

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT
July 22, 2019**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

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

STAFF: Paul Eldredge, General Manager
Karen Murphy, District Counsel
Sami Ghossain, Technical Services Manager
Ric Pipkin Treatment and Disposal Services Coach
Robert Simonich, Fabrication, Maintenance, and Construction Manager
James Schofield, Collection Services Manager
Laurie Brenner, Business Services Coach
Gene Boucher, Human Resources Manager
May Bautista, Administrative Specialist
Danielle Lemos, Administrative Specialist

VISITORS: Alice Johnson, League of Women Voters
Roelle Balan, Tri-City Voice Newspaper
Monique Spyke, PFM Asset Management, LLC

APPROVAL OF THE MINUTES OF THE REGULAR MEETING OF JUNE 24, 2019

It was moved by Vice President Fernandez, seconded by Director Kite, to approve the Minutes of the Regular Meeting of June 24, 2019. Motion carried unanimously.

JUNE 2019 MONTHLY OPERATIONS REPORT

This item was reviewed by the Budget & Finance and Legal and Community Affairs Committees. General Manager Eldredge provided an overview of the Odor Report and work group reports included in the Board meeting packet. Business Services Coach Brenner reviewed the financial reports included in the Board meeting packet.

WRITTEN COMMUNICATIONS

There were no written communications.

PUBLIC COMMENT

There was no public comment.

FISCAL YEAR 2019 FOURTH QUARTER MANAGED INVESTMENT PORTFOLIO REPORT

This item was heard out of order. This item was reviewed by the Budget & Finance Committee. General Manager Eldredge introduced Monique Spyke from PFM Asset Management LLC and stated this is the first of the quarterly updates the District will be receiving. Monique presented information included in the Board packet and the prepared Investment Performance Review for the Quarter Ended June 30, 2019. Monique responded to Boardmember questions. General Manager Eldredge recommended that future reports be included in the Monthly Operations Report as item 5b. The Board agreed with this recommendation. The committee requested that they continue to receive the current level of detail in future reports.

PUBLIC HEARING TO CONSIDER ADOPTING ORDINANCE NO. 34.08, AN ORDINANCE PROVIDING FOR THE GENERAL REGULATION OF PRIVATE AND PUBLIC SEWERS, PLAN REVIEW, ISSUANCE OF CONSTRUCTION PERMITS, INSPECTION OF SEWER INSTALLATION, AND THE COLLECTION OF FEES FOR THESE SERVICES, AND TO REPEAL ORDINANCE NO. 34.07

This item was reviewed by the Legal/Community Affairs Committee. Technical Services Manager Ghossain stated Ordinance 34.07 provides for plan review, issuance of construction permits, inspection of sewer installation, and the collection of fees for these services. Fees for these services have not been updated in over three years. Due to economic inflation, some fees no longer cover the minimum effort associated with performing these services. Staff recommended repealing Ordinance 34.07 and the adoption of Ordinance 34.08 to incorporate the current schedule of construction costs used for calculating plan review and inspection fees and updates to the material and services fees. Staff scheduled a public hearing for July 22, 2019, and published the notice in the Tri City Voice on June 11, 2019 and June 25, 2019. No public comments were received to date. If adopted, Ordinance 34.08 will be published in the Tri City Voice on July 20, 2019 and The Argus on August 2, 2019. Ordinance 34.08 will go into effect August 12, 2019.

President Lathi opened the public hearing. There were no speakers.

President Lathi closed the public hearing.

It was moved by Director Kite, seconded by Director Handley, to Adopt Ordinance No. 34.08, an Ordinance Providing for the General Regulation of Private and Public Sewers, Plan Review, Issuance of Constriction Permits, Inspection of Sewer Installation, and the

Collection of Fees for these Services, and to Repeal Ordinance 34.07. Motion carried unanimously.

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**UNION SANITARY DISTRICT
ORDINANCE NUMBER 34.08**

AN ORDINANCE PROVIDING FOR THE GENERAL REGULATION OF PRIVATE AND PUBLIC SEWERS, PLAN REVIEW, ISSUANCE OF CONSTRUCTION PERMITS, INSPECTION OF SEWER INSTALLATION, AND THE COLLECTION OF FEES FOR THESE SERVICES

WHEREAS, the Board of Directors of the Union Sanitary District adopted Ordinance No. 34.07 on June 22, 2015;

WHEREAS, the Board of Directors desires to adopt an amended version of Ordinance 34.07, which, among other things: (1) adds provisions regarding private main sewers and their maintenance; (2) updates fees; and (3) adds an appeals provision; and

WHEREAS, the Board of Directors hereby finds that the fees set forth in Article IX, Schedule of Fees, of this Ordinance, do not exceed the reasonable cost of providing the service, product, benefit, privilege or activity for which the fee is charged.

NOW, THEREFORE, The Board of Directors of the Union Sanitary District does hereby ordain as follows:

**ARTICLE I
DEFINITIONS**

SECTION 1 TERMINOLOGY

Words, phrases, or terms not specifically defined herein, and having a technical or specialized meaning shall be defined as set forth in the latest editions of the Uniform Plumbing Code.

