

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT/UNION SANITARY DISTRICT FINANCING
AUTHORITY
July 13, 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, July 13, 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
Mark Carlson, Business Services Manager/CFO
Armando Lopez, Treatment and Disposal Services Manager
Sami Ghossain, Technical Services Manager
James Schofield, Collection Services Manager
Robert Simonich, Fabrication Construction and Maintenance Manager
Laurie Brenner, Business Services Coach
Rollie Arbolante, Customer Service Team Coach
Michael Dunning, Environmental Compliance Team Coach
Ric Pipkin, Enhanced Treatment and Site Upgrade Program Manager
Michelle Powell, Communications and Intergovernmental Relations Coordinator
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

**APPROVE MINUTES OF THE UNION SANITARY DISTRICT BOARD MEETING OF
JUNE 22, 2020**

It was moved by Director Fernandez, seconded by Secretary Lathi, to Approve the Minutes of the Board Meeting of June 22, 2020. Motion carried with the following vote:

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

APPROVE MINUTES OF THE UNION SANITARY DISTRICT SPECIAL BOARD MEETING OF JUNE 23, 2020

It was moved by Secretary Lathi, seconded by Director Toy, to Approve the Minutes of the Special Board Meeting of June 23, 2020. Motion carried with the following vote:

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

WRITTEN COMMUNICATIONS

There were no written communications.

PUBLIC COMMENT

There was no public comment.

AUTHORIZE THE GENERAL MANAGER TO EXECUTE AMENDMENT NO. 1 TO TASK ORDER NO. 1 WITH HAZEN AND SAWYER FOR THE ENHANCED TREATMENT AND SITE UPGRADE PHASE 1A PROJECT

This item was reviewed by the Engineering and Information Technology Committee. Enhanced Treatment and Site Upgrade Program Manager Pipkin stated the ETSU Program Report was approved by the Board August 26, 2019. The Report described a subset of projects, which included a new blower building, intermediate primary effluent lift station, and new aeration basins (Aeration Basins 8 through 12) to be included in Phase 2 of the ETSU Program. Phase 2 will not be required for 15 – 20 years depending upon several factors. However, the trend of increased solids loadings to the plant have moved the projection of the likely need of Aeration Basin 8 to 2028. Task Order No. 1 with Hazen and Sawyer included a scope item to evaluate the feasibility and benefits of constructing Aeration Basin 8 in Phase 1 of the ETSU Program. Hazen's recommendation to include construction of Aeration Basin 8 during Phase 1 of the ETSU Program was based upon the findings from their evaluation which have been outlined in the Board meeting packet. The purpose of this task order is to incorporate Aeration Basin 8 into the 30% design for Phase 1 of the ETSU Program. Staff is requesting an increase to the 30% design submittal to better analyze the overall proposed change in scope to the Program and include this scope in a more detailed and accurate cost estimate for the overall Phase 1 Program. Staff anticipates returning to the Board after completion of the Phase 1 Program 30% design to report on the program level design process. If the findings continue to support the inclusion of Aeration Basin 8 into the 100% design, staff will bring forward a contract amendment for the 100% design of Aeration Basin 8 for the Board's consideration. Staff recommended the Board authorize the General Manager to execute Amendment No. 1 to Task Order No. 1 with Hazen and Sawyer in the amount of \$98,335 for the Enhanced Treatment and Site Upgrade Phase 1A Project.

It was moved by Secretary Lathi, seconded by Vice President Kite, to Authorize the General Manager to Execute Amendment No. 1 to Task Order No. 1 with Hazen and Sawyer for the Enhanced Treatment and Site Upgrade Phase 1A Project. Motion carried with the following vote:

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

CONSIDER TWO RESOLUTIONS TO ACCEPT TWO SANITARY SEWER EASEMENTS FOR TRACT 8239 – MONTECITO, LOCATED AT 37350 SEQUOIA ROAD, IN THE CITY OF FREMONT

This item was reviewed by the Legal/Community Affairs Committee. Customer Service Team Coach Arbolante stated Pulte Home Company, LLC will construct a residential development consisting of 54 townhomes in eleven buildings for Tract 8239, located at the southeast corner of Sequoia Road and Paseo Padre Parkway in the City of Fremont. Sanitary sewer service to the residential development will be provided by new sewer mains in the development's roadways and in adjacent parcels 2 and 3 of Parcel Map (PM) 10674 that discharge to an existing sewer in Sequoia Road. The roadways of the development do not meet the City of Fremont's street dimensions and structure setback requirements for public streets and were designated as private. Pulte Home Company, LLC, has constructed the new sewer mains and granted the District a sanitary sewer easement that provides for access and maintenance of the new sewer mains within Tract 8239. SCS Sequoia Winchester Realty, LLC, has granted the District a sanitary sewer easement that provides for access and maintenance of the new sewer mains in parcels 2 and 3 of PM 10674. Staff recommended the Board consider two resolutions to accept two sanitary sewer easements for Tract 8239 – Montecito, located at 37350 Sequoia Road, in the City of Fremont.

It was moved by Director Fernandez, seconded by Director Kite, to Adopt Resolution No. 2898 to Accept a Sanitary Sewer Easement from Pulte Home Company, LLC for Tract 8239 – Montecito, Located at 37350 Sequoia Road, in the City of Fremont, California, and Resolution No. 2899 to Accept a Sanitary Sewer Easement from SCS Sequoia Winchester Realty, LLC, for Tract 8239 – Montecito, Located at 37350 Sequoia Road in the City of Fremont, California. Motion carried with the following vote:

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

####

RESOLUTION NO. 2898

ACCEPT A SANITARY SEWER EASEMENT FOR
TRACT 8239 – MONTECITO, LOCATED AT 37350 SEQUOIA ROAD, 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 PULTE HOME COMPANY, LLC, executed on August 23, 2017, as described in the Grant of Easement for Sanitary Sewer Purposes and by the legal description and plat map, attached as 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.

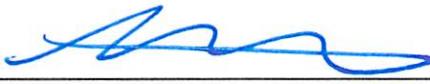
On motion duly made and seconded, this resolution was adopted by the following vote on July 13, 2020:

| | |
|----------|--------------------------------------|
| 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

GRANT OF EASEMENT

FOR SANITARY SEWER PURPOSES

THIS INDENTURE, made this 23rd day of August 2017, by and between Pulte Home Company, LLC, the Party/~~Parties~~ of the First Part, and Union Sanitary District, the Party 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/~~Parties~~ 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.



