



BOARD MEETING AGENDA
Monday, December 12, 2016
Regular Meeting - 7:00 P.M.

Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Union Sanitary District
Administration Building
5072 Benson Road
Union City, CA 94587

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

1. Call to Order.

2. Pledge of Allegiance.

3. Roll Call.

- Motion 4. Approve Minutes of the Meeting of November 14, 2016.

- Motion 5. Approve Minutes of the Special Meeting of November 28, 2016.

6. Monthly Operations Report *(to be reviewed by the Budget & Finance and Legal/Community Affairs Committees)*.
 - a. October 2016 Monthly Odor Report & Financial Reports.
 - b. First Quarter FY 17 District-wide Balanced Scorecard Measures.
 - c. Balanced Scorecard Report for the Collection Services Workgroup.

7. Written Communications.

8. Oral Communications.

The public may provide oral comments at regular and special Board meetings; however, whenever possible, written statements are preferred (to be received at the Union Sanitary District office at least one working day prior to the meeting). This portion of the agenda is where a member of the public may address and ask questions of the Board relating to any matter within the Board's jurisdiction that is not on the agenda. If the subject relates to an agenda item, the speaker should address the Board at the time the item is considered. Oral comments are limited to three minutes per individuals, with a maximum of 30 minutes per subject. Speaker's cards will be available in the Boardroom and are to be completed prior to discussion.

- Information 9. Legislative Update on Regional, State, and National Issues of Interest to the Board *(to be reviewed by the Legislative Committee)*.

- Motion 10. Consider a Resolution Confirming the 2016 Conflict of Interest Code *(to be reviewed by the Personnel Committee)*.

- Motion 11. Consider Proposed Changes to Policy No. 3070, Board Member Officers and Committee Membership, to Modify the Titles of Board Officers from President and Vice-President to Chair and Vice-Chair.

- Motion 12. Consider Options for Review of General Manager Expense Reports *(to be reviewed by the Budget & Finance Committee)*.
-
- Motion 13. Authorize the General Manager to Execute an Agreement and Task Order No. 1 with RMC Water and Environment for the Plant Master Plan *(to be reviewed by the Engineering and Information Technology Committee)*.
-
- Motion 14. Authorize the General Manager to Execute Amendment No. 1 to Task Order No. 2 with The Covello Group, Inc. for the Thickener Control Building Improvements Project *(to be reviewed by the Engineering and Information Technology Committee)*.
-
- Motion 15. Award the Construction Contract for the Headworks Knife Gate Valves 1-3 Replacement Project *(to be reviewed by the Engineering and Information Technology Committee)*.
-
- Motion 16. Consider a Resolution to Accept the Construction of the Pine Street Easement Improvements Project from Valentine Corporation and Authorize Recordation of a Notice of Completion *(to be reviewed by the Engineering and Information Technology Committee)*.
-
- Motion 17. Consider a Resolution to Accept the Construction of the High Speed Aeration Blower Project from D.W. Nicholson Corporation and Authorize Recordation of a Notice of Completion *(to be reviewed by the Engineering and Information Technology Committee)*.
-
- Information 18. Check Register.
-
- Information 19. Report on the East Bay Dischargers Authority (EBDA) Meeting of November 17, 2016.
-
- Information 20. Committee Meeting Reports. *(No Board action is taken at Committee meetings):*
- a. Legal/Community Affairs Committee – Wednesday, December 7, 2016, at 11:00 a.m.
 - Director Kite and Director Lathi
 - b. Budget & Finance Committee – Thursday, December 8, 2016, at 12:30 p.m.
 - Director Fernandez and Director Lathi
 - c. Legislative Committee – Thursday, December 8, 2016, at 4:30 p.m.
 - Director Fernandez and Director Kite
 - d. Engineering and Information Technology Committee – Friday, December 9, 2016, at 9:30 a.m.
 - Director Fernandez and Director Kite
 - e. Personnel Committee – Friday, December 9, 2016, at 10:00 a.m.
 - Director Fernandez and Director Kite
 - f. Audit Committee – will not meet.
 - g. Ad Hoc Subcommittee for Communications Strategy.
-
- Information 21. General Manager's Report. *(Information on recent issues of interest to the Board)*.
-

22. Other Business:
- a. Comments and questions. *Directors can share information relating to District business and are welcome to request information from staff.*
 - b. Scheduling matters for future consideration.
-
23. Adjournment – The Board will adjourn to a Board Workshop in the Boardroom on Monday, December 19, 2016, at 6:00 p.m.
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24. Adjournment – The Board will then adjourn to the next Regular Meeting in the Boardroom on Monday, January 9, 2017, at 7:00 p.m.

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If the subject relates to an agenda item, the speaker should address the Board at the time the item is considered. If the subject is within the Board's jurisdiction but not on the agenda, the speaker will be heard at the time "Oral Communications" is calendared. Oral comments are limited to three minutes per individual, with a maximum of 30 minutes per subject. Speaker's cards will be available in the Boardroom and are to be completed prior to discussion of the agenda item.

The facilities at the District Offices are wheelchair accessible. Any attendee requiring special accommodations at the meeting should contact the General Manager's office at (510) 477-7503 at least 24 hours in advance of the meeting.

THE PUBLIC IS INVITED TO ATTEND



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

LEGAL/COMMUNITY AFFAIRS COMMITTEE MEETING

Revised

Committee Members: **Alternate** Director **Kite** and
Director Lathi

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

AGENDA

Wednesday, December 7, 2016

11:00 A.M.

