

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT
January 11, 2016**

CALL TO ORDER

President Toy called the meeting to order at 7:00 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Jennifer Toy, President
Tom Handley, Vice President
Pat Kite, Secretary
Manny Fernandez, Director
Anjali Lathi, Director

STAFF: Paul Eldredge, General Manager
Karen Murphy, District Counsel
James Schofield, Collection Services Manager
Armando Lopez, Treatment & Disposal Services Manager
Robert Simonich, Fabrication, Maintenance, and Construction (FMC) Manager
Raymond Chau, Capital Improvements Projects (CIP) Coach
Michelle Powell, Communications and Intergovernmental Relations Coordinator
Mariela Espinosa, Customer Service Fee Analyst
Regina McEvoy, Assistant to the General Manager/Board Secretary

APPROVAL OF THE MINUTES OF THE MEETING OF DECEMBER 14, 2015

It was moved by Secretary Kite, seconded by Director Fernandez, to Approve the Minutes of the Meeting of December 14, 2015. Motion carried unanimously.

WRITTEN COMMUNICATIONS

There were no written communications.

ORAL COMMUNICATIONS

There were no oral communications.

AUTHORIZE THE GENERAL MANAGER TO EXECUTE TASK ORDER NO. 2 WITH BEECHER ENGINEERING TO PROVIDE ENGINEERING SERVICES DURING CONSTRUCTION OF THE MCC AND PLC REPLACEMENT PROJECT

This item was reviewed by the Construction Committee. Capital Improvements Projects (CIP) Coach Chau stated the purpose of the Project will be to replace or modify aging and unreliable electrical and controls equipment located at the Plant. Beecher Engineering completed design in October 2015, and the construction contract was awarded to D.W. Nicholson Corporation in November 2015. Staff recommended the Board authorize the General Manager to execute Task Order No. 2 with Beecher Engineering in the amount of \$56,520 to provide engineering services for construction of the MCC and PLC Replacement Project – Phase 3.

It was moved by Vice President Handley, seconded by Director Fernandez, to Authorize the General Manager to Execute Task Order No. 2 with Beecher Engineering to Provide Engineering Services During Construction of the MCC and PLC Replacement Project. Motion carried unanimously.

AUTHORIZE THE GENERAL MANAGER TO EXECUTE TASK ORDER NO. 2 WITH CAROLLO ENGINEERS TO PROVIDE ENGINEERING SERVICES DURING CONSTRUCTION OF THE HIGH SPEED AERATION BLOWER PROJECT

This item was reviewed by the Construction Committee. CIP Coach Chau stated staff executed an Agreement and Task Order No. 1 with Carollo Engineers for design of the High Speed Aeration Blower Project in January 2015. The purpose of the Project will be to install and pilot one 600-horsepower high speed aeration blower at the east aeration blower room. Carollo Engineers completed final design in October 2015. Staff opened bids on November 12, 2015, and the Board awarded the construction contract in the amount of \$1,065,500 to D.W. Nicholson Corporation on November 23, 2015. Staff recommended the Board authorize the General Manager to execute Task Order No. 2 with Carollo Engineers in the amount of \$42,752 to provide engineering services during construction of the High Speed Aeration Blower Project.

It was moved by Secretary Kite, seconded by Director Lathi, to Authorize the General Manager to Execute Task Order No. 2 with Carollo Engineers to Provide Engineering Services During Construction of the High Speed Aeration Blower Project. Motion carried unanimously.

AUTHORIZE THE GENERAL MANAGER TO EXECUTE TASK ORDER NO. 3 WITH WEST YOST ASSOCIATES TO PROVIDE ENGINEERING SERVICES DURING CONSTRUCTION OF THE PLANT FACILITIES IMPROVEMENTS PROJECT

This item was reviewed by the Construction Committee. CIP Coach Chau stated various equipment and facilities at the Plant and the Newark Pump Station are in need of rehabilitation, replacement, or modification. These improvements were combined into the larger Plant Facilities Improvements Project. The General Manager executed the

Agreement and Task Order No. 1 with West Yost Associates (WYA) for Project preliminary design on November 13, 2014, and Task Order No. 2 was executed on April 27, 2015. The construction contract in the amount of \$1,570,346 was awarded to D.W. Nicholson Corporation on December 14, 2015. Staff recommended the Board authorize the General Manager to Execute Task Order No. 3 with West Yost Associates in the amount of \$62,965 to provide engineering services for construction of the Plant Facilities Improvements Project.