Signature

By:



(Daniel J. Carroll)

Pulte Home Company, LLC

(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 ALAMEDA

On August 23, 2017, before me, Jeanne Miller, Notary Public
(here insert name and title of the officer)

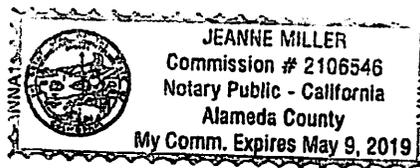
Personally appeared Daniel J. Carroll

who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he/~~she~~ executed the same in his/~~her~~ authorized capacity, and that by his/~~her~~ signature on the instrument the person, or the entity upon behalf of which the person 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.

Jeanne Miller
Signature



(Seal)

EXHIBIT A
LEGAL DESCRIPTION
SANITARY SEWER EASEMENT CONVEYED TO UNION SANITARY DISTRICT
TRACT 8239
FREMONT, CALIFORNIA

ALL THAT REAL PROPERTY SITUATED IN THE INCORPORATED TERRITORY OF THE CITY OF FREMONT, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING ALL OF PARCELS B, AND C, LABELED AS PUE - PUBLIC UTILITY EASEMENT, OF TRACT 8239 RECORDED APRIL 30, 2018 IN BOOK 353 OF MAPS, AT PAGES 50-58, ALAMEDA COUNTY RECORDS AND SHOWN ON EXHIBIT B - PLAT MAP OF SANITARY SEWER EASEMENT GRANTED TO UNION SANITARY DISTRICT.

CONTAINING 21,382 SQUARE FEET OF LAND, MORE OR LESS.

ATTACHED HERETO IS A PLAT TO ACCOMPANY LEGAL DESCRIPTION, AND BY THIS REFERENCE MADE A PART HEREOF.

END OF DESCRIPTION



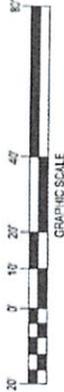
 8/17/17
MARK H. WEHBER, P.L.S.
L.S. NO. 7960

TRACT 8239 MONTECITO

FOR CONDOMINIUM PURPOSES
CONSISTING OF 3 STREETS
BEING A SUBDIVISION OF PARCEL 4 OF PARCEL MAP 160/4
RECORDED IN BOOK 353 OF MAPS, AT PAGE 30
OFFICIAL RECORDS OF ALAMEDA COUNTY
CITY OF FREMONT, ALAMEDA COUNTY, CALIFORNIA

Carlson, Barbee & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
SAN FRANCISCO • WEST SACRAMENTO

SCALE: 1" = 20' JULY 2017



BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE MONUMENT LINE OF REDLAND ROAD, BEING N41°30'45"W PER TRACT 8238, ADJACENT (197 M 22).

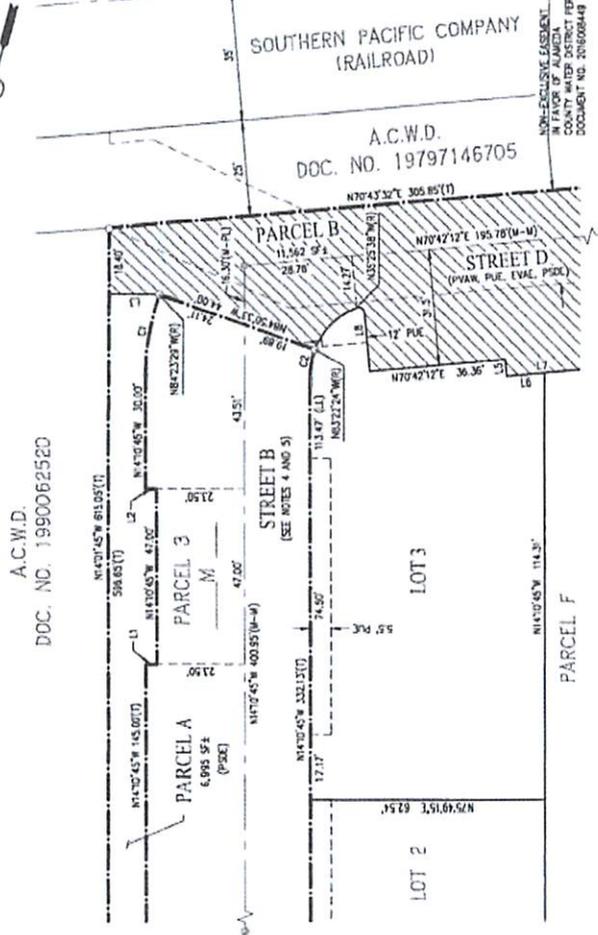
LEGEND

- SUBDIVISION BOUNDARY LINE
- - - RIGHT OF WAY LINE
- LOT LINE
- - - EASEMENT LINE
- MONUMENT LINE
- LOT LINE
- (LL) TOTAL
- (S) RADIAL
- (M-S) MONUMENT TO MONUMENT
- (M-M) MONUMENT TO MONUMENT LINE
- (M-P) MONUMENT TO PROPERTY LINE
- FOUND STANDARD STREET MONUMENT
- FOUND MONUMENT, AS NOTED
- SET STANDARD STREET MONUMENT
- SET 5/8" REBAR AND CAP OR NAIL AND TAG L.S. 7950 PER (1)
- SEARCHED, NOT FOUND
- ALAMEDA COUNTY WATER DISTRICT
- EMERGENCY VEHICLE ACCESS EASEMENT
- PRIVATE STORE DRAIN EASEMENT
- PUBLIC SERVICE EASEMENT
- PUBLIC UTILITY EASEMENT
- PRIVATE VEHICLE ACCESS EASEMENT
- REFERENCE NUMBER
- SANITARY SEWER EASEMENT AREA

EXHIBIT B

PLAT MAP OF SANITARY SEWER EASEMENT CONVEYED TO
UNION SANITARY DISTRICT
CITY OF FREMONT, ALAMEDA COUNTY, CALIFORNIA

SHEET 1 OF 3



NOTES:

1. DISTANCES SHOWN ARE FEET AND DECIMALS THEREOF, AND ARE TO BE CONSIDERED AS SUCH UNLESS OTHERWISE NOTED.
2. BOUNDARY TIES ARE AT RIGHT ANGLES UNLESS OTHERWISE NOTED.
3. PROPERTY TIES ARE TO THE TERMS, PROVISIONS, AND EASEMENTS CONTAINED IN THE DOCUMENT ENTITLED "EASEMENT EXCHANGE AGREEMENT," RECORDED JANUARY 13, 2016 AS INSTRUMENT NO. 2016008449.
4. A PUE AND EAVE TO BE LOCATED TO THE CITY OF FREMONT OVER PARCEL 2 AND PARCEL 3 PER M. BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.
5. A PDSK AND PDSK WILL BE LOCATED TO THE HOME OWNERS ASSOCIATION SUBSEQUENT TO THE FILING OF THIS MAP.