**Alvarado Conference Room
5072 Benson Road
Union City, CA 94587**

**THIS MEETING WILL BE TELECONFERENCED WITH DIRECTOR KITE FROM THE EXTERIOR OF
35040 NEWARK BOULEVARD, NEWARK, CALIFORNIA.
THE TELECONFERENCE LOCATION SHALL BE ACCESSIBLE TO THE PUBLIC.**

1. Call to Order

2. Roll Call

3. Public Comment

4. Items to be reviewed for the Board meeting of December 12, 2016:
 - October 2016 Monthly Odor Report.
 - First Quarter FY 17 District-wide Balanced Scorecard Measures.
 - Balanced Scorecard Report for the Collection Services Workgroup.

5. Adjournment

Items reviewed at committee meetings will be included in the agenda packet for the upcoming Board meeting. No action will be taken at committee meetings.

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THE PUBLIC IS INVITED TO ATTEND



REVISED

Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

BUDGET & FINANCE COMMITTEE MEETING
Committee Members: Alternate Director Handley
Fernandez and Director Lathi

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

AGENDA
Thursday, December 8, 2016
12:30 P.M.

Karen W. Murphy
Attorney

Alvarado Conference Room
5072 Benson Road
Union City, CA 94587

1. Call to Order

2. Roll Call

3. Public Comment

4. Items to be reviewed for the Board meeting of December 12, 2016:
 - October 2016 Monthly Financial Reports.
 - Consider Options for Review of General Manager Expense Reports.

5. Adjournment

Items reviewed at committee meetings will be included in the agenda packet for the upcoming Board meeting. No action will be taken at committee meetings.

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THE PUBLIC IS INVITED TO ATTEND



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

LEGISLATIVE COMMITTEE MEETING
Committee Members: Director Kite and Director Fernandez

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

AGENDA
Thursday, December 8, 2016
4:30 P.M.

Karen W. Murphy
Attorney

Alvarado Conference Room
5072 Benson Road
Union City, CA 94587

**THIS MEETING WILL BE TELECONFERENCED WITH DIRECTOR KITE FROM THE EXTERIOR OF
35040 NEWARK BOULEVARD, NEWARK, CALIFORNIA.
THE TELECONFERENCE LOCATION SHALL BE ACCESSIBLE TO THE PUBLIC.**

1. Call to Order

2. Roll Call

3. Public Comment

4. Items to be reviewed for the Board meeting of December 12, 2016:
 - Legislative Update on Regional, State, and National Issues of Interest to the Board._____
5. Adjournment

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THE PUBLIC IS INVITED TO ATTEND



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

**ENGINEERING & INFORMATION TECHNOLOGY
COMMITTEE MEETING**
Committee Members: Director Fernandez and Director Kite

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

AGENDA
Friday, December 9, 2016
9:30 A.M.

Karen W. Murphy
Attorney

Alvarado Conference Room
5072 Benson Road
Union City, CA 94587

1. Call to Order

2. Roll Call

3. Public Comment

4. Items to be reviewed for the Board meeting of December 12, 2016:
 - Authorize the General Manager to Execute an Agreement and Task Order No. 1 with RMC Water and Environment for the Plant Master Plan.
 - Authorize the General Manager to Execute Amendment No. 1 to Task Order No. 2 with The Covello Group, Inc. for the Thickener Control Building Improvements Project.
 - Award the Construction Contract for the Headworks Knife Gate Valves 1-3 Replacement Project.
 - Consider a Resolution to Accept the Construction of the Pine Street Easement Improvements Project from Valentine Corporation and Authorize Recordation of a Notice of Completion.
 - Consider a Resolution to Accept the Construction of the High Speed Aeration Blower Project from D.W. Nicholson Corporation and Authorize Recordation of a Notice of Completion.

5. Adjournment

Items reviewed at committee meetings will be included in the agenda packet for the upcoming Board meeting. No action will be taken at committee meetings. The Public may provide oral comments at regular and special Board meetings; however, whenever possible, written statements are preferred (to be received at the Union Sanitary District at least one working day prior to the meeting). If the subject relates to an agenda item, the speaker should address the Board at the time the item is considered. If the subject is within the Board's jurisdiction but not on the agenda, the speaker will be heard at the time "Public Comment" is calendared. Oral comments are limited to three minutes per individual, with a maximum of 30 minutes per subject. Speaker's cards will be available and are to be completed prior to discussion of the agenda item.

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THE PUBLIC IS INVITED TO ATTEND



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

PERSONNEL COMMITTEE MEETING

Committee Members: Director Fernandez and Director Kite

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

AGENDA

Friday, December 9, 2016

10:00 A.M.

Karen W. Murphy
Attorney

Alvarado Conference Room

5072 Benson Road

Union City, CA 94587

1. Call to Order

2. Roll Call

3. Public Comment

4. Items to be reviewed for the Board meeting of December 12, 2016:
 - Consider a Resolution Confirming the 2016 Conflict of Interest Code.

5. Adjournment

Items reviewed at committee meetings will be included in the agenda packet for the upcoming Board meeting. No action will be taken at committee meetings.

The Public may provide oral comments at regular and special Board meetings; however, whenever possible, written statements are preferred (to be received at the Union Sanitary District at least one working day prior to the meeting).

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THE PUBLIC IS INVITED TO ATTEND

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT
November 14, 2016**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

PRESENT: Tom Handley, President
Pat Kite, Vice President
Anjali Lathi, Secretary (arrived at 7:04 p.m.)
Manny Fernandez, Director
Jennifer Toy, Director (arrived at 7:12 p.m.)

