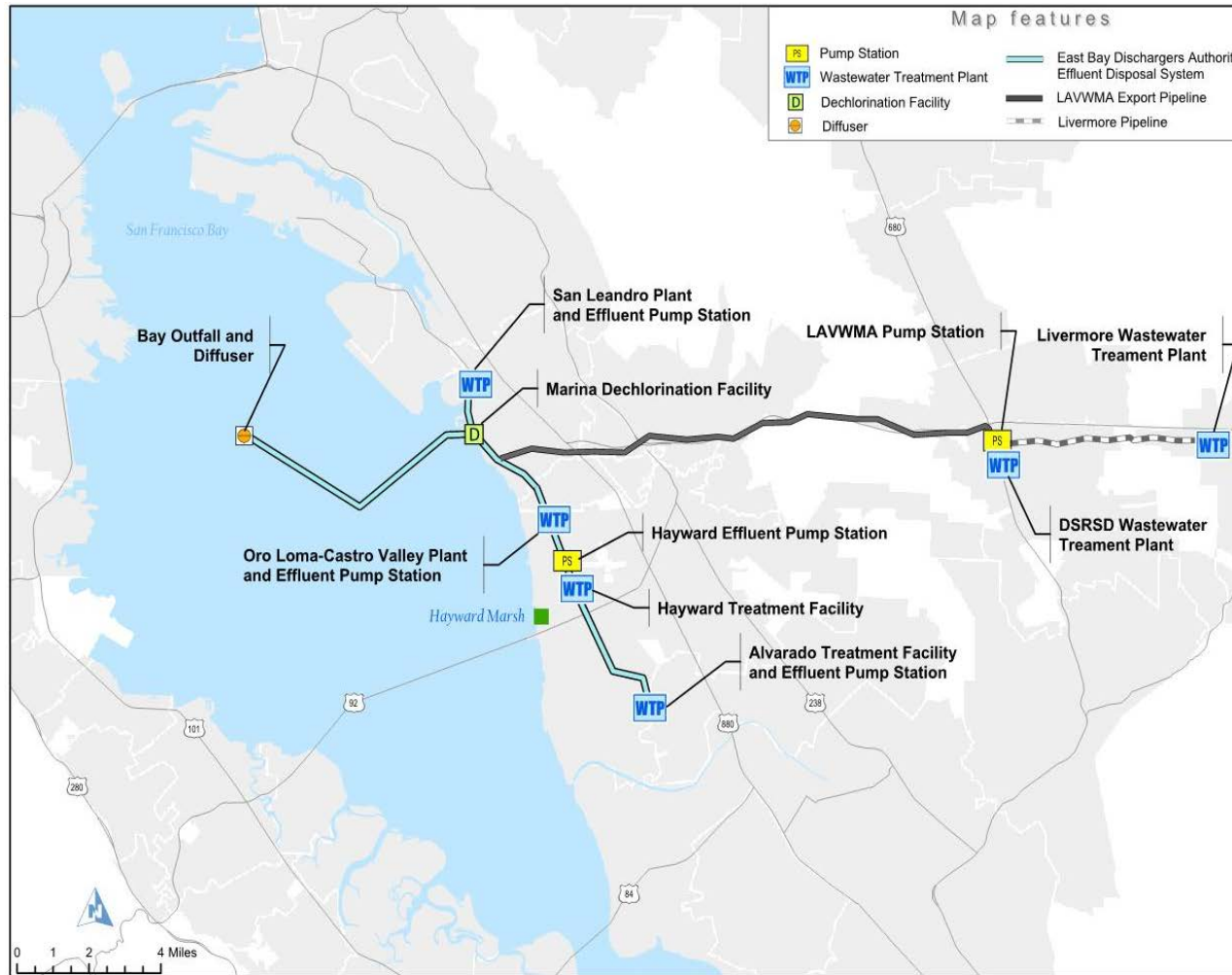


East Bay Dischargers Authority Joint Powers Agreement (JPA) Renewal

Who is EBDA?

- ▶ Joint Powers Authority responsible for discharge of treated wastewater to San Francisco Bay
- ▶ Member Agencies:
 - City of San Leandro
 - Oro Loma Sanitary District (OLSD)
 - Castro Valley Sanitary District (CVSan)
 - City of Hayward
 - Union Sanitary District (USD)
- ▶ Governed by a Commission made up of one appointee from each member agency