REFERENCES:

- (1) PARCEL MAP 160/4 (M)
- (2) DOC. NO. 201432884
- (3) TRACT 8238, ADJACENT (167 M 22)
- (4) PARCEL 2 AND PARCEL 3 PER M. BY SEPARATE INSTRUMENT SUBSEQUENT TO THE FILING OF THIS MAP.
- (5) TRACT 8239 (160 M 30)
- (6) TRACT 2078 (147 M 10)
- (7) BOOK 2824 PG. 295

SEE SHEET 3

| NO. | Δ | DELTA | LONG. |
|-----|--------|------------|--------|
| C1 | 63.35' | 19°47'48" | 21.93' |
| C2 | 18.50' | 20°48'31" | 7.68' |
| C3 | 13.00' | 47°56'30" | 11.92' |
| C4 | 18.50' | 68°45'15" | 21.40' |
| C5 | 1.50' | 108°07'51" | 2.10' |

| NO. | BEARING | LENGTH |
|-----|-------------|--------|
| L1 | S75°58'10"E | 3.00' |
| L2 | S75°48'15"E | 3.00' |
| L3 | S75°58'10"E | 13.44' |
| L4 | N19°17'48"W | 15.73' |
| L5 | N19°17'48"W | 4.59' |
| L6 | S70°42'12"E | 10.28' |
| L7 | S70°42'12"E | 66.14' |
| L8 | N19°17'48"W | 8.05' |

341-310

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

TRACT 8239 MONTECITO

FOR COMMERCIAL PURPOSES
CONSISTING OF 3 STREETS
54 RESIDENTIAL UNITS

BEING A SUBDIVISION OF PARCEL 4 OF PARCEL MAP 10474
RECORDED IN BOOK 353 OF MAPS, AT PAGE 50
OFFICIAL RECORDS OF ALAMEDA COUNTY
CITY OF FREMONT, ALAMEDA COUNTY, CALIFORNIA

Carlson, Berbes & Gibson, Inc.
CIVIL ENGINEERS • SURVEYORS • PLANNERS
540 WILSON • SUITE 200 • FREMONT, CA 94536

SCALE: 1" = 20' JULY 2017



BASIS OF BEARINGS:

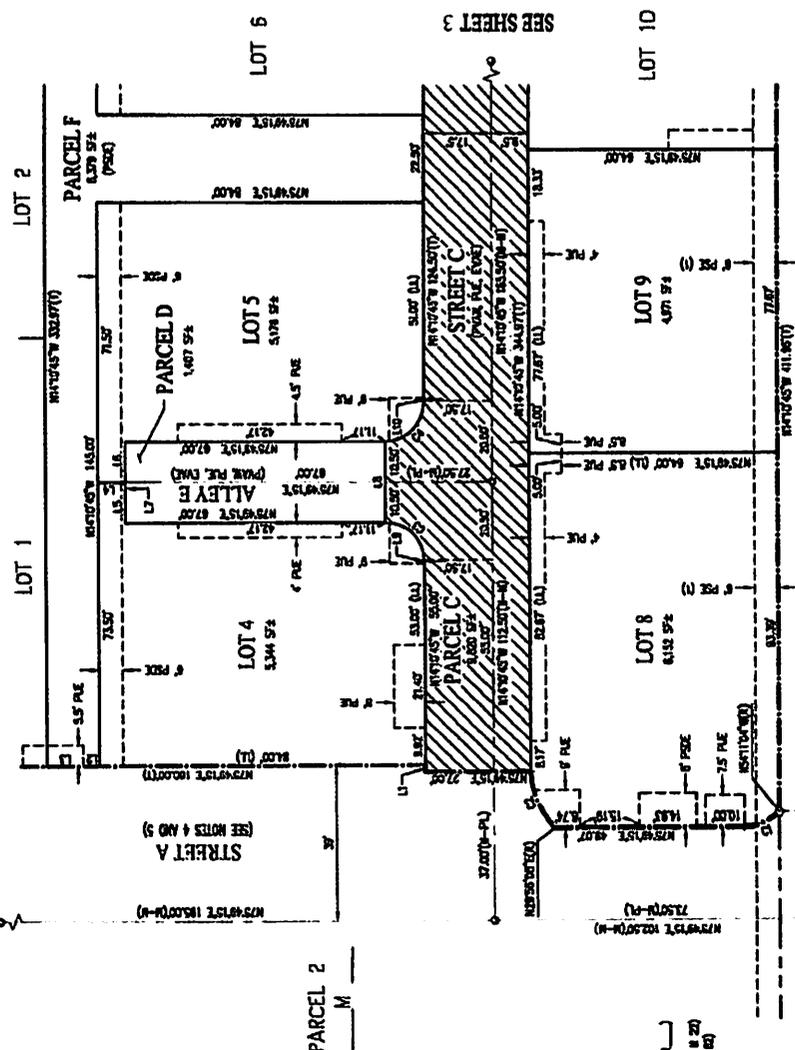
THE BASIS OF BEARINGS FOR THIS SURVEY IS THE MONUMENT LINE OF SEQUOIA ROAD, BEING ELECTRICITY PER TRACT 5028, ADDED (NOT IN 22).