STAFF: Paul Eldredge, General Manager
Karen Murphy, District Counsel
Sami Ghossain, Technical Services Manager
James Schofield, Collection Services Manager
Armando Lopez, Treatment and Disposal Services Manager
Pamela Arends-King, Business Services Manager/CFO
Robert Simonich, Fabrication, Maintenance, and Construction Manager
Mike Marzano, Environmental Health and Safety Program Manager
Mohammad Ghoury, Engineering Technician II
Jason Yeates, Environmental Compliance Inspector III
Regina McEvoy, Assistant to the General Manager/Board Secretary

VISITORS: AJ Major, Partner at Vavrinek, Trine, and Day Co., LLP
Grace Chow, Vice President of Brown and Caldwell Vice President

APPROVAL OF THE MINUTES OF THE SPECIAL MEETING OF OCTOBER 18, 2016

It was moved by Vice President Kite, seconded by Director Fernandez, to approve the Minutes of the Special Meeting of October 18, 2016. Motion carried with the following vote:

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

APPROVAL OF THE MINUTES OF THE MEETING OF OCTOBER 24, 2016

It was moved by Director Fernandez, seconded by Vice President Kite, to approve the Minutes of the Meeting of October 24, 2016. Motion carried with the following vote:

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

WRITTEN COMMUNICATIONS

There were no written communications.

ORAL COMMUNICATIONS

There were no oral communications.

REVIEW AND ACCEPT THE JUNE 30, 2016 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)

This item was reviewed by the Audit Committee. Business Services Manager/CFO Arends-King stated that in previous years, the audited financials were presented to the Board for approval before the CAFR was completed. This is the first year for staff to present audited financials as part of the CAFR. Business Services Manager/CFO Arends-King introduced AJ Major, Certified Public Accountant and Partner at Vavrinek, Trine, and Day Co., who presented the CAFR and responded to Boardmember questions.

It was moved by Director Fernandez, seconded by Vice President Kite, to Accept the June 30, 2016 Comprehensive Annual Financial Report. Motion carried with the following vote:

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

BOARD MEMBER COMPENSATION FOR 2017

This item was reviewed by the Budget & Finance Committee. General Manager Eldredge stated the Budget & Finance Committee discussed possibly changing the Board's annual review of its compensation from the end of each calendar year to the end of each fiscal year. The Board directed staff to present Policy No. 3040, Boardmember Compensation Limits, and Ordinance 44 at a future meeting for review.

It was moved by Director Fernandez, seconded by Secretary Lathi, to make no changes to Board Member Compensation for 2017. Motion carried unanimously.

CONSIDER SECOND AMENDMENT TO EMPLOYMENT AGREEMENT BETWEEN UNION SANITARY DISTRICT AND PAUL ELDREDGE

District Counsel Murphy stated the original employment agreement between Union Sanitary District and Paul Eldredge was executed June 25, 2014, and the first amendment to the agreement was approved by the Board September 28, 2015. The three revisions in the second amendment were a salary increase, an increase in deferred compensation, and the removal of a termination date. The aforementioned revisions will bring the agreement in closer alignment with that of other water and wastewater General Managers in the area.

President Handley commended General Manager Eldredge for all he had accomplished since joining the District.

It was moved by Vice President Kite, seconded by Director Fernandez, to Approve the Second Amendment to Employment Agreement Between Union Sanitary District and Paul Eldredge. Motion carried unanimously.

AUTHORIZE THE GENERAL MANAGER TO EXECUTE AN AGREEMENT AND TASK ORDER NO. 1 WITH BROWN AND CALDWELL FOR THE STANDBY POWER GENERATION SYSTEM UPGRADE PROJECT

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the standby power system at the Alvarado Wastewater Treatment Plant is critical to the operation of the facility. The pre-design study report was completed by Beecher Engineering. Brown and Caldwell, with Beecher Engineering as a subconsultant, will complete the pre-design phase. Staff recommended the Board authorize the General Manager to execute an Agreement and Task Order No. 1 with Brown and Caldwell in the amount of \$175,064 for the Standby Power Generation System Upgrade Project.

It was moved by Director Fernandez, seconded by Vice President Kite, to Authorize the General Manager to Execute an Agreement and Task Order No. 1 with Brown and Caldwell for the Standby Power Generation System Upgrade Project. Motion carried unanimously.

AUTHORIZE THE GENERAL MANAGER TO EXECUTE AN AGREEMENT AND TASK ORDER NO. 1 WITH BROWN AND CALDWELL FOR THE PRIMARY DIGESTER NO. 7 PROJECT

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the Plant maintains six primary anaerobic digesters. A recent assessment conducted by Carollo Engineers determined current

biosolids loadings have reached the original design capacity with all digesters in service. It was also determined that Primary Digester No. 6, the largest digester, cannot be taken out of service for cleaning until additional digestion capacity is available. Brown and Caldwell is expected to complete the predesign phase for Primary Digester No. 7 by Summer 2017, final design is estimated to be completed in early 2018, and construction is expected to begin by Summer 2018. Staff recommended the Board authorize the General Manager to execute an Agreement and Task Order No. 1 with Brown and Caldwell in the amount of \$137,577 for the Primary Digester No. 7 Project.

It was moved by Director Fernandez, seconded by Director Toy, to Authorize the General Manager to Execute an Agreement and Task Order No. 1 with Brown and Caldwell for the Primary Digester No. 7 Project. Motion carried unanimously.