It was moved by Vice President Handley, seconded by Director Fernandez, to Authorize the General Manager to Execute Task Order No. 3 with West Yost Associates to Provide Engineering Services During Construction of the Plant Facilities Improvements Project. Motion carried unanimously.

CONSIDER CONFIRMING AND DECLARING THE NEED TO CONTINUE THE EMERGENCY ACTION TO REPAIR THE 33-INCH SEWER ON ALVARADO BOULEVARD AND UPDATE ON THE REPAIRS

This item was reviewed by the Construction Committee. CIP Coach Chau provided an update on the status of the repair of the 33-inch sewer on Alvarado Boulevard in Union City. Efforts to control the high groundwater level and unstable soils were unsuccessful and a trenchless repair was not feasible. Repairs will be accomplished using the open-cut method. Interlocking steel sheet piles have been installed to construct a shaft around the manhole and pipeline which will allow excavation of the soil down to the pipe. Westbound lanes on Alvarado Boulevard between Fredi Street and Fair Ranch Road have been closed since December 28, 2015, and the closure will continue through the duration of the project. At least one eastbound lane on Alvarado Boulevard will remain open throughout the repairs. The damaged 33-inch sewer will continue to be plugged with its flows bypassed through a permanent overflow pipe to the unaffected 39-inch trunk sewer. In addition, over 700 feet of the existing pipeline upstream and downstream of the damaged manhole will be rehabilitated. Following completion of the repairs, the interlocking sheet piles will be left in place to ensure stability. Pursuant to Public Contract Code section 22050, the Board is required to review the status of the emergency action at each subsequent meeting until the emergency action is terminated. Authorization to continue the emergency action must be approved by a four-fifths vote of the Board. Staff recommended the Board approve a motion to confirm and declare the need to continue the emergency action to repair the 33-inch sewer on Alvarado Boulevard.

It was moved by Director Fernandez, seconded by Secretary Kite, to Confirm and Declare the Need to Continue the Emergency Action to Repair the 33 Inch Sewer on Alvarado Boulevard. Motion carried unanimously.

GENERAL DISTRICT ELECTION

- a) CONSIDER A RESOLUTION ORDERING, CALLING, PROVIDING FOR, AND GIVING NOTICE OF A GENERAL ELECTION TO BE HELD IN UNION SANITARY DISTRICT, ALAMEDA COUNTY, CALIFORNIA, ON JUNE 7, 2016, FOR THE PURPOSE OF ELECTING THREE DIRECTORS.
- b) CONSIDER A RESOLUTION ORDERING THE CONSOLIDATION OF THE UNION SANITARY DISTRICT GENERAL ELECTION ON JUNE 7, 2016 WITH THE DIRECT PRIMARY ELECTION TO BE HELD ON JUNE 7, 2016 AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA TO CONSOLIDATE SAID GENERAL DISTRICT ELECTION WITH SAID DIRECT PRIMARY ELECTION TO BE HELD ON SAID DATE.

This item was reviewed by the Legal/Community Affairs Committee. District Counsel Murphy stated Alameda County will conduct its statewide direct primary election on June 7, 2016, and it is customary to consolidate the District's general election with the primary election. The term of the following three seats will expire this year: Ward 1 (Union City), Ward 2 (Newark), and Ward 3 (Fremont). Following adoption of the proposed resolutions, a notice of consolidation must be filed with the Registrar of Voters. Staff recommended the Board adopt the proposed resolutions.

It was moved by Secretary Kite, seconded by Director Lathi, to Adopt Resolution No. 2771 Ordering, Calling, Providing for, and Giving Notice of a General Election to be Held in Union Sanitary District, Alameda County, California, on June 7, 2016 for the Purpose of Electing Three Directors. Motion carried unanimously.

