

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT/UNION SANITARY DISTRICT FINANCING
AUTHORITY
April 27, 2020**

Consistent with Executive Orders No. N-25-20 and No. N-29-20 from the Executive Department of the State of California, the Alameda County March 16, 2020 Shelter in Place Order, and Executive Order No. N-33-20, Stay-at-Home Order, the Monday, April 27, 2020, Regular Board Meeting was not physically open to the public and all Board Members teleconferenced into the meeting. To maximize public safety while still maintaining transparency and public access, members of the public were able to listen to the Board Meeting, and provide public comment by sending comments to the Board Clerk.

CALL TO ORDER

President Handley called the meeting to order at 4:00 p.m. The regular meeting time was modified due to the COVID-19 emergency.

SALUTE TO THE FLAG

ROLL CALL

PRESENT: Tom Handley, President
Pat Kite, Vice President
Anjali Lathi, Secretary
Manny Fernandez, Director
Jennifer Toy, 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 Construction and Maintenance Manager
Laurie Brenner, Business Services Coach
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

**APPROVE MINUTES OF THE UNION SANITARY DISTRICT BOARD MEETING OF
APRIL 13, 2020**

It was moved by Vice President Kite, seconded by Director Toy, to Approve the Minutes of the Board Meeting of April 13, 2020. Motion carried with the following vote:

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

MARCH 2020 MONTHLY OPERATIONS REPORT

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.

SELECT BOARDMEMBERS TO REPRESENT UNION SANITARY DISTRICT ON EXTERNAL COMMITTEES FOR FISCAL YEAR 2021

General Manager Eldredge stated Policy No. 3070 calls for the Board to annually select representatives and alternates for the four following External Committees: Alameda County Water District Finance Authority (ACWDFFA), East Bay Dischargers Authority Commission (EBDA), Alameda County California Special Districts Association (ACSDA), and Southern Alameda County Geographic Information System Joint Powers Authority. Current Board representatives and alternates for external committees and a table showing Boardmember preferences for external committee assignments were included in the Board meeting packet. Staff recommended the Board select members to serve the Fiscal Year 2021 term as USD representatives on the Alameda County Water District Finance Authority, East Bay Dischargers Authority Commission, Alameda County Chapter of the California Special Districts Association, and the Southern Alameda County Geographic Information System Joint Powers Authority.

It was moved by Director Fernandez, seconded by Director Toy, to Accept the Following External Committee Assignments for Fiscal Year 2021:

External Committee	Board Representative	1st Alternate	2nd Alternate
ACWDFFA	Pat Kite	Anjali Lathi	Jennifer Toy
EBDA	Jennifer Toy	Anjali Lathi	Tom Handley
ACSDA	Jennifer Toy	Pat Kite	Manny Fernandez
SACGISA	Tom Handley	Manny Fernandez	Anjali Lathi

Motion carried with the following vote:

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

CONSIDER A RESOLUTION OF APPLICATION TO LAFCO FOR ANNEXATION NO. U-296, COYOTE HILLS – PATTERSON RANCH, IN THE CITY OF FREMONT

This item was reviewed by the Legal/Community Affairs Committee. Technical Services Manager Ghossain stated the East Bay Regional Park District (EBRPD) submitted a request to annex one parcel, Assessor Parcel Number 543-0439-003-19 comprising 182.6 acres, to the District. The area to be annexed is part of the EBRPD's Coyote Hills Restoration and Public Access Project located on the west side of Paseo Padre Parkway between Ardenwood Boulevard and Kaiser Drive in the City of Fremont. EBRPD's Coyote Hills Restoration and Public Access Project will include habitat restoration, new and improved public access trails, an organic farming and urban agricultural area, picnic facilities with a restroom and drinking water, and an upgraded park entry with a kiosk, parking, and traffic circulation improvements. Details regarding the California Environmental Quality Act Final Environmental Impact Report certified by EBRPD were included in the Board meeting packet. Staff recommended the Board consider adopting a resolution of application that requests the Local Agency Formation Commission of Alameda County (LAFCO) begin proceedings for Annexation No. U-296, Coyote Hills – Patterson Ranch, located on the west side of Paseo Padre Parkway between Ardenwood Boulevard and Kaiser Drive in the City of Fremont.