AUTHORIZE THE GENERAL MANAGER TO EXECUTE AN AGREEMENT AND TASK ORDER NO. 1 WITH RMC WATER AND ENVIRONMENT FOR THE FORCE MAIN CONDITION ASSESSMENT

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the District last completed a Force Main Study with Brown and Caldwell in 2004, at which time it was recommended an internal inspection be completed every 10 years and external inspection every 20 years. Following the Request for Proposals process, RMC was selected for the Project. The Project will include review of video footage of the internal inspection of the force mains, external inspection and testing of the force main pipeline to be removed as part of a relocation project, and development of recommendations for a lining repair method. Staff recommended the Board authorize the General Manager to execute an Agreement and Task Order No. 1 in the amount of \$121,390 with RMC Water and Environment for the Force Main Condition Assessment.

It was moved by Director Toy, seconded by Secretary Lathi, to Authorize the General Manager to Execute an Agreement and Task Order No. 1 with RMC Water and Environment for the Force Main Condition Assessment. Motion carried unanimously.

INFORMATION ITEMS:

Check Register

All questions were answered to the Board's satisfaction.

Annual Reporting of Expense Reimbursements Over \$100

This item was reviewed by the Budget & Finance Committee. Business Services Manager/CFO Arends-King stated the Government Code requires reimbursements over \$100 be made public annually. The report of expense reimbursement containing individual charges of at least \$100 for the period of July 1, 2015 through June 30, 2016, was included in the Board meeting packet and is maintained by Human Resources. President Handley stated the Budget & Finance Committee requested future

presentations for this item include one list sorted by dollar amount and another list sorted by employee name.

Status of Priority 1 Capital Improvement Program Projects

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated all Priority 1 Capital Improvement Program Projects were on schedule.

First Quarterly Report on the Capital Improvement Program for FY 17

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated graphs included in the Board meeting packet depict actual expenditures versus the approved Capital Improvement Programs (CIP) budget. Total CIP expenditures through September 30, 2016, were above projections for the first quarter of the fiscal year by approximately \$965,000 due primarily to a few projects being ahead of schedule. The main projects which incurred higher than projected quarterly expenditures were the Alvarado-Niles Road Sewer Rehabilitation and the Thickener Control Building projects.

Report on the East Bay Dischargers Authority (EBDA) Meeting of October 20, 2016

Director Toy provided an overview of the report included in the Board Meeting Packet.

COMMITTEE MEETING REPORTS:

The Audit, Budget & Finance, and Engineering and Information Technology Committees met.

GENERAL MANAGER'S REPORT:

General Manager Eldredge reported the following:

- The CASA Winter Conference will be held in Palm Springs January 18-20, 2017. The registration deadline is January 3, 2017.
- District offices will be closed Thursday, November 24 and Friday, November 25 in observance of the Thanksgiving holiday.
- Technical Services Manager Ghossain will serve as acting General Manager while General Manager Eldredge is out of the office November 21 – 23, 2016.

OTHER BUSINESS:

Director Kite stated she attended the Alameda County Special Districts Association meeting held at the District November 9, 2016.

ADJOURNMENT:

The meeting was adjourned at 7:49 p.m. to a Special Meeting to be held in the Alvarado Conference Room on Monday, November 28, 2016, at 6:00 p.m.

The Board will then adjourn to the next scheduled Regular Board Meeting to be held in the Boardroom on Monday, December 12, 2016, at 7:00 p.m.

SUBMITTED:

ATTEST:

REGINA McEVOY
BOARD SECRETARY

ANJALI LATHI
SECRETARY

APPROVED:

TOM HANDLEY
PRESIDENT

Adopted this 12th day of December, 2016

**MINUTES OF THE SPECIAL MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT
November 28, 2016**

CALL TO ORDER

President Handley called the special meeting to order at 6:00 p.m.

ROLL CALL

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

STAFF: Paul Eldredge, General Manager
Karen Murphy, District Counsel
Leah Castella, Special Counsel
Sami Ghossain, Technical Services Manager
Rollie Arbolante, Customer Service Team Coach

ORAL COMMUNICATIONS

There were no oral communications.

CLOSED SESSION

The Board adjourned to Closed Session for the following matters:

CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Section 54956.9:
One potential case

The Board reconvened to Open Session. President Handley reported there was no reportable action.

ADJOURNMENT:

The special meeting was adjourned at approximately 7:06 p.m. to the next Regular Board Meeting in the Boardroom on Monday, December 12, 2016, at 7:00 p.m.

SUBMITTED:

ATTEST:

REGINA McEVOY
BOARD SECRETARY

ANJALI LATHI
SECRETARY

APPROVED:

TOM HANDLEY
PRESIDENT

Adopted this 12th day of December, 2016



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

DATE: December 5, 2016

TO: Board of Directors - Union Sanitary District

FROM: Paul R. Eldredge, General Manager/District Engineer

SUBJECT: Agenda Item No. 6.a - Meeting of December 12, 2016
Information Item: **October 2016 Monthly Odor Report and Financial Reports**

Background

Attached are Monthly Operations Reports for October 2016. Staff is available to answer questions regarding information contained in the report.

Work Group Managers

General Manager/Administration	Paul Eldredge	GM
Business Services	Pamela Arends-King	BS
Collection Services	James Schofield	CS
Technical Support	Sami Ghossain	TS
Treatment and Disposal Services	Armando Lopez	T&D
Fabrication, Maintenance, and Construction	Robert Simonich	FMC

ODOR COMPLAINTS:

There was one odor complaint received during the month of October 2016. The complaint was received from a Newark resident on Portola Drive. Staff inspected the mains in the area and no odor was detected. District staff did noted it was trash day, and there was a dumpster within 70 feet of the residence. The homeowner was provided an explanation of the findings as well as the USD Odor and Lateral brochures.