It was moved by Director Lathi, seconded by Secretary Kite, to Adopt Resolution No. 2772 Ordering the Consolidation of the Union Sanitary District General Election on June 7, 2016 with the Direct Primary Election to be Held on June 7, 2016 and Requesting the Board of Supervisors of the County of Alameda to Consolidate Said General District Election with Said Direct Primary Election to be Held on Said Date. Motion carried unanimously.

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RESOLUTION NO. 2771

**RESOLUTION ORDERING, CALLING, PROVIDING FOR, AND GIVING
NOTICE OF A GENERAL ELECTION TO BE HELD IN UNION SANITARY
DISTRICT, ALAMEDA COUNTY, CALIFORNIA, ON JUNE 7, 2016
FOR THE PURPOSE OF ELECTING THREE DIRECTORS**

BE IT RESOLVED AND ORDERED BY THE BOARD OF DIRECTORS OF UNION SANITARY DISTRICT, Alameda County, California, as follows:

SECTION 1: That an election be, is hereby ordered and called to be held; and,

NOTICE IS HEREBY GIVEN

that the election will be held in UNION SANITARY DISTRICT, Alameda County, California, on Tuesday, June 7, 2016, at the time for the holding of the Direct Primary Election provided for by Elections Code Sections 1000(c) and 1201, State of California, for the purpose of electing

ONE DIRECTOR, WARD 1, SEAT 1; UNION CITY
ONE DIRECTOR, WARD 2, SEAT 2; NEWARK
ONE DIRECTOR, WARD 3, SEAT 3; FREMONT

to hold office for the term prescribed by law and until the election and qualifications of their successors. Term of office for Seats 1, 2, and 3 are for four years, expiring in June 2020.

SECTION 2: The election hereby called and ordered to be held in the District, including the nomination of candidates and the election of Directors and all matters pertaining thereto shall be held and conducted and the results ascertained, determined, and declared in accordance with the applicable provisions of the Health and Safety Code and Elections Code and substantially as herein prescribed and in all other respects as nearly as practicable in conformity to the general election laws of the State of California.

SECTION 3: One Director shall be elected from Ward One, one Director shall be elected from Ward Two, and one Director shall be elected from Ward Three, as defined in Union Sanitary District Ordinance No. 33, at the election, for the term prescribed by law. The Directors shall be residents and registered voters of UNION SANITARY DISTRICT and from the geographical area of the respective Ward each candidate seeks to represent. The ballot shall contain the names of the persons nominated for the office of Director of UNION SANITARY DISTRICT. Candidates shall declare their candidacy; election returns shall be canvassed; the election shall be held and conducted; the results shall be declared; and the certificates of election shall be issued in the same manner as the Declaration of Candidacy, election, canvassing of returns, declaration of results, and issuance of Certificates of Election for County Officers are made, declared, held, conducted, and issued consistent with the provisions of the Elections Code of California and California Health and Safety Code Section 6580.1.

SECTION 4: The election provided for herein is ordered consolidated in accordance with law, with the Direct Primary Election provided for by Elections Code Sections 1000(c) and 1201 to be held in the County of Alameda and in the territory of the UNION SANITARY DISTRICT on June 7, 2016; and the Board of Supervisors of Alameda County is authorized to cause the canvass of the returns of the District election and certify the results of the canvass to the Board of Directors of UNION SANITARY DISTRICT; and such election within the area of the District shall be held in all respects as if there were only one election; and only one form of ballot shall be

used thereat; and the election precincts, polling places, and voting booths shall in every case be the same; and there shall be only one set of election officers in each of the precincts, and they shall be those selected and designated by the Board of Supervisors of Alameda County, California, for the Direct Primary Election.

SECTION 5: Official petitions for eligible candidates desiring to file for each office may be obtained from the office of the Registrar of Voters. Appointment to each elective office will be made as prescribed by California Elections Code Section 10515 in the event there are no nominees for any specific seat or seats and a petition for an election is not filed within the time prescribed by Elections Code Section 10515. In the event of a tie vote, the tie shall be resolved by lot.

