

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT
November 11, 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
Sami Ghossain, Technical Services Manager
Armando Lopez, Treatment and Disposal Services Manager
James Schofield, Collection Services Manager
Robert Simonich, Fabrication, Maintenance, and Construction Manager
Laurie Brenner, Business Services Coach
Mike Marzano, Environmental Health and Safety Program Manager
Michelle Powell, Communications and Intergovernmental Relations Coordinator
Karoline Terrazas, Organizational Performance Manager
Jason Yeates, Organizational Performance Coordinator
Shawn Negis, Customer Service Support Team & Construction Coach
May Bautista, Administrative Specialist

VISITORS: Roelle Balan, Tri-City Voice Newspaper
Alice Johnson, League of Women Voters
Brandon Young, Lance, Soll, & Lunghard, LLP

APPROVE MINUTES OF THE BOARD MEETING OF OCTOBER 28, 2019

It was moved by Secretary Lathi, seconded by Secretary Kite, to Approve Minutes of the Board Meeting of October 28, 2019. Motion carried unanimously.

BALANCED SCORECARD

- a. This item was reviewed by the Legal/Community Affairs Committee. First Quarter Fiscal Year 2020 – Organizational Performance Manager Terrazas provided an overview of the first quarter Fiscal Year 2020 Balanced Scorecard included in the Board meeting packet.
- b. This item was reviewed by the Legal/Community Affairs Committee. Balanced Scorecard for the Collection Services Work Group – Collection Services, Support Team & Construction Coach Nesgis, presented the Fiscal Year 2020 First Quarter Balanced Scorecard for Collection Services included in the Board meeting packet. There were no Category 1 spills during the first quarter of FY20, Collections staff responded to 97.99% of trouble calls within one hour during the quarter, and 23.4% of planned preventative maintenance for the year was completed during the quarter.

WRITTEN COMMUNICATIONS

There were no written communications.

PUBLIC COMMENT

There was no public comment.

COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR) FOR THE FISCAL YEAR (FY) ENDING JUNE 30, 2019

This item was reviewed by the Audit Committee. Business Services Coach Brenner stated the District engages an independent accounting firm to audit the financial statements and records each fiscal year. There were no significant audit findings for FY 2019 as stated in the Government Auditing Standards letter from auditors Lance, Soll, & Lughard, LLP, Certified Public Accountants. Staff recommended the Board receive and direct staff to file the Certified Annual Financial Report (CAFR) for the Fiscal Year ended June 30, 2019.

It was moved by Secretary Kite, seconded by Director Lathi, to Receive and Direct Staff to File the Certified Annual Financial Report (CAFR) for the Fiscal Year Ended June 30, 2019. Motion carried unanimously.

CONSIDER A RESOLUTION TO ACCEPT A SANITARY SEWER EASEMENT FOR TRACT 8279 – STATE STREET CENTER, LOCATED AT STATE STREET AND CAPITOL AVENUE, IN THE CITY OF FREMONT

This was reviewed by the Legal/Community Affairs Committee. Technical Services Manager Ghossain stated the developer, Fremont State Street Center, LLC, is constructing a mixed-use development consisting of 76 townhomes, 81 condominium units, and 21,000 square-feet of ground-floor retail space for Tract 8279, located at State Street and Capitol Avenue, in the City of Fremont. Some of the roadways of the

development do not meet the City of Fremont's street dimensions and structure setback requirements for public streets and were, therefore, designated as private. Fremont State Street Center, LLC, has constructed the new 8-inch sewer mains and has granted the District sanitary sewer easements that provide for access and maintenance of the new sewer mains. Staff recommended the Board consider a resolution to accept a sanitary sewer easement for Tract 8279 – State Street Center, located at State Street and Capitol Avenue, in the City of Fremont.

It was moved by Director Fernandez, seconded by Vice President Handley, to Adopt Resolution No. 2871 to Accept a Sanitary Sewer Easement for Tract 8279 – State Street Center, Located at State Street and Capitol Avenue, in the City of Fremont. Motion carried unanimously.

