

**MINUTES OF THE MEETING OF THE  
BOARD OF DIRECTORS OF  
UNION SANITARY DISTRICT  
February 13, 2017**

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

ABSENT: Tom Handley, President

STAFF: Paul Eldredge, General Manager  
Karen Murphy, District Counsel  
Sami Ghossain, Technical Services Manager  
James Schofield, Collection Services Manager  
Armando Lopez, Treatment and Disposal Services Manager  
Pamela Arends-King, Business Services Manager/CFO  
Robert Simonich, Fabrication, Maintenance, and Construction Manager  
Karoline Terrazas, Training & Emergency Response Programs Manager  
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

**APPROVAL OF THE MINUTES OF THE MEETING OF JANUARY 23, 2017**

It was moved by Director Toy, seconded by Director Fernandez, to approve the Minutes of the Meeting of January 23, 2017. Motion carried with the following vote:

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

**APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF JANUARY 31, 2017**

It was moved by Director Fernandez, seconded by Secretary Lathi, to approve the Minutes of the Special Meeting of January 31, 2017. Motion carried with the following vote:

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

### **MONTHLY OPERATIONS REPORT FOR DECEMBER 2016**

This item was reviewed by the Legal/Community Affairs and Budget & Finance Committees. General Manager Eldredge reported the following:

- Odor Complaints: There was one odor complaint received by Collection Services, and one odor complaint received by the Treatment Plant in December 2016. Details regarding the complaints were included in the Board meeting packet.
- The Cogen system produced 77% of power consumed for the month of December 2016.

Business Services Manager/CFO Arends- King reported the following:

- Revenues:
  - Received \$26.2 Million in Sewer Service Charges.
  - Received \$1.6 Million in capacity fees during the month of December of which \$1.2 Million was received from Cityview Bay Area Fund for Windflower Lofts, and \$250,000 was received from KB Homes.
- Expenses:
  - Expenses for all Work Groups were at or below budget.

General Manager Eldredge stated Monthly Operations Reports for each work group were included in the Board meeting packet.

### **WRITTEN COMMUNICATIONS**

There were no written communications.

### **ORAL COMMUNICATIONS**

There were no oral communications.

### **CONSIDER A RESOLUTION TO ACCEPT THE CONSTRUCTION OF THE MCC AND PLC REPLACEMENT PROJECT – PHASE 3 FROM D.W. NICHOLSON CORPORATION AND AUTHORIZE RECORDATION OF A NOTICE OF COMPLETION**

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the project included replacement of existing motor control center's (MCC's), PLC's, and associated equipment at the Degritter Building, West Aeration Blower Building, and Main Electrical Distribution Building. D.W. Nicholson substantially completed the Project on December 9, 2016, and the District has assumed beneficial use of the Project. Staff recommended the Board accept the

construction of the MCC and PLC Replacement Project – Phase 3 from D.W. Nicholson Corporation, and authorize recordation of a Notice of Completion.

It was moved by Director Toy, seconded by Director Fernandez, to Adopt Resolution No. 2800 Accepting Construction of the MCC and PLC Replacement Project – Phase 3 Located in the City of Union City, California from D.W. Nicholson Corporation, and Authorize Recordation of a Notice of Completion. Motion carried with the following vote:

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

####

**RESOLUTION NO. 2800**

**ACCEPT CONSTRUCTION OF THE  
MCC AND PLC REPLACEMENT PROJECT – PHASE 3  
LOCATED IN THE CITY OF UNION CITY, CALIFORNIA  
FROM D.W. NICHOLSON CORPORATION**

RESOLVED, by the Board of Directors of the UNION SANITARY DISTRICT that it hereby accepts the MCC and PLC Replacement Project – Phase 3 from D.W. Nicholson Corporation, effective February 13, 2017.

BE IT FURTHER RESOLVED: That the Board of Directors of the UNION SANITARY DISTRICT authorize the General Manager/District Engineer, or his designee, to execute and record a “Notice of Completion” for the Project.