SECTION 2 SPECIFIC DEFINITIONS

Unless the context indicates otherwise, the following words and terms shall have the meaning set forth in this article:

a) BACKFLOW PREVENTION DEVICE

A device installed in the building sewer for the purpose of preventing or minimizing the possibility of raw sewage backing up into the building.

b) BUILDING DRAIN

That part of the lowest piping of a drainage system which conveys wastewater from inside the walls of a building to a connection point with the building sewer.

c) BUILDING SEWER

A sewer conveying wastewater from a point 30 inches or less from the building or structure to a main sewer. The building sewer includes that portion on the property and that portion from the property line or easement line to the sewer main (Lateral Sewer). Building Sewers also include Private Sewers and House Sewers as defined.

d) DEVELOPER

A person or party submitting a request for connection to the District.

e) DISTRICT

Union Sanitary District, Alameda County, California.

f) DISTRICT ENGINEER or ENGINEER

The General Manager of the District, or his designees, including, but not limited to, duly authorized personnel.

g) HOUSE SEWER

That part of a piping system which conveys wastewater from a point 30 inches or less outside of a single family dwelling or residential unit to a main sewer. The house sewer includes that portion on the property and that portion from the property line or easement line to the sewer main (Lateral Sewer).

h) LATERAL SEWER

That portion of the building sewer from the sewer main to the property line of the parcel of which the sewer serves (sometimes referred to as the lower lateral).

i) MAIN SEWER ("main")

Any existing or proposed sewer dedicated to public use within the public right-of-way or sanitary sewer easement.

j) PERMIT

A document issued by the DISTRICT that allows the construction,

replacement, modification, or repair of main, building, private, and house sewers.

k) PERMIT HOLDER

That person or company performing the sanitary sewer work to which a permit is issued.

l) PRIVATE SEWER

That part of a piping system serving a non-residential building which conveys wastewater from a point 30 inches or less outside of a building to a main sewer. Excluded from this definition is a house sewer as defined in "e)" above.

m) PRIVATE MAIN SEWER

Any existing or proposed sewer within a private street and owned by maintained by a private party.

n) PUBLIC NUISANCE

Discharge of wastewater in any manner in violation of the regulations of the District's latest Wastewater Discharge Ordinance (Series 36) or of any order issued by the District Engineer as authorized by those regulations, is considered a public nuisance.

o) SEPTIC TANK

A water-tight receptacle which receives the discharge of a sanitary drainage system, or part thereof, designed and constructed so as to retain solids, digest organic matter through a period of detention, and allow the liquids to discharge into the soil outside of the tank through an effluent disposal system, meeting the requirements of the local Health Department having jurisdiction over such installation.

**ARTICLE II
GENERAL REGULATIONS**

SECTION 1 STANDARD SPECIFICATIONS

Main sewers, building sewers, and appurtenances shall be constructed, repaired, or altered in accordance with the latest revision of the District's Standard Specifications as adopted by the District's Board or the latest revision of the Uniform Plumbing Code. In all cases the District's Standard Specifications shall take precedence.

SECTION 2 PRIVATE SEWAGE SYSTEMS

The design, construction and maintenance of private sewage disposal systems, septic tank systems or any other method of sewage disposal other than through the system of the District are governed by the ordinances, codes, rules and regulations of the cities within the District, the County, or the State of California.

SECTION 3 REPAIR WORK ON MAIN SEWERS

If a person or company damages a main sewer or appurtenances within the District, the District may proceed to make the necessary repairs and the party responsible for the damages shall compensate the District for the cost thereof. If, in the opinion of the District Engineer, the repair work cannot be done by District forces, the District shall have the right to hire an outside contractor. In the event an outside contractor is hired, the party responsible for the damage shall compensate the District for all costs related to the repair.

SECTION 4 OWNERSHIP AND MAINTENANCE OF MAIN SEWERS

The District shall accept and maintain main sewers in the public right-of-way pursuant to this Section 4. If a main sewer is constructed in a private street or driveway, depending on site conditions, overall relationship to the District's system and conformance with District standards and specifications, the District may accept a sanitary sewer easement for the property in which the main sewer is constructed or may require the property owner or project developer or homeowner's association to own and maintain the sewer as a private main sewer. Whenever a main sewer in a public right-of-way or sanitary sewer easement has been constructed to the satisfaction of the District and accepted by the District, the District shall maintain the main sewer. Private main sewers not accepted by the District shall be maintained by the fee owner of the property in which the main sewer has been constructed or the project developer or homeowner's association, as may be approved by the District, in accordance with the terms of a maintenance agreement in a form approved by the District.

SECTION 5 OWNERSHIP AND MAINTENANCE OF BUILDING SEWERS

The building sewer serving a property is owned by the property owner. The property owner shall be responsible for the construction, maintenance, repair, or replacement of the building sewer, including the lateral sewer. The property owner shall also be

responsible for complying with District's Wastewater Discharge Ordinance (Series 36) for the proper discharge of wastewater to the sewer. Property owners shall maintain their building sewer in a manner that prevents sanitary sewer overflows and sewer spills. If a building sewer is found not to be properly maintained, this condition shall be declared a public nuisance and the abatement of said nuisance shall be as set forth in the District's Wastewater Discharge Ordinance (Series 36). The District will not be liable for damage resulting from sewer overflows as a result of inadequate maintenance of the building sewer.

