

**MINUTES OF THE MEETING OF THE  
BOARD OF DIRECTORS OF  
UNION SANITARY DISTRICT  
April 13, 2015**

**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: Paul Eldredge, General Manager  
Dave O'Hara, District Counsel  
Rich Cortés, Business Services Manager  
Sami Ghossain, Technical Services Manager  
James Schofield, Collection Services Manager  
Armando Lopez, Treatment & Disposal Services Manager  
Maria Scott, Principal Financial Analyst  
Regina McEvoy, Assistant to the GM/Board Secretary

**APPROVAL OF THE MINUTES OF MARCH 23, 2015**

It was moved by Director Kite, seconded by Secretary Handley, to Approve the Minutes of the Board of Director's Meeting held March 23, 2015. Motion carried unanimously.

**WRITTEN COMMUNICATIONS**

There were no written communications.

**ORAL COMMUNICATIONS**

There were no oral communications.

**APPROVE INCREASE TO PAY RANGE OF WASTEWATER OPERATIONS COACH**

This item was reviewed by the Personnel Committee. Treatment & Disposal Services Manager Lopez stated that following the December 2014 recruitment for Wastewater Operations Coach (Night) it was determined it would be in the District's best interest to conduct a second recruitment. Staff proposed the Wastewater Operations Coach pay range be increased to meet current market conditions and to increase the night shift differential. The recommended

increase would bring the pay range for the Wastewater Operations Coach classification in line with other similar agencies, thereby making the position more attractive to qualified applicants.

It was moved by Director Lathi, seconded by Director Kite, to Approve the Increase to the Pay Range of Wastewater Operations Coach. Motion carried unanimously.

#### **APPROVE PUBLICLY AVAILABLE PAY SCHEDULE**

This item was reviewed by the Personnel Committee. The Publicly Available Pay Schedule, effective April 13, 2015, reflects adjustments for negotiated Classified employee salary increases and the Board approved adjustment to the Wastewater Operations Coach salary.

It was moved by Director Lathi, seconded by Secretary Handley, to Approve the Publicly Available Pay Schedule. Motion carried unanimously.

**####**

## UNION SANITARY DISTRICT PAY SCHEDULE

Effective April 13, 2015		
Position Title	Minimum Bi-Weekly Pay Rate	Maximum Weekly Pay Rate
Accounting Tech Specialist	\$3,041.23	\$3,696.63
Accounting Technician II	\$2,703.31	\$3,285.90
Administrative Specialist I	\$2,402.15	\$2,919.83
Administrative Specialist II	\$2,528.58	\$3,073.50
Assistant Engineer	\$3,427.81	\$4,499.00
Assistant to the General Manager	\$2,924.79	\$3,838.79
Assistant Storekeeper	\$2,335.82	\$2,839.19
Associate Engineer	\$3,821.77	\$5,016.08
Buyer I	\$2,455.78	\$3,223.21
Buyer II	\$2,889.16	\$3,792.02
Chemist I	\$3,305.21	\$4,017.50
Chemist II	\$3,470.47	\$4,218.38
Coach, Business Services	\$4,426.46	\$5,809.72
Coach, Capital Improvement Projects	\$5,128.54	\$6,731.21
Coach, Collection Services	\$4,105.64	\$5,388.65
Coach, Customer Service	\$4,580.38	\$6,011.74
Coach, Electrical & Instrumentation	\$4,150.57	\$5,447.62
Coach, Environmental Compliance	\$4,120.45	\$5,408.09
Coach - Mechanical Maintenance	\$4,032.52	\$5,292.68
Coach, Research & Support/Sr. Process Engineer	\$4,580.38	\$6,011.74
Coach, Wastewater Operations (TPO)	\$4,257.04	\$5,587.38
Collection System Worker I	\$2,481.78	\$3,016.62
Collection System Worker II	\$2,729.97	\$3,318.30
Communications Coordinator	\$3,371.40	\$4,097.95
Construction Inspector I	\$2,887.70	\$3,510.02
Construction Inspector II	\$3,176.47	\$3,861.02
Construction Inspector III	\$3,303.54	\$4,015.46
Customer Service Fee Analyst	\$2,744.97	\$3,336.52
Engineering Technician I	\$2,786.27	\$3,386.74
Engineering Technician II	\$3,064.90	\$3,725.41
Engineering Technician III	\$3,371.40	\$4,097.95
Environmental Compliance (EC) Inspector I	\$2,727.98	\$3,315.88
Environmental Compliance (EC) Inspector II	\$3,069.05	\$3,730.45
Environmental Compliance (EC) Inspector III	\$3,406.64	\$4,140.79
Environmental Compliance (EC) Inspector IV	\$3,645.10	\$4,430.65
Environmental Control (EC) Outreach Representative	\$3,406.64	\$4,140.79

