

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT
July 10, 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
Robert Simonich, Fabrication, Maintenance, and Construction Manager
Armando Lopez, Treatment and Disposal Service Manager
Laurie Brenner, Finance and Acquisition Services Team Coach
Michael Marzano, Safety Program Manager
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF JUNE 20, 2017

It was moved by Secretary Lathi, seconded by Director Fernandez, to approve the Minutes of the Special Meeting of June 20, 2017. Motion carried by the following vote:

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

APPROVAL OF THE MINUTES OF THE MEETING OF JUNE 26, 2017

It was moved by Director Fernandez, seconded by Director Toy, to approve the Minutes of the Meeting of June 26, 2017. Motion carried by the following vote:

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

WRITTEN COMMUNICATIONS

There were no written communications.

ORAL COMMUNICATIONS

There were no oral communications.

CONSIDER A RESOLUTION TO ACCEPT AND ADOPT ALL OF VOLUME 1 AND UNION SANITARY DISTRICT'S PORTION OF VOLUME 2 OF THE UNION CITY /NEWARK MULTIJURISDICTIONAL HAZARD MITIGATION PLAN

This item was reviewed by the Budget & Finance Committee. Safety Program Manager Marzano stated the Union City/Newark Multijurisdictional Hazard Mitigation Plan (HPM) was created by the City of Union City, the City of Newark, Alameda County Water District, Union Sanitary District, and Newark Unified School District. The planning area for the hazard mitigation plan was defined as the Union City/Newark Operational Area. Once the hazard mitigation plan is adopted by all jurisdictional partners and approved by FEMA, the partnership will collectively and individually become eligible to apply for hazard mitigation project funding from both the Pre-Disaster Mitigation Grant Program and the Hazard Mitigation Grant Program. The HPM is scheduled to be evaluated and revised every five years. Staff recommended the Board consider and adopt a resolution accepting all of Volume 1 and Union Sanitary District's portion of Volume 2 of the Union City/Newark Multijurisdictional Hazard Mitigation Plan.

It was moved by Director Toy, seconded by Secretary Lathi, to Adopt Resolution No. 2816, Authorizing the Adoption of the Union City/Newark Multijurisdictional Hazard Mitigation Plan. Motion carried by the following vote:

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

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RESOLUTION NO. 2816

**AUTHORIZING THE ADOPTION OF THE UNION CITY/NEWARK
MULTIJURISDICTIONAL HAZARD MITIGATION PLAN**

WHEREAS, the Union City/Newark Operational Area has exposure to natural hazards that increase the risk to life, property, environment and the County's economy; and

WHEREAS, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) established new requirements for pre- and post-disaster hazard mitigation programs; and

WHEREAS, a coalition of Union City/Newark Operational area, Cities, Towns, and Special Districts including Union Sanitary District, with like planning objectives has been formed to pool resources and create consistent mitigation strategies within the Union City/Newark Operational Area; and

WHEREAS, the coalition has completed a planning process that engages the public, assesses the risk and vulnerability to the impacts of natural hazards, develops a mitigation strategy consistent with a set of uniform goals and objectives, and creates a plan for implementing, evaluating, and revising this strategy.

NOW, THEREFORE, BE IT RESOLVED that the Union Sanitary District Board of Directors:

- 1.) Adopts Volume I in its entirety, and also the following portions of Volume 2: introduction, Chapter 5 - the Union Sanitary District jurisdictional annex, and the appendices of Volume 2 of the Union City/Newark Multijurisdictional Hazard Mitigation Plan (HMP).
- 2.) Will use the adopted and approved portions of the HMP to guide pre- and post-disaster mitigation of the hazards identified.
- 3.) Will coordinate the strategies identified in the HMP with other planning programs and mechanisms under its jurisdictional authority.
- 4.) Will continue its support of the Steering Committee and continue to participate in the Planning Partnership as described by the HMP.
- 5.) Will help to promote and support the mitigation successes of all HMP Planning Partners

On motion duly made and seconded, this resolution was adopted by the following vote on July 10, 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

AUTHORIZE THE GENERAL MANAGER TO EXECUTE TASK ORDER NO. 3 WITH WEST YOST ASSOCIATES FOR THE FORCE MAIN CORROSION REPAIRS PROJECT

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated all corroded elements within the District's 78 manholes need to be rehabilitated or replaced. The Board awarded the construction contract to Cratus, Inc. at the Board meeting held June 12, 2017. The purpose of Task Order No. 3 will be to authorize office engineering services during the construction of the Project. Staff recommended the Board authorize the General Manager to Execute Task Order No. 3 with West Yost Associates in the amount of \$33,085 to provide design support services during construction of the Force Main Corrosion Repairs Project – Phase 1.