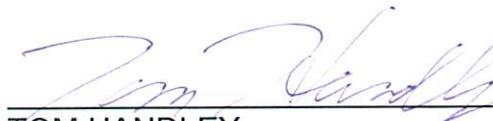
On motion duly made and seconded, this resolution was adopted by the following vote on February 13, 2017:

AYES: Fernandez, Kite, Lathi, Toy

NOES: None

ABSENT: Handley

ABSTAIN: None



**TOM HANDLEY**  
President, Board of Directors  
Union Sanitary District

Attest:



**ANJALI LATHI**  
Secretary, Board of Directors  
Union Sanitary District



**RECORDING REQUESTED BY  
AND WHEN RECORDED  
RETURN TO:**

**Regina McEvoy  
Union Sanitary District  
5072 Benson Road  
Union City, CA 94587**

NO RECORDING FEE – PER GOVERNMENT CODE SECTIONS 6103 & 27283 (R&T Code 11911)

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**NOTICE OF COMPLETION**

**NOTICE IS HEREBY GIVEN** by the **UNION SANITARY DISTRICT**, Alameda County, California, that the work hereinafter described, the contract for the construction of which was entered into on November 23, 2015, by said District and **D.W. NICHOLSON CORPORATION**, 24747 Clawiter Road, Hayward, CA 94545, Contractor for the Project, "MCC and PLC Replacement Project – Phase 3," was substantially completed on December 9, 2016, and accepted by said District on February 13, 2017.

The name and address of the owner is the **UNION SANITARY DISTRICT**, at 5072 Benson Road, Union City, CA 94587.

The estate or interest of the owner is: FEE SIMPLE ABSOLUTE.

The description of the site where said work was performed and completed is the Union Sanitary District's Wastewater Treatment Plant, located at 5072 Benson Road, City of Union City, County of Alameda, State of California.

The undersigned declares under penalty of perjury that the foregoing is true and correct.

Executed on 2-17-2017 at UNION CITY, CALIFORNIA.

**PAUL R. ELDRIDGE, P.E.  
GENERAL MANAGER/DISTRICT ENGINEER  
UNION SANITARY DISTRICT**

## ACKNOWLEDGMENT

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.

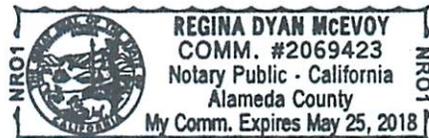
State of California  
County of Alameda )

On February 17, 2017 before me, Regina Dyan McEvoy, Notary Public  
(insert name and title of the officer)

personally appeared Paul R. Eldredge  
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 laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Regina McEvoy (Seal)

REGINA DYAN MCELROY  
COMM. #5089423  
Notary Public - California  
Alameda County  
My Comm. Expires May 25, 2018



**CONSIDER A RESOLUTION APPROVING AN AGREEMENT FOR UNION SANITARY DISTRICT PARTICIPATION IN THE ALAMEDA COUNTY OPERATIONAL AREA EMERGENCY MANAGEMENT ORGANIZATION**

This item was reviewed by the Legal/Community Affairs Committee. Training & Emergency Response Programs Manager Terrazas presented the resolution as a desk item. The Union Sanitary District Board of Directors previously entered into an agreement to participate in the Alameda County Operational Area Emergency Management Organization by adopting Resolution No. 2144 on June 12, 1995. The Alameda County Operational Area is an intermediate level of the state emergency services organization which includes the County and all political subdivisions within the County area. The Agreement will coordinate facilities and personnel throughout the County to efficiently and effectively establish tasks, policies, and general procedures using the Standard Emergency Management System to provide for effective and economical allocation of resources. Staff recommended the Board adopt a resolution approving Union Sanitary District participation in the Alameda County Emergency Operations Area Emergency Management Organization.

It was moved by Secretary Lathi, seconded by Director Fernandez, to Adopt Resolution No. 2801 Approving an Agreement for Participation in the Alameda County Operational Area Emergency Management Organization. Motion carried with the following vote:

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

**####**

**RESOLUTION NO. 2801**

**RESOLUTION OF THE BOARD OF DIRECTORS  
OF UNION SANITARY DISTRICT  
APPROVING AN AGREEMENT FOR PARTICIPATION IN THE ALAMEDA  
COUNTY OPERATIONAL AREA EMERGENCY MANAGEMENT  
ORGANIZATION**

WHEREAS, the potential for a major catastrophe due to a natural or manmade disaster requires all government entities within Alameda County to be prepared to share resources and information among themselves as well as with the State of California in order to protect publicwelfare; and

WHEREAS, greater efficiency and disaster preparedness response, recovery, and mitigation can be achieved by joining the efforts of the County of Alameda, the Cities, Special Districts, and other public benefit non-profit corporations together in pre-disaster agreements; and

WHEREAS, the California Emergency Services Act makes reference to the "operational area" and defines it as "an intermediate level of the state emergency services organization" created to perform extraordinary functions for local governments within a county area such as strengthening mutual coordination, providing a focal point and conduit for disaster information, and assisting in the efficient management of resources.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE UNION SANITARY DISTRICT, AS FOLLOWS:

1. The Board of Directors of the Union Sanitary District adopt the Agreement for Participation in the Alameda County Operational Area Emergency Management Organization, as it was approved by the Alameda County Honorable Board of Supervisors on May 10, 2016; and

BE IT FURTHER RESOLVED: that the General Manager shall designate, in writing, the following:

- 1) The person(s) who will be provided training and orientation to the policies and procedures so that they may represent the District to the Operational Area Emergency Management Organization; and
- 2) A line of succession of officials who are empowered to represent the District to the Operational Area Emergency Management Organization; and

BE IT FURTHER RESOLVED: that the General Manager shall provide these two lists to the Alameda County Operational Area Emergency Management Organization within thirty (30) days of adoption of this resolution.