It was moved by Director Fernandez, seconded by Vice President Kite, to Adopt Resolution No. 2891 A Resolution of Application by Union Sanitary District Requesting the Local Agency Formation Commission begin Proceedings for Annexation No. U-296. Motion carried with the following vote:

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

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RESOLUTION NO. 2891

**A RESOLUTION OF APPLICATION BY UNION SANITARY DISTRICT
REQUESTING THE LOCAL AGENCY FORMATION COMMISSION
BEGIN PROCEEDINGS FOR ANNEXATION NO. U-296**

BE IT RESOLVED, by the Board of Directors of the UNION SANITARY DISTRICT, that

WHEREAS, the UNION SANITARY DISTRICT desires to initiate proceedings pursuant to the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000, commencing with Section 56000 of the California Government Code, for the annexation of territory to District boundaries; and

WHEREAS, notice of intent to adopt this resolution of application has been given to each interested and each subject agency; and

WHEREAS, the territory proposed to be annexed is uninhabited, and a description of the boundaries of the territory is set forth in Exhibit A attached hereto and by this release incorporated herein; and

WHEREAS, this proposal is consistent with the Sphere of Influence of the District; and

WHEREAS, it is desired to provide that the proposed annexation be subject to the following terms and conditions:

1. Payment of District Ordinance No. 25.6 Annex Fee of \$162 per acre.
2. The annexation of territory referred to herein does not guarantee capacity will be available in UNION SANITARY DISTRICT's sewer system to serve said territory at the time sewer construction permits are desired; and

WHEREAS, the reason for the proposed annexation is to provide sanitary sewer service to the proposed facilities within the Coyote Hills Regional Park, and;

WHEREAS, this Board certifies that this annexation has been reviewed in accordance with the provisions of the California Environmental Quality Act, and that the annexation of the property into the Union Sanitary District service area will have potentially significant effects on the environmental that will be mitigated by the East Bay Regional Park District to a less-than-significant level with the exception of the significant and unavoidable impact to historic resources.

NOW, THEREFORE, BE IT RESOLVED that:

1. This Resolution of Application is hereby adopted and approved by the Board of Directors of the UNION SANITARY DISTRICT, and the Local Agency Formation Commission of Alameda County is hereby

requested to take proceedings for the annexation of territory as described in Exhibit A according to the terms and conditions stated above and in the manner provided by the Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000.

2. The UNION SANITARY DISTRICT Board of Directors does hereby request the Local Agency Formation Commission to waive the conducting authority for Annexation No. U-296.

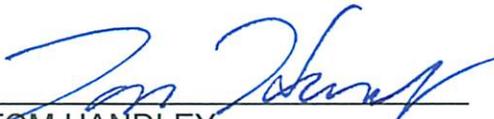
On motion duly made and seconded, this resolution was adopted by the following vote on April 27, 2020:

AYES: Fernandez, Handley, Kite, Lathi, Toy

NOES: None

ABSENT: None

ABSTAIN: None



TOM HANDLEY
President, Board of Directors
Union Sanitary District

Attest:



ANJALI LATHI
Secretary, Board of Directors
Union Sanitary District

No.	Radius	Central Angle	Arc Length	Radial Bearing
1	1200.00'	207.18'	780.08'	S 13.15° 01' E
2	1106.00'	087.18'	135.01'	S 61.08' 34" E
3	1200.00'	92.27'	32.27'	TANGENT
4	370.00'	187.41'	170.26'	TANGENT
5	175.75'	157.52'	173.64'	TANGENT
6	430.00'	197.14'	144.44'	N 47° 07' 27" E
7	20.00'	88° 05' 23"	30.75'	TANGENT
8	4687.00'	07° 23' 21"	514.65'	TANGENT
9	4687.00'	01° 42' 41"	121.47'	S 77° 26' 50" E