SECTION 6: At the next regular meeting of the Board of Directors of UNION SANITARY DISTRICT held after the receipt of the returns of the canvass by the Board of Supervisors of Alameda County, California, the Board of Directors shall determine the results of the election and shall provide a statement of the results of the election as ascertained by the canvass, giving the total votes cast for each candidate for office of Director voted upon at the election.

On motion duly made and seconded, this resolution was adopted by the following vote on January 11, 2016:

AYES:	Fernandez, Handley, Kite, Lathi, Toy
NOES:	None
ABSENT:	None
ATSTAIN:	None



JENNIFER TOY
President, Board of Directors
Union Sanitary District

ATTEST:



PAT KITE
Secretary, Board of Directors
Union Sanitary District

RESOLUTION NO. 2772

RESOLUTION ORDERING THE CONSOLIDATION OF THE UNION SANITARY DISTRICT GENERAL ELECTION ON JUNE 7, 2016, WITH THE DIRECT PRIMARY ELECTION TO BE HELD ON JUNE 7, 2016, AND REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF ALAMEDA TO CONSOLIDATE THE GENERAL DISTRICT ELECTION WITH THE DIRECT PRIMARY ELECTION TO BE HELD ON JUNE 7, 2016

WHEREAS, the Board of Directors of the UNION SANITARY DISTRICT of Alameda County, State of California, has called a General District Election to be held in said District on June 7, 2016, for the purpose of electing a successor for each of the three (3) members whose terms are about to expire; and

WHEREAS, the Board of Directors of UNION SANITARY DISTRICT has declared its intention that all General District Elections for the election of Directors be consolidated with and held on the same date as the Direct Primary Election is to be held in accordance with Health and Safety Code Section 6580.1 of the State of California; now, therefore, be it resolved as follows:

1. That the General District Election to be held on June 7, 2016, in the UNION SANITARY DISTRICT, of Alameda County, shall be and the same hereby is consolidated with the Direct Primary Election to be held on that date; and

2. Pursuant to the provisions of Elections Code Section 10400 *et seq.* of the State of California, the Board of Directors of the UNION SANITARY DISTRICT hereby requests the Board of Supervisors of Alameda County, California, to consolidate, in accordance with the law, the General District Election ordered and called to be held on June 7, 2016, with the Direct Primary Election to be held on June 7, 2016, as provided by California Elections Code Sections 1000(c) and 1201 and Health and Safety Code Section 6580.1; and

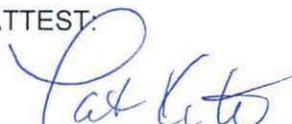
3. Any candidate filing a candidate's statement of qualifications pursuant to California Elections Code Section 13307 shall pay the actual prorated costs of printing and handling said candidate's statement as provided therein. Such payment is to be made in advance to the Registrar of Voters. The candidate's statement shall contain no more than 200 words. Candidates will not be permitted to submit other materials to be sent with the sample ballot and voter's pamphlet.

On motion duly made and seconded, this resolution was adopted by the following vote on January 11, 2016:

AYES: Fernandez, Handley, Kite, Lathi, Toy
NOES: None
ABSENT: None
ATSTAIN: None



JENNIFER TOY
President, Board of Directors
Union Sanitary District

ATTEST:


PAT KITE
Secretary, Board of Directors
Union Sanitary District

INFORMATION ITEMS:

Check Register

All questions were answered to the Board's satisfaction.

Presentation for the Public Informational Meeting to be held January 12, 2016

This item was reviewed by the Legal/Community Affairs Committee. General Manager Eldredge stated the District is proposing rate increases over the next five years to cover rising costs associated with providing service and maintaining aging infrastructure. The District recently mailed notices of a January 25, 2016, public hearing on the proposed rate changes to all property owners in Fremont, Newark, and Union City. The District will host an informational meeting to give customers the opportunity to talk with staff members and ask questions about proposed rate increases and services USD provides to the cities it serves. The informational meeting will be held from 6:00 – 8:00 p.m. at the Fremont Main Library located at 2400 Stevenson Boulevard in Fremont. General Manager Eldredge stated edits proposed by the Legal/Community Affairs Committee had been incorporated into hardcopies of the presentation which were provided at the meeting.

