

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT
September 8, 2014**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

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

STAFF: Richard Currie, General Manager/District Engineer
Andy Morrison, Collection Services Manager
Dave Livingston, Treatment & Disposal Services Manager
Tim Grillo, Treatment & Disposal Services Coach
Sami Ghossain, Technical Services Manager
Robert Simonich, FMC Manager
Michelle Powell, Communications Coordinator
David O'Hara, Legal Counsel
Regina McEvoy, Newly Hired Assistant to the GM/Board Secretary
Carol Rice, Assistant to the General Manager/Board Secretary

APPROVAL OF THE MINUTES OF AUGUST 25, 2014.

On a motion made by Director Lathi and seconded by Director Kite, the minutes of the Board of Directors' Meeting of August 25, 2014 were unanimously approved.

WRITTEN COMMUNICATIONS.

There were no written communications.

ORAL COMMUNICATIONS.

There were no oral communications.

INFORMATION ITEMS:

Check Register. In response to a question from Director Handley regarding the cost of desktop computers purchased, staff will research the expense and report back to the Board.

Annual Report to Union City, Fiscal Year 2014. The Legal/Community Affairs Committee reviewed this item. Tim Grillo reported that Use Permit No. UP-4-95, approved by the Union City Planning Committee on July 20, 1995, requires the District to submit an annual report to the City Manager's Office with the required documentation. He stated that the annual average daily flow (AADF) has been trending downward for the past several years due to fewer high water use industries and water conservation efforts by ACWD. The AADF for FY14 was 23.6 MGD, a decrease of 1.0 MGD from the FY 2013 average. The prediction for next year is the downward trend will continue.

There were no violations of the Discharge permit in FY 2014, and USD was presented with the Peak Performance Platinum Award from the National Association of Clean Water Agencies for Calendar Year 2013.

The District has no plans for construction of additional treatment outside the facility; however, a planning study is underway to determine the siting of treatment plant improvements that may be necessary to meet future needs.

Report from the CASA Annual Conference Held in August 2014. The Legislative Committee reviewed this item. Rich Currie reported the following from the CASA Conference:

- **CSRMA Board of Directors.** USD applied for the 2014 SHELL Award for Outstanding Safety Program; however, Fairfield-Suisun Sewer District won the award.
- **Water Bond.** There was a panel discussion regarding the new California Water Bond. The bill includes the following elements: \$2.7 billion for water storage (reservoirs); \$725 million for recycled water; \$1.5 billion for Eco-System improvements/restoration; and \$1.3 billion for drinking water quality improvements.
- **Business Session.** New CASA Officers and Board members were elected. Dave Williams was elected as president.
- **Emerging Environmental Issues.** Topics included using biosolids to successfully reclaim abandoned mine sites, an update on AB32 (greenhouse gas reduction), and the impacts of the CalEnviroScreen program. Under AB32, there is a 2016 goal to eliminate disposal of organic material (including biosolids) to landfills in California.
- **AB371 – Salas – Kern County Biosolids.** Originally intended to create a ban on biosolids application in Kern County, the bill was amended several times and evolved to a requirement for extensive sampling and reporting

on a variety of contaminants in both biosolids and adjacent groundwater. The bill was passed by large margins, but ultimately withdrawn by the author in committee and will not be included in this legislative session.

- **AB1699 Bloom – Microplastics Ban.** This bill would have created a ban on the use of microplastic beads in cosmetic products such as shampoos and facial scrubs, after 2019. Although the bill was strongly opposed by the personal care products industry and placed in the “inactive” file, several large companies, including Unilever, Procter and Gamble, and Johnson and Johnson have agreed to stop using Microplastics in their products.
- **AB1716 Garcia – Conflict of Interest.** This bill expands the Political Reform Act. Dave O'Hara explained that local agency officials who make public agency decisions cannot, for five years after leaving office, appear for a fee before the former public agency, in a court or before a state agency, with intent to influence a decision with regard to a matter where the former agency either has a substantial interest, or an issue in which the former official participated. The exceptions include: s/he is an indispensable witness having unique knowledge; will provide factual background information only; or the retired official possesses the peculiar expert qualifications necessary in the matter. For these exceptions, no expert witness fee can be paid, and this new law does not affect local officials who left government service before January 1, 2015.
- **AB2126 Bonta – Labor Dispute Resolution.** This bill makes changes to the law regarding the use of mediation and fact finding for resolving labor disputes.
- **SB1014 Jackson – Pharmaceutical Take-Back Programs.** This legislation was developed to create a statewide Pharmaceutical Take-back Program to be designed and paid for by pharmaceutical companies. Strong opposition resulted in amending the bill to create guidelines for the program; however, further opposition resulted in the author removing the bill for further consideration.