SAFETY:

- We had a first aid incident where an employee had an exposure to carbon monoxide. The employee was working in one of our TV trucks. The position of the truck and the weather caused the exhaust fumes to accumulate in the back of the truck. The employee was taken to the clinic where he was treated and released.

- We had a recordable injury where an employee cut their thumb with a utility knife while cutting tubing. They received stitches and returned to work. We have replaced the knives with tubing cutters to prevent future injuries.
- We received a comment on our Safety Blog about having additional AEDs (Automatic External Defibrillator) and additional first aid training. We have ordered 6 additional AEDs and scheduled training for more employees.
- The one employee that has been on modified duty for the past few months has been released to full duty. The injury was from a slip and fall injuring the employee's hand.
- We provided flu shots for the employees.
- We had a hazardous materials inspection from the city of Union City. There were 8 violations. Many were problems with our current HazMat contractor. We have corrected the issues and a new contractor is starting in January.

STAFFING & PERSONNEL:

Completed Recruitments Resulting in Promotions:

- Frank Couto was promoted to Lead Collection System Worker on 10/29.
- Marco Lopez was promoted to Lead Collection System Worker on 10/29.

Other Accomplishments:

- Leadership School: The October session focused on communication and writing skills and the November session focused on team-building. Both sessions involved pre-work for the participants. All of the participants are actively engaged and have shown growth in their skills. No session is scheduled for December. Feedback continues to be positive.

G.M. ACTIVITIES: For the month of October, the GM was involved in the following:

- Participated in the Special Meetings held October 3 and 18, 2016, to discuss the General Manager's annual evaluation.
- Participated in the BAB2E Strategic Planning Session.
- Attended an East Bay Dischargers Authority Strategic Planning Interview.
- Attended an ACWD/USD Coordination meeting.
- Met with the City Manager for the City of Newark.
- Attended the Union City State of the City Luncheon at the Masonic Home.

Attachments: Odor Report and Map
Hours Worked and Leave Time by Work Group
Financial Reports



ODOR REPORT October 2016

During the recording period from October 01, 2016 through October 31, 2016, there was one odor related service request received by the District.

City: Newark

1. Complaint Details:

Date: 10/31/2016

Location: PORTOLA DR

Wind (from): N/A

Temperature: 66 Degrees F

Time: 12:51 pm

Reported By: Parvin Yousefi

Wind Speed: <5 mph

Weather: Overcast

Response and Follow-up:

Responded to odor complaint. We found no evidence of any odors from our mains which were flowing normal. Homeowner had cleanout cap resting upside down on the cleanout riser under a Christy box cover. It was also trash day and a dumpster for this area was within 70 ft. of residence. We provided the homeowner with detailed explanation of our findings and gave the homeowner the USD Odor and Lateral brochures.



Legend

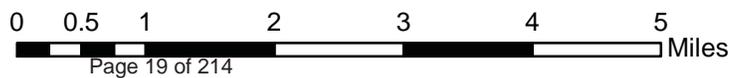
Odor Complaints: October 2016

- ^ Odor found, USD resolved (0)
- ! Odor found, not related to USD (0)
- # No odor found (1)

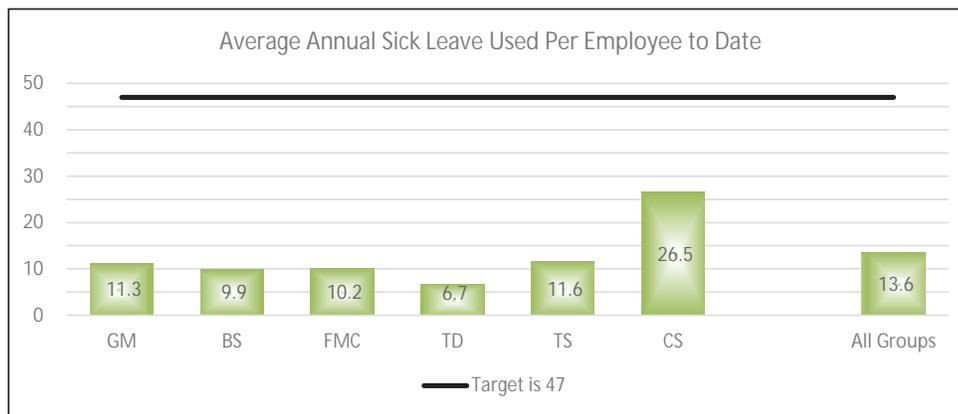
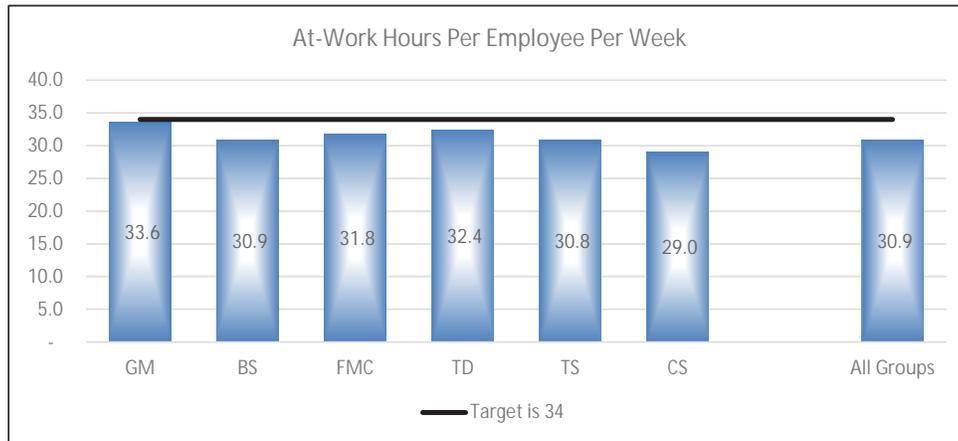
Odor Complaints: Nov. 2015 to Sep. 2016