EBDA System



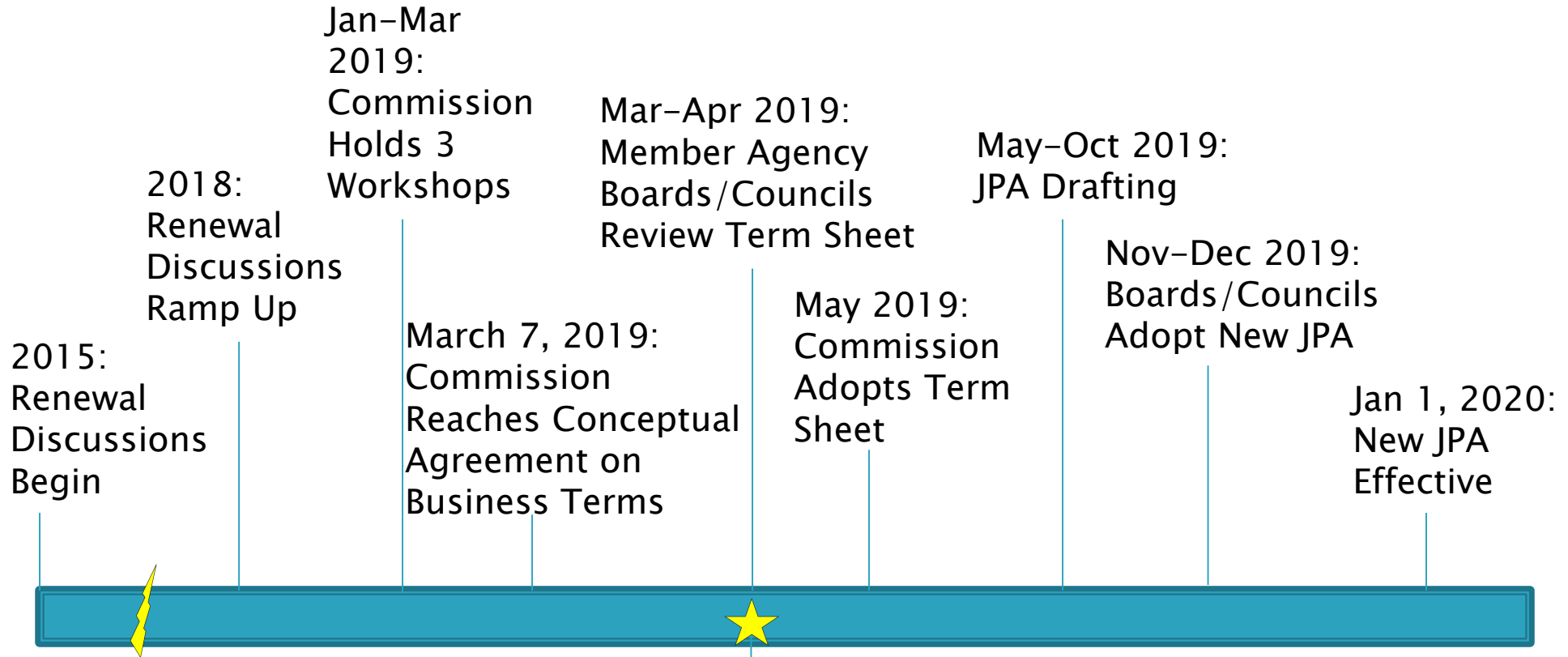
EBDA Facilities:

- 4 Pump Stations
- 1 Dechlorination Facility
- 11.5 miles of force mains (48–96” diameter)
- 7 mile outfall

Annual Budget ~\$5M

Note: EBDA also manages by contract flows from Livermore–Amador Valley Water Management (LAVWMA), a JPA of Dublin San Ramon Services District and City of Livermore

JPA Renewal Process

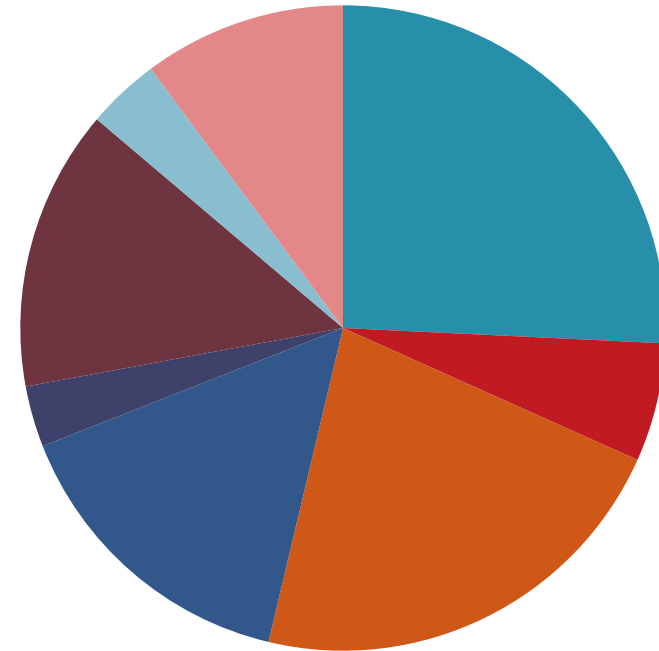


You are here.

JPA Key Issues

- ▶ Cost Allocation
- ▶ Risk Allocation
- ▶ Governance

How do we slice the pie?



Term Sheet Elements

Term & Capacity

- ▶ 20 Years
- ▶ No unilateral opt out
- ▶ Member agencies are adjusting their purchased capacity in the system now

Member Agency	Current Capacity (MGD)	New Capacity (MGD)
USD	42.9	42.9*
OLSD/CVSan	69.0	30.0
Hayward	35.0	15.0*
San Leandro	22.3	14.0

*Hayward and USD capacities are still under consideration

- ▶ Fixed and capital costs will be adjusted to reflect new capacities
- ▶ Agencies that exceed their capacity face an overage fee

Term Sheet Elements

Governance

- ▶ **Current JPA:**
 - Each agency has 1 vote
 - Certain decisions require 5 votes (e.g. budget approval, special studies)
 - Other decisions require 4 votes (e.g. contracts, policies)
- ▶ **New JPA:**
 - All decisions, except changes to the JPA, will require a majority of members (membership vote) and a majority of capacity (weighted vote)
 - Changes to the JPA will still require 5 votes

Member Agency	Membership Vote	Weighted Vote
USD	1	42.10*
OLSD	1	19.63
CVSan	1	9.81
Hayward	1	14.72*
San Leandro	1	13.74
TOTAL	5	100

*Hayward and USD capacities are still under consideration

Term Sheet Elements

Pipeline Capital Cost and Liability

- ▶ Current JPA: all members share in all capital costs and liabilities based on capacity
- ▶ New JPA: members will pay for capital projects, including those that may be incurred in a disaster (e.g. earthquake), according to the segments of pipe they use

Term Sheet Elements

Pipeline Capital Cost and Liability (cont.)

