MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT
September 28, 2015

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

ABSENT: Anjali Lathi, Director

STAFF: Paul Eldredge, General Manager
Karen Murphy, District Counsel
Rich Cortés, Business Services Manager
Sami Ghossain, Technical Services Manager
James Schofield, Collection Services Manager
Robert Simonich, Fabrication, Maintenance, and Construction Manager
Tim Grillo, Research and Support Team Coach
Todd Jacob, Information Technology Administrator
Roslyn Fuller, Purchasing Agent
Mariela Espinosa, Customer Service Fee Analyst
Regina McEvoy, Assistant to the General Manager/Board Secretary

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF AUGUST 17, 2015

It was moved by Secretary Kite, seconded by Director Fernandez, to Approve the Minutes of the Special Meeting of August 17, 2015. Motion carried with the following vote:

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

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF AUGUST 27, 2015

It was moved by Director Fernandez, seconded by Secretary Kite, to Approve the Minutes of the Special Meeting of August 27, 2015. Motion carried with the following vote:

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

APPROVAL OF THE MINUTES OF THE MEETING OF AUGUST 24, 2015

It was moved by Vice President Handley, seconded by Secretary Kite, to Approve the Minutes of the Meeting of August 24, 2015. Motion carried with the following vote:

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

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

It was moved by Director Fernandez, seconded by Vice President Handley, to Approve the Minutes of the Meeting of September 14, 2015. Motion carried with the following vote:

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

MONTHLY OPERATIONS REPORT FOR AUGUST 2015

This item was reviewed by the Budget & Finance Committee. General Manager Eldredge reported the following:

- Odor Complaints: There were two odor complaints received in August 2015. The first complaint was received from a Fremont resident. District staff sampled the air in the USD mains, manholes, and adjacent storm drain inlets and no odor was detected. Staff relayed the findings to the reporting party, advised them to fill the P-traps in their home with water, and contact the District if they required further assistance. The second complaint was received from a restaurant in Union City. District staff sampled the air in the USD sewer mains, manholes, and storm drain inlets and no odor was detected. There is a garbage dumpster next to the restaurant and a grease interceptor near the patio area which may have contributed to the complaint. Staff relayed the findings to the reporting party, advised them to check their grease trap or dumpster if the odor returns, and contact the District should they need further assistance.
- Safety: General Manager Eldredge stated a summary of safety related matters was included in the Board meeting packet.
- Hours Worked and Leave Time by Work Group:
    - At-work hours have exceeded the target of 34 hours per employee per week

Business Service Manager Cortes reported the following:

- Revenues:
  - Received $467,000 in Capacity Fees in August including: $168,000 from Silicon Valley Logistics Park in Fremont; $180,000 from housing developments including the development across from Newpark Mall, $92,000 from The Crossings buildings, and $20,000 for the Autozone development
  - Received $22,000 in solar rebates
- Expenses:
  - The majority of CIP expenditures were for the Newark Backyard Relocation project and the Thickener project.
  - The first ARC payment for the fiscal year was made.

General Manager Eldredge reported the following:

- Technical Services:
  - Customer Service:
    - 14 trouble calls dispatched
    - 1 new lateral permit issued
  - Environmental Compliance
    - Completed 96 Stormwater (Urban Runoff) inspections, of which 31 resulted in enforcement action.
    - Completed 49 FOG (fats, oils, and grease for restaurants) inspections, of which 15 resulted in enforcement action.
    - Conducted nine Plant Tours
- Collection Services:
  - Completed over 12 miles of cleaning
  - Completed over 13 miles of televising sewer lines
  - Responded to 18 service request calls
  - Completed 24 main repairs
  - Provided a root foaming demonstration for the City of San Jose
- Fabrication, Maintenance, and Construction:
  - Completed 94% of preventative maintenance activities for the month of August
  - Completed 133 corrective maintenance work orders for the month of August
- Treatment & Disposal:
  - Reviewed the administrative draft of the Old Alameda Creek intermittent wet weather discharge permit and provided comments to the Regional Board.
  - Cogen produced 70% of power consumed for the plant during the month of August.

WRITTEN COMMUNICATIONS

There were no written communications.

ORAL COMMUNICATIONS

There were no oral communications.

