

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT
August 26, 2019**

CALL TO ORDER

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

SALUTE TO THE FLAG

ROLL CALL

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

STAFF: Paul Eldredge, General Manager/District Engineer
Karen Murphy, District Counsel
Armando Lopez, Treatment and Disposal Services Manager
James Schofield, Collection Services Manager
Gene Boucher, Human Resources Manager
Laurie Brenner, Business Services Coach
Raymond Chau, Technical Services Coach
Chris Pachmayer, Fabrication, Maintenance, and Construction Coach
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

VISITORS: Dave Richardson, Woodard & Curran
Irene Chu, Hazen and Sawyer
Marc Soloman, Hazen and Sawyer

APPROVE MINUTES OF THE BOARD WORKSHOP OF JULY 9, 2019

It was moved by Secretary Kite, seconded by Director Lathi, to Approve the Minutes of the Board Workshop of July 9, 2019. Motion carried unanimously.

APPROVE MINUTES OF THE BOARD WORKSHOP OF JULY 15, 2019

It was moved by Director Fernandez, seconded by Vice President Handley, to Approve the Minutes of the Board Workshop of July 15, 2019. Motion carried unanimously.

APPROVE MINUTES OF THE BOARD MEETING OF AUGUST 12, 2019

It was moved by Vice President Handley, seconded by Secretary Kite, to Approve the Minutes of the Board Meeting of August 12, 2019. Motion carried unanimously.

JULY 2019 MONTHLY OPERATIONS REPORT

General Manager Eldredge reviewed the Odor Report and Work Group reports included in the Board meeting packet. Business Services Coach Brenner provided an overview of the financial reports included in the Board meeting packet.

WRITTEN COMMUNICATIONS

There were no written communications.

PUBLIC COMMENT

There was no public comment.

CONSIDER RESCINDING POLICY NO. 2040, EXCEPTIONS TO ORDINANCE FEES

District Counsel Murphy stated Policy No. 2040, Exceptions to Ordinance Fees, was first adopted in 1990 and provided direction on how District staff should address protests and appeals related to District Ordinances 31, 34, 35, and 36. At the April 22, 2019, Board meeting, staff noted three of the four Ordinances already included language outlining appeals processes. The Board directed staff to amend Ordinance 34 to include an appeals provision and bring back an item to rescind Policy No. 2040. Staff recommended the Board rescind Policy No. 2040, Exceptions to Ordinance Fees.

It was moved by Vice President Handley, seconded by Secretary Kite, to Rescind Policy No. 2040, Exceptions to Ordinance Fees. Motion carried unanimously.

AUTHORIZE THE GENERAL MANAGER TO EXECUTE AN AGREEMENT AND TASK ORDER NO. 1 WITH CAROLLO ENGINEERS, INC. FOR THE PLANT NETWORK ARCHITECTURE STUDY

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Coach Chau stated the existing information network system at the District's Alvarado Wastewater Treatment Plant (WWTP) was originally built in 1986 and had been expanded over the past 30 years to accommodate new construction. The plant network system allows for information to be transferred from anywhere in the network to the supervisory control and data acquisition system (SCADA) located in the plant operations control room. Plant Operators use the plant network system to monitor and adjust various treatment processes to ensure the WWTP operates without problems and remains in permit compliance. The upcoming Enhanced Treatment & Site Upgrade (ETSU) Program will upgrade significant portions of the WWTP which will provide an opportunity for a study to provide recommendations for improving network resilience and performance that may be incorporated into the ETSU program projects. Staff initiated a Request for Proposal process and selected Carollo to conduct the study due to their knowledge of the District's infrastructure and experience with similar network system evaluations. Staff anticipate Carollo will complete the Study by Spring 2020. Staff recommended the Board authorize the General Manager to execute an Agreement and

Task Order No. 1 with Carollo Engineers, Inc. in the amount of \$99,955 for the Plant Network Architecture Study.

It was moved by Director Fernandez, seconded by Vice President Handley, to Authorize the General Manager to Execute an Agreement and Task Order No. 1 with Carollo Engineers, Inc. in the Amount of \$99,955 for the Plant Network Architecture Study. Motion carried unanimously.