- ^ Odor found, USD resolved (11)
- ! Odor found, not related to USD (4)
- # No odor found (7)

**Location of Odor Reports
November 2015 to October 2016**



HOURS WORKED AND LEAVE TIME BY WORK GROUP
June 30, 2016 through October 19, 2016
Weeks to Date: 16 out of 52 (30.77%)



NOTES

- (1) Regular hours does not include hours worked by part-time or temporary employees.
- (2) Overtime hours includes call outs.
- (3) Discretionary Leave includes Vacation, HEC, Holiday, MAL, FLEX, Funeral, Jury Duty, Military, OT Banked Use, Paid Admin., SLIP, VRIP, Holiday Banked Use leaves.
- (4) Sick Leave includes sick and catastrophic sick leaves as well as protected time off, of which the District has no discretion.

An employee using 15 vacation, 11 holiday, 2 HEC, and 5 sick days will work an average of 34.9 hours per week over the course of a year; with 20 vacation days, 34.2 hours per week.

HOURS WORKED AND LEAVE TIME BY WORK GROUP
 June 30, 2016 through October 19, 2016
 Weeks to Date: 16 out of 52 (30.77%)

Group	Average Number of Employees	AT-WORK HOURS		At-Work Hours Per Employee Per Week	LEAVE HOURS				Average Annual Sick Leave Used Per Employee To Date	FY16		
		Regular (1)	Overtime (2)		Discretionary (3)	Short Term Disability	Workers Comp	Sick (4)		Average Number of Employees	At-Work Hours Per Week Per Employee	Annual Sick Leave Used
GM	2	1,033.50	32.75	33.6	64.00	-	-	22.50	11.3	2	36.1	40.6
BS	22	10,786.00	0.50	30.9	1,251.28	64.17	-	218.55	9.9	22	35.1	21.4
FMC	23	11,379.25	232.92	31.8	1,196.00	-	71.00	233.75	10.2	22	35.3	52.4
TD	27	13,559.50	296.75	32.4	1,311.50	-	10.00	182.00	6.7	25	35.4	49.9
TS	33	16,083.06	50.39	30.8	1,450.52	2.68	-	383.74	11.6	32	34.6	40.8
CS	32	14,068.25	646.61	29.0	2,222.02	302.53	-	848.53	26.5	31	35.1	55.0
All Groups	139	66,909.56	1,259.92	30.9	7,495.32	369.38	81.00	1,889.07	13.6	134	35.1	44.5

SICK LEAVE INCENTIVE PROGRAM TARGETS

≥34

≤47

The Sick Leave Incentive Program target goals are 47 or less hours of sick leave per employee annually, and 34 or more hours of at-work time per week per employee.

NOTES

(1) Regular hours does not include hours worked by part-time or temporary employees.

(2) Overtime hours includes call outs.

(3) Discretionary Leave includes Vacation, HEC, Holiday, MAL, FLEX, Funeral, Jury Duty, Military, OT Banked Use, Paid Admin., SLIP, VRIP, Holiday Banked Use leaves.

(4) Sick Leave includes sick and catastrophic sick leaves, as well as protected time off, of which the District has no discretion.

An employee using 15 vacation, 11 holiday, 2 HEC, and 5 sick days will work an average of 34.9 hours per week over the course of a year; with 20 vacation days, 34.2 hours per week.

BUDGET AND FINANCE REPORT

FY 2017

Year-to-date as of 10/31/16

33% of year elapsed

Revenues

	Budget	Actual	% of Budget Rec'd	Audited Last Year Actuals 6/30/16
Capacity Fees	\$8,935,000	\$2,330,093	26%	\$7,233,337
Sewer Service Charges	50,404,690	732,023	1%	50,112,564
Operating (Work Groups)	1,355,000	415,954	31%	1,233,675
Interest	475,500	162,147	34%	496,439
Misc. (LAVVMA pymnt, solar, Cogen rebates)	505,000	229,549	45%	408,913
Subtotal Revenues	\$61,675,190	\$3,869,766	6%	\$59,484,928
SRF Loan Proceeds (Thickener Proj.)	2,800,000	979,464	35%	3,385,590
Total Revenues + SRF Proceeds	\$64,475,190	\$4,849,230	8%	\$62,870,518

Expenses

	Budget	Actual	% of Budget Used	Last Year Actuals
Capital Improvement Program:				
Capacity Proj.	\$4,342,500	\$1,823,703	42%	\$3,009,426
Renewal & Repl. Proj.	10,327,500	4,539,083	44%	8,494,486
Operating	34,714,533	10,105,729	29%	31,895,499
Special Projects	2,132,098	156,662	7%	707,526
Retiree Medical (ARC)	583,771	145,943	25%	561,205
Vehicle & Equipment	662,220	2,889	0%	341,967
Information Systems	1,232,100	175,133	14%	854,511
Plant & Pump Stat. R&R	250,000	31,346	13%	272,479
Emerg. Fund (Sinkhole)	0	285	0%	2,208,595
Pretreatment Fund	7,000	2,960	42%	29,249
Cty Fee for SSC Admin.	106,000	0	0%	105,866
Debt Servicing:				
SRF Loans	3,127,110	1,319,228	42%	3,127,110
Total Expenses	\$57,484,832	\$18,302,960	32%	\$51,607,919
Total Revenue & Proceeds less Expenses	\$6,990,358	(\$13,453,730)		\$11,262,599

