit a fixed amount at the beginning of the fiscal year.

    The General Manager reviewed the investment policy and strategy and noted that we will review the policy annually. There will be thorough review of the policy to comply with the latest regulations, and also a review of the strategy for how we are investing funds, keeping in mind that some funds will need to be liquid to accommodate upcoming capital projects. The recommendation is to move CD maturities to LAIF in the near term, and explore options using a consultant and come back to the Commission with recommendations on the long-term investment strategy.

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

11. **Report from the Regulatory Affairs Committee**
    The Regulatory Affairs Committee met with the General Manager on September 18, 2018. EBDA is in compliance with bacteria requirements and has been well below limits all summer. The General Manager extended thanks to the Member Agencies for being vigilant. The Regional Water Board is reviewing its wetlands policy and BACWA submitted comments on how to adjust the policy to facilitate wetlands projects. BACWA met with BAAQMD staff regarding air permits for wastewater facilities, as well as upcoming BAAQMD regulations including rules for methane emissions. BACWA intends
to continue collaborating with BAAQMD to ensure new rules and permits are workable for wastewater agencies.

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

12. Report from the Operations & Maintenance Committee
The Operations and Maintenance Manager met with the O&M Committee on September 17, 2018. The O&M Manager reported out on the status of the HEPS MCC project, noting a preference to have the contractors do as much as possible before wet weather, and then pause and return after wet weather. Project delays have been attributed to the electrical components supplied by Eaton. He explained details of the Cavitation Study and the Project and Construction Management Services. The Commission expressed appreciation for the explanation of cavitation.

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

13. Resolution Authorizing the General Manager to Enter Into a Contract with Carollo Engineers, Inc. in the Amount of $17,800 to Perform a Cavitation Study and Pump Operation Evaluation at AEPS
The Operations Manager presented information pertaining to the scope of the Cavitation Study.

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

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

14. Resolution Authorizing the General Manager to Enter Into a Contract with Currie Engineers in an Amount not to Exceed $60,000 for Project Management and Construction Management Services
The O&M Manager explained the scope and RFP process for the Project/Construction Management Services Contract. He explained that the work will be done on a time and material basis.

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

Ayes: Commissioners Johnson, Cutter, Peixoto, Becker, and Chair Handley
Noes: None
Absent: None
Abstain: None
15. **Report from the Personnel Committee**
The Personnel Committee met with the General Manager on September 18, 2018. The General Manager explained that the Committee performed the biennial review of the Authority’s Conflict of Interest Code, with no changes recommended. They also reviewed the General Manager’s travel report including upcoming conferences. The General Manager will be looking for professional development opportunities for the Operations and Maintenance Manager.

The Personnel Policy was reviewed in detail and recommendations were made regarding cell phone stipends, as well as use of Authority resources such as mail and phone lines. The General Manager noted that separately-negotiated agreements take precedence over policy items, but that the goal is consistency where possible. Since staff is so close to completing the review, the Policy will be brought back to the Committee in October with final recommendations. It was clarified that step increases will be in line with the Member Agencies, having a 12-month waiting period for each step. There will also be a clearer delineation between Compensation Plan issues and Personnel Policy issues. The results of attorney review of the Authority’s cash-in-lieu of medical benefits were also discussed, and the Committee supported staff’s recommendation to engage a third-party vendor to formalize the Authority’s cafeteria plan.

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

16. **Committee Alternate Assignments**
The Commissioners submitted their Committee Alternate request forms and alternates have been selected for this year. If the alternate cannot attend, attendance will default to the Chair. The alternate schedule will begin with the October meetings. In future years, the alternate selection will be part of the normal Committee selection process. The Personnel Committee will meet at 10:00 a.m. for the rest of this fiscal year.

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

17. **Items From the Commission and Staff**
None.

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

[Signature]
Jacqueline Zipkin
General Manager