LEGEND

- SURVEY BOUNDARY LINE
- SCOUT OF WAY LINE
- LOT LINE
- EASEMENT LINE
- MONUMENT LINE
- LOT LINE
- TOTAL
- ROAD
- MONUMENT TO MONUMENT
- MONUMENT TO PROPERTY LINE
- MONUMENT TO PROPERTY LINE
- PERM STAMPAID STREET MONUMENT
- PERM MONUMENT, AS NOTED
- SET SINGAPORE STREET MONUMENT
- SET 5/8" REAR AND GAP OR NAIL AND TAG, L5 7/8" FOR (1)
- SEARCHED NOT FOUND
- ALAMEDA COUNTY WATER DISTRICT
- DEREGISTERED VEHICLE ACCESS EASEMENT
- PRIVATE STORM DRAIN EASEMENT
- PUBLIC UTILITY EASEMENT
- PUBLIC UTILITY EASEMENT
- PRIVATE VEHICLE ACCESS EASEMENT
- REFERENCE NUMBER
- SHARPLY SLOPED EASEMENT AREA

EXHIBIT B

FLAT MAP OF SANITARY SEWER EASEMENT CONVEYED TO
UNION SANITARY DISTRICT
CITY OF FREMONT, ALAMEDA COUNTY, CALIFORNIA



| CURVE DATA | | |
|------------|--------|----------|
| NO | RADIUS | DELTA |
| C1 | 14.00' | 67.0270° |
| C2 | 19.50' | 45.5327° |
| C3 | 10.00' | 80.0000° |
| C4 | 10.00' | 80.0000° |

| LINE TABLE | | |
|------------|-------------|--------|
| NO | BEARING | LENGTH |
| L1 | N14°49'57"W | 21.00' |
| L2 | N14°49'57"W | 21.00' |
| L3 | N75°49'17"E | 13.40' |
| L4 | N75°49'17"E | 13.27' |
| L5 | N14°49'57"W | 7.00' |
| L6 | N14°49'57"W | 13.57' |

| LINE TABLE | | |
|------------|-------------|--------|
| NO | BEARING | LENGTH |
| L7 | N14°49'57"W | 21.00' |
| L8 | N14°49'57"W | 21.00' |
| L9 | N75°49'17"E | 13.40' |
| L10 | N75°49'17"E | 13.27' |
| L11 | N14°49'57"W | 7.00' |
| L12 | N14°49'57"W | 13.57' |

NOTES:

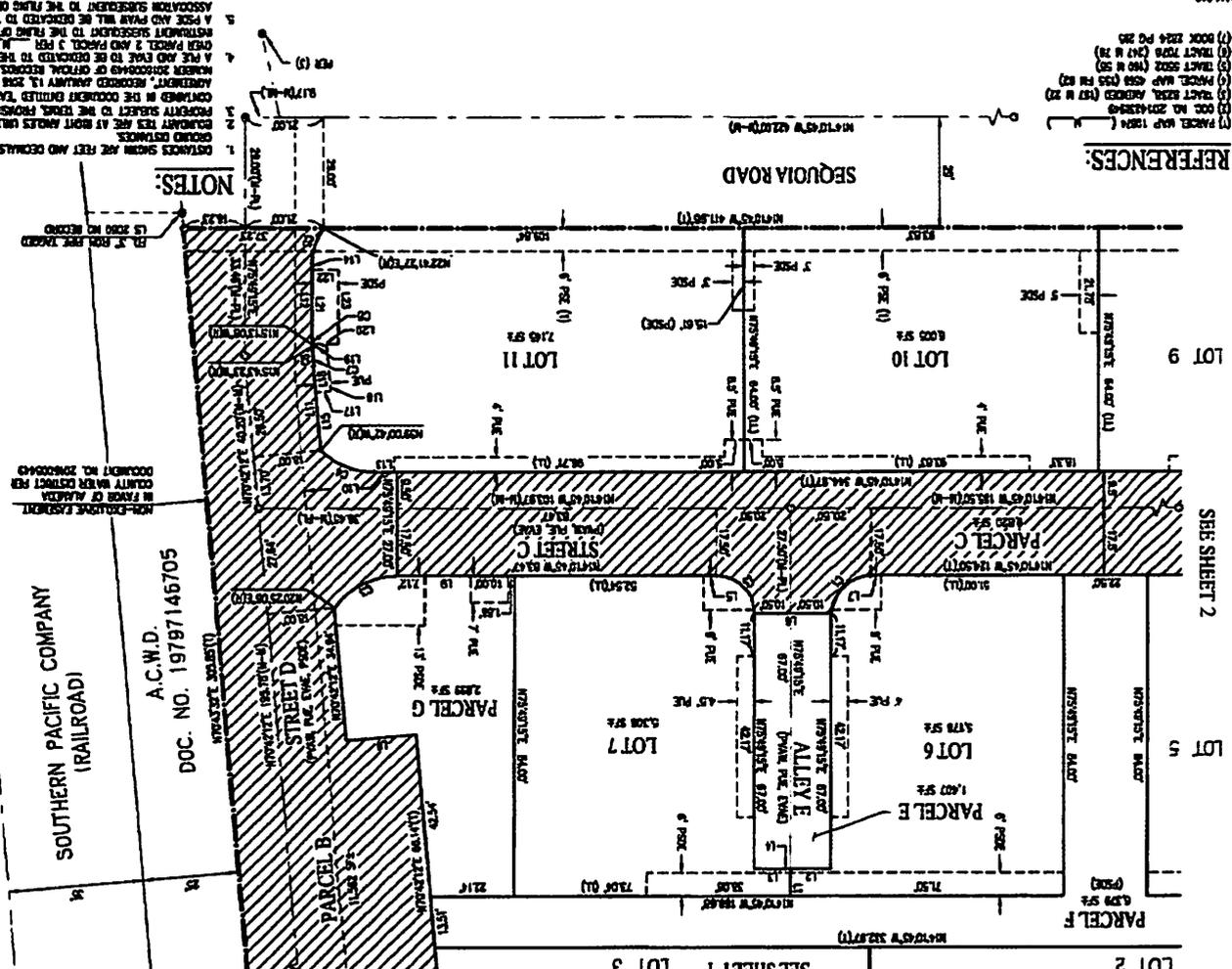
1. DISTANCES SHOWN ARE FEET AND DECIMALS THEREOF, AND ARE GROUND ESTIMATES.
2. PROPERTY LINES ARE AT RIGHT ANGLES UNLESS OTHERWISE NOTED.
3. CONTAINED IN THE DOCUMENT ENTITLED "EASEMENT ENCUMBRANCE MAP" OF THE SAME DATE AS THIS INSTRUMENT.
4. A FILE AND EASE TO BE REMOVED TO THE CITY OF FREMONT OVER PARCEL 3 AND PARCEL 3 PER SEPARATE INSTRUMENT SUBMITTED TO THE FILED OF THE MAP RECORDS AND RECORDS OFFICE AND RECORDS OFFICE.
5. ASSUMED SUBSEQUENT TO THE FILING OF THIS MAP.