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RESOLUTION NO. 2871

**ACCEPT A SANITARY SEWER EASEMENT FOR
TRACT 8279 – STATE STREET CENTER, LOCATED AT STATE STREET
AND CAPITOL AVENUE IN THE CITY OF FREMONT, CALIFORNIA**

RESOLVED by the Board of Directors of UNION SANITARY DISTRICT, that it hereby accepts the Grant of Easement from FREMONT STATE STREET CENTER, LLC, executed on May 26, 2016, as described in the Grant of Easement for Sanitary Sewer Purposes and by the legal description and plat map, attached Exhibit A and Exhibit B, respectively.

FURTHER RESOLVED by the Board of Directors of UNION SANITARY DISTRICT that it hereby authorizes the General Manager/District Engineer, or his designee, to attend to the recordation thereof.

On motion duly made and seconded, this resolution was adopted by the following vote on November 11, 2019:

AYES: Fernandez, Handley, Kite, Lathi, Toy

NOES: None

ABSENT: None

ABSTAIN: None



JENNIFER TOY
President, Board of Directors
Union Sanitary District

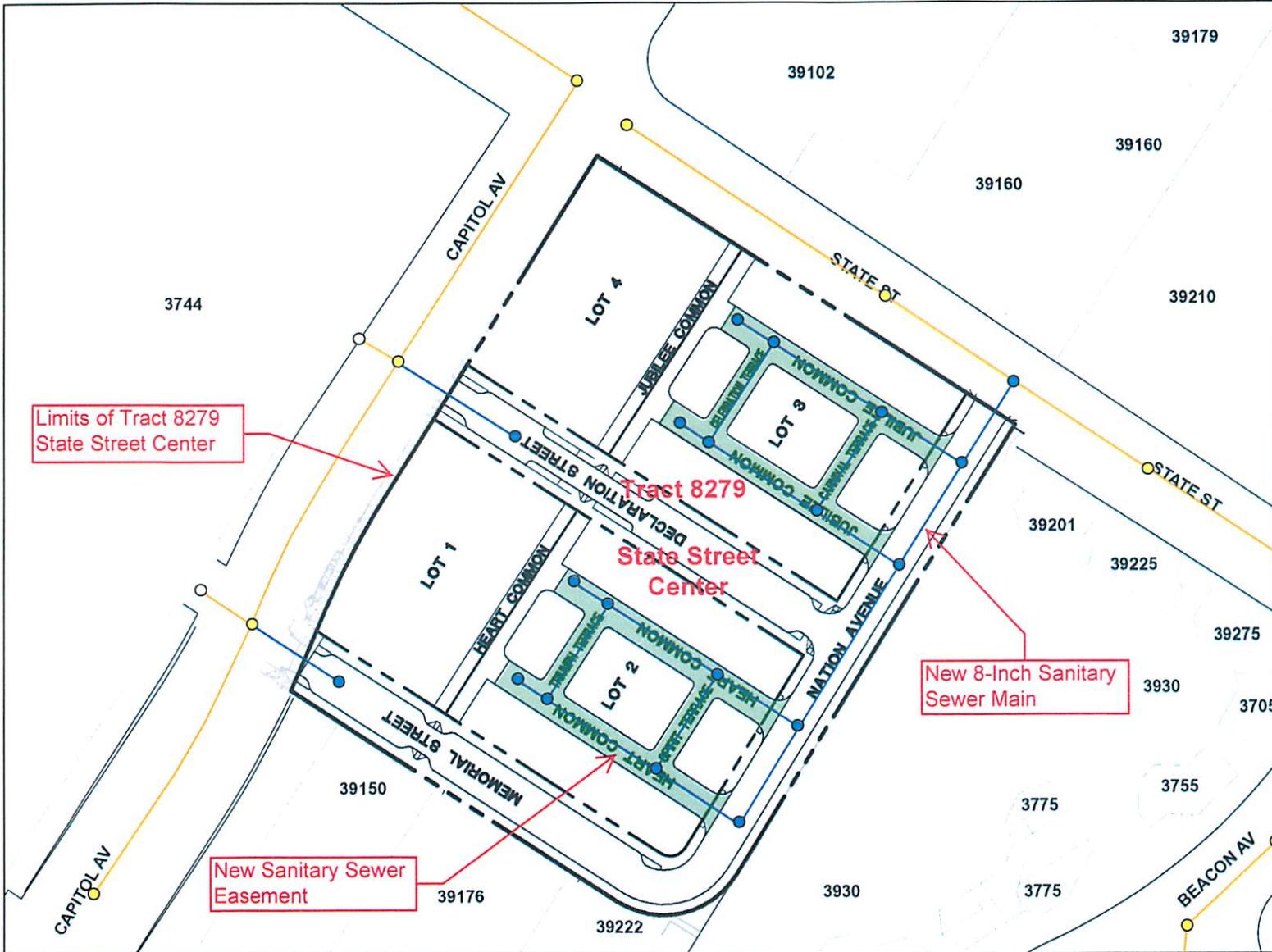
Attest:



PAT KITE
Secretary, Board of Directors
Union Sanitary District



Vicinity Map: Grant of SSE, TR 8279 - State Street Center, Fremont



Limits of Tract 8279
State Street Center

Tract 8279
State Street
Center

New 8-Inch Sanitary
Sewer Main

New Sanitary Sewer
Easement

Legend

- Sewer Manholes**
 - Drop manhole
 - End Cap
 - Junction structure
 - Lamp hole
 - Lift station
 - Manhole
 - New Manhole
 - Riser
- Sewer Mains**
 - New Gravity Main
 - EBDA outfall
 - Forcemain
 - Gravity main
 - Overflow main
 - Siphons
 - Trunk Main
- Railroad / BART**
 - <all other values>
 - BART
- Public Right of Way**
- Private Right of Way**
- Sewer Easements**
- Parcels**
 - <all other values>
 - Alameda Cnty Flood Cntrl

145.8 0 72.92 145.8 Feet

1:1,750

Printed: 10/21/2019 3:49 PM



For USD use only

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

Notes

RECORDING REQUESTED BY
AND WHEN RECORDED RETURN TO:
Union Sanitary District
Attn: Regina McEvoy
5072 Benson Road
Union City, CA 94587

Record Without Fee
*Pursuant to Government Code
Section 27383*

Space Above Reserved for Recorder's Use Only

Documentary Transfer Tax \$0.00, consideration less than \$100 (R&T Code 11911)
This instrument is exempt from recording fees (Govt. Code 27383)

GRANT OF EASEMENT

BY AND BETWEEN

FREMONT STATE STREET CENTER, LLC

AND

UNION SANITARY DISTRICT

Effective Date: November 11, 2019

GRANT OF EASEMENT

FOR SANITARY SEWER PURPOSES

THIS INDENTURE, made this 26th day of May 2016, by and between Fremont State Street Center LLC, the Party/~~Parties~~ of the First Part, and Union Sanitary District, the Party/~~Parties~~ of the Second Part,

WITNESSETH:

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

See Exhibit "A" and Exhibit "B"

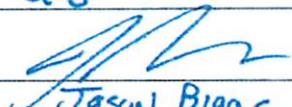
together with the right and privilege of constructing, reconstructing, cleaning, repairing and maintaining at any time, a sanitary sewer and appurtenances along, upon, over, in, through and across the above described property; together with free ingress and egress to and for the said Party of the Second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

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

Fremont State Street Center, LLC, a Delaware limited liability company

By:  SummerHill Homes, LLC, a California Limited Liability Company
Its: Manager

By: _____
Name: Justin (M. D.)
Its: CEO

By:  _____
Name: Jason Biggs
Its: Secretary

(Notarize)

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 Contra Costa)

On May 26, 2016 before me, Veronica Simon, Notary Public,
personally appeared Douglas L. McDonald and Jason R. Biggs
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 Veronica Simon (Seal)



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)

On _____ before me, _____,
personally appeared _____,
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 _____ (Seal)

EXHIBIT A
SANITARY SEWER EASEMENT
CITY OF FREMONT PROPERTY
(2015-013940, 2015-084487 & 2015-216327)

Real property situate in the City of Fremont, County of Alameda, State of California described as follows:

Being a portion of the parcels of land described in the deeds to the City of Fremont recorded in Document Nos. 2015-013940, 2015-084487 and 2015-216327, Official Records of Alameda County and more particularly described as follows:

Being the areas labeled Sanitary Sewer Easement (SSE) shown on the attached Exhibit B – Plat Map of Sanitary Sewer Easement Granted to Union Sanitary District.