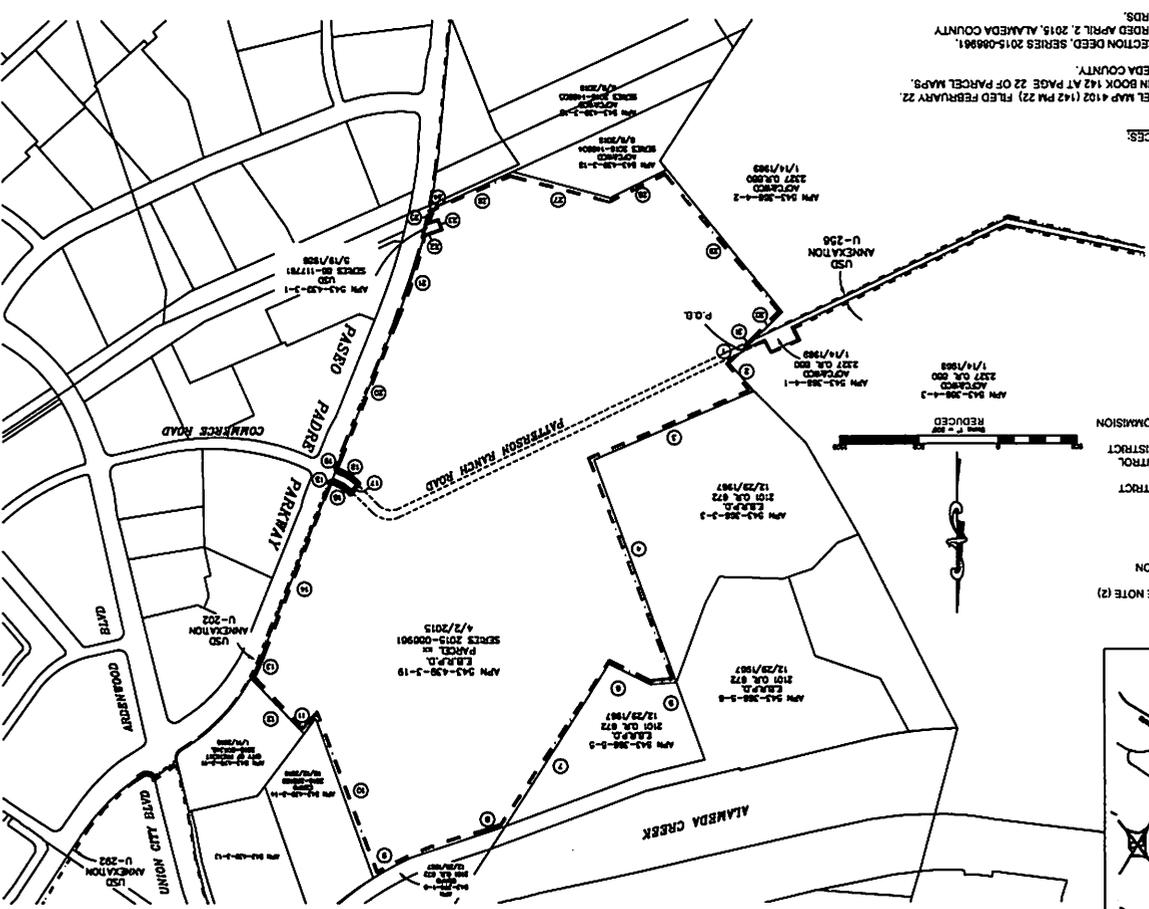
No.	Bearing	Distance
1	N 44° 56' 53" E	18.48'
2	N 47° 13' 42" W	235.45'
3	N 66° 06' 09" E	1065.47'
4	N 20° 37' 59" W	1510.52'
5	N 64° 49' E	165.01'
6	N 31° 53' E	1223.21'
7	N 71° 06' 52" E	147.68'
8	S 19° 20' 23" E	1079.79'
9	N 36° 58' 19" E	123.42'
10	S 43° 22' 07" E	477.96'
11	N 20° 58' 00" E	1184.81'
12	N 47° 07' 27" E	60.00'
13	S 28° 58' 00" W	1066.45'
14	S 21° 15' 55" E	60.00'
15	N 64° 38' 02" W	70.00'
16	S 65° 01' 05" E	573.61'
17	N 75° 52' 28" W	638.64'
18	S 61° 28' 44" E	399.62'
19	N 34° 59' 29" W	1129.41'
20	N 44° 56' 52" E	372.03'
21	N 44° 56' 52" E	75.53'