ADOPT A RESOLUTION APPROVING THE FINAL REPORT FOR THE ENHANCED TREATMENT & SITE UPGRADE PROGRAM (CEQA REVIEW: EXEMPT UNDER CEQA GUIDELINES SECTION 15061(b)(3) AND 15262)

This item was reviewed by the Engineering and Information Technology Committee. General Manager Eldredge stated the Enhanced Treatment & Site Upgrade (ETSU) Program was the study culminating the District's planning efforts and was based upon the outcomes of the Administration/Control/FMC Building Evaluation, Effluent Management Study, and Secondary Treatment Process Improvements Project. The Program will include projects recommended for implementation that will be phased to address both immediate drivers (poor sludge settleability, treatment capacity, effluent disposal, and aging infrastructure), while preparing for potential future nutrient regulations for discharge in the Bay that will be considered by the Regional Water Quality Control Board in consultation with the Bay Area Clean Water Association (BACWA). The improvements to be implemented in Phase I were summarized in the Board meeting packet. Staff recommended the Board adopt a resolution approving the Final Report for the Enhanced Treatment and Site Upgrade Program (CEQA Review: Exempt Under CEQA Guidelines Section 15061(b)(3) and 15262).

It was moved by Director Fernandez, seconded by Director Lathi, to Adopt Resolution No. 2864 Approving the Final Report for the Enhanced Treatment and Site Upgrade Program (CEQA Review: Exempt Under CEQA Guidelines Section 15061(b)(3) and 15262). Motion carried unanimously.

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RESOLUTION NO. 2864

**APPROVE THE FINAL REPORT FOR THE
ENHANCED TREATMENT & SITE UPGRADE PROGRAM**

WHEREAS, Carollo Engineers conducted an evaluation of the current solids capacity of the Alvarado Wastewater Treatment Plant, which concluded, among other things, that some of the plant's secondary treatment processes are at/near capacity at current average dry weather flow (ADWF) and over capacity during certain peak flow events; and

WHEREAS, concurrently, staff has worked with Woodard and Curran to study, review and assess the District's near- and long-term projects; and

WHEREAS, Woodard and Curran prepared a study to, among other things, determine priorities and schedules of improvements, evaluate existing and future space and capacity needs, optimize process adjacencies, determine economic feasibility of options, and summarize what is intended to be a road map for the District's Wastewater Treatment Plant for the next 20 to 40 years; and

WHEREAS, Hazen and Sawyer presented staff with options to further optimize current secondary treatment processes and leverage the use of existing infrastructure; and

WHEREAS, the Enhanced Treatment & Site Upgrade (ETSU) Program is the study culminating the District's planning efforts and is based on the outcomes of the Administration/Control/FMC Building Evaluation, Effluent Management Study, and Secondary Treatment Process Improvements; and

WHEREAS, the ETSU Program includes projects recommended for implementation that will be phased to address both immediate drivers (current poor sludge settleability, treatment capacity, effluent disposal and aging infrastructure), while preparing for potential future nutrient regulations for discharge in the Bay that are being considered by the Regional Water Quality Control Board in consultation with BACWA (Bay Area Clean Water Association) Level 2 standards; and

WHEREAS, the Phases I, II and III projects included in the ETSU Program were presented to the Board during a workshop held on May 8, 2019; and

WHEREAS, the ETSU Program is not intended to approve any individual phases or project, but to study and identify the proposed projects the District intends to pursue, subject to further review during a formal decision-making process, and, as the ETSU Program is implemented and projects are designed and considered, environmental review required by the California Environmental Quality Act (CEQA) will be conducted and staff will pursue any required regulatory permits.