Effective April 13, 2015		
Position Title	Minimum Bi-Weekly Pay Rate	Maximum Weekly Pay Rate
Environmental Health and Safety Program Manager	\$3,798.63	\$4,985.70
Environmental Program Coordinator	\$3,728.03	\$4,893.04
Fleet Mechanic I	\$2,751.67	\$3,344.67
Fleet Mechanic II	\$3,081.87	\$3,746.04
General Manager	\$7,074.72	\$9,285.56
Human Resources Administrator	\$4,591.87	\$6,026.83
Human Resources Analyst	\$3,210.96	\$4,214.38
Information Technology Administrator	\$4,367.30	\$5,732.08
Information Technology Analyst	\$3,089.29	\$4,054.70
Instrument Tech/Electrician	\$3,389.49	\$4,119.94
Janitor	\$1,840.39	\$2,237.01
Junior Engineer	\$3,085.03	\$4,049.10
Laboratory Director	\$4,111.05	\$4,997.00
Lead Collection System Worker	\$3,002.96	\$3,650.05
Maintenance Assistant	\$1,182.47	\$1,437.30
Manager, Business Services	\$6,291.21	\$8,257.22
Manager, Collection Services	\$5,528.78	\$7,256.52
Manager, Maintenance	\$5,528.78	\$7,256.52
Manager, Technical Services	\$6,107.76	\$8,016.44
Manager, Treatment & Disposal Services	\$5,528.78	\$7,256.52
Mechanic I	\$2,783.77	\$3,383.69
Mechanic II	\$3,117.83	\$3,789.75
Mechanic XL	\$3,714.66	\$3,979.24
Organizational Performance Program Manager	\$3,985.83	\$5,231.41
Painter	\$2,861.01	\$3,477.57
Planner/Scheduler I	\$3,196.08	\$3,884.86
Planner/Scheduler II	\$3,436.87	\$4,177.54
Plant Operations Trainer	\$3,775.57	\$4,589.22
Plant Operator I	\$2,655.79	\$3,228.14
Plant Operator II	\$2,947.94	\$3,583.24
Plant Operator III	\$3,371.03	\$4,097.51
Plant Operator XL	\$4,016.32	\$4,302.38
Principal Engineer	\$4,640.11	\$6,090.14
Principal Financial Analyst	\$3,694.37	\$4,848.86
Purchasing Agent	\$3,637.65	\$4,774.42
Receptionist	\$2,100.44	\$2,553.10
Senior Accountant	\$3,314.23	\$4,349.93
Senior Database Administrator / Developer	\$3,875.52	\$5,086.62
Senior Engineer	\$4,144.15	\$5,439.20



Effective April 13, 2015		
Position Title	Minimum Bi-Weekly Pay Rate	Maximum Bi-Weekly Pay Rate
Senior Geographic Information System (GIS)/Database Administrator	\$3,875.52	\$5,086.62
Senior Information Technology Analyst	\$3,432.55	\$4,505.22
Senior Network Administrator	\$3,785.53	\$4,968.51
Senior Planner/Scheduler	\$3,648.47	\$4,788.62
Senior Process Engineer	\$4,144.15	\$5,439.20
Storekeeper I	\$2,953.54	\$3,590.06
Storekeeper II	\$3,101.22	\$3,769.55
Technical Training Program Manager	\$3,625.89	\$4,758.98
Utility Worker	\$2,267.32	\$2,755.94

**Board of Directors:** Directors meet or serve in their official capacity 3 – 12 times per month with a maximum of six paid meetings/month at a rate of \$212.10 per meeting and are paid for a maximum of one meeting per day.