REFERENCES:

- (1) PARCEL MAP 10474 (L 22)
- (2) DEC. 10, 2016
- (3) TRACT 5028, ADDED (NOT IN 22)
- (4) TRACT 5028, ADDED (NOT IN 22)
- (5) TRACT 5028, ADDED (NOT IN 22)
- (6) TRACT 5028, ADDED (NOT IN 22)
- (7) BOOK 2204, PG 205

MONUMENT PROPOSED TO BE DESTROYED DURING CONSTRUCTION, IT IS SET BY THIS MAP IF NECESSARY.

- REFERENCES:**
- (1) PARCEL MAP 15884
 - (2) DOC NO. 201435488
 - (3) TRACT MAP, AMENDED (187 M 22)
 - (4) PARCEL MAP, AMENDED (187 M 22)
 - (5) TRACT 5202 (180 M 25)
 - (6) TRACT 7026 (217 M 26)
 - (7) BOOK 2244 PG 20



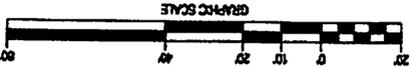
- NOTES:**
1. DISTANCES SHOWN ARE FEET AND DECIMALS THEREOF, AND ARE ROUND DOWN.
 2. PROPERTY TIES ARE AT RIGHT ANGLES UNLESS OTHERWISE NOTED.
 3. PROPERTY SUBJECT TO THE TERMS, PROVISIONS, AND COVENANTS CONTAINED IN THE DOCUMENT ENTITLED "EASEMENT EXCHANGE AGREEMENT", RECORDED JANUARY 13, 2008 AS INSTRUMENT NUMBER 200800468 OF OFFICIAL RECORDS.
 4. A FEE AND FINE TO BE RECOVERED TO THE CITY OF FRESNO FROM PARCELS 2 AND PARCELS 3 PER 11.11 OF SEPARATE INSTRUMENTS SUBMITTED TO THE FILING OF THIS MAP.
 5. A FEE AND FINE WILL BE RECOVERED TO THE HOME OWNERS ASSOCIATION SUBMITTED TO THE FILING OF THIS MAP.

LEGEND

- SEASONAL BOUNDARY LINE
- RIGHT OF WAY LINE
- LOT LINE
- EASEMENT LINE
- MONUMENT LINE
- LOT LINE
- TOTAL
- RATCH
- MONUMENT TO MONUMENT LINE (A-B)
- MONUMENT TO MONUMENT LINE (C-D)
- MONUMENT TO PROPERTY LINE
- FOUND STANDARD STREET MONUMENT
- FOUND MONUMENT, AS NOTED
- SET STANDARD STREET MONUMENT
- SET 5/8" BEARS AND CAP OR NAIL AND TAG, 15 7/64 PER (1)
- SEARCHED NOT FOUND
- ALAMEDA COUNTY WATER DISTRICT
- EMERGENCY VEHICLE ACCESS EASEMENT
- PRIVATE STORM DRAIN EASEMENT
- PUBLIC SERVICE EASEMENT
- PUBLIC UTILITY EASEMENT
- PRIVATE WHEEL ACCESS EASEMENT
- REFERENCE NUMBER
- SWAYMNT SCREEN EASEMENT AREA

BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE MONUMENT LINE OF SEQUOIA ROAD, BEING N47°45'18" E PER TRACT 5202, AMENDED (187 M 22).



SCALE: 1" = 20'

JULY 2017

FOR CONDOMINIUM PURPOSES

CONSISTING OF 3 SHEETS

BEING A SUBDIVISION OF PARCEL 4 OF PARCEL MAP 15874

RECORDED IN BOOK 353 OF MAPS, AT PAGE 50

OFFICIAL RECORDS OF ALAMEDA COUNTY

CITY OF FRESNO, ALAMEDA COUNTY, CALIFORNIA

ON ENGINEER'S SURVEY PLAN

DATE 08/15/17

CARSON, BARBE & GIBSON, INC.

TRACT 8239
MONTECITO

| LINE TABLE | NO BEARINGS | DELTA LENGTH | NO BEARS | DELTA LENGTH | DATE |
|------------|-------------|--------------|----------|--------------|--------|
| C7 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| C8 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |

| LINE TABLE | NO BEARINGS | DELTA LENGTH | NO BEARS | DELTA LENGTH | DATE |
|------------|-------------|--------------|----------|--------------|--------|
| C1 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| C2 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| C3 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| C4 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| C5 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| C6 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |

| LINE TABLE | NO BEARINGS | DELTA LENGTH | NO BEARS | DELTA LENGTH | DATE |
|------------|-------------|--------------|----------|--------------|--------|
| L19 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L20 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L21 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L22 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L23 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |

| LINE TABLE | NO BEARINGS | DELTA LENGTH | NO BEARS | DELTA LENGTH | DATE |
|------------|-------------|--------------|----------|--------------|--------|
| L13 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L14 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L15 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L16 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L17 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L18 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |

| LINE TABLE | NO BEARINGS | DELTA LENGTH | NO BEARS | DELTA LENGTH | DATE |
|------------|-------------|--------------|----------|--------------|--------|
| L1 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L2 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L3 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L4 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L5 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L6 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L7 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L8 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L9 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L10 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L11 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L12 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |

| LINE TABLE | NO BEARINGS | DELTA LENGTH | NO BEARS | DELTA LENGTH | DATE |
|------------|-------------|--------------|----------|--------------|--------|
| L1 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L2 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L3 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L4 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L5 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L6 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L7 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L8 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L9 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L10 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L11 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |
| L12 | 13.00' | 0.0000' | 13.71' | 0.0000' | 13.71' |

PLAT MAP OF SAUNTERLY SWEET BASIN CONVEYED TO UNION BAPTIST DISTRICT CITY OF FRESNO, ALAMEDA COUNTY, CALIFORNIA

EXHIBIT B

RESOLUTION NO. 2899

**ACCEPT A SANITARY SEWER EASEMENT FOR
TRACT 8239 – MONTECITO, LOCATED AT 37350 SEQUOIA ROAD, 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 SCS SEQUOIA WINCHESTER REALTY, LLC, executed on August 21, 2017, as described in the Grant of Easement for Sanitary Sewer Purposes and by the legal description and plat map, attached as 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 July 13, 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

GRANT OF EASEMENT
FOR SANITARY SEWER PURPOSES

THIS INDENTURE, made this 21st day of August 2017, by and between SCS Winchester Realty LLC, the Party/~~Parties~~ of the First Part, and Union Sanitary District, the Party 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/~~Parties~~ 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.