CONSIDER A RESOLUTION ACCEPTING A SANITARY SEWER EASEMENT FROM ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT

This item was reviewed by the Legal/Community Affairs Committee. District Special Counsel O'Hara stated that in 2013 the flood control district instituted an eminent domain action to acquire a small 1/20th of an acre property adjacent to I-880 in Fremont which contains about 10 feet of a fifteen foot wide sanitary sewer easement granted to Irvington Sanitary District in 1955. USD filed a disclaimer as to any compensation in that action on condition that the sanitary sewer easement rights would be preserved. When the matter was settled among the other parties, the easement rights were inadvertently left out of the judgment. The flood control district has prepared and executed a new easement in favor of the District. Staff recommended the easement be accepted and counsel be authorized to certify acceptance and have staff record the easement documents.

It was moved by Secretary Kite, seconded by Vice President Handley, to Adopt Resolution No. 2767 Accepting a Sanitary Sewer Easement from Alameda County Flood Control and Water Conservation District. The Board directed Legal Counsel to certify acceptance and have staff record the easement. Motion carried with the following vote:

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

APPROVE THE 2015 SCADA MASTER PLAN

This item was reviewed by the Budget & Finance Committee. Information Technology Administrator Jacob stated the 2011 Information Technology Master Plan recommended a SCADA (Supervisory Control and Data Acquisition) Master Plan project to provide a roadmap for the District SCADA system over the next 5 years, the 2015 SCADA Master Plan is the first at the District. The SCADA Master Plan includes 10 Information Technology (IT) projects with an estimated cost of $1,025,000. Staff recommended the Board approve the 2015 SCADA Master Plan.

It was moved by Director Fernandez, seconded by Vice President Handley, to Approve the 2015 SCADA Master Plan. Motion carried with the following vote:

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

AWARD CONSTRUCTION CONTRACT FOR THE FREMONT AND PASEO PADRE LIFT STATIONS IMPROVEMENTS PROJECT TO MOUNTAIN CASCADE, INC.

This item was reviewed by the Construction Committee. Technical Services Manager Ghossain stated the District employs three small lift stations to convey wastewater in the gravity sewer system to larger pump stations that transport wastewater to the Alvarado

Wastewater Treatment Plant. The Fremont Lift Station (LS) and Paseo Padre LS were constructed in 1984 and have not undergone any major improvements. Both LS's require improvements to maintain reliability and improve operation. Mountain Cascade Inc. submitted the lowest responsible bid of the eight bids received. The Project's construction period will be 360 calendar days with estimated completion in October 2016. Staff recommended the Board award construction contract for the Fremont and Paseo Padre LS's improvements project to Mountain Cascade, Inc.

It was moved by Vice President Handley, seconded by Director Fernandez, to Award Construction Contract for the Fremont and Paseo Padre Lift Stations Improvements Project to Mountain Cascade, Inc. Motion carried with the following vote:

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

AUTHORIZE THE GENERAL MANAGER TO EXECUTE TASK ORDER NO. 2 WITH RMC WATER AND ENVIRONMENT FOR THE ALVARADO WASTEWATER TREATMENT PLANT SITE USE STUDY

This item was reviewed by the Construction Committee. Technical Services Manager Ghossain stated the Alvarado Wastewater Treatment Plant (WWTP) treats approximately 23 million gallons of wastewater per day and contains a total of 53 facilities located within the 33-acre site. The Alvarado WWTP Site Use Study was presented at a Board workshop held June 25, 2015, and it was determined a property acquisition plan should be developed to gain a better understanding of total cost implications. Task Order No. 2 includes development of a land acquisition strategy, development and assessment of incremental lifecycle costs for the new plant alternative, and project management and coordination. Staff recommended the Board authorize the General Manager to execute Task Order No. 2 with RMC Water and Environment in the amount of $37,905 for the Alvarado WWTP Site Use Study.

The Construction Committee inquired about the final cost of Task Order No. 1, and staff stated the final cost will be reported upon completion.

It was moved by Vice President Handley, seconded by Secretary Kite, to Authorize the General Manager to Execute Task Order No. 2 with RMC Water and Environment for the Alvarado Wastewater Treatment Plant Site Use Study. Motion carried with the following vote:

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

CONSIDER FIRST AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN UNION SANITARY DISTRICT AND PAUL ELDREDGE

District General Counsel Murphy stated the District first entered into an Employment Agreement with Paul Eldredge to serve as General Manager/District Engineer on June 25, 2014. The Board of Directors conducted Mr. Eldredge's annual performance evaluation on August 17 and 27, 2015. On August 24, 2015, the Board appointed an ad hoc subcommittee of Vice President Handley and Secretary Kite to negotiate contract amendments with Mr. Eldredge. Staff recommended the Board approve the First Amendment to Employment Agreement Between Union Sanitary District and Paul Eldredge.