Approved by: \_\_\_\_\_

President, Board of Directors

Date: \_\_\_\_\_

4/13/15

**AWARD THE CONSTRUCTION CONTRACT FOR THE NEWARK BACKYARD SANITARY SEWER REPLACEMENT PROJECT – PHASE 2 TO RANGER PIPELINES, INC.**

This item was reviewed by the Construction Committee. Technical Services Manager Ghossain stated staff prepared and distributed a desk item to correct a typo in the memo for this item. The purpose of the Project is to improve the existing gravity sewer system within the residential neighborhood located near the intersection of Dairy Avenue and Cherry Street in the City of Newark. The goal of the Project is to relocate existing backyard sewer mains and laterals to public streets fronting the homes. Ranger Pipelines, Inc. submitted the lower of the two bids received for the Project, which was approximately 19% below the Engineer's Estimate. District staff will hold a public information meeting regarding the project at James Graham Elementary School at 6:00 p.m. on April 22, 2015. Staff recommended the Board award the contract for the Newark Backyard Sanitary Sewer Replacement Project – Phase 2 to Ranger Pipelines, Inc. in the amount of \$2,085,270.

It was moved by Secretary Handley, seconded by President Fernandez, to Award the Construction Contract for the Newark Backyard Sanitary Sewer Replacement Project – Phase 2 to Ranger Pipelines, Inc. Motion carried unanimously.

**AUTHORIZE THE GENERAL MANAGER TO EXECUTE AMENDMENT NO. 1 TO TASK ORDER NO. 3 WITH CAROLLO ENGINEERS FOR PROVIDING ENGINEERING SERVICES DURING CONSTRUCTION OF THE COGENERATION PROJECT**

This item was reviewed by the Construction Committee. Technical Services Manager Ghossain stated several construction contract change orders added significant scope to the Project, which required additional engineering services from Carollo. Staff recommended the Board authorize the General Manager to execute Amendment No. 1 to Task Order No. 3 with Carollo Engineers in the amount of \$130,376 for providing engineering services during construction of the Cogeneration Project.

It was moved by Director Kite, seconded by Director Lathi, to Authorize the General Manager to Execute Amendment No. 1 to Task Order No. 3 with Carollo Engineers for Providing Engineering Services During Construction of the Cogeneration Project. Motion carried unanimously.

**SCHEDULE A PUBLIC HEARING TO ADOPT ORDINANCE NO. 36.03, SEWER USE ORDINANCE**

This item was reviewed by the Legal/Community Affairs Committee. Technical Services Manager Ghossain stated Ordinance No. 36 provides requirements for restrictions on discharges to the sanitary sewer, and establishes requirements for the District's pretreatment program. The proposed changes to Ordinance No. 36 are to adopt an ammonia local limit, adjust the name and version convention, and revise both the signature requirement and hazardous waste discharge notification to align with current Federal Regulations. Staff will publish the Notice of Public Hearing in the Argus newspaper on April 15 and 22, 2015.

It was moved by Vice President Toy, seconded by Director Lathi, to Schedule a Public Hearing to Adopt Ordinance No. 36.03, Sewer Use Ordinance to be held at 7:00 p.m. on Tuesday, May 26, 2015. Motion carried unanimously.

