

**MINUTES OF THE MEETING OF THE  
BOARD OF DIRECTORS OF  
UNION SANITARY DISTRICT  
August 8, 2016**

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

STAFF: Paul Eldredge, General Manager  
Karen Murphy, District Counsel  
Robert Simonich, Fabrication, Maintenance, and Construction Manager  
Sami Ghossain, Technical Services Manager  
James Schofield, Collection Services Manager  
Armando Lopez, Treatment and Disposal Services Manager  
Karoline Terrazas, Training and Emergency Response Programs Manager  
Mohammad Ghoury, Engineering Technician II  
Regina McEvoy, Assistant to the General Manager/Board Secretary

VISITOR: Alice Johnson, League of Women Voters

**APPROVAL OF THE MINUTES OF THE MEETING OF JULY 25, 2016**

It was moved by Vice President Kite, seconded by Director Fernandez, to approve the Minutes of the Meeting of July 25, 2016. Motion carried unanimously.

**APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF AUGUST 1, 2016**

It was moved by Secretary Lathi, seconded by Director Toy, to approve the Minutes of the Special Meeting of August 1, 2016. Motion carried unanimously.

**WRITTEN COMMUNICATIONS**

There were no written communications.

## **ORAL COMMUNICATIONS**

There were no oral communications.

## **AWARD THE CONSTRUCTION CONTRACT FOR THE CHEMICAL TANKS AND PIPING REPLACEMENT PROJECT TO D.W. NICHOLSON**

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the Project will include replacement of four existing high density polyethylene (HDPE) tanks located at the Odor Control Building, replacement of four chemical metering pumps, and replacement of existing polyvinyl chloride (PVC) piping with an HDPE pipe system. The Engineer's Estimate for the Project was \$2,200,000. D.W. Nicholson Corporation submitted the lowest bid of \$2,101,633, and there were no bid protests received. The contractor will have 426 calendar days to complete the Project from Notice to Proceed, with an estimated substantial completion date in November 2017. Staff recommended the Board award the construction contract for the Chemical Tanks and Piping Replacement Project to D.W. Nicholson Corporation, including Bid Alternates A and B, in the amount of \$2,101,633.

It was moved by Vice President Kite, seconded by Director Fernandez, to Award the Construction Contract for the Chemical Tanks and Piping Replacement Project to D.W. Nicholson. Motion carried unanimously.

## **CONSIDER A RESOLUTION TO ACCEPT A SANITARY SEWER EASEMENT FOR TRACT 8165 – BIRCH STREET EQUINOX, LOCATED ALONG BIRCH STREET BETWEEN JACARANDA DRIVE AND PEPPER TREE COURT IN THE CITY OF NEWARK**

This item was reviewed by the Legal/Community Affairs Committee. Technical Services Manager Ghossain stated Continental Residential, Inc. will construct a small residential tract in Newark. Sewer service to the tract will be provided by a new 8-inch main in Allium Place that will connect to an existing 8-inch main in Birch Street. Allium Place does not meet City of Newark street requirements, and has been designated as a private street. Continental Residential, Inc. constructed the new sewer main and granted the District a sanitary sewer easement to provide access, maintenance, and service. Staff recommended the Board adopt a resolution accepting the sanitary sewer easement for tract 8165 – Birch Street Equinox located along Birch Street between Jacaranda Drive and Pepper Tree Court in the City of Newark.

It was moved by Secretary Lathi, seconded by Director Toy, to Adopt Resolution No. 2786 Accepting a Sanitary Sewer Easement for Tract 8165 – Birch Street Equinox Located along Birch Street between Jacaranda Drive and Pepper Tree Court in the City of Newark, California. Motion carried unanimously.

####

RESOLUTION NO. 2786

ACCEPT A SANITARY SEWER EASEMENT FOR TRACT 8165 – BIRCH  
STREET EQUINOX  
LOCATED ALONG BIRCH STREET BETWEEN JACARANDA DRIVE AND  
PEPPER TREE COURT  
IN THE CITY OF NEWARK, CALIFORNIA

RESOLVED by the Board of Directors of UNION SANITARY DISTRICT, that it hereby accepts the Grant of Easement from Continental Residential, Inc. executed on August 21, 2015, as described in the Grant of Easement for Sanitary Sewer Purposes and by attached Exhibit A and Exhibit B. Legal Counsel for the District is hereby authorized to attend to the recordation thereof.