Stephen E. Schott

Signature

By:

Stephen E. Schott

(Stephen E. Schott)

SCS Sequoia Winchester Realty LLC

(Notarize)

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

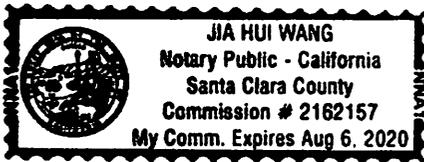
A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California)
County of Santa Clara)
On August 22, 2017 before me, Jia Hui Wang, Notary Public,
Date Here Insert Name and Title of the Officer
personally appeared Stephen E. Schott
Name(s) of Signer(s)

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 Jia Hui Wang
Signature of Notary Public

Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____ Document Date: _____
Number of Pages: _____ Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

Signer's Name: _____
 Corporate Officer — Title(s): _____
 Partner — Limited General
 Individual Attorney in Fact
 Trustee Guardian or Conservator
 Other: _____
Signer Is Representing: _____

EXHIBIT A
LEGAL DESCRIPTION
SANITARY SEWER EASEMENT CONVEYED TO UNION SANITARY DISTRICT
PARCEL MAP 10674
FREMONT, CALIFORNIA

ALL THAT REAL PROPERTY SITUATED IN THE INCORPORATED TERRITORY OF THE CITY OF FREMONT, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING ALL OF PARCELS 2 AND 3, OF PARCEL MAP 10674 RECORDED JULY 28, 2017 IN BOOK 336 OF MAPS, AT PAGES 53-54, ALAMEDA COUNTY RECORDS AND SHOWN ON EXHIBIT B - PLAT MAP OF SANITARY SEWER EASEMENT GRANTED TO UNION SANITARY DISTRICT.

CONTAINING 46,699 SQUARE FEET OF LAND, MORE OR LESS.

ATTACHED HERETO IS A PLAT TO ACCOMPANY LEGAL DESCRIPTION, AND BY THIS REFERENCE MADE A PART HEREOF.

END OF DESCRIPTION

 8/17/17

MARK H. WEHBER, P.L.S.
L.S. NO. 7960



PARCEL MAP 10674 SEQUOIA ROAD

CONSISTING OF 1 SHEET
BEING A SUBDIVISION OF THAT PARCEL OF LAND AS DESCRIBED IN THAT
CERTAIN GRANT DEED RECORDED SEPTEMBER 30, 2014 AS DOCUMENT
NUMBER 201423849, ALAMEDA COUNTY RECORDS
CITY OF FREMONT, COUNTY OF ALAMEDA, CALIFORNIA
Carlson, Barbee & Gibson, Inc.
CALIFORNIA • SURVEYORS • LICENSED
SAN RAMON • WEST SACRAMENTO

SCALE: 1" = 50'
JUNE 2017



BASIS OF BEARINGS:

THE BASIS OF BEARINGS FOR THIS SURVEY IS THE MONUMENT LINE OF SEQUOIA ROAD, BEING N47°04'57"W, PER TRACT 5238 AMENDED (167 M 22).

LEGEND

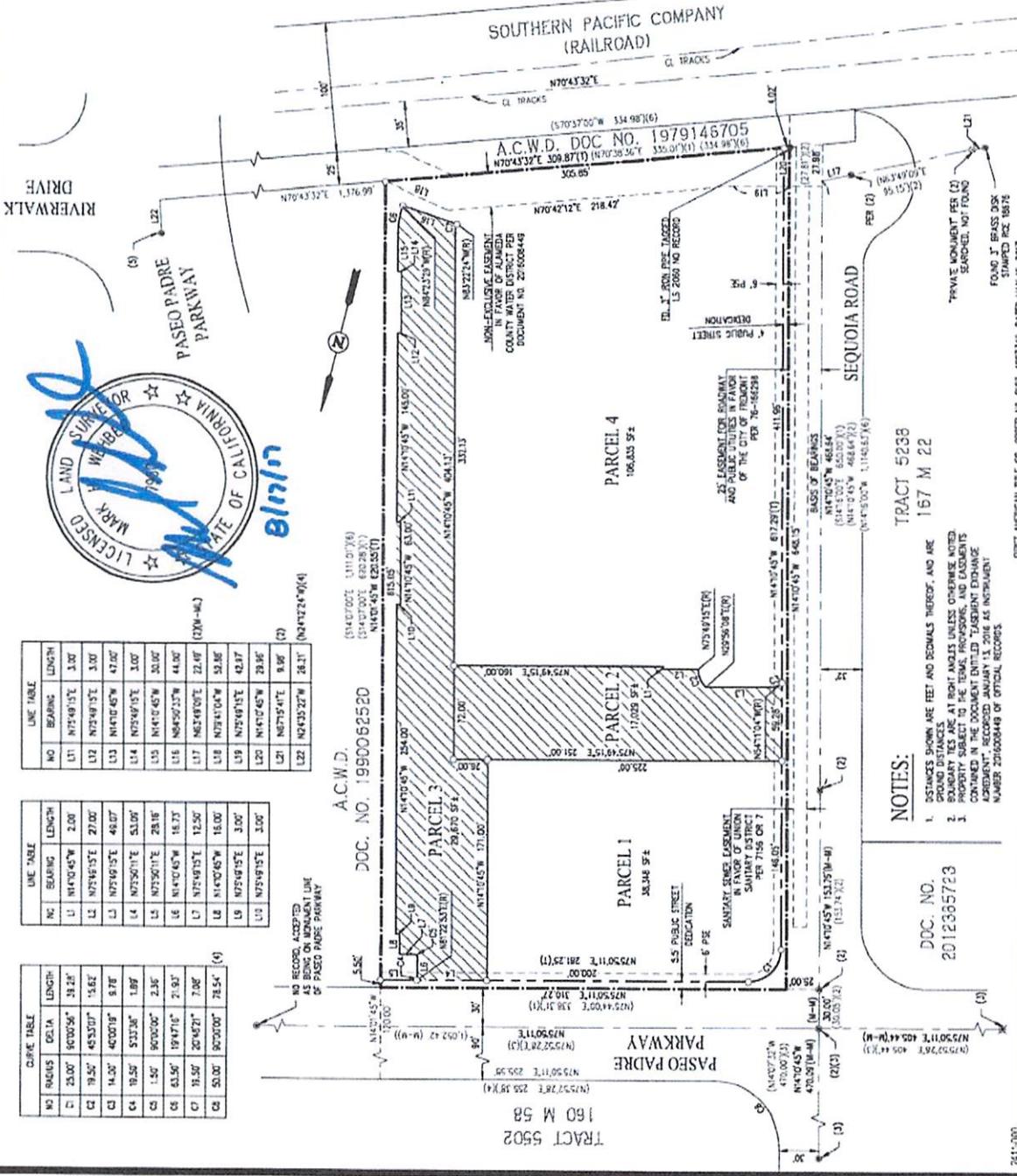
- SUBDIVISION BOUNDARY LINE
- RIGHT OF WAY LINE
- PARCEL LINE
- EASEMENT LINE
- MONUMENT LINE
- TOTAL
- (R) RACIAL
- (M-4) MONUMENT TO MONUMENT
- (M-4L) MONUMENT TO MONUMENT LINE
- (M-PL) MONUMENT TO PROPERTY LINE
- (L) CONTIGUOUS
- (S) FOUND STANDARD STREET MONUMENT
- (*) FOUND MONUMENT, AS NOTED
- (O) SET "X" REBAR AND CAP OR NAIL AND TAG, L.S. 7560
- (S) SEARCHED NOT FOUND
- (S) ALAMEDA COUNTY WATER DISTRICT
- (PSE) PUBLIC SERVICE EASEMENT
- (R) REFERENCE NUMBER
- (H) SANITARY SEWER EASEMENT AREA