It was moved by Director Fernandez, seconded by Director Toy, to Authorize the General Manager to Execute Task Order No. 3 with West Yost Associates in the amount of \$33,085 to Provide Design Support Services During Construction of the Force Main Corrosion Repairs Project – Phase 1. Motion carried by the following vote:

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

AWARD THE CONSTRUCTION CONTRACT FOR THE NEWARK PUMP STATION WET WELL IMPROVEMENTS PROJECT TO D.W. NICHOLSON CORPORATION

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the District operates and maintains a transport system that consists of three pump stations, three lift stations, and 12.5 miles of twin force main pipelines. The Project will include improvements to the Newark Pump Station to prevent flooding in the event of a power outage. D.W. Nicholson submitted the apparent low bid with two minor bid irregularities that did not affect the responsiveness of the bid. No bid protests were received. The contractor will have 220 calendar days to complete the Project from Notice to Proceed, with substantial completion expected in March 2018. Staff recommended the Board waive the bid irregularities, award the construction contract for the Newark Pump Station Wet Well Improvements Project, including Bid Alternate A, to D.W. Nicholson in the amount of \$679,100, and authorize staff to issue the Notice of Award for the Project.

It was moved by Director Fernandez, seconded by Director Toy, to Waive the Bid Irregularities, Award the Construction Contract for the Newark Pump Station Wet Well Improvements Project, Including Bid Alternate A, to D.W. Nicholson in the Amount of \$679,100, and Authorize Staff to Issue the Notice of Award for the Project. Motion carried by the following vote:

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

CONSIDER AN UPDATED RESOLUTION AUTHORIZING INVESTMENT OF MONIES IN THE LOCAL AGENCY INVESTMENT FUND (LAIF)

This item was reviewed by the Budget & Finance Committee. Business Services Coach Brenner stated several key finance related job titles have been revised and adopted for use at the District since Resolution No. 2503 was adopted in 2006. Resolution No. 2503, Authorizing Investment of Monies in the Local Agency Investment Fund (LAIF), included the following positions as authorized to deposit or withdraw monies in LAIF on behalf of the District: General Manager, Business Services Manager, and Principal Financial Analyst. The proposed resolution updates the titles of those authorized to deposit or withdraw monies in LAIF on behalf of the District: General Manager/District Engineer, Business Services Manager/Chief Financial Officer, Finance & Acquisition Coach (aka Business Services Coach), and Accounting & Financial Analyst. Staff recommended the Board consider and adopt an updated Resolution for Authorizing Investment of Monies in the Local Agency Investment Fund, identifying and authorizing incumbents holding appropriate job titles within the District for the deposit or withdrawal of monies in the Local Agency Investment Fund, pursuant to Government Code Section 16429.1.

It was moved by Director Toy, seconded by Director Fernandez, to Adopt Resolution No. 2817 Authorizing Investment of Monies in the Local Agency Investment Fund. Motion carried by the following vote:

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

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RESOLUTION NO. 2817

RESOLUTION OF THE UNION SANITARY DISTRICT BOARD OF DIRECTORS
AUTHORIZING INVESTMENT OF MONIES IN THE
LOCAL AGENCY INVESTMENT FUND

WHEREAS, The Local Agency Investment Fund is established in the State Treasury under Government Code section 16429.1 et. seq. for the deposit of money of a local agency for purposes of investment by the State Treasurer; and

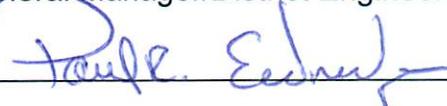
WHEREAS, the Board of Directors hereby finds that the deposit and withdrawal of money in the Local Agency Investment Fund in accordance with Government Code section 16429.1 et. seq. for the purpose of investment as provided therein is in the best interests of the Union Sanitary District.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors hereby authorizes the deposit and withdrawal of Union Sanitary District monies in the Local Agency Investment Fund in the State Treasury in accordance with Government Code section 16429.1 et. seq. for the purpose of investment as provided therein; and

BE IT FURTHER RESOLVED, as follows:

Section 1. The following Union Sanitary District officers holding the title(s) specified below or their successors in office are each hereby authorized to order the deposit or withdrawal of monies in the Local Agency Investment Fund and may execute and deliver any and all documents necessary or advisable in order to effectuate the purposes of this resolution and the transactions contemplated hereby:

Paul R. Eldredge
General Manager/District Engineer

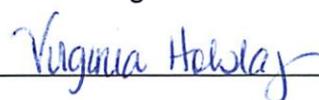


Business Services Manager/Chief Financial Officer

Laurie Brenner
Finance & Acquisition Coach (aka Business Services Coach)



Virginia Holslag
Accounting & Financial Analyst



Section 2. This resolution shall remain in full force and effect until rescinded by the Board of Directors by resolution and a copy of the resolution rescinding this resolution is filed with the State Treasurer's Office.

I hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Board of Directors of the UNION SANITARY DISTRICT, Alameda County, California, at a meeting thereof held on the 10th day of July, 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

CONSIDER OPTIONS FOR SCHEDULING SPECIAL MEETINGS AND WORKSHOPS

District Counsel Murphy stated the Brown Act does not set forth a specific process for scheduling the date and time of special meetings. As with any Board meeting, a quorum of the Board must be present, and special meetings must be publicly noticed in accordance with the requirements of the Brown Act. Past practice has been for the Board Clerk to send an email to the Board with a link to the Doodle poll which contains potential dates for scheduling a special meeting. If a Boardmember does not respond to the poll within 48 hours, the Board Clerk will call the Boardmember to find out their availability. Changes to this procedure may be made at the Board's discretion. Staff recommended the Board consider and discuss options for scheduling special meetings and workshops.

Secretary Lathi asked if it would be possible to schedule a meeting after receiving responses from four Boardmembers. General Manager Eldredge stated that it would be possible to schedule a meeting with four Boardmembers, but it is preferable to have all five Boardmembers present at all meetings.

Secretary Lathi suggested the Board Clerk call Boardmembers who have yet to respond 24 hours after a Doodle poll has been sent. General Manager Eldredge suggested the Board Clerk call Boardmembers who have not responded the next business day after a poll is sent. The Board agreed by majority consensus.

It was moved by Secretary Lathi, seconded by Director Fernandez, to Direct the Board Clerk to call Boardmembers who have not responded 24 Hours After a Doodle Poll has been sent, and to send a new Doodle poll if there is no date that will work for all five Boardmembers. Motion carried by the following vote:

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

ELECTION OF OFFICERS FOR THE BOARD OF DIRECTORS FOR FISCAL YEAR 2018 AND CONSIDERATION OF AMENDMENT OF BOARD OFFICER TITLES

District Counsel Murphy stated Board Policy 3070, Boardmember Officers and Committee Membership, states the Board shall annually elect by majority vote the President, Vice President, and Secretary for one-year terms. The Policy also allows the Board to amend by motion the titles of President and Vice President to Chair and Vice Chair provided that the Chair act as the "President" pursuant to California Health and Safety Code Section 6486. Historically, the Board has followed a rotation of officers where the Vice President becomes President, Secretary becomes Vice President, and the fourth member in rotation becomes Secretary.

The Board directed staff to present the option to amend Board titles at the next regularly scheduled meeting.

It was moved by Vice President Kite, seconded by Director Toy, that Pat Kite will serve as President, Anjali Lathi will serve as Vice President, and Manny Fernandez will serve as Secretary for Fiscal Year 2018. Motion carried by the following vote:

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

INFORMATION ITEMS:

May 2017 Monthly Financial Reports

This item was reviewed by the Budget & Finance Committee. Finance and Acquisition Services Team Coach Brenner stated the District was at 113% of projected revenues at the end of May 2017. It was noted that there was an irregularity on page 71 of the Board meeting packet which showed the budget for debt servicing State Revolving Fund (SRF) loans was correct, but the actual was shown as incorrect which affected the percent of budget for the line item as well as the total percent of budget used. The information will be corrected before the June 2017 Financial Reports are presented at a future meeting.

Check Register

All questions were answered to the Board's satisfaction.

COMMITTEE MEETING REPORTS:

The Budget & Finance Committee and Engineering and Information Technology Committees met.

GENERAL MANAGER'S REPORT:

General Manager Eldredge reported the following:

- Dave Drake, the District's Plant Operator Trainer, will be honored with an award for Government Service at the 2017 Union City Chamber of Commerce Spirit Awards Luncheon on July 12, 2017.
- The District's Lab Director, Guy Moy, will be retiring; his last day at the District will be July 14, 2017

OTHER BUSINESS

There was no other business.

ADJOURNMENT:

The meeting was adjourned at 7:55 p.m. to the Board Workshop in the Boardroom on Thursday, July 11, 2017, at 5:30 p.m.

The Board will then adjourn to the next Regular Board Meeting in the Boardroom on Monday, July 24, 2017, at 7:00 p.m.

SUBMITTED:


REGINA McEVOY
BOARD CLERK

ATTEST:


MANNY FERNANDEZ
SECRETARY

APPROVED:


PAT KITE
PRESIDENT

Adopted this 24th day of July 2017