It was moved by Director Fernandez, seconded by Vice President Handley, to Approve the First Amendment to the Employment Agreement Between Union Sanitary District and Paul Eldredge. Motion carried with the following vote:

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

CONSIDER OPTIONS REGARDING EMAIL AND COMMUNICATIONS POLICY AND PROVIDE DIRECTION

This item was reviewed by the Budget & Finance Committee. General Manager Eldredge stated staff identified the need to revise Board Policy 3210 – Boardmember Use of Email for District Business and Board Policy 3060 – Communication with the Media and Publicly-Elected Officials by Members of the Board of Directors. Staff presented the item to seek Board direction regarding how revisions to the policies should be accomplished.

The Board agreed by consensus of the members present to direct staff to draft revised policies to address the issues outlined in the staff report and present at a future Board meeting for consideration, and to include the recent addition of an email disclosure statement to the Board webpage.

INFORMATION ITEMS:

Check Register

All questions were answered to the Board's satisfaction.

Award for Achievement for Excellence in Procurement

Purchasing Agent Fuller stated the National Purchasing Institute (NPI), the official public sector purchasing affiliate of the Institute for Supply Management, established a program designed to recognize organizational excellence in public procurement. USD is one of only 50 government agencies in California and 29 special districts in the United States to receive the award. Purchasing Agent Fuller stated the Materials Management Team received the Award for Achievement for Excellence in Procurement for the 9th consecutive year.

Annual Report to Union City for Fiscal Year 2015
Research and Support Team Coach Grillo stated the Union City use permit requires the District to provide an annual report to the City Manager's Office. A copy of the District's annual report to Union City for FY 2015 was included in the meeting packet.

Board Expenditures for the 4th Quarter of 2015
All questions were answered to the Board's satisfaction.

Report on the East Bay Dischargers Authority (EBDA) Commission Meeting of September 17, 2015
Vice President Handley stated there will be a series of vision workshops to discuss the history and future of EBDA as well as historical and current cost factors of the EBDA system.

SIDE LETTER FOR EXTENSION OF SEIU (SERVICE EMPLOYEES INTERNATIONAL UNION) MEMORANDUM OF UNDERSTANDING (MOU)

General Manager Eldredge stated representatives of SEIU Local 1021 and the District agreed to a two year extension of the MOU between the District and SEIU 1021 which had been set to expire August 31, 2016. The Side Letter of Agreement included in the meeting packet extends the labor contract, by mutual agreement, to August 31, 2018.

It was moved by Director Fernandez, seconded by Vice President Handley, to Approve the Side Letter for Extension of SEIU MOU. Motion carried with the following vote:

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

COMMITTEE MEETING REPORTS:
The Budget & Finance, Construction, and Legal/Community Affairs Committees met.

GENERAL MANAGER'S REPORT:
General Manager Eldredge reported the following:

- General Manager Eldredge met with City of Union City staff and discussed Union City's General Plan. City staff provided an update on the General Plan timeline, a draft of which is expected to be completed soon. The land use portion for the Environmental Impact Report (EIR) is expected to be completed in the spring of 2016.
- General Manager Eldredge will meet with a representative from Congressman Swalwell's office to discuss potential future federal drought relief bills which may include funds for reclamation projects.
- The annual Newark Days Celebration and Parade were held recently, and Secretary Kite participated in the parade. Environmental Compliance staff

provided a table with outreach materials at the information fair, and received 52 pollution prevention pledges from attendees. Environmental Compliance staff spoke with the staff member who publishes a newsletter for Republic Services who stated there is a need for environmentally centered content to include in their monthly newsletter.

- The District was honored to receive the Green Business of the Year award from the Union City Chamber of Commerce.
- USD received the Innovative Program of the Year Award (Large District Category) from the California Special Districts Association for the District's Leadership School program.
- General Manager Eldredge will be interviewed by Treatment Plant Operator Magazine for a monthly column titled "Building the Team".

OTHER BUSINESS:

There was no other business.

ADJOURNMENT:

The meeting was adjourned at 8:05 p.m. to the Special Meeting Board Website Design Review Workshop to be held in the Alvarado Conference Room on Wednesday, September 30, 2015, at 11:00 a.m. The next scheduled Regular Board Meeting is Monday, October 12, 2015, at 7:00 p.m.

SUBMITTED:

REGINA McEVOY
SECRETARY TO THE BOARD

ATTEST:

PAT KITE
SECRETARY

APPROVED:

JENNIFER TOY
PRESIDENT

Adopted this 26th day of October, 2015