REFERENCES:

- (1) DOC. NO. 201423849
- (2) TRACT 5238 AMENDED (167 M 22)
- (3) TRACT 5238 (167 M 22)
- (4) TRACT 5202 (168 M 15)
- (5) TRACT 2026 (149 M 76)
- (6) BOOK 2824 PG 285

EXHIBIT B

PLAT MAP OF SANITARY SEWER EASEMENT CONVEYED TO
UNION SANITARY DISTRICT
CITY OF FREMONT, ALAMEDA COUNTY, CALIFORNIA



| LINE NO. | BEARING | LENGTH |
|----------|-------------|--------|
| L1 | N75°49'15"E | 3.00' |
| L2 | N75°49'15"E | 3.00' |
| L3 | N47°04'57"W | 47.00' |
| L4 | N75°49'15"E | 3.00' |
| L5 | N47°04'57"W | 30.00' |
| L6 | N68°50'33"W | 44.00' |
| L7 | N63°48'00"E | 22.40' |
| L8 | N75°49'15"E | 42.37' |
| L9 | N75°49'15"E | 29.86' |
| L10 | N47°04'57"W | 28.31' |

| LINE NO. | BEARING | LENGTH |
|----------|-------------|--------|
| L1 | N47°04'57"W | 2.00' |
| L2 | N75°49'15"E | 27.00' |
| L3 | N75°49'15"E | 46.07' |
| L4 | N75°50'17"E | 53.00' |
| L5 | N75°50'17"E | 28.16' |
| L6 | N47°04'57"W | 16.73' |
| L7 | N75°49'15"E | 12.50' |
| L8 | N75°49'15"E | 3.00' |
| L9 | N75°49'15"E | 3.00' |

| NO. | RADIUS | CHORD | LENGTH |
|-----|--------|-----------|--------|
| C1 | 50.00' | 90°00'00" | 31.42' |
| C2 | 19.50' | 45°30'07" | 15.62' |
| C3 | 14.50' | 40°00'18" | 9.78' |
| C4 | 19.50' | 5°33'36" | 1.89' |
| C5 | 50.00' | 90°00'00" | 2.36' |
| C6 | 63.50' | 19°47'16" | 21.93' |
| C7 | 19.50' | 20°45'27" | 7.06' |
| C8 | 50.00' | 90°00'00" | 78.54' |

NO RECORD, ACCEPTED AS PART OF PASO PADRE PARKWAY

NO RECORD, ACCEPTED AS PART OF PASO PADRE PARKWAY

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

AUTHORIZE THE GENERAL MANAGER TO EXECUTE A CAPACITY CHARGE PAYMENT AGREEMENT FOR 3909 THORNTON AVENUE IN THE CITY OF FREMONT

This item was reviewed by the Legal/Community Affairs Committee. Customer Service Team Coach Arbolante stated an owner of Dino's Family Restaurant, located at 36930 Fremont Boulevard in the City of Fremont, submitted plans to USD for establishing a similar type restaurant located around the corner at 3909 Thornton Avenue. The Thornton parcel is owned by Lagorio Ranch Inc., and the Frank A. Sanchez and Lynn M. Sanchez 2009 Revocable Trust. The new restaurant will occupy an existing building that was previously used as an automobile dealership. The conversion to a restaurant would be a change in use under the District's Capacity Fee Ordinance No. 35.22 and would result in an additional capacity charge of \$147,788.82. Mr. Sinodino, part-owner of Dino's Family Restaurant, requested the ability to pay the capacity charge in smaller installments through a payment plan. Staff considered the request and determined, considering the current COVID-19 pandemic and its impact on the economy, this would be a reasonable request. Staff worked with legal counsel to draft a capacity charge payment agreement that would allow the additional capacity charge to be paid over a period of two years via eight quarterly payments totaling \$147,788.82. The capacity fee agreement stipulates that failure to pay under the contract will allow the District to place the remaining balance due on the next property tax rolls. The agreement will be recorded on the property to act as a lien if unpaid. Staff recommended the Board authorize the General Manager to execute the capacity charge payment agreement.