Report on the East Bay Dischargers Authority (EBDA) Commission Meeting of December 17, 2015

General Manager Eldredge stated the EBDA General Managers Report focused on a video inspection of the EBDA Outfall Pipe. The Commission was informed that there was a leak found at Location 7 near the San Leandro Channel. Inspection of the Outfall Pipe will resume in spring 2016. The Managers Advisory Committee discussed the need to replace the Hayward Effluent Pump Station (HEPS) and how it should be accomplished. The Financial Management Committee reviewed the Valuation of Retiree Health Benefits (as of July 1, 2015), and recommended approval of Resolution 15-24 accepting the GASB 45 valuation report. The Operations and Maintenance Committee reviewed the EBDA Outfall Pipe Inspection, discussed the need for a pump replacement at the Alvarado Effluent Pump Station, and the HEPS Motor Control Center replacement.

COMMITTEE MEETING REPORTS:

The Construction and Legal/Community Affairs Committees met.

GENERAL MANAGER'S REPORT:

General Manager Eldredge reported the following:

- The Microbead-Free Waters Act of 2015 was signed into law by the President December 28, 2015. Manufacturing rinse-off cosmetics that contain intentionally-added plastic microbeads will be banned beginning July 1, 2017, and such products cannot be sold beginning January 1, 2018.
- PG&E staff contacted the District at 3:30 a.m. on Saturday January 9, 2016, requesting assistance removing a sewer line located beneath the intersection of Christy Street and Albrae Avenue in Fremont. The line needed to be removed in order for PG&E to complete one of its projects. The City of Fremont issued a Nixle report which erroneously indicated the excavation was a sinkhole with a sewage

leak. There was groundwater present at the site which District staff tested and confirmed no sewage was detected. District staff completed removal of the sewer line per PG&E's request without incident.

- Aaron Shong began work as the District's new Mechanic II on January 11, 2016.
- FMC mechanics recently started a new work schedule and are now uniformly working 6:00 a.m. – 3:30 p.m.
- The new Business Services Manager/CFO Pamela Arends-King first day at the District will be January 13, 2016.
- The Co-digestion Pilot Project is continuing with the feed at a rate of 3.5 gallons per minute.
- District staff will conduct a public Informational Meeting at the Fremont Main Library from 6:00 – 8:00 p.m. on January 12, 2016.
- Technical Services Manager Ghossain will attend the Union City Council meeting on January 12, 2016, to present information regarding the upcoming Alvarado-Niles Road Sanitary Sewer Rehabilitation Project.
- General Manager Eldredge will present a general overview of the District and its services as well as information regarding currently proposed rates at the Newark City Council meeting on January 14, 2016.
- General Manager Eldredge will be presenting at the Fremont Chamber of Commerce Government Affairs Committee meeting to be held at the Fremont Chamber of Commerce Office at 7:30 a.m. on January 27, 2016.

OTHER BUSINESS:

Director Lathi stated she recently participated in a General Manager Evaluations webinar, which addressed intermediate check-ins with a general manager. Director Lathi recommended the Board consider intermediate check-in's with the General Manager in addition to annual evaluations. Director Lathi requested the item be brought back to the Board for consideration.

Director Lathi also requested a future agenda item to allow the Board to consider conducting a workshop to assess a communications strategy to include social media.

Vice President Handley agreed with Director Lathi's requests. Both items will be included on the February 8, 2016, Board meeting agenda.

Director Lathi also requested Attorney Murphy to provide the Board with information on reporting out of closed sessions.

ADJOURNMENT:

The meeting was adjourned at 7:56 p.m. to the next scheduled Regular Board Meeting to be held in the Boardroom on Monday, January 25, 2016, at 7:00 p.m.

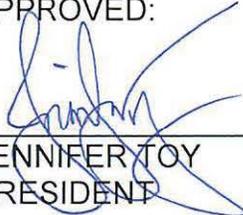
SUBMITTED:


REGINA McEVOY
SECRETARY TO THE BOARD

ATTEST:


PAT KITE
SECRETARY

APPROVED:


JENNIFER TOY
PRESIDENT

Adopted this 25th day of January, 2016