The foregoing Resolution was duly and regularly adopted and passed by the Board of Directors of Union Sanitary District, Alameda County, California, at a meeting held on the 13<sup>th</sup> day of February in 2017 by the following vote:

AYES: Fernandez, Kite, Lathi, Toy

NOES: None

ABSENT: Handley

ABSTAIN: None



TOM HANDLEY  
President, Board of Directors  
Union Sanitary District

Attest:



ANJALI LATHI  
Secretary, Board of Directors  
Union Sanitary District

## **REVIEW AND CONSIDER APPROVAL OF POLICY NO. 2030, INVESTMENT POLICY**

This item was reviewed by the Budget & Finance Committee. Business Services Manager/CFO Arends-King stated Policy No. 2030, Investment Policy, requires annual Board review and approval. There were no changes to California Government Code Section 53600 through 53622, therefore, the only change to the proposed Policy for calendar year 2017 was the effective date. Staff recommended the Board review and consider approval of Investment Policy No. 2030 and renew delegation of authority of Treasurer to the Business Services Manager/Chief Financial Officer for a one-year period, per California Government Code Section 53607.

It was moved by Secretary Lathi, seconded by Director Toy, to Approve Policy No. 2030, Investment Policy, and Renew the Delegation of Authority of Treasurer to the Business Services Manager/Chief Financial Officer for a one-year period, per California Government Code Section 53607. Motion carried with the following vote:

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

### **INFORMATION ITEMS:**

#### **Check Register**

All questions were answered to the Board's satisfaction.

#### **Solar and Cogeneration Facilities Operational Update**

This item was reviewed by the Budget & Finance Committee. Technical Services Manager Ghossain stated the total benefit to date for the Alvarado Wastewater Treatment Plant Solar Carport, constructed in 2011, was \$497,160 for a 56.2% simple payback. The total benefit to date for the Irvington Pump Station Solar Facility, constructed in 2012, was \$2,000,204 for a 70.2 % simple payback. The total benefit to date for the Cogeneration Facility, constructed in 2014, was \$ 4,133,626 for a 34.3 % simple payback. Technical Services Manager Ghossain stated the Budget & Finance Committee requested the Solar and Cogeneration Facilities Operational Data table included in the Board meeting packet be updated to include a column to show the original payback period when the next update is presented in July 2017.

#### **Cal-Card Quarterly Merchant Activity Report**

This item was reviewed by the Budget & Finance Committee. Business Services Manager/CFO Arends-King stated the CAL-Card Merchant Spend Analysis included in the Board meeting packet details activity for the second quarter of FY 2017, which included 255 transactions totaling \$74,843.60

**Report on the East Bay Dischargers Authority (EBDA) Meeting of January 12, 2017**

Director Toy provided an overview of the EBDA Commission minutes included in the Board meeting packet.

**COMMITTEE MEETING REPORTS:**

The Budget & Finance Committee meeting was canceled due to a lack of quorum, and individual briefings were conducted. The Engineering and Information Technology and Legal/Community Affairs Committees met.

**GENERAL MANAGER'S REPORT:**

General Manager Eldredge reported the following:

- Flows during recent wet weather events resulted in peak flows in the low 40's MGD, and low flows have been 3-4 MGD higher than usual. The Plant's typical low flow had been 6-7 MGD, and had recently been averaging 11-12 MGD.
- The City of Newark State of the City will be held April 13, 2017, and registration will open February 23, 2017.
- PG&E staff will present a California Performance Optimization Program check at the March 13, 2017, Board meeting.

**OTHER BUSINESS:**

Secretary Lathi stated she attended the recent Alameda County Water District public hearing regarding proposed rate increases.

**ADJOURNMENT:**

The meeting was adjourned at 7:33 p.m. to the next scheduled Regular Board Meeting to be held in the Boardroom on Monday, February 27, 2017, at 7:00 p.m.

SUBMITTED:



REGINA McEVOY  
BOARD CLERK

ATTEST:



ANJALI LATHI  
SECRETARY

APPROVED:



TOM HANDLEY  
PRESIDENT

Adopted this 27<sup>th</sup> day of February, 2017