On motion duly made and seconded, this resolution was adopted by the following vote on August 8, 2016:

AYES: Fernandez, Handley, Kite, Lathi, Toy

NOES: None

ABSENT: None

ABSTAIN: None



TOM HANDLEY  
President, Board of Directors  
UNION SANITARY DISTRICT

Attest:



ANJALI LATHI  
Secretary, Board of Directors  
UNION SANITARY DISTRICT

**GRANT OF EASEMENT**

**FOR SANITARY SEWER PURPOSES**

THIS INDENTURE, made this 21<sup>st</sup> day of August 2015, by and between Continental Residential, Inc., the Party/Parties of the First Part, and Union Sanitary District, the Party/Parties of the Second Part,

**WITNESSETH:**

That said Party/Parties of the First Part does hereby grant to the Party of the Second Part and to its successors and assigns forever, for the use and purposes herein stated, the rights of way and easements hereinafter described, located in the City of Newark, County of Alameda, State of California:

**See Exhibit "A" and Exhibit "B"**

together with the right and privilege of constructing, reconstructing, cleaning, repairing and maintaining at any time, a sanitary sewer and appurtenances along, upon, over, in, through and across the above described property; together with free ingress and egress to and for the said Party of the Second Part, its successors and assigns, its agents and employees, workmen, contractors, equipment, vehicles and tools, along, upon, over, in, through and across said right of way; together with the right of access by its successors and assigns, its agents and employees, workmen, contractors, equipment, vehicles and tools to said right of way from the nearest public street, over and across the adjoining property, if such there be; otherwise by such route or routes across said adjoining property as shall occasion the least practicable damage and inconvenience to the Party of the First Part, for constructing, cleaning, repairing and maintaining said sanitary sewer and appurtenances; together with free ingress and egress over the land immediately adjoining for maintenance, repair and replacement as well as the initial construction of said sewer.

IN WITNESS WHEREOF the said Party/Parties of the First Part have executed this indenture the day and year first above written.

  
\_\_\_\_\_  
Signature

By: Jed Bennett - Asst. Vice President  
\_\_\_\_\_  
(Print or type name and title of signatory)  
**Party/Parties of the First Part**

(Notarize)

**CALIFORNIA ALL-PURPOSE CERTIFICATE OF  
ACKNOWLEDGEMENT**

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of CA

County of Alameda

On 8/21/15 before me, Tiffany M. Zamora \_\_\_\_\_ (notary public) personally appeared **JED BENNETT** \_\_\_\_\_ who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the law of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature *Tiffany M. Zamora* \_\_\_\_\_

(seal)

# GRANT OF EASEMENT

Vicinity Map, Tract 8165 - Birch Street Equinox



**Site**

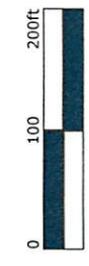
**Legend**

- Streets
- Curbs
- Parcels
- 2014 Aerial Photo



**For USD use only**

*Disclaimer:*  
The information on this map is provided by Union Sanitary District (USD) for internal use only. Such information is derived from multiple sources which may not be current, be outside the control of USD, and may be of indeterminate accuracy. The information provided herein may be inaccurate or out of date, and any person or entity who relies on said information for any purpose whatsoever does so solely at their own risk.



## **INFORMATION ITEMS:**

### **Check Register**

All questions were answered to the Board's satisfaction.

### **Video Presentation to the Board**

Communications and Intergovernmental Relations Coordinator Powell stated the District will receive the 2016 Award of Organizational Excellence in recognition of the USD Leadership School program. District staff will accept the award during the California Association of Sanitation Agencies conference.

### **Report on the East Bay Dischargers Authority Meeting of July 21, 2016**

Director Toy reviewed the Authority minutes included in the Board meeting packet.

## **COMMITTEE MEETING REPORTS:**

The Engineering and Information Technology and Legal/Community Affairs Committees met.

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

General Manager Eldredge reported the following:

- Introduced Karoline Terrazas as the District's new Training and Emergency Response Programs Manager.
- The District will host the California Water Environment Association (CWEA) Collection System Technologies Vendor Fair from 9:00 a.m. – 2:00 p.m. on Thursday, September 15, 2016.
- Several District staff members and two Directors will attend the California Association of Sanitation Agencies (CASA) conference in Monterey, August 10-12, 2016.

## **OTHER BUSINESS:**

There was no other business.

## **ADJOURNMENT:**

The meeting was adjourned at 7:25 p.m. to the Website Feedback Board Workshop to be held in the Mission Conference Room on Tuesday, August 16, 2016, at 5:00 p.m.

The Board will then adjourn to the next scheduled Regular Board Meeting to be held in the Boardroom on Monday, August 22, 2016, at 7:00 p.m.

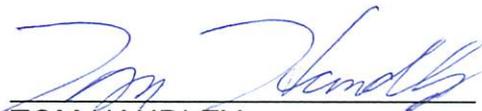
SUBMITTED:

  
REGINA McEVOY  
BOARD SECRETARY

ATTEST:

  
ANJALI LATHI  
SECRETARY

APPROVED:

  
TOM HANDLEY  
PRESIDENT

Adopted this 22<sup>nd</sup> day of August, 2016