END OF DESCRIPTION

This description was prepared by or under the direction of:



Alvin Leung, PLS

April 15, 2016

Date



NOTES:
 1. ALL DIMENSIONS ARE AT RIGHT ANGLES TO THE MONUMENT LINE UNLESS OTHERWISE NOTED.
 2. PAVING, GAS AND ELECTRIC COMPANY EASEMENT PER 2180 O.R. 11 MAY AFFECT THIS PROPERTY, BUT IS NOT WIDE TO LOCATE.

REFERENCES:
 (1) PARCEL MAP 10226, 326 PM 99
 (2) GRANT DEEDS, 2015-084460, 2015-084467
 (3) PARCEL MAP 2071, 105 PM 38
 (4) PARCEL MAP 3154, 119 PM 1

BASIS OF BEARINGS:
 THE BEARING BETWEEN FOUND MONUMENTS IN FRONT OF BOULEVARD SHOWN AS N85°55'30"W AS SHOWN ON PARCEL MAP 10226, 326 PM 99, AND THE BEARING BETWEEN OFFICIAL RECORDS OF ALAMEDA COUNTY, IS TAKEN AS THE BASIS OF BEARINGS FOR THIS MAP.

LEGEND

- EXTERIOR BOUNDARY
- LOT LINE
- EXISTING EASEMENT LINE
- NEW EASEMENT LINE
- MONUMENT LINE
- EXISTING PROPERTY LINE

FOUND RETIRED STREET MONUMENT,
 PER REFERENCE AS SHOWN.
 SET STANDARD CITY CONCRETE MONUMENT,
 SHAMPED PCL 22161
 EMERGENCY VEHICLE ACCESS EASEMENT
 PEDESTRIAN ACCESS EASEMENT
 PUBLIC UTILITY EASEMENT
 WATER LINE EASEMENT
 PRIVATE WHEEL WHEEL EASEMENT
 PRIVATE WHEEL ACCESS WAY
 ALAMEDA COUNTY WATER DISTRICT
 AND
 PACIFIC GAS AND TELEGRAPH COMPANY
 MONUMENT TO MONUMENT
 RADIAL BEARING
 RECORD DATA & REFERENCE
 EXISTING
 TOTAL

Curve	Radius	Delta	Length
C1	16.00'	202°50'18"	5.85'
C2	16.00'	227°02'30"	5.45'
C3	5.00'	160°00'00"	7.85'
C4	10.00'	80°00'00"	15.71'