Crisis Communication Plan. The Legal/Community Affairs Committee reviewed this item. Rich Currie noted that at the request of the Board, a crisis communication plan was developed for use by employees in the event of a major crisis or incident. The General Manager and Michelle Powell prepared the Crisis Communication document as a tool to be used when communicating with the press, stakeholder groups, employees, or the public during a crisis. This tool defines the role of key individuals at the District, the different stages of a crisis and what to expect, and what kinds of questions the press may ask.

The document does not include a section on the role of the Board of Directors during a crisis; the Legal Committee suggested discussing this topic at a future Board workshop. They also suggested showing the video of the 2010 PG&E pipeline explosion that occurred in San Bruno and then modifying the Crisis Communication Plan after that meeting to include the role of the Board. Further,

they would like training for the Executive Team on how to communicate with the press.

The Board thanked Michelle Powell and the General Manager for the well-prepared document.

COMMITTEE MEETING REPORTS:

The Legal/Community Affairs, Legislative, and Budget & Finance Committees met. The Budget and Finance Committee also reviewed the General Manager's Expense Statement and discussed Board workshop logistics.

GENERAL MANAGER'S REPORT:

Rich Currie reported the following:

- At the August 25, 2014 Board meeting, it was reported there were two businesses near the corner of Warm Springs and Mission Boulevard with laterals that were never connected during a project that was done years ago. Staff worked to get a contractor to rectify the situation and the connection was made to both units on September 5, 2014.
- The Carpenters Union is continuing to picket USD as the result of a project GSE is working on at the District.
- Things are going well with the Cogeneration Project. Staff recently received clearance from PG&E to begin running on digester gas.
- There was a spill on September 2, 2014 of 325 gallons, most of which was recovered. The spill was due to a clogged pipe. Staff is investigating the cause.
- Monica Oakley, a consultant who works with USD on Hayward Marsh permit issues, is taking a leave of absence and may not return to work in the wastewater industry. Staff is talking to consultants about her possible replacement.
- There is a piece of property for sale on Veasy Street that the District may be interested in purchasing. It is approximately one acre.
- The ACWD/USD joint meeting is scheduled for September 25. The topics for discussion include recycled water and lateral insurance. Each agency will also provide a summary of their current activities.
- No staff will be attending the Board Planning meeting scheduled for Monday, September 15, 2014 at 6:30 p.m.

OTHER BUSINESS:

Director Kite expressed an interest in attending a public tour of the Silicon Valley Advanced Water Purification Center, owned and operated by the Santa Clara Valley Water District. Director Handley also expressed an interest. The General Manager will talk to other agencies to see if there is additional interest. November would be a good month for this tour.

ADJOURNMENT:

The meeting was adjourned at 7:29 p.m. to a Board Planning Meeting in the Boardroom on Monday, September 15, 2014 at 6:30 p.m.

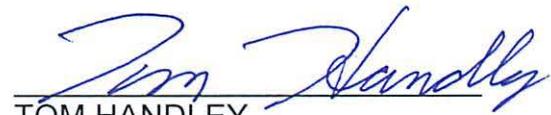
The Board will then adjourn to the next Regular Board Meeting in the Boardroom on Monday, September 22, 2014 at 7:00 p.m.

SUBMITTED:



CAROL RICE
SECRETARY TO THE BOARD

ATTEST:



TOM HANDLEY
SECRETARY

APPROVED:



MANNY FERNANDEZ
PRESIDENT

Adopted this 22nd day of September, 2014