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

1. The Board hereby finds and determines that adoption of the ETSU Program is exempt under CEQA Guidelines section 15061(b)(3), as it can be seen with certainty that there is no possibility that adoption of the ETSU Program will have a significant effect on the environment, and section 15262, as the ETSU Program constitutes a planning and feasibility study with no legally binding effect on future activities. The ETSU Program studies possible future actions, which have not yet been approved, adopted or funded.
2. The Board approves and authorizes staff to pursue implementation of the ETSU Program, subject to further Board review, consideration and direction.
3. The Board directs staff to file a notice of exemption with the County Clerk of Alameda County.

CERTIFICATION

I do hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the Board of Directors of the Union Sanitary District, in Alameda County, California, held on the 26th day of August 2019.

AYES: Fernandez, Handley, Kite, Lathi, Toy

NOES: NONE

ABSTAIN: NONE

ABSENT: NONE



JENNIFER TOY
President, Board of Directors
Union Sanitary District

Attest:



PAT KITE
Secretary, Board of Directors
Union Sanitary District

REJECT THE SOLE BID RECEIVED FOR THE PRIMARY DIGESTER NO. 7 PROJECT AND AUTHORIZE STAFF TO RE-BID THE PROJECT

This item was reviewed by the Engineering and Information Technology Committee. General Manager Eldredge stated the Primary Digester No. 7 Project was one of the outcomes of the Plant Solids System/Capacity Assessment, Phase I that was completed in November 2016. The assessment concluded the Plant's anaerobic digestion process was at or nearing capacity and Primary Digester No. 6, the largest existing digester, could not reliably be taken out of service for cleaning and maintenance without additional digestion capacity provided. Staff advertised the Project for bids and the sole bid received was opened August 6, 2019. Kiewit Infrastructure West Co. was the sole bidder with a total bid that was 23% above the Engineer's Estimate. Since Kiewit's bid exceeded the Engineer's Estimate by a large percentage and was the only bid received, staff believe it would be best to reject the bid and re-bid the project. Staff will engage contractors prior to re-bidding the Project to inquire about their interest in the Project and any potential schedule conflicts. Staff will also engage consultant firms to inquire about projects from other agencies out to bid to enable the District to select a bid opening date with no conflicts. Staff recommended the Board reject the sole bid received for the Primary Digester No. 7 Project and authorize staff to re-bid the project.

It was moved by Secretary Kite, seconded by Director Lathi, to Reject the Sole Bid Received for the Primary Digester No. 7 Project and Authorize Staff to Re-Bid the Project. Motion carried unanimously.

DESIGNATE AND APPOINT TWO BOARD REPRESENTATIVES TO AN AD HOC SUBCOMMITTEE ON GENERAL MANAGER CONTRACT NEGOTIATIONS

District Counsel Murphy stated the Second Amended and Restated Employment Agreement between Union Sanitary District and Paul R. Eldredge to serve as General Manager and District Engineer provides that the Board will review the General Manager's compensation annually. Staff recommended the Board appoint two Board representatives to an ad hoc subcommittee on General Manager contract negotiations.

It was moved by Vice President Handley, seconded by Director Fernandez, to Appoint Secretary Kite and President Toy to Serve as Board Representatives on an Ad Hoc Subcommittee on General Manager Contract Negotiations. Motion carried unanimously.

INFORMATION ITEMS:

Check Register

Staff responded to Boardmember questions regarding the Check Register.

COMMITTEE MEETING REPORTS:

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

GENERAL MANAGER'S REPORT:

General Manager Eldredge stated:

- The Hayward Marsh was taken offline for East Bay Regional Park District maintenance activities.
- General Manager Eldredge attended the California Association of Sanitation Agencies (CASA) conference and provided a brief overview of sessions attended.
- The District received the NACWA (National Association of Clean Water Agencies) Platinum 10 Award in honor of 14 consecutive years without effluent quality exceedances.

OTHER BUSINESS:

There was no other business.

ADJOURNMENT:

The meeting was adjourned at 7:36 p.m. to the next Regular Meeting in the Boardroom on Monday, September 9, 2019, at 7:00 p.m.


SUBMITTED:

ATTEST:


REGINA McEVOY
BOARD CLERK


PAT KITE
SECRETARY

APPROVED:


JENNIFER TOY
PRESIDENT

Adopted this 9th day of September 2019