SECTION 6 BACKFLOW PREVENTION DEVICES

A backflow prevention device shall be required in the following cases:

- When the elevation of the lowest floor in any building is less than twelve inches above the rim elevation of the nearest upstream manhole or junction structure of a District Main Sewer into which a Building Sewer connects.
- On all structures where a pump is used to lift sewage to the sanitary sewer lateral and main sewer. In this case, the backflow relief device shall be located to protect the structure from damage in the event the pump is pumping against a closed backflow prevention device.
- On buildings where the elevation of any floor is at or below the invert of the sanitary sewer main, or where a condition exists where a plug in the sanitary sewer main will cause the hydraulic grade line to rise above the lowest floor level.

The installation of any such backflow protective device shall be at the sole cost and expense of the property owner. If the District, as a courtesy, installs the device, the District shall be under no obligation to ascertain that the backflow protective device continues in operating condition. The maintenance, repair, or replacement of the backflow protective device shall be the sole obligation of the owner.

Any property owner whose property has no backflow prevention device, or which has a defective or improperly installed backflow prevention device, or which has a backflow prevention device that does not comply in all respects with the requirements of this Ordinance or with the District's Standard Specifications shall be responsible for all damage that results from the lack of such a device, or the failure of the defective or improperly installed or noncompliant device to prevent or minimize such damage. The District will not be liable for damage resulting from sewer overflows when a backflow prevention device has not been installed or is not operating properly.

SECTION 7 CONNECTION OF BUILDING DRAINS

Every building in which plumbing fixtures are installed shall be separately and independently connected to a main sewer, private main sewer, or septic tank. Where there is more than one building on a lot and where the lot cannot be subdivided under the provisions of any local regulations, a separate sewer will not be required. Connection of each building on a lot to the separate sewer requires a District permit, inspection by the District and is subject to a separate capacity fee (Ordinance 35 Series) and separate sewer service charges (Ordinance 31 Series). Any building sewers that

have not been permitted, inspected; or where capacity and/or current sewer service charges have not been paid, will be subject to disconnection by District forces under the authority of Health and Safety Code Sections 6520.1 and 6520.2. Upon written notice from the District, the owner or occupant of any building having a building sewer that is not permitted in accordance with this ordinance shall terminate the connection of such building sewer to the main sewer within ten (10) days from the mailing of such notice. District forces are hereby authorized to enter any such property, cap or terminate any building sewer line and to charge the owner and/or occupant of all such buildings which are required to be disconnected from the sewer system, the reasonable cost of such effort. Entry on private property and termination of service is authorized by Health & Safety Code Section 6523.2.

SECTION 8 SEPTIC TANKS

Where there is no available main sewer within 200 feet measured along streets, alleys, avenue, or public rights-of-way upon which a lot abuts, the building sewer may be connected with septic tanks when permitted by the county health department having jurisdiction over such installation, and provided further that whenever a main sewer is extended within the 200 foot limit as described above, then the aforesaid septic tank must be abandoned when directed by the county health department and the building sewer connected to the main sewer. All costs for abandoning the septic tank and appurtenances and connection to the main sewer shall be the sole responsibility of the property owner.

SECTION 9 PAYMENT OF FEES BEFORE CONNECTION

Until all fees and deposits, including costs of repair work on main sewers are paid or appropriate arrangements for payment have been agreed upon, no connection to District main sewers is allowed.

**ARTICLE III
PROHIBITED DISCHARGES TO THE SEWERS**

SECTION 1 PROHIBITIVE DISCHARGES

District Ordinance No. 36 Section 2.01 identifies those discharges to the sanitary sewer system that are prohibited. No person shall discharge or cause to be discharged, any of the following into a building sewer, private main sewer, or main sewer:

- Any flammable or explosive substance, including gasoline, paint, oils or other flammable or explosive substance
- Any toxic or hazardous substance that may cause a threat to the life or health of the public or sewer maintenance person, or to the environment.
- Any substance that would cause an obstruction of flow in the sanitary sewer
- Any radio-active substance
- Any pesticide or herbicide
- Any medical wastes, including prescription or non-prescription pharmaceuticals or medicines

Any discharge or threat of a prohibitive discharge may be cause for the District to terminate service to prevent the harmful discharge to the District's sewer system.

In addition, storm water, groundwater, rain water (including from rain gutters), street drainage, subsurface drainage or yard drainage shall not be discharged through direct or indirect connections to the sewer unless a permit is issued for such connection by the District.

See additional prohibitions under District Ordinance No. 36.

**ARTICLE IV
PLAN REVIEW**

SECTION 1 PLAN SUBMITTALS

All plans to be submitted for review must be prepared by a California Registered Civil Engineer and shall be in such form as required by the District Engineer.