It was moved by Director Toy, seconded by Vice President Kite, to Authorize the General Manager to Execute a Capacity Fee Agreement Between the District and Lagorio Ranch, Inc. and Lynn Sanchez, Trustee of the Frank A. Sanchez and Lynn M. Sanchez 2009 Revocable Trust for 3909 Thornton Avenue in the City of Fremont. Motion carried with the following vote:

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

AUTHORIZE THE GENERAL MANAGER TO EXECUTE AMENDMENT NO. 1 TO THE AGREEMENT FOR THE CLEAN WATER PROGRAM ACTIVITIES AND ENFORCEMENT PROCEDURES WITH THE CITY OF FREMONT

This item was reviewed by the Legal/Community Affairs Committee. Environmental Compliance Coach Dunning stated the Federal Clean Water Act's 1987 amendment requires stormwater discharges from municipal storm drain systems be regulated under a nationwide surface water permit program called the National Pollutant Discharge Elimination System (NPDES). The San Francisco Bay Regional Water Quality Control Board's (RWQCB) 1986 amendment to its Water Quality Control plan also requires all cities in Alameda County have the same NPDES permit coverage. It is each municipality's responsibility to conduct the activities identified in the Stormwater Management Plan. In 1992, the City of Fremont City Council approved a contractual services agreement and a Memorandum of Agreement with USD to perform inspections of industrial and commercial businesses in Fremont in order to reduce or eliminate the discharge of pollutants to the Municipal storm drain system. The agreement was expanded and renewed several times since, a summary was included in the Board

meeting packet. In 2015, a new 5-year contract was executed with an option to extend the term for an additional 5 years with an option to extend it 5 additional years. If the City of Fremont and USD agree in 2025 to the subsequent 5-year extension, a new agreement would be executed. Staff recommended the Board authorize the General Manager to execute Amendment No. 1 to the Agreement for the Clean Water Program Activities and Enforcement Procedures with the City of Fremont.

It was moved by Vice President Kite, seconded by Director Toy, to Authorize the General Manager to Execute Amendment No. 1 to the Agreement for the Clean Water Program Activities and Enforcement Procedures with the City of Fremont. Motion carried with the following vote:

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

AUTHORIZE THE GENERAL MANAGER TO EXECUTE A TEMPORARY SEWER SIPHON AGREEMENT WITH LENNAR HOMES OF CALIFORNIA FOR THE GATEWAY STATION WEST, BRIDGEWAY DEVELOPMENT IN THE CITY OF NEWARK

This item was reviewed by the Legal/Community Affairs Committee. Customer Service Team Coach Arbolante stated the Gateway Station West, Bridgeway development has been under construction by Lennar Homes of California and is located west of Hickory Street in the City of Newark. The development is located immediately adjacent to the District's existing twin force mains. The William Lyon Homes Twin Force Main Relocation Project is expected to relocate the District's existing force mains in the development area. The force main relocation project was split into two phases. Phase 1 construction was performed in 2018 and Phase 2 is expected to be completed before the end of the year. To accommodate continued development of Lennar's Bridgeway project and allow completed homes to be occupied, District staff negotiated a temporary siphon agreement for allow Lennar to construct a temporary sewer siphon under the existing force mains until Phase 2 construction is completed. The temporary siphon will then be replaced with a permanent gravity sewer main connection. The agreement allows Lennar to construct the siphon and be responsible for all maintenance costs for the siphon until the permanent gravity connection is constructed. Staff recommended the Board authorize the General Manager to execute the temporary Sewer Siphon Agreement in the form included in the Board meeting packet subject to minor revisions by the General Manager in consultation with General Counsel.

It was moved by Director Fernandez, seconded by Secretary Lathi, to Authorize the General Manager to Execute a Temporary Sewer Siphon Agreement Between the District and Lennar Homes of California for the Gateway Station West, Bridgeway Development in the City of Newark. Motion carried with the following vote:

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

BOARD DIRECTION REGARDING GENERAL MANAGER'S CHECK-IN BOARD WORKSHOP

General Manager Eldredge stated the General Manager's Check-in has been held between May and July in previous years. The Check-in has been used to provide the Board with an update on initiatives ongoing at the District and for the Board to provide feedback and direction on said initiatives. The Check-in is held in advance of the General Manager's annual performance evaluation which is typically scheduled for September or October. Staff requested the Board provide direction regarding the General Manager's Check-in.

The Board agreed by consensus to direct the General Manager to decide the best way to present information typically included in the General Manager's Check-in.

General Manager Eldredge stated staff will schedule a Check-in with the Board in mid to late August.

INFORMATION ITEMS:

Legislative Update on Regional Issues of Interest to the Board

General Manager Eldredge provided an overview of the legislative update included in the Board meeting packet.

Report on the East Bay Dischargers Authority Meeting of June 18, 2020

President Handley provided an overview of the EBDA meeting minutes 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

Staff responded to Boardmember questions regarding the check register.

COMMITTEE MEETING REPORTS:

The Legal/Community Affairs, Legislative, and Budget & Finance Committees met. The Engineering and Information Technology Committee meeting was canceled due to lack of a quorum and staff conducted briefings with each of the Committee members.

GENERAL MANAGER'S REPORT:

General Manager Eldredge stated the following:

- Staff will present an item at the next regular Board meeting regarding potential use of electronic signatures at the District.
- The force main relocation in Newark will begin soon. The District has requested to be a signatory to a licensing agreement between the developers and FMC, the private property owner. Staff will execute the agreement and will provide an update to the Board at a later date.
- District staff have been working with the State Water Resource Control Board and the Regional Water Quality Control Board regarding the District's Emergency

Outfall Permit for Old Alameda Creek. District staff recently received and began review of an administrative draft permit for the Permit. Once a final draft is available, staff will present a summary to the Board prior to the State Board's consideration in October.

OTHER BUSINESS:

Director Toy stated she attended the Alameda County Special District's Association joint meeting with the Contra Costa Special District's Association. The joint meeting included a presentation from BART Director Deborah Allan regarding reduced revenues due to COVID and Senator Steve Glazer who spoke about COVID impacts at the state level.

Director Kite inquired about the status of the District's rebranding initiative. General Manager Eldredge stated the initiative had been placed on hold due to COVID.

ADJOURNMENT:

The meeting was adjourned at 5:02 p.m. to a Board Workshop at 4:00 p.m. on Monday, July 20, 2020.

SUBMITTED:

ATTEST:



REGINA McEVOY
BOARD CLERK



ANJALI LATHI
SECRETARY

APPROVED:



TOM HANDLEY
PRESIDENT

Adopted this 27th day of July 2020