



Legislation Text

File #: 15-074, **Version:** 1

RESOLUTION Approving the Fourth Amended Joint Exercise of Powers Agreement of the East Bay Dischargers Authority (EBDA) to Conform with Current Agency Policy and State Law

WHEREAS, the East Bay Dischargers Authority is a Joint Powers Authority (JPA) of which the City of San Leandro is currently a member; and

WHEREAS, the JPA was formed in 1974 by a "Joint Exercise of Powers Agreement" (JPA Agreement) entered into by and between the City of Hayward, City of San Leandro, Oro Loma Sanitary District, Union Sanitary District, and Castro Valley Sanitary District; and

WHEREAS, the JPA provides a transport system and outfall to collect effluent from six (6) wastewater treatment plants in the East Bay and treats the collected wastewater to remove chlorine and any associated toxicity and provides sufficient dilution so that water discharged into the San Francisco Bay presents no harm to water quality; and

WHEREAS, the JPA Agreement has been amended three times, in 1978, 1986, and 2007; and

WHEREAS, the JPA recognized the need to update and revise the JPA Agreement to ensure that it is current with all agency policies and state law and to eliminate historical references that are no longer relevant; and

WHEREAS, the JPA Commission determined that the most efficient way to revise the JPA Agreement would be to initiate a two-step process during which the JPA would first make administrative changes to ensure that the JPA policies are up to date, and then utilize the revised documents as a starting point for negotiations among all of the JPA agencies to determine how to best structure the JPA in the future; and

WHEREAS, the partner cities and special districts and their counsel have had the opportunity to review and contribute to the phase one revisions; and

WHEREAS, the City of San Leandro desires to execute the revised Fourth Amended JPA, now entitled the East Bay Dischargers Authority Fourth Amended Joint Exercise of Powers Agreement; and

WHEREAS, the City Council is familiar with the contents thereof; and

WHEREAS, the City Manager recommends approval of said agreement.

NOW, THEREFORE, the City Council of the City of San Leandro does RESOLVE as follows:

That said agreement is hereby approved and execution by the City Manager is hereby authorized.