1. **Call to Order**
Chair Francis called the meeting to order at 9:35 A.M. on Thursday, September 21, 2006 at the Oro Loma Sanitary District Boardroom, 2600 Grant Avenue, San Lorenzo, CA 94580.

2. **Roll Call**
**PRESENT:** Ron Dias, Oro Loma Sanitary District; Harry Francis, Castro Valley Sanitary District; Jennifer Toy, Union Sanitary District (arrived at 9:49 AM); Bill Ward, City of Hayward and, Shelia Young, City of San Leandro.

**ABSENT:** None

**OTHERS**
**PRESENT:** Chuck Weir, East Bay Dischargers Authority; Carrie Wilson, East Bay Dischargers Authority; Karl Royer, East Bay Dischargers Authority; Chuck Kilian, Legal Counsel; Alex Ameri, City of Hayward; Rich Currie, Union Sanitary District; Mike Cameron, Oro Loma Sanitary District; Roland Williams, Castro Valley Sanitary District; Dean Wilson, City of San Leandro; Mike Bakaldin, City of San Leandro.

3. **Public Forum**
No members of the public addressed the Commissioner at this time.

**C O N S E N T C A L E N D A R**

4. **Commission Meeting Minutes of August 17, 2006**
5. **Report From the Financial Management Committee**
6. **List of Disbursements for August 2006**
7. **Preliminary Treasurer’s Report for August 2006**
8. **Final Fourth Quarter Expense Summary FY2005/2006**

A motion by Commissioner Ward, seconded by Commissioner Dias, to approve Items 4 - 8 was approved unanimously by a vote of 4 – 0.

**R E G U L A R C A L E N D A R**

9. **Report From the Managers Advisory Committee**
The Managers Advisory Committee met with the General Manager on September 13, 2006. A copy of the MAC agenda is attached for the Commission’s information. Attendance included the following:
Chuck Weir  East Bay Dischargers Authority  
Rich Currie  Union Sanitary District  
Alex Ameri  City of Hayward  
Dean Wilson  City of San Leandro  
Mike Bakaldin  City of San Leandro  
Roland Williams  Castro Valley Sanitary District  
Mike Cameron  Oro Loma Sanitary District  

The MAC discussed the items in the agenda and focused on the following items:

1. Requirements of the new NPDES permit. A draft schedule for monitoring and reporting was distributed and reviewed.

2. The status of the Master Agreement between the Authority and LAVWMA was discussed. There are three phrases that should be considered for deletion prior to its approval by the Commission.

The Commission accepted the report.

10. Report From the Operations and Maintenance Committee
The Operations & Maintenance Committee, Commissioners Francis and Dias, met with the General Manager on September 12, 2006. A copy of the Committee agenda was attached. There were no members of the public present. The Committee reviewed the status report on O&M Projects and Activities and concurred with the approaches being taken by staff. The Committee agreed to change the time of its monthly meetings to 9:00 a.m. The Committee also requested a tour of the Marina Dechlorination Facility in November 2006 to see the new bioassay system.

The Committee concurred with the staff recommendation to issue a Purchase Order to Remote Orbital Installations for a not to exceed total of $15,000 for repair of three manholes on the Authority Forcemain.

The Committee also reviewed the Agreement Between East Bay Dischargers Authority and the City of San Leandro Regarding Water Recycling and recommended it for approval by the Commission. City of San Leandro has reviewed the agreement and also recommended its approval.

A motion by Commissioner Ward, seconded by Commissioner Dias, accepting the report from the Operations & Maintenance Committee was approved by a vote of 4 – 0.

11. Purchase Order With Remote Orbital Installations For A Not To Exceed Total Of $15,000 For Repair Of Three Manholes On The Authority’s Forcemain
The project to repair three Forcemain manholes was reviewed and recommended by the Operations and Maintenance Committee at its meeting on September 12, 2006. A motion by Commissioner Young, seconded by Commissioner Dias, authorizing the General
Manager to issue a Purchase Order to Remote Orbital Installations for a not to exceed total of $15,000 was approved by a vote of 4 – 0.

12. Agreement Between East Bay Dischargers Authority And The City Of San Leandro Regarding Water Recycling
As noted in the Operations and Maintenance Committee Agenda Report, the Commission gave preliminary approval to the City of San Leandro to tap into the Authority’s Forcemain for recycled water purposes. This agreement formalized the approval given in November 2004. Legal Counsel and staff for the Authority and City and the Operations & Maintenance Committee have reviewed the agreement and recommend its approval.

A motion by Commissioner Young, seconded by Commissioner Dias, approving the Agreement Between East Bay Dischargers Authority And The City Of San Leandro Regarding Water Recycling was approved by a vote of 4 – 0.