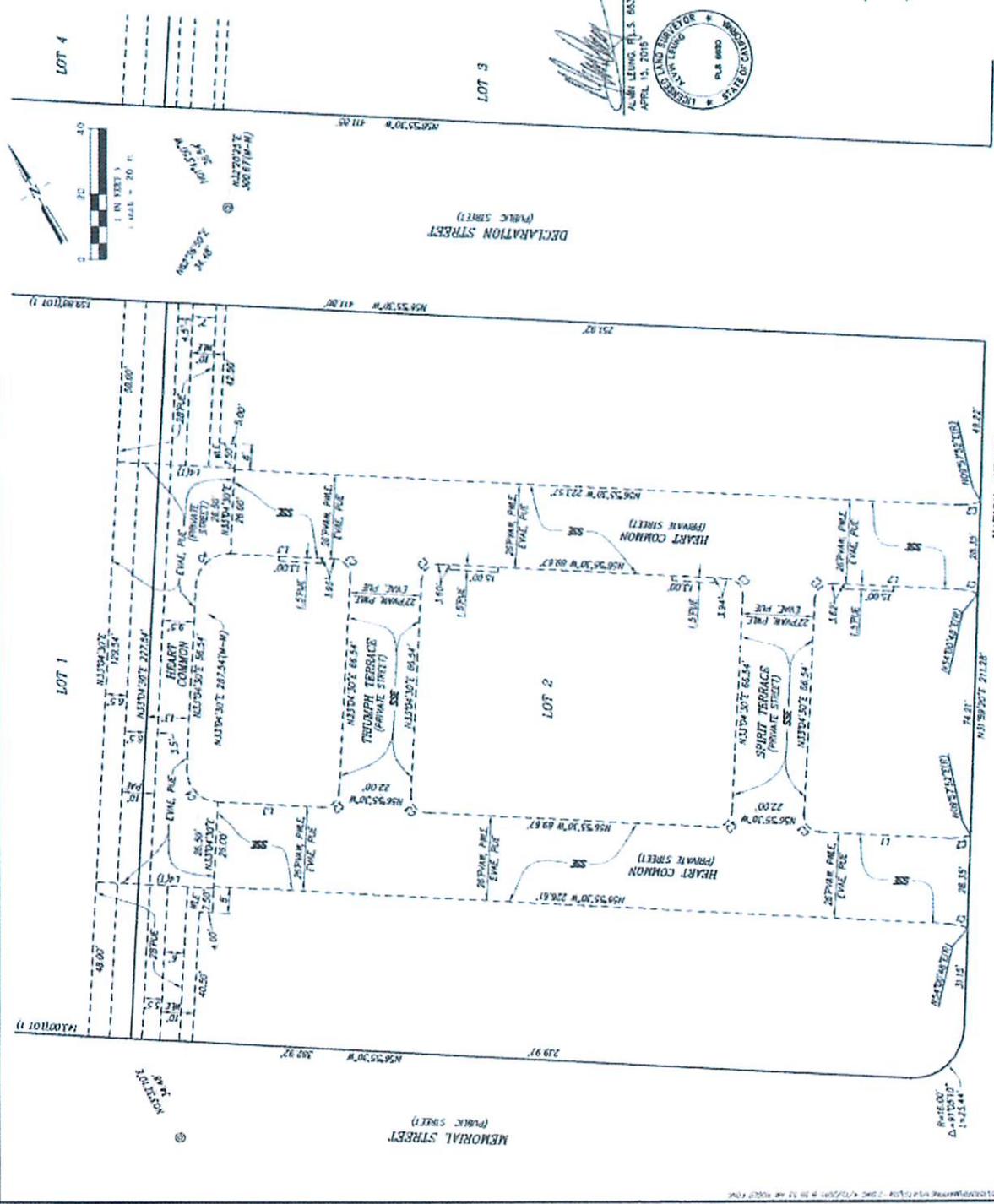
Line	Bearing	Distance
L1	N85°55'30"W	40.01'
L2	N55°55'30"W	30.17'
L3	N55°55'30"W	21.85'
L4	N85°55'30"W	26.00'

EXHIBIT B

PLAN MAP OF JANUARY SEWER EASEMENT GRANTED TO UNION SANITARY DISTRICT

CITY OF FREMONT
 ALAMEDA COUNTY, CALIFORNIA
 RUGGERI-JENSEN-AZAR
 CIVIL ENGINEERS, PLANNERS, SURVEYORS
 FLEMINGTON, CALIFORNIA
 (925) 247-9900
 APRIL 2016

ASB NO. 101075 SHEET 2 OF 3 SHEETS



Original map may be found at USD, 5072 Benson Road, Union City, CA 94587

AWARD THE CONTRACT TO PURCHASE KNIFE GATE VALVES TO FRANK A. OLSEN COMPANY FOR THE CONTROL BOX NO. 1 IMPROVEMENTS PROJECT

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the Board authorized the General Manager to execute an agreement and Task Order No. 1 with Woodard & Curran (W&C) in the amount of \$229,041 to provide predesign services for the Project. W&C conducted a condition assessment of the concrete, structural steel components, pipelines, gates, valves, and related equipment at Control Box No. 1 (CB1), Alvarado Influent Valve Box, Alvarado Influent Pump Station Valve Box at CB1, and the chemical containment areas at the Maintenance Shop Building and the Odor Control Building. W&C also evaluated grit management alternatives to prevent/minimize grit deposition in pipelines and in CB1 and other operational improvements such as footprint, layout, and hydraulics of CB1 to improve access and reduce costs associated with CB1 cleaning. Task Order No. 2, approved by the Board July 22, 2019, provided final design services. W&C recommended long-term and near-term improvements listed in the Board packet. The near-term improvements were addressed in this current project "Alvarado Influent Valve Box Gate Valves 1-2" for Fiscal years 2020 & 2021. Following the invitation for Bid process, District staff selected Frank A. Olsen Company as the lowest, responsive, and responsible bidder. Staff anticipates delivery of the valves by April 2020 and installation of the valves by July 2020. Staff recommended the Board authorize the General Manager to award a contract to Frank A. Olsen Company in the amount of \$303,047.18 to purchase Knife Gate Valves for the Control Box No. 1 Improvements Project.