Operating (Work Group) Expenses

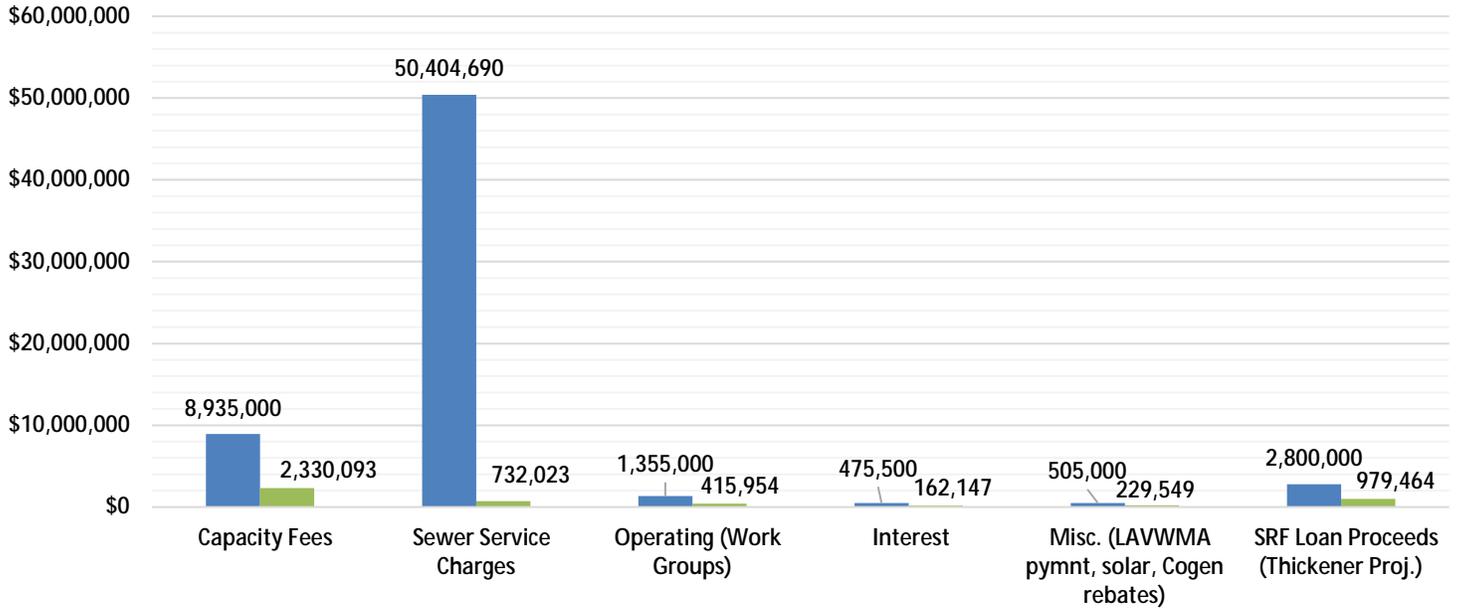
	Budget	Actual	% of Budget Used	Last Year Actuals
Board of Directors	\$178,500	\$41,855	23%	\$133,294
General Manager/Admin.	957,678	200,485	21%	884,051
Business Services	5,275,645	1,406,799	27%	4,772,324
Collection Services	6,296,287	1,848,980	29%	5,873,909
Technical Services	5,511,940	1,639,555	30%	5,156,725
Treatment & Disposal Services	10,631,833	3,282,994	31%	9,506,339
Fabrication, Maint. & Construction	5,862,650	1,685,061	29%	5,568,856
Total	\$34,714,533	\$10,105,729	29%	\$31,895,499

Operating (Work Group) Expenses by Type

	Budget	Actual	% of Budget Used	Last Year Actuals
Personnel (incl D&E)	\$23,912,246	\$6,961,875	29%	\$22,107,543
Repairs & Maintenance	2,022,630	695,724	34%	1,965,202
Supplies & Matls (chemicals, small tools)	2,424,140	613,283	25%	2,273,252
Outside Services (utilities, biosolids, legal)	6,029,045	1,806,836	30%	5,342,319
Fixed Assets	326,472	28,011	9%	207,183
Total	\$34,714,533	\$10,105,729	29%	\$31,895,499

