EAST BAY DISCHARGERS AUTHORITY
COMMISSION MEETING MINUTES

April 18, 2019

1. Call to Order
Chair Handley called the meeting to order at 9:30 A.M. on Thursday, April 18, 2019, at the Oro Loma Sanitary District Boardroom, 2655 Grant Avenue, San Lorenzo, CA 94580.

2. Pledge of Allegiance

3. Roll Call
PRESENT: Al Mendall, City of Hayward; Pauline Russo Cutter, City of San Leandro; Thomas Handley, Union Sanitary District; Dan Walters, Oro Loma Sanitary District; Ralph Johnson, Castro Valley Sanitary District

ABSENT: None

OTHERS
PRESENT: Jackie Zipkin East Bay Dischargers Authority
Marla Buckley East Bay Dischargers Authority
Howard Cin East Bay Dischargers Authority
Juanita Villasenor East Bay Dischargers Authority
Eric Casher Legal Counsel
Alex Ameri City of Hayward
Jason Warner Oro Loma Sanitary District
Justin Jenson City of San Leandro
Paul Eldredge Union Sanitary District
Roland Williams Castro Valley Sanitary District

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

CONSENT CALENDAR

5. Commission Meeting Minutes of March 21, 2019
6. List of Disbursements for March 2019
7. Treasurer’s Report for March 2019
Commissioner Cutter moved to approve the Consent Calendar items. The motion was seconded by Commissioner Johnson and carried unanimously, 5-0 (Mendall, Cutter, Walters, Johnson, Handley; ayes).

REGULAR CALENDAR

8. General Manager’s Report
The General Manager reminded everyone that EBDA was holding a Special Meeting following the Commission. The meeting is a tour of the EBDA facilities for the member agency Boards/Councils.
9. **Report from the Managers Advisory Committee (MAC)**
The MAC discussed the board package, received a status report on the Asset Management Plan Update, and reviewed the liquefaction study. The MAC also discussed JPA next steps.

10. **Report from the Ad Hoc Committee**
The Ad Hoc discussed the status of the JPA Term Sheet and JPA next steps. Individual agencies are in the process of reviewing the term sheet and Commissioners are receiving direction from their Boards/Councils that should enable the Commission to take action on this item at the May 16 meeting.

CV San asked for clarification on flow capacity changes. If an agency increases its flow, as provided for in the term sheet, would it also be given the opportunity to decrease flows? The MAC and Ad Hoc were open to the concept that an agency could be allowed to return to its original JPA flow capacity. The capacity floor would be defined as the flow capacities written in the JPA.

11. **Report from the Financial Management Committee**
The Financial Management Committee met with the GM on April 18, 2019. The Committee reviewed the List of Disbursements, Treasurer’s Report, and a draft Audit Policy. The Committee discussed the impacts of implementing new budget allocations at various periods during FY2019/20, closing out the current JPA, and prefunding liabilities.

The Commission directed staff to use the current JPA allocations for the FY2019/20 Budget as agreed to in the JPA Term Sheet. The Commission discussed closing out the RRF and prefunding pension and OPEB liabilities. There is consensus among the Commissioners that paying down the Authority’s liabilities is prudent. However, the approach to achieve the target funding ratios is a matter of discussion. In addition, the issue of whether or not to liquidate the unallocated funds in the RRF at the close of the current JPA remains unresolved. The MAC was directed to work out a compromise on the issues of closing out the RRF and prefunding the pension and OPEB liabilities.

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

12. **Resolution Approving Revisions to the Authority’s Other Post-Employment Benefits (OPEB) Policy**
The Financial Management Committee recommended approval of revisions to the OPEB Policy. The changes included removing procedural elements and focus on a target funding ratio for the OPEB trust.

Commissioner Mendall moved to approve the resolution approving revisions to the Authority’s OPEB Policy. The motion was seconded by Commissioner Cutter, and approved unanimously, 5-0.

**Ayes:** Commissioners Mendall, Cutter, Walters, Johnson, and Chair Handley

**Noes:** None

**Absent:** None

**Abstain:** None
13. **Report from the Regulatory Affairs Committee**
The Regulatory Affairs Committee met with the GM on April 16, 2019. The Committee was updated on the status of the Nutrients Watershed Permit renewal and related grant awards. Commissioner Mendall advised that the Hayward Shoreline Planning Agency is going through a master planning process and EIR and welcomed member agencies to attend upcoming meetings.

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

14. **Report from the Operations & Maintenance Committee**
The Operations & Maintenance Committee met with the GM on April 15, 2019. The O&M Manager provided an update on the HEPS MCC Replacement project and the Asset Management Plan Update. The Committee also discussed the SBS Building Sump Pump replacement at the MDF and the Disaster Cost Recovery Plan.

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

15. **Report from the Personnel Committee**
At the April 17, 2019, Personnel Committee Meeting, the basis for cost of living adjustments (COLA) for staff was reviewed. The Committee supports the use of the CPI-U of 4.5% for the COLA in the FY 2019/20 budget. For future budgets, staff was directed to present member agency salary adjustments along with the CPI-U for Committee consideration in setting the COLA.

The April 17, 2019, Personnel Committee Meeting Agenda incorrectly reflected the minimum COLA for USD as 3.5%. USD's recently negotiated MOU sets the COLA equal to CPI-U but with a minimum of 3.25% and a maximum of 4.5%. These were the percentages that should have been reflected in the Personnel Committee Meeting Agenda.

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

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

17. **Adjournment**
With no further business, Chair Handley adjourned the meeting at 10:48 a.m.

Jacqueline Zipkin
General Manager