SECTION 2 PLAN REVIEW PERIOD

If, during or after a plan review no action has taken place within a period of six months, the review of the plans shall become void. If a plan is approved and a permit is not issued within one year of the plan approval date, the approval shall become void. Void plans must be resubmitted along with a plan review fee in the amount in effect at the time of resubmittal before plans will be re-reviewed. Plans that are void and resubmitted which are substantially the same as those originally approved shall be charged for one additional review *or 30% of the total plan check fee.*

SECTION 3 MINIMUM STANDARDS

Plans submitted for review or approval which, in the opinion of the District Engineer, do not meet minimum plan preparation and/or design standards, will not be reviewed and shall be returned to the applicant.

**ARTICLE V
PERMITS**

SECTION 1 PERMITS REQUIRED

A person or company engaging in any of the following activities shall obtain a permit from the District :

- a) Construction of a main sewer.
- b) Construction, replacement, alteration or repair of a building sewer.
- c) Connection of a building drain to a building sewer.
- d) Connection of a wash pad, RV dump station or other appurtenances to the building sewer.

SECTION 2 PERMIT APPLICATION

Applications for permits shall be made by submitting the necessary plans and information such as building and encroachment permits, CC & R's (Covenants, Conditions and Restrictions), easement documents, etc. as required by the District Engineer.

SECTION 3 ISSUANCE OF PERMITS

Permits shall be issued to the party actually doing the work, after all necessary documents and/or plans are approved and all fees and deposits are paid. Permit issuance by the District does not guarantee the permit holder the right to perform the work. Additional authorization or permits may also be required (ex. city street encroachment permit).

SECTION 4 EFFECTIVE PERIOD OF PERMIT

A permit is in effect for a period of one year from the date it was issued. The District Engineer may, for good cause shown, extend any permit beyond the initial one year period described above provided that:

- a) The specific activities permitted by the extension are substantially the same as the activities permitted by the original permit; and that the permit holder has made reasonable progress in performing the permitted activities.
- b) The applicant pays all applicable fees and charges existing as of the date that the extension is granted. A credit shall be given for fees and charges paid under the original permit, to the extent they have not been previously expended by the District or any other governmental agencies or they represent payment for work not yet done by the District or any other governmental agency in administering the permit process.

**ARTICLE VI
INSPECTION**

SECTION 1 INSPECTION REQUIRED

The District shall inspect the work done under each permit. If the work does not meet District standards and requirements, the District may deny connection, order disconnection, or require other corrective measures at the expense of the permit holder.

SECTION 2 SEWER WORK COVERED WITHOUT APPROVAL

Work that has been covered without approval by the District shall be uncovered by the permit holder for inspection.

SECTION 3 REQUEST FOR INSPECTIONS

The permit holder shall request a District inspection by giving at least 48 hours notice during normal working hours in advance of the time inspection is requested. Inspections outside of normal working hours shall require that the permit holder file and obtain approval on applicable forms and pay for any inspections at the overtime rate. If, in the opinion of the Engineer, work will be done by a Contractor outside of normal working hours, the Engineer has the right to inspect the work and charge the permit holder at the overtime rate. Any permit holder requesting inspection on a normal day off shall be charged for a minimum inspection time of four hours. Whenever work under a permit has been accepted by the District, the permit holder will be notified within 15 days of the date of acceptance.

SECTION 4 LIABILITY

The function of the Union Sanitary District is to assure that sewer facilities constructed on the property of others are compatible with the District's then current Standards and Specifications. Unless determined to be the direct result of active negligence of the District, any injuries to persons and/or property during or after construction are the responsibility of the developer, owner or contractor and not Union Sanitary District. In consideration of issuance of a permit, the developer, owner and/or contractor seeking such permit shall hold Union Sanitary District harmless from any and all liability, and shall agree to defend and indemnify Union Sanitary District regarding any injury or damage, actual or alleged, to persons and/or property, resulting from the improvements constructed pursuant to the permit or permits issued by the District in conjunction herewith.

SECTION 5 HOUSE SEWER INSPECTION

Inspection for the repair or replacement of a house sewer shall be limited to three on-site inspections: 1) a pre-job consultation intended to assist the homeowner/contractor in the inspection process and advise of the District's construction requirements, 2) an

inspection of the installed sewer subject to testing and prior to backfill, and 3) a final site inspection. The pre-job inspection can be substituted for re-testing of the test inspection or final inspection. Each inspection in excess of the three (3) identified above may be charged \$50 for each additional inspection, which will be deducted from the Permit Holder Deposit at the close of the project.

**ARTICLE VII
FEES**

SECTION 1 DOCUMENT REVIEW FEE

Whenever a document such as an easement or an encroachment permit is submitted for review, a document review fee may be required to be paid prior to any review. This amount shall be in accordance with Article IX Schedule of Fees, of this ordinance.

SECTION 2 STUDY FEE

Whenever a proposed development may have a significant effect on the capacity of the sewer system and/or treatment plant, the District may require a special engineering study to be undertaken. In such an event, a fee will be charged for the estimated cost of the study, including District administration and engineering costs. Upon completion of the study, additional fees may be charged based on actual costs of the study.

SECTION 3 PLAN REVIEW FEE

After the first plan review is completed, a plan review fee will be calculated in accordance with Article IX, entitled "Schedule of Fees", of this ordinance. The plan review fee will be invoiced and shall be paid prior to the return of the reviewed plans. This fee covers two preliminary reviews and final construction approval/signature. An additional fee may be charged before the third preliminary and subsequent reviews. The plan review fee may be adjusted upward at the time of plan approval to reflect changes from the first submittal.