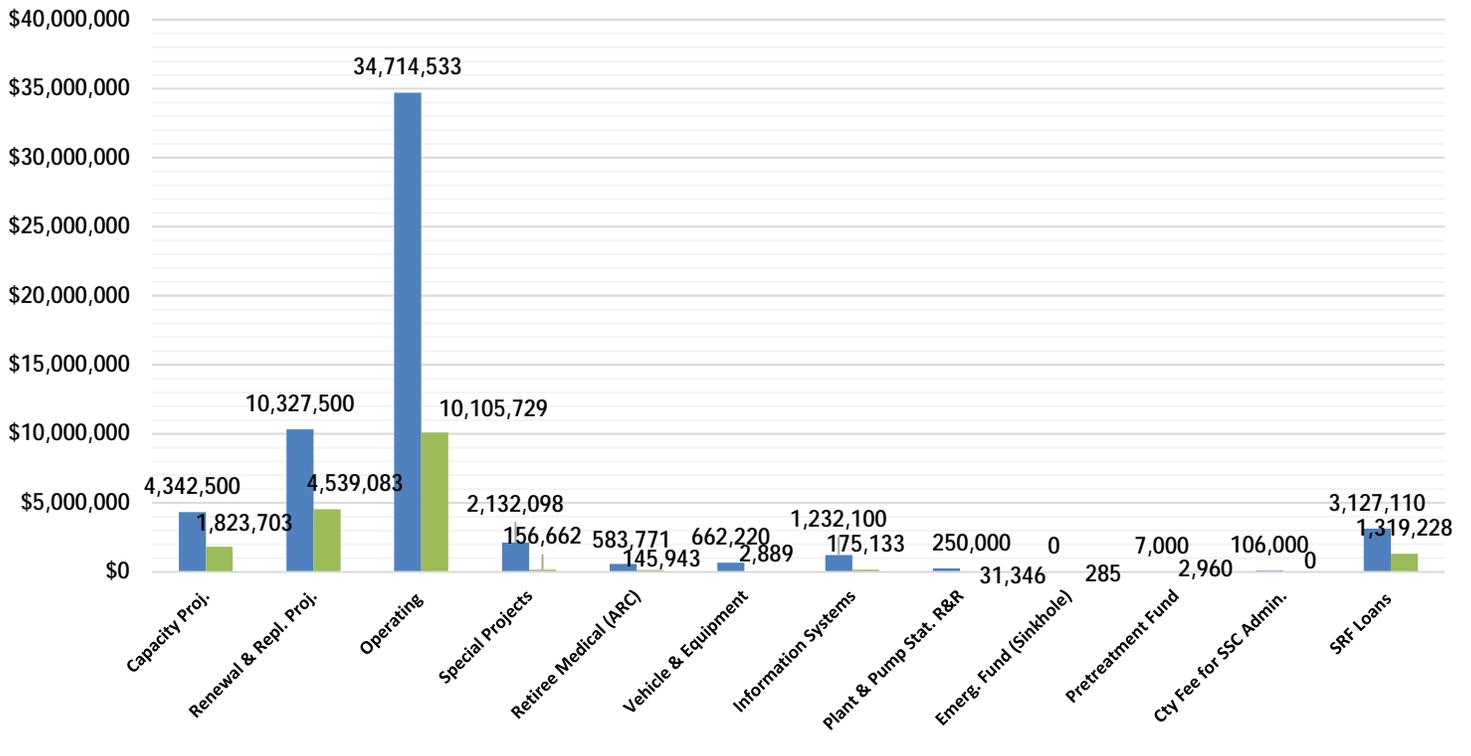
Total Revenues

■ Budget ■ Actual



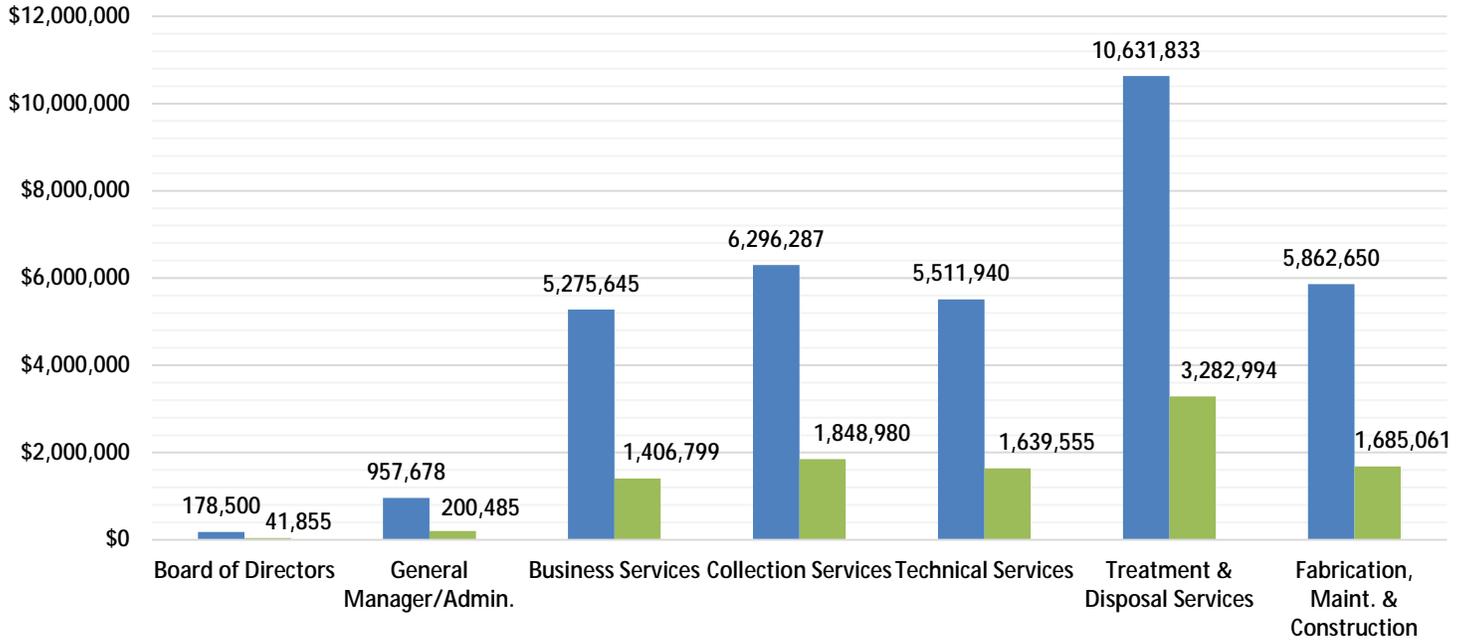
Total