It was moved by Director Lathi, seconded by Vice President Handley, to Authorize the General Manager to Award a Contract to Frank A. Olsen Company in the amount of \$303,047.18 to Purchase Knife Gate Valves for the Control Box No. 1 Improvements Project. Motion carried unanimously.

AUTHORIZE THE GENERAL MANAGER TO EXECUTE AN AGREEMENT AND TASK ORDER NO. 1 WITH CAROLLO ENGINEERS, INC. FOR THE AERATION BLOWER NO. 11 PROJECT

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the project will include installation of one high-speed aeration blower in the East Aeration Blower Building; modifications to the piping, electrical, and ventilation systems; replacement of the East Aeration Blower Building roofing system and miscellaneous concrete-related repairs. The scope of services to be included in Task Order No. 1 were outlined in the Board meeting packet. Staff selected Carollo Engineers, Inc. through a Request for Proposal process with a total not-to-exceed fee of \$122,849, which was approximately 4.9% of the preliminary construction cost estimate of \$2.5 million. Staff selected Carollo due to their staff's experience in designing aeration blower projects. Carollo also completed design of the project High Speed Aeration Blower Project in 2016. Carollo is scheduled to complete the design by Summer 2020. Staff anticipates construction to begin by Fall 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 \$122,849 to provide final design services for the Aeration Blower No. 11 Project.

It was moved by Director Kite, seconded by Director Fernandez, to Authorize the General Manager to Execute an Agreement and Task Order No. 1 with Carollo Engineers, Inc. in the amount of \$122,849 to provide final design services for the Aeration Blower No. 11 Project. Motion carried unanimously.

INFORMATION ITEMS:

Status of Priority 1 Capital Improvement Program Projects

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated last June, the Board approved the Capital Improvement Program (CIP) budget for Fiscal Year 2020 in the amount of \$19.73 million for design and construction of 24 CIP projects. The projects were ranked Priority 1, 2, or 3 based upon criteria prepared by staff and approved by the Executive Team. For Fiscal Year 2020, 11 projects were ranked as Priority 1. The status of Priority 1 CIP projects is reviewed by the Executive Team at the end of each quarter and a copy of the status report was included in the Board meeting packet.

First Quarterly Report on the Capital Improvement Program for FY20

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated first quarter expenditures for Fiscal Year 2020 were presented in graphs included in the Board meeting packet. The graphs depicted actual expenditures versus approved budget for Capacity Fund 900, the Renewal and Replacement Fund 800, and for both funds combined. Total CIP expenditures up to September 30, 2019, were over projections for the first quarter by approximately \$15,000. The project that had variances from projected expenditures was Digester No. 2 Inspection & Rehabilitation primarily because of the expand of scope in the design. Information regarding the variances was included in the Board meeting packet. Over the next quarter, the expenditures will ramp up once the awards are given.

Legislative Update on State and National Issues of Interest to the Board

This item was reviewed by the Legislative Committee. General Manager Eldredge provided an overview of the state and national legislative summaries included in the Board meeting packet.

Check Register

Staff responded to Boardmember questions regarding the Check Register.

COMMITTEE MEETING REPORTS:

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

GENERAL MANAGER'S REPORT:

General Manager Eldredge reported the following:

- General Manager Eldredge stated the District will host the Alameda County Special Districts Association (ACSDA) this Wednesday, November 13, 2019, beginning at 7:45 am. A brief overview of the District will be presented.

OTHER BUSINESS:

There was no other business.

ADJOURNMENT:

The meeting was adjourned at 7:52 p.m. to the next Regular Board Meeting in the Boardroom on Monday, December 9, 2019, at 7:00 p.m.

SUBMITTED:



MAY BAUTISTA
ADMINISTRATIVE SPECIALIST

ATTEST:



PAT KITE
SECRETARY

APPROVED:



JENNIFER TOY
PRESIDENT

Adopted this 9th day of December 2019