SECTION 4 INSPECTION FEE

Prior to the issuing of a construction permit, an inspection fee, per Article IX Schedule of Fees, shall be paid. This fee shall cover the cost of three inspections. Further inspections may be provided at no cost unless they result from the permit holder failing to do the required work, in which case additional inspection fees shall be charged to the permit holder's deposit.

SECTION 5 PERMIT FEE

At the time a permit is issued, a permit fee in accordance with Article IX Schedule of Fees shall be paid. This fee shall cover the cost of processing the permit.

SECTION 6 MATERIAL AND SERVICES FEE

A material and services fee shall be charged per Article IX Schedule of Fees for any work to be done by District forces. This fee shall be paid prior to issuing a construction permit and shall cover the cost of District forces doing work as needed for the proposed construction.

**ARTICLE VIII
INSURANCE AND CASH DEPOSITS**

SECTION 1 INSURANCE REQUIRED

A contractor who applies for a permit shall maintain, on file with USD, an insurance certificate evidencing the following insurances:

- a) Worker's Compensation
- b) Commercial General Liability (\$1,000,000/incident minimum and \$2,000,000 aggregate)

USD shall be named as an Additional Insured under the required policies (Additional Endorsement needed).

SECTION 2 PURPOSE OF CASH DEPOSIT FOR SEWER CONSTRUCTION PERMITS

The District finds that the work of constructing, installing and repairing of sewers vitally affects the operation of the District's sewer system and has an adverse and deleterious effect upon it unless the work is inspected by the District and installed per District standards. The reason for requiring a cash deposit from an applicant as provided in this section is to ensure that the District's construction standards are met. As provided in this Article, deposits may be used to complete unfinished work or to pay for work that is performed by the District to ensure District's standards are met.

SECTION 3 DEPOSIT FOR MAIN SEWER CONSTRUCTION

A cash deposit in an amount established by Article IX Schedule of Fees, shall be submitted to the District for main sewers prior to the issuance of a permit for the construction, installation, or alteration of a main sewer. The remaining amount of any cash deposit will be refunded after one year from the date of acceptance. However, no additional cash deposit is required where the municipality within which the work is to be performed requires the filing of a faithful performance bond guaranteeing correction of defects due to faulty, improper, or inferior workmanship or materials arising or discovered within one year after acceptance of the work.

SECTION 4 DEPOSIT FOR PRIVATE SEWER AND PRIVATE MAIN SEWER CONSTRUCTION

An applicant for a permit, and a developer for the construction, installation or alteration of a private sewer or private main sewer shall deposit with the District, the amount established in Article IX Schedule of Fees. Any remaining amount of the deposit shall be refunded within 60 days after acceptance of the project by the District.

SECTION 5 DEPOSIT FOR BUILDING SEWER REPAIR, ALTERATION, OR INSTALLATION

**ARTICLE IX
SCHEDULE OF FEES**

SECTION 1 DOCUMENT REVIEW FEE

- a) Easements, Deeds and Quitclaims \$500.00
- b) Encroachment permits \$ 50.00
- c) Special Agreements/Studies Development/Review Cost
(including consulting and legal fees;
\$500 minimum)

SECTION 2 PERMIT FEE

Permit fees will be charged at \$50.00 each.

SECTION 3 PLAN REVIEW FEE

- a) Two preliminary and one final review
 - 1. 2.5% of construction costs or
 - 2. \$100.00 minimum
- b) Additional reviews charged at 30% of initial plan check fee.

SECTION 4 INSPECTION FEE

- a) 4.0% of construction costs or
- b) Main Sewers: \$200.00 minimum
- c) Private or house sewers:
 - 1. Main to Property Line: \$150.00 minimum/connection
 - 2. Property Line to building or house: \$150.00 minimum/connection

SECTION 5 SCHEDULE OF CONSTRUCTION COSTS (used for calculating plan review and inspection fees, and, permit holder and developer deposits).

Item	Unit	Cost
Manhole (Type II)	Each	\$5,600.00
Manhole (public or private)	Each	\$3,500.00
Drop Manhole (connection)	Each	\$1,000.00
Risers	Each	\$800.00
Grease Interceptor/Clarifier 1500 Gallons	Each	\$4,300.00
Grease Interceptor/Clarifier 2000 Gallons	Each	\$4,900.00
Grease Interceptor/Clarifier 3000 Gallons	Each	\$5,300.00

Grease Interceptor/Clarifier 5000 Gallons	Each	\$6,900.00
Sand-Oil Water Separator	Each	\$2,150.00
Trash Enclosure Interceptor	Each	\$2,150.00
Cleanout to Grade	Each	\$375.00
12 inch Sewer	Linear Feet	\$120.00
10 inch Sewer	Linear Feet	\$100.00
8 inch Sewer	Linear Feet	\$80.00
6 inch Sewer	Linear Feet	\$60.00
4 inch Sewer	Linear Feet	\$40.00
Sewer in Easement (additional charge)	Linear Feet	\$10.00
Sewer in Steel Casing	Linear Feet	\$1,560.00
30 inch Steel Casing	Linear Feet	\$700.00
Commercial/Multi-Family Pump Station	Each	\$16,000.00
Residential Pump Station	Each	\$8,000.00
Abandon Sewer	Linear Feet	\$11.00
Abandon Manhole	Each	\$900.00

NOTE: The cost of items not listed will be estimated by the District Engineer.