LEGEND

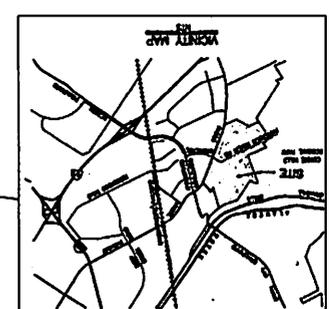
- EXISTING USD BOUNDARY, SEE NOTE (2)
- - - BOUNDARY LINE OF ANNEXATION
- ASSESSOR'S PARCEL LINE
- USD UNION SANITARY DISTRICT
- E.B.R.P.D. EAST BAY REGIONAL PARK DISTRICT
- ALAMEDA COUNTY FLOOD CONTROL AND WATER CONSERVATION DISTRICT
- LAFCO LOCAL AGENCY FORMATION COMMISSION
- ASSESSOR'S PARCEL NUMBER
- P.O.B. POINT OF BEGINNING
- COURSE NUMBER

- REFERENCES:**
1. PARCEL MAP #102 (142 PM 22) FILED FEBRUARY 22, 1984 IN BOOK 142 AT PAGE 22 OF PARCEL MAPS, ALAMEDA COUNTY.
 2. CORRECTION DEED, SERIES 2015-08981, RECORDED APRIL 2, 2015, ALAMEDA COUNTY RECORDS.

- REFERENCES:**
1. USD-202: UNION SANITARY DISTRICT ANNEXATION U-202; LAFCO RESOLUTION NO. 84-38, NOVEMBER 15, 1984, ANNEXED BY UNION SANITARY DISTRICT AT RESOLUTION NO. 1728 JANUARY 28, 1985; RECORDED FEBRUARY 25, 1985, AS SERIES NO. 85-039289 OF OFFICIAL RECORDS, ALAMEDA COUNTY.
 2. USD-256: UNION SANITARY DISTRICT ANNEXATION U-256; LAFCO RESOLUTION NO. 93-2052, NOVEMBER 19, 1993, ANNEXED BY UNION SANITARY DISTRICT AT RESOLUTION NO. 2052 MAY 24, 1993; RECORDED JULY 9, 1993 AS SERIES NO. 93-245812, SEC. 0 OF OFFICIAL RECORDS, ALAMEDA COUNTY.
 3. USD-282: UNION SANITARY DISTRICT ANNEXATION U-282; LAFCO RESOLUTION NO. 2015-003, MARCH 12, 2015.



COYOTE HILLS PARK



STANDARD NOTES:

1. THE METHOD USED TO CALCULATE AREAS WAS BY COORDINATE GEOMETRY.
2. PRIMARY CALLS ARE REFERENCES TO EXISTING UNION SANITARY DISTRICT BOUNDARIES, BEARINGS AND DISTANCES SHOWN HEREON SHOULD BE CONSIDERED SECONDARY.
3. AS A DRAFTING CONVENTION, THE SMALL SEPARATIONS BETWEEN PORTIONS OF LINE WORK AROUND THE BOUNDARY OF THE PROPOSED ANNEXATION AREAS OUTSIDE THE BOUNDARY, IF APPLICABLE, WERE PROVIDED TO ALLOW MULTIPLE DESCRIPTIONS TO BE PLACED ON WHAT WOULD OTHERWISE BE A SINGLE LINE. THESE LINES ARE TO BE CONSIDERED COINCIDENT EXCEPT WHERE NOTED.