**APPROVE A CHANGE ORDER TO THE AGREEMENT WITH RAFTELIS FINANCIAL CONSULTANTS, INC. FOR THE SEWER SERVICE CHARGE COST OF SERVICE STUDY**

This item was reviewed by the Budget & Finance Committee. Principal Financial Analyst Scott stated \$100,000 had been budgeted for the Cost of Service study, and the accepted bid from Raftelis Financial Consultants, Inc. was \$71,960. The requested change orders are for \$7,840, and will cover smoothing for all unit rates in the rate model and final report as well as model input revisions and feature changes required by the District for use of the new rate model. The anticipated completion date for the Study is June 30, 2015, and the Prop. 218 Notice should be sent by Fall for FY 2017 sewer service charge rates.

It was moved by Vice President Toy, seconded by Director Lathi, to Approve a Change Order to the Agreement with Raftelis Financial Consultants, Inc. for the Sewer Service Charge Cost of Service Study. Motion carried unanimously.

**RESOLUTION NO. 2755, MAKE RESPONSIBLE AGENCY FINDINGS PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) FOR THE CITY OF NEWARK DUMBARTON TRANSIT-ORIENTED DEVELOPMENT SPECIFIC PLAN AREA, AND APPROVE ABANDONMENT OF THE FORCE MAINS WITHIN THE WETLANDS PARCEL FOR THE DEVELOPMENT**

This item was reviewed by the Legal/Community Affairs Committee. Technical Services Manager Ghossain stated a Board Workshop was held March 9, 2015, to discuss the force main. The proposed resolution is required for William Lyon Homes to proceed with its portion of the Torian property project which will include construction of 500 residential units and development of a wetland preserve. Technical Services Manager Ghossain stated the contractor for the new force main will be required to provide a performance bond making a surety company responsible if the contractor were to default on construction. District staff will negotiate an extended warranty for the new force mains beyond the standard one year warranty.

It was moved by Vice President Toy, seconded by Director Lathi, to adopt Resolution No. 2755 to Make Responsible Agency Findings Pursuant to the California Environmental Quality Act for the City of Newark Dumbarton Transit-Oriented Development Specific Plan Area, and Approve Abandonment of the Force Mains within the Wetlands Parcel for the Development. Motion carried unanimously.

**####**

**RESOLUTION NO. 2755**

**A RESOLUTION MAKING RESPONSIBLE AGENCY FINDINGS  
PURSUANT TO THE CALIFORNIA ENVIRONMENTAL QUALITY ACT  
FOR THE CITY OF NEWARK DUMBARTON TRANSIT-ORIENTED  
DEVELOPMENT SPECIFIC PLAN AREA, AND  
APPROVING THE ABANDONMENT OF THE FORCE MAINS WITHIN  
THE WETLANDS PARCEL FOR THE DEVELOPMENT**

WHEREAS, The City of Newark (the "City") is the lead agency pursuant to the California Environmental Quality Act ("CEQA") (Pub. Resources Code, § 21000 et seq.) and the CEQA Guidelines (14 Cal. Code Regs., § 15000 et seq.); and

WHEREAS, The City certified the Dumbarton Transit-Oriented Development Specific Plan Environmental Impact Report (State Clearinghouse Number 2010042012) ("Specific Plan EIR"), adopted a statement of overriding considerations for the significant and unavoidable impacts identified therein, and approved a mitigation monitoring and reporting program on September 8, 2011; and

WHEREAS, The Specific Plan EIR analyzed the impacts of development that will occur on many different parcels owned by various entities within the 205-acre Specific Plan area, including the Torian parcels at issue for the project; the EIR analyzed the impacts of the construction and operation of 583 residential units on the Torian parcels; and

WHEREAS, The District owns and operates twin 33-inch reinforced concrete pipe force mains that are designed to convey Peak Wet Weather Flows of 15.6 Million Gallons per Day from the Irvington Pump Station to the District's treatment plant in Union City. The District force mains traverse the City of Newark's Dumbarton Transit-Oriented Development Specific Plan area from south to north within existing easements and right of ways; and