SECTION 6 MATERIAL AND SERVICES FEE (used for calculating fees associated with work performed by District Forces).

	Description of Work	Unit	Fee
a)	Install stub and channel manhole (Work inside manhole only)		
	1. New pipe stub into an existing 8" sewer or larger manhole base	Each	\$3,300
	2. New pipe stub into an existing 12" sewer or larger manhole base	Each	\$4,235
	3. New pipe stub into an existing 18" sewer or larger manhole base	Each	\$14,500
b)	Channel new manhole		
	1. 6" to 10" main	Each	\$3,160
	2. 12" to 18" main	Each	\$3,500
	3. 21" or larger main	Each	\$7,225
c)	False Bottom		
	1. Install and remove	Each	\$495
d)	Adjust manhole to grade		
	1a. Structural adjustment with reference points, false bottoms, and asphalt concrete	Each	\$1,760
	1b. In addition to 1a. above, for additional	Each	\$7,600

	work including: excavation; removal; and replacement and/or installation of cone and/or barrel section		
	2. Asphalt concrete overlay using riser rings up to 3" in height, including reference points	Each	\$575
e)	Pipe repairs less than 10 feet in length (cut & repair only)		
	1. 4" and 6" lateral	Each	\$625
	2. 6" and 8" main	Each	\$730
	3. 10" and 12" main	Each	\$975
f)	Wye or tee splices (cut and install only)		
	1. 6" to 12"	Each	\$1,535

	Description of Work	Unit	Fee
g)	*Television inspection		
	1. Laterals	Each	\$525
	2. Mains, in excess of 1000 ft in length (if < 1000 ft, then cost is on a time -and- materials basis)		
	\$0.80 Cleaning +\$1.24 TV	Per Ft.	\$2.04
	• TV only	Per Ft.	\$1.24
	*If laterals need additional work prior to TV, such as, snaking, repairs, or installing a cleanout, additional costs will be charged on a time-and-material basis		
h)	Cleanouts		
	1. Install	Each	\$915
	2. Raise cleanout to grade and install cleanout box	Each	\$395
i)	Miscellaneous		
	1. Install and remove temporary plug	Each	\$645
	2. Catch debris	Each	\$630
	3. Dye tracing	Each	\$265
	4. Ferret tracing	Each	\$265
j)	Overtime inspection		
	1. Hourly Rate (four hour minimum for weekends and holidays)	Per Hour	\$355
k)	Unforeseen conditions may increase the time and charges to complete work.		
l)	Additional work will be charged based on a time-and-material basis.		
m)	Contractors will be required to sign a work order agreeing to pay for work in advance of USD performing the work.		
n)	USD work guaranteed for 12 months.		

SECTION 7**PERMIT HOLDER DEPOSITS**

a) Main Sewers	50% of Construction Costs
b) Private Sewers	1. \$2,500.00 per permit, or 2. \$5,000.00 by cash, check or Credit Card payable to Union Sanitary District
c) House Sewers (Repair, alteration, or installation)	1. \$500.00 per permit, or 2. \$5,000.00 cash, check or Credit Card payable to Union Sanitary District for multiple permits in lieu of the per permit permitholder deposit.

SECTION 8**DEVELOPER DEPOSITS**

Developer deposit is 10% of Construction Cost of any structure, or \$800.00, whichever is greater.

SECTION 9**FEE FOR FAILING TO OBTAIN A PERMIT**

The fee for failing to obtain a permit is a minimum of \$150.00 or 50% of the Inspection Fee, whichever is greater.

**ARTICLE X
APPEALS AND ADJUSTMENTS**

SECTION 1 APPEAL

Any user, permit applicant, or permit holder affected by any decision, action, or determination made by the District Engineer or another employee of the District in interpreting or implementing the provisions of this ordinance or in any permit issued herein, may file with the District Engineer a written appeal or request for reconsideration, as applicable, within ten days of such decision, action, or determination, setting forth in detail the facts supporting the user's appeal or request for reconsideration.

If the ruling made by the District Engineer is unsatisfactory to the person appealing or requesting reconsideration, he or she may file a written appeal to the District's governing body within ten days after notification of District action. The written appeal shall be heard by the governing body within 30 days from the date of filing or as soon thereafter as reasonably possible. The District's governing body shall make a final ruling on the appeal within 30 days of the meeting. The District Engineer's decision, action, or determination shall remain in effect during such period of appeal. The determination of an appeal by the governing body of the District shall constitute a final determination of the District and may be subject to judicial review.

**ARTICLE XI
REPEAL**

Ordinance 34.07 is hereby repealed.

**ARTICLE XII
EFFECTIVE DATE**

This Ordinance shall take effect and be in force August 12, 2019 and at least one week prior to said date it shall be published once in THE TRI-CITY VOICE and THE ARGUS, newspapers of general circulation published in the UNION SANITARY DISTRICT. This ordinance shall be entered in the minutes of the District.

