



## Executive Board Meeting Minutes

Thursday, June 23, 2011, 9:00 a.m. – 12:30 p.m.  
EBMUD, 2020 Wake Avenue, Oakland, CA

### ROLL CALL AND INTRODUCTIONS

Executive Board Representatives: Ben Horenstein, Chair (East Bay Municipal Utility District); Laura Pagano (San Francisco Public Utilities Commission); Jim Kelly (Central Contra Costa Sanitary District); Mike Connor (East Bay Dischargers Authority); Bhavani Yerrapotu (City of San Jose).

Other Attendees: Dave Williams (East Bay Municipal Utilities District); Stephanie Cheng (East Bay Municipal Utilities District); Margaret Orr (Central Contra Costa Sanitary District); Sharon Newton (City of San Jose); Jim Ervin (City of San Jose); John Newby (City of San Jose); Melody Tovar (City of San Jose); Amanda Roa (Delta Diablo Sanitary District); Tom Hall (Sunnyvale/Eisenberg Olivieri Associates, Inc.); Tom Mumley (San Francisco Regional Water Quality Control Board); Monica Oakley (RMC Environmental); Kevin Kennedy (HDR Engineering); Pete Talbot (HDR Engineering); Mike Faulk (HDR Engineering); Amy Chastain (BACWA); Alexandra Gunnell (BACWA).

### PUBLIC COMMENT

There were no public comments.

### REPORTS

**Committee Reports, agenda item 1**, were included in the meeting handout packet and attendees were invited to elaborate on their reports or field questions.

The Field Automation Practices document developed by the Collection Systems committee was included with their report, will be uploaded to the BACWA website and featured in the next monthly e-newsletter.

For **agenda item 2**, the **Proposition 50 Grant Disbursements Status Report** was included in the meeting handout packet.

For **agenda item 3**, the **Executive Director's Report**, was included in the meeting handout packet. As noted in the report BACWA has been requested to become a partner for the Clean Water America Alliance's Urban Water Sustainability Leadership Conference, October 3-5, in Milwaukee.

BACWA Executive Board (Board) members were invited to share any items of interest under **agenda item 4, Executive Board Reports**, including information about meetings that were attended by BACWA representatives this month.

During the Summit Partners meeting on June 27<sup>th</sup>, 2011, Greg Kester provided an update on possible regulations proposed by CalRecycle for FOG transported by truck. He has met with the California State Water Resources Control Board (SWRCB) to discuss surrounding issues and Greg will be meeting with CalRecycle to continue discussions. Tom Howard, Executive Director of the SWRCB, was the guest speaker at this month's meeting. He explained that he is working to address fragmentation between the SWRCB and regional water boards, and while POTW regulations are not among his top priorities at this time, he is hoping to finalize some efforts addressing toxicity, chlorine residuals, cadmium, constituents of emerging concern (CEC's), and general waste discharge requirements (GWDR). It was motioned during the BACWA meeting that a Hoover Commission report on fragmentation between SWRCB and regional boards was released five years ago.

Central Contra Costa Sanitary District reported that during a recent meeting refinery representatives expressed willingness to partner with BACWA to work on TMDL development.

San Francisco Public Utilities Commission (SFPUC) is planning to submit comments regarding their Phase II general permit renewal to address concerns about municipal separate storm sewer systems

(MS4s) areas. As a result of SWRCB's review of historical CIWQS records, SFPUC received notice of a potential PAH violation in 2000, which turned out to be the result of an erroneous entry in database. Meetings with the RWQCB have confirmed that SFPUC permits have regulatory jurisdiction over Mission Bay Development construction. SFPUC received notice that, contrary to recommendations from their last EPA inspection, sanitary sewer overflows are not considered a hazardous material spill and do not need to be reported as such.

The Aquatic Science Center (ASC) is investigating the possibility of combining their governing board with the San Francisco Estuary Institute (SFEI) board.

BACWA Executive Board (Board) members expressed interest in sponsoring a workshop to discuss how agencies are planning to address the impacts of sea level rise. This will topic will be added to the July Board meeting agenda for further discussion.

## CONSENT CALENDAR

*Consent calendar **agenda items 6 through 9** were approved in a motion made by Mike Connor and seconded by Jim Kelly. The motion carried unanimously.*

6. Minutes from May 26, 2011 Executive Board Meeting.
7. April 2011 Treasurer's Report.
8. HDR Amendment 1 to extend termination date of Nutrient Support contract to December 31, 2011.
9. Authorize contracts to implement Fiscal Year 2011 – 2012 BACWA and Special Programs budgets and workplans
  - a. RMC Water and Environment for As Needed Technical support, not to exceed \$40,000 (FY11-12) File 12,436;
  - b. Larry Walker & Associates for As Needed Technical support, not to exceed \$30,000 (FY11-12) File 12,448;
  - c. EOA, Inc for As Needed Technical support, not to exceed \$20,000 (FY11-12) File 12,449;
  - d. Circle Point for Communications support, not to exceed \$30,000 (FY11-12) File 12,437;
  - e. CH2M Hill for AIR Committee support, not to exceed \$80,790, contingent upon receipt of AIR Committee member contributions, (FY11-12) File 12,439;
  - f. Stephanie Hughes for BAPPG Mercury and Copper Outreach support, not to exceed \$11,000 (FY11-12) File 12,470.

Interest was expressed in better understanding the rates and staffing of various consultants engaged to provide support to BACWA. This information will be provided at a future Board meeting. A revised schedule for the HDR agreement will also be provided at July meeting and a discussion of utilizing the Paul Causey contract to gather additional information from POTWs will be added to the July meeting agenda. A reminder about how to sign up to receive sewer database e-mails will be sent to the Board.

## OTHER BUSINESS

For **agenda item 10**, a **Nutrient Discussion** was led by HDR. Revised presentation slides were

distributed along with a progress report. Monthly progress reports will be distributed to the Board, and will include Gantt chart. Comments on the draft presentations received by HDR by COB today will be incorporated and a revised presentation that will be sent to the Board on Monday. HDR will return at the July Board meeting to provide an update on the project.

For **agenda item 11, a Regional Campaign Update & Request for Support** was provided by Melody Tovar, Deputy Director for the City of San Jose Watershed Protection Division. Though the City of San Jose did not receive the grant from EPA they are still moving forward to develop the San Francisco Bay Protection & Behavior Change Campaign. A \$5,000 contribution will be made by SFEP and the group is seeking \$15,000 each from BACWA and BASMAA to support initial brand development. A briefing sheet and letter of support from Tom Mumley were distributed.

*Jim Kelly made a motion to approve BACWA becoming a partner and contributing \$15,000. The motion was seconded by Laura Pagano and passed unanimously.*

A request was made that CSJ report back in the coming months to update Board on progress of this effort.

For **agenda item 12, the Appointment of an Ad Hoc Executive Board Committee to Negotiate Executive Director Consulting Agreement**, *Ben Horenstein moved to recommend the appointment of the BACWA Executive Board Chair and Vice Chair to the ad hoc committee. The motion was seconded by Mike Connor and passed unanimously.*

## **CLOSED SESSION**

Personnel exception pursuant to Government Code section 54957 to consider public employee evaluation: Executive Director.

Conference with Ad Hoc Executive Board Committee regarding Executive Director Consulting Agreement, pursuant to Government Code section 549957.6.

The next regular meeting is scheduled for July 28, 2011, 9:00 a.m. to 12:00 p.m. at the EBMUD Lab Library, 2020 Wake Road, Oakland, CA.

The meeting adjourned at 12:30 p.m.