WHEREAS, relying on the Specific Plan EIR, on November 29, 2012, the City approved Tentative Tract Map 8085 for a 553 residential unit development on the Torian parcels (the "Torian Project"). On February 28, 2013 the City approved an addendum to the Specific Plan EIR to analyze minor revisions to the Torian Project, which included a contemplated wetland connection through, and the abandonment of, Hickory Street and a total of 547 units, and other minor site plan revisions ("Addendum"); and

WHEREAS, as part of the Torian Project, a wetland preserve will be created and managed in perpetuity for the benefit of the ecological and habitat values of the area (the "Wetland Reserve"). As shown on Location Map, which is incorporated herein by reference, a portion of the USD force main runs beneath the Wetland Reserve. As a condition of the development under the Regional Water Quality Control Board (Water Board) 401 permit, the Water Board has required the developer to submit authorization by the Union Sanitary District Board to allow portions of the USD force mains running



beneath the Wetland Reserve to be abandoned in place (RWQCB Site No. 02-01-C1123(BKW)). By passing this resolution, the District intends to commit itself to satisfying this condition; and

WHEREAS, William Lyon Homes has requested, consistent with RWQCB Site No. 02-01-C1123(BKW), that the District abandon in place the existing force mains and replace them with new force mains beginning south of the Specific Plan area boundary, in Perrin Road near Willow Street. The new sewer force main pipe would go under the Alameda County Flood Control District ("ACFCD") F1 Channel, through Tract 8085, then within the existing Hickory Street right of way and within the existing District easement in the Integral Communities property and FMC properties. The new pipeline would continue north of the Specific Plan area through the Hetch Hetchy right of ways and San Mateo County Transit property to the existing Newark Pump Station; and

WHEREAS, pursuant to CEQA Guidelines Sections 15091 and 15096 and CEQA, the District is a responsible agency and must therefore make certain findings prior to approval of the abandonment. All of the procedures of CEQA and the CEQA Guidelines have been met, and the Specific Plan EIR as modified by the Addendum (together, "Specific Plan EIR") is sufficiently detailed so that all the potentially significant effects of the project on the environment and measures necessary to avoid or substantially lessen such effects have been evaluated in accordance with the CEQA and the CEQA Guidelines. All of the findings and conclusions made by the Board pursuant to this Resolution are based upon the oral and written evidence presented to it as a whole and not based solely on the information provided in this Resolution; and prior to taking action has reviewed and considered the administrative record. All other legal prerequisites to the adoption of this Resolution have occurred.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

- That the Board, acting as a responsible agency under CEQA, has considered the EIR as prepared by the City of Newark as lead agency and has determined that the Specific Plan EIR is adequate, complies with the mandates of CEQA and the CEQA Guidelines, and fully discloses and analyzes the environmental effects of the Dumbarton Transit-Oriented Development project ; and
- That the General Manager is directed to file a Notice of Determination as provided in Sections 15094 and 15096(i) of the State CEQA Guidelines; and
- That the District approves the abandonment of the force mains within the wetlands parcel, subject to the review and approval of final construction drawings and agreement for the relocation of the force mains, and the successful construction of said relocated force mains.

On motion duly made and seconded, this resolution was adopted by the following vote on April 13, 2015:

AYES: Fernandez, Handley, Kite, Lathi, Toy

NOES: ----

ABSENT: ----

ABSTAIN: ----



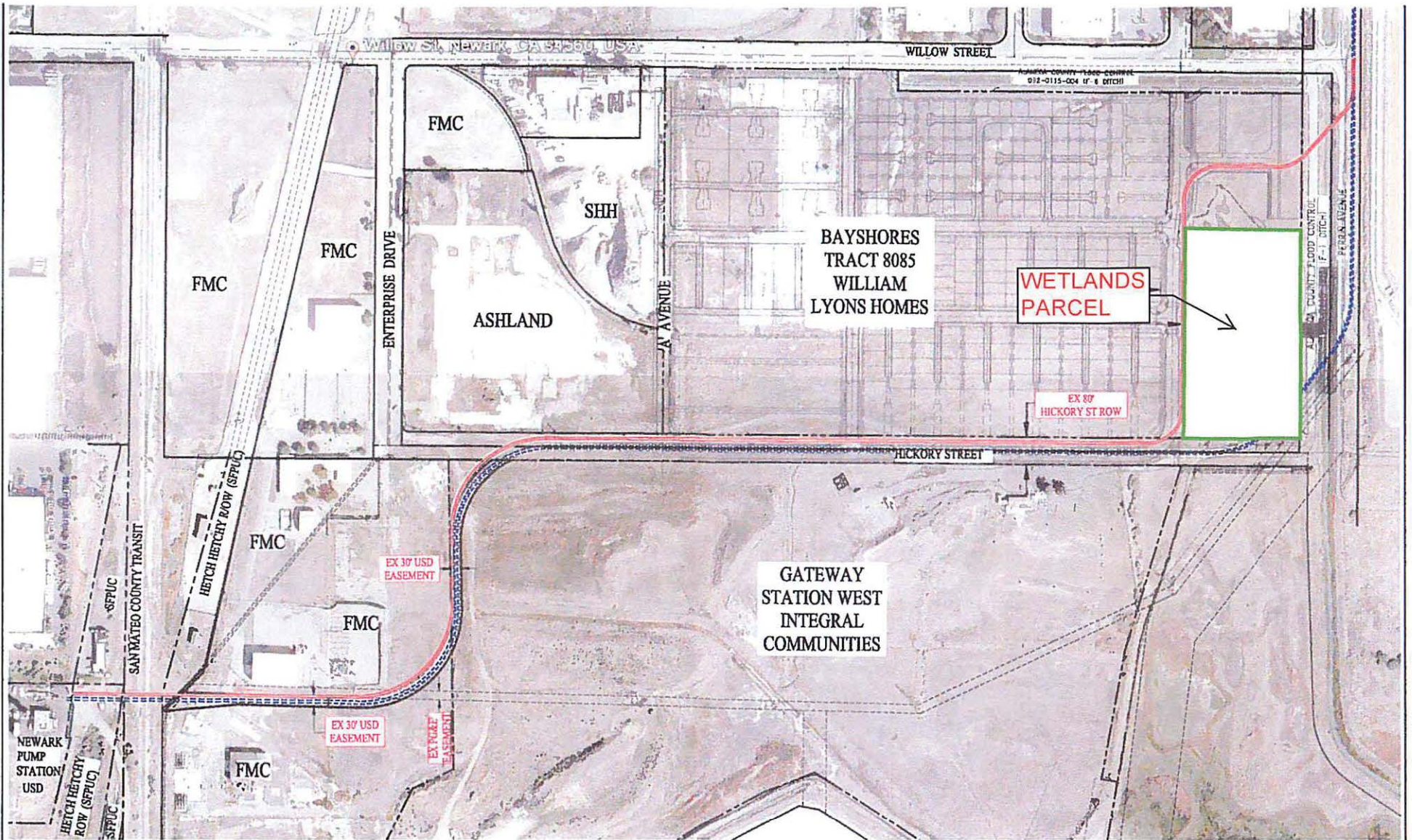
MANNY FERNANDEZ  
President, Board of Directors  
Union Sanitary District

Attest:



TOM HANDLEY  
Secretary, Board of Directors  
Union Sanitary District





# LEGEND

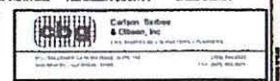
- PROPOSED 33" SANITARY SEWER FORCE MAINS
- EXISTING 33" SANITARY SEWER FORCE MAINS
- EXISTING PG&E HIGH VOLTAGE TOWERS
- EASEMENT
- PROPERTY LINE

# LOCATION MAP

USD FORCE MAIN RE-ALIGNMENT EXHIBIT  
TRACT 8085  
BAYSHORES PROPERTY  
CITY OF NEWARK ALAMEDA COUNTY CALIFORNIA



DATE: MARCH, 2015





## **INFORMATION ITEMS:**

### **Check Register**

All questions were answered to the Board's satisfaction.