**ARTICLE XIII
SEVERABILITY**

If any provision of this Ordinance or any subdivision thereof, or any application thereof, to any person or circumstance is held invalid, the remainder of this Ordinance or the subdivision, or the application of such provision to other persons or circumstances shall not be affected thereby.

On motion duly made and seconded, this Ordinance was adopted after public hearing by

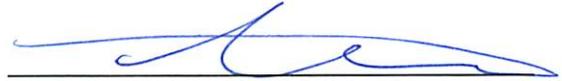
the following vote on July 22, 2019:

AYES: Fernandez, Hanley, Kite, Lathi, Toy

NOES: None

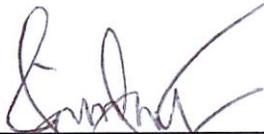
ABSTAIN: None

ABSENT: None



Anjali Lathi
President, Board of Directors
UNION SANITARY DISTRICT

ATTEST



Jennifer Toy
Secretary, Board of Directors
UNION SANITARY DISTRICT

REVIEW AND CONSIDER APPROVAL OF THE ENHANCED TREATMENT & SITE UPGRADE PROGRAM MANAGER (LIMITED DURATION) AND ENHANCED TREATMENT & SITE UPGRADE ASSISTANT PROGRAM MANAGER (LIMITED DURATION) JOB DESCRIPTIONS AND SALARY RANGES

This item was reviewed by the Personnel Committee. General Manager Eldredge stated details were discussed at a previous workshop and can be reviewed in the Board packet.

It was moved by Vice President Fernandez, seconded by Director Handley, to Approve the Enhanced Treatment & Site Upgrade Program Manager (Limited Duration) and Enhanced Treatment & Site Upgrade Assistant Program Manager (Limited Duration) Job Descriptions and Salary Ranges. Motion carried unanimously.

AUTHORIZE THE GENERAL MANAGER TO EXECUTE AMENDMENT NO. 1 TO TASK ORDER NO. 1 WITH CAROLLO ENGINEERS FOR THE PRIMARY DIGESTER NO. 2 REHABILITATION PROJECT

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated JDH Corrosion Consultants, Inc. performed a condition assessment of Thickener Nos. 1 and 2, the Sludge Transfer Tank, and Primary Clarifier Nos. 5 and 6. The condition of Thickener Nos. 1 and 2 and the Sludge Transfer Tank were found to be in good condition with only minor coating repairs on the steel components of the thickener mechanism required. The condition assessment of Primary Clarifier Nos. 5 and 6 found the clarifier mechanisms to be in relatively good condition except for some damaged coatings on the steel components of the mechanisms. The assessment also found significant corrosion damage to portions of the concrete walkways and miscellaneous metals inside the building. Additionally, staff had separately identified some structural and mechanical improvements in Thickener Nos. 1 and 2 that would improve the operational use of the thickener tanks and access to the equipment and process areas. Since these improvements are similar in nature to the scope of the Primary Digester No. 2 Rehabilitation Project, staff believes including them in the Project would be prudent as it would take advantage of the economy of scale of a larger construction project. The purpose of this amendment is to provide design services for the additional scope summarized above and detailed in the Board packet.

It was moved by Vice President Fernandez, seconded by Director Kite, to Authorize the General Manager to Execute Amendment No. 1 to Task Order No. 1 with Carollo Engineers in the Amount of \$38,929 to Provide Additional Design Services for the Primary Digester No. 2 Rehabilitation Project. Motion carried unanimously.

AUTHORIZE THE GENERAL MANAGER TO EXECUTE A LEASE AGREEMENT WITH THE CALIFORNIA STATE LANDS COMMISSION FOR THE EMERGENCY OUTFALL IMPROVEMENTS PROJECT

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the Alvarado Effluent Pump Station normally pumps the final effluent from the Alvarado Wastewater Treatment Plant to the East Bay Dischargers Authority (EBDA) system where the combined effluent from the EBDA agencies

is dechlorinated and discharged from the EBDA Common Outfall to lower San Francisco Bay. The District has an NPDES permit to discharge final effluent to Old Alameda Creek during wet weather and when the capacity of the EBDA system is maximized. The purpose of the Emergency Outfall Improvements Project is to make improvements to the Emergency Outfall to reduce the maintenance activities associated with the flap gate and increase the reliability of the Emergency Outfall during wet weather events. Staff negotiated a lease with the California State Lands Commission granting permission for the pipelines and structure to be located at the Old Alameda Creek. The lease was approved at the June 28, 2019 California State Lands Commission meeting and has a 25-year term with no monetary consideration at this time.

It was moved by Secretary Toy, and seconded by Vice President Fernandez, to Authorize the General Manager to Execute a Lease Agreement with the California State Lands Commission for the Emergency Outfall Improvements Project. Motion carried unanimously.

AUTHORIZE THE GENERAL MANAGER TO EXECUTE TASK ORDER NO. 2 WITH WOODARD & CURRAN, INC. FOR THE CONTROL BOX NO. 1 IMPROVEMENTS PROJECT

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated in 2011 the District retained Carollo Engineers to conduct a limited concrete assessment on the interior of Control Box No. 1 (CB1). Temporary concrete repairs were made to CB1 in 2012 during the Primary Clarifiers Rehabilitation Project until permanent repairs could be made. Due to the age, existing configuration, and condition of CB1, staff identified a project to rehabilitate CB1's existing infrastructure, along with other mechanical facilities, piping, and equipment in the vicinity. The project will also include a more comprehensive condition assessment of CB1 and other structures and development of alternatives to reduce ongoing operation requirements and cost associated with removing grit. On November 12, 2018, the Board authorized an agreement and Task Order No. 1 with Woodard & Curran, Inc. for predesign services. Additional scope was identified by W&C's condition assessment and is detailed in the Board packet.

It was moved by Director Handley, seconded by Vice President Fernandez, to Authorize the General Manager to Execute Task Order No. 2 with Woodard & Curran, Inc. in the amount of \$89,046 for the Control Box No. 1 Improvements Project. Motion carried unanimously.

APPOINT TWO BOARDMEMBERS TO SERVE ON THE EAST BAY DISCHARGERS AUTHORITY (EBDA) JPA NEGOTIATIONS AD HOC COMMITTEE

General Manager Eldredge stated the East Bay Dischargers Authority (EBDA) is a Joint Powers authority of which Union Sanitary District is a Member. EBDA was formed in 1974 by a "Joint Exercise of Powers Agreement" (JPA Agreement) entered into by the City of Hayward, City of San Leandro, Oro Loma Sanitary District, Union Sanitary District, and Castro Valley Sanitary District. EBDA provides a transport system and outfall to collect effluent from six wastewater treatment plants in the East Bay, including two non-member agencies (Dublin San Ramon Services District and Livermore). EBDA transports treated wastewater and removes chlorine prior to its discharge through a deep-water outfall in the

San Francisco Bay. Amendments to the JPA Agreement were approved in 1978, 1986, and 2007. As the current JPA Agreement is set to expire in January of 2020, discussions and negotiations have been taking place over the last few years to develop deal points and a framework for a renewed agreement. The Ad Hoc committee brings its formal recommendations to the entire Board for consideration and approval.

It was moved by Vice President Fernandez, seconded by Director Kite, to Appoint the USD EBDA Representative and Alternate to Serve as the USD Ad-Hoc Members on the USD Ad Hoc JPA Negotiations Committee. Motion carried unanimously.

ELECTION OF OFFICERS FOR THE BOARD OF DIRECTORS FOR FISCAL YEAR 2020

General Manager Eldredge stated Policy 3070, Boardmember Officers and Committee Membership, was adopted by the Board in December 2016. The policy states the Board shall annually elect by majority vote the President, Vice-President, and Secretary for one-year terms to coincide with the fiscal year.

It was moved by Vice President Fernandez, seconded by Director Kite, that Jennifer Toy would serve as President, Tom Handley would serve as Vice President, and Pat Kite would serve as Secretary for Fiscal Year 2020. Motion carried unanimously.

INFORMATION ITEMS:

FISCAL YEAR 2019 FOURTH QUARTER MANAGED INVESTMENT PORTFOLIO REPORT

This item was heard out of order. For minutes of action, see page two of these minutes.

Cal-Card Quarterly Activity Report:

This item was reviewed by the Budget & Finance Committee. Business Services Coach Brenner stated the Cal-Card Merchant Spend Analysis for the fourth quarter of FY 2019, included in the Board Meeting packet, covers transactions from the billing period of April 23, 2019 through June 22, 2019. Staff responded to Boardmember questions.

Report on the East Bay Dischargers Authority (EBDA) Meeting of June 20, 2019:

Director Handley provided an overview of the June 20, 2019 EBDA Commission meeting.

Check Register:

Staff responded to Boardmember questions regarding the Check Register.

COMMITTEE MEETING REPORTS:

The Budget & Finance, Engineering and Information Technology, Personnel, and Legal/Community Affairs Committees met.

GENERAL MANAGER'S REPORT:

General Manager Eldredge reported the following:

- The developer working on the force main relocation project has requested an extension to October 2020. The District is evaluating if an extension is warranted. An amendment will be brought to the Board at a later date, if required.
- The deadline to register for the California Association of Sanitation Agencies Annual Conference is July 30, 2019.
- General Manager Eldredge stated he will be out of the office on July 26, 2019. Collection Services Manager Schofield will be acting General Manager in his absence.
- General Manager Eldredge introduced May Bautista as the new Capital Improvements Project Team Administrative Specialist.

OTHER BUSINESS:

Secretary Toy stated she attended the Alameda County Special District Association meeting.

ADJOURNMENT:

The meeting was adjourned at 7:50 p.m. to the next Regular Meeting in the Boardroom on Monday, August 12, 2019 at 7:00 p.m.

SUBMITTED:

ATTEST:

Danielle Lemos
for DANIELLE LEMOS
ADMINISTRATIVE SPECIALIST

Pat Kite
PAT KITE
SECRETARY

APPROVED:

Jennifer Toy
JENNIFER TOY
PRESIDENT

Adopted this 12th day of August 2019