13. Report From The Regulatory Affairs Committee
The Regulatory Affairs Committee, Commissioners Dias and Ward, met with the General Manager on September 11, 2006. A copy of the agenda report was attached for the Commission’s information. There were no members of the public present.

The Committee reviewed the items in the agenda packet and concurred with the approaches being taken by Authority and BACWA staff.

The General Manager provided a master schedule of monitoring and reports and a PowerPoint presentation on the permit to the Commission. The presentation will be given to member agency Boards and Councils upon request. Commissioner Ward asked that a presentation for Hayward be given on October 9, 2006. Castro Valley Sanitary District requested it be given in November to their Board.

The Committee also reviewed the status of the agreement with Zone 7 Water Agency and LAVWMA for brine disposal and noted that the new NPDES permit has very specific language requiring an agreement. Since the project will not be completed for at least two years, there is adequate time to complete an agreement.

A motion by Commissioner Ward, seconded by Commissioner Dias, to accept the report was approved by a vote of 5 – 0.

14. Report From The LAVWMA Committee
The LAVWMA Committee, Commissioners Young and Francis, met with the General Manager on September 11, 2006. There were no members of the public present. A copy of the Committee agenda report was attached for the Commission’s information.

The Committee reviewed a final version of the master agreement that included changes based on review by the member agency managers and their legal counsel. The Committee recommended approval of the agreement subject to a final review by the Committee and
General Manager for typos and other minor corrections. Due to schedules and vacations there had not been adequate time for a thorough final review.

The final review identified several minor typos that have been corrected in the final version. The use of the term “Master Agreement” has been included throughout the agreement as well. There are three phrases that create confusion that the Commission should consider deleting prior to approval of the agreement. Assuming the Commission approves the agreement in September it will be forwarded to LAVWMA for signature.

A motion by Commissioner Ward, seconded by Commissioner Toy, to accept the report from the LAVWMA Committee was approved by a vote of 5 – 0.

15. Master Agreement to Provide Sewer System Discharge Services Between East Bay Dischargers Authority and Livermore-Amador Valley Water Management Agency.

The Commission considered deleting three phrases that were unnecessary, could create confusion with respect to the previous agreements, and could make it difficult for LAVWMA to approve the agreement.

The goal of this process was to combine all six of the existing agreements into a single Master Agreement such that all applicable items from the previous six agreements were incorporated into the Master Agreement. Items that are no longer applicable were deleted. Creating a single Master Agreement that is accurate and to the point is in the best interests of all agencies.

A motion by Commissioner Ward, seconded by Commissioner Young, to accept Resolution No. 06-11 Approving Master Agreement to Provide Sewer System Discharge Services Between East Bay Dischargers Authority and Livermore-Amador Valley Water management Agency with the recommended changes by staff and City of San Leandro was approved by a roll call vote as follows:

AYES: Commissioners Dias, Toy, Ward, Young and Chair Francis
NOES: None
ABSTAIN: None
ABSENT: None

16. Report From The Personnel Committee

The Personnel Committee, Commissioners Toy and Young, met with the General Manager on September 5, 2006. There were no members of the public present. A copy of the Committee Agenda was attached for the Commission’s information.

The Committee reviewed the salary and benefit issues for FY2006/2007. This item was continued from the July and August meetings with the understanding that salary and benefit modifications will be retroactive to July 1, 2006.

The Committee recommended that the entire Commission thoroughly review the documentation such that a discussion could occur with the whole Commission. The
Committee requested that a Closed Session be included to allow for a frank and productive discussion.

A motion by Commissioner Ward, seconded by Commissioner Dias, to accept the report from the Personnel Committee was approved by a vote of 5 – 0.

17. **Staff Report**
   A. **Monthly O&M Report.** The monthly reports for July 2006 were attached for the Commission's information.
   B. **EPA/SWRCB/RWQCB and Other Regulatory Issues.** Items of regulatory significance were discussed in other agenda reports.
   C. **BACWA Minutes.** The minutes from the July 27, 2006 and August 11, 2006 meetings were attached.
   D. **Correspondence.** Other correspondence and items of interest was either enclosed in the Agenda packet or distributed at the Commission meeting.

18. **Items From the Commission**
There were no items from the Commission.

19. **Closed Session**
At 10:37 AM pursuant to Government Code Section 54957.6, Chair Francis adjourned the Commission meeting to Closed Session to discuss labor negotiations with employees.

16. **Reconvene to Open Session**
Chair Francis reconvened to Open Session at 10:58 AM. He reported that no action was taken. The Commission meeting was adjourned to October 5, 2006 at 9:00 AM at which time the Commission will continue the Closed Session regarding labor negotiations.

17. **Adjournment**
With no further business, Chair Francis adjourned the meeting at 10:59 A.M.

Charles V. Weir
General Manager/Secretary