### **Cogeneration Project Construction Contract Change Order Summary**

Technical Services Manager Ghossain stated staff prepared and distributed a desk item to correct a typo in the memo for this item. The construction contract for the Project was awarded to D.W. Nicholson Corporation in the amount of \$10,566,358 on March 11, 2013. Staff issued Project Substantial Completion on March 4, 2015, and all field work is expected to be completed by May 2015. The Project was designed by Carollo Engineers and The Covello Group provided construction management services. Staff has executed 97 contract change orders in the amount of \$1,113,617, which is 10.5% of the original construction contract amount. There are also 21 potential change orders currently under review for a total of \$363,375, which represents an additional 3.4% of the original construction contract amount. Staff anticipates the final contract change orders total will amount to less than 15%.

### **Earth Day 2015**

Technical Services Manager Ghossain stated Environmental Compliance staff will participate in the Earth Day event to be jointly hosted by the City of Fremont and Washington Hospital on April 25, 2015. The event will be held at the Washington Hospital Conrad E. Anderson, M.D. Auditorium located at 2500 Mowry Avenue in Fremont from 11:00 a.m. – 3:00 p.m. Environmental Compliance staff will share information related to pollution prevention including the use of less toxic products at home, reducing discharge of grease to the sewers, and proper disposal of mercury-containing devices and unused medications. The District will publish an announcement for this event in the April 21, 2015, edition of the Tri-City Voice.

### **Discuss Topics for the General Manager Check-in Workshop Scheduled for April 30, 2015**

General Manager Eldredge stated that, per Board direction, the General Manager Check-in Workshop will be held Thursday, April 30, 2015. Staff have identified FY 2016 goals, and the schedule and process for the General Manager's annual performance evaluation as topics for the workshop.

## **COMMITTEE MEETING REPORTS:**

The Legal/Community Affairs, Construction, Budget & Finance, and Personnel Committees met.

## **GENERAL MANAGER'S REPORT:**

- General Manager Eldredge stated District staff met with Alameda County Water District staff on March 31, 2015, to discuss reclaimed water. Discussions will be ongoing, and staff will provide updates to the Board.
- The District has received 47 inquiries to date regarding the Open House following distribution of the District Newsletter. All feedback regarding the Newsletter has been positive.



- The Experience Modifier, or Ex-Mod, is an indicator that reflects workers comp activities, and the District goal is one or less. The District Ex-Mod for 2016 is 1.01, which is down from the previous number of 1.16.
- Recruitment for the Human Resources Analyst position recently closed, and an offer has been made to the top candidate.
- A total of 14 individuals recently participated in the test for Fabrication, Maintenance, and Construction Coach, and interviews will be scheduled.
- Recruitment for Wastewater Operations Coach (Night) is scheduled to open soon.
- Recruitment has begun for Human Resources Manager and is scheduled to close on May 15, 2015.

**OTHER BUSINESS:**

Director Lathi proposed the Main Budget Workshop scheduled for Thursday, April 23 be rescheduled for Monday, April 20. The Board agreed by consensus to reschedule the Workshop to Monday, April 20, 2015, at 6:30 p.m.

**ADJOURNMENT:**

The meeting was adjourned at 7:44 p.m. to the Main Budget Workshop in the Boardroom on Monday, April 20, 2015, at 6:30 p.m.


The Board will then adjourn to the District Counsel Interviews Closed Session on Tuesday, April 21, 2015, at 1:00 p.m.

The Board will then adjourn to the next Regular Board Meeting in the Boardroom on Monday, April 27, 2015, at 7:00 p.m.

SUBMITTED:

  
REGINA McEVOY  
SECRETARY TO THE BOARD

ATTEST:

  
TOM HANDLEY  
SECRETARY

APPROVED:

  
MANNY FERNANDEZ  
PRESIDENT

Adopted this 27<sup>th</sup> day of April, 2015