EXHIBIT "A"
ANNEXATION U-296
TO THE UNION SANITARY DISTRICT
PORTION OF COYOTE HILLS REGIONAL PARK
BY LAFCO RESOLUTION NO. _____ MAY _____, 2020
APN 543-439-3-19
CITY OF FREMONT
ALAMEDA COUNTY, CALIFORNIA

JAUNIE L. HAMPTON
 P.L.S. NO. 17634
 2950 PEACHTA OAKS COURT, OAKLAND, CA 94605
 WWW.EBPARKS.ORG 868-271-2157

East Bay Regional Park District

This map conforms to the requirements of the Local Agency Formation Commission of Alameda County.

Director of Public Works
 Daniel Woldeabebek, Ph.D., P.E.

By: D. Ian Watson, County Surveyor
 L.S. 7010

This map, when filed, was accompanied by a Certificate of Completion and certified copy of the boundary description delineated hereon, as required by Section 57203 of the Government Code.

Date: _____
 Furchell Jones
 LAFCO Executive Officer

This map is filed at the request of the Alameda County Water District at _____ minutes past _____ M. on the _____ day of _____, 2020, in Book _____ of Maps, at Page(s) _____, Sales No. _____, No. _____ of Official Records, as in the Office of the Recorder of Alameda County, California.

Madissa Wicks
 Deputy County Recorder

By: _____
 Deputy County Recorder

THIS MAP WAS PREPARED BY ME OR UNDER MY SUPERVISION:

SCALE: 1" = 500'
 DATE: 4-13-2020
 REVISION DATE:
 SHEET 1 OF 1

UPDATE AND DISCUSSION ON PROPOSITION 218 RATE HEARING

District Counsel Murphy stated President Handley, with the concurrence of the Board, requested an agenda item to review the following items: (1) check in on the May 11 hearing; (2) issues regarding whether the Board could see protests or a summary of protests in advance of the hearing; and (3) methods for public participation at the May 11 hearing.

District Counsel Murphy stated planning for the upcoming public hearing had been ongoing and the District held a Virtual Public Information Meeting on April 21, 2020. District staff have posted informational materials on the District website and shared information via social media and by emailing various community groups throughout the service area. District staff communicated with Fremont, Newark, and Union City staff regarding the public information meeting and the upcoming public hearing. Staff did not recommend providing copies or redacted versions of protests to the Board prior to the May 11 public hearing as it would be inconsistent with District policy dictating the handling of 218 protests. Staff may make protests available after the close of the public hearing and after protests have been tallied but before the Board acts on the proposed rates as the protests will then be considered public records. The District will conduct the meeting via Zoom at the time and date listed on the public hearing notice, May 11, 2020, at 7:00 p.m. The public would be able to listen to the meeting and will be able to submit comments by email or voicemail both before and during the meeting. Comments received will be read into the record during the public hearing.

Staff recommended the Board provide direction, as necessary.

The Board directed staff to prepare a PowerPoint to present during the May 11, 2020, Board meeting. The Board will consider speaker time limits prior to the start of the May 11 Public Hearing.

INFORMATION ITEMS:

Board of Directors Internal Committee Assignments 2020-2021

President Handley presented Board internal committee assignments for 2020-2021.

CAL-Card 3rd Quarter Activity Report

General Manager Eldredge provided a summary of the CAL-Card 3rd Quarter Activity Report and noted the first expense on the list for Best Buy was to purchase laptops to enable District staff to work from home in compliance with the shelter in place order.

Boardmember Expenses, Third Quarter FY20

General Manager Eldredge provided an overview of Boardmember expenses report included in the Board meeting packet.

COVID-19 Update

General Manager Eldredge provided an update regarding COVID-19 impacts on District operations and associated coordination efforts.

Check Register

There were no questions regarding the Check Register.

COMMITTEE MEETING REPORTS:

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

GENERAL MANAGER'S REPORT:

General Manager Eldredge had nothing further to report.

OTHER BUSINESS:

There was no other business.

ADJOURNMENT:

The meeting was adjourned at 5:10 p.m. to the next Regular Meeting at 7:00 p.m. in the Alvarado Conference Room on Monday, May 11, 2020.

SUBMITTED:

ATTEST:


REGINA McEVOY
BOARD CLERK


ANJALI LATHI
SECRETARY

APPROVED:


TOM HANDLEY
PRESIDENT

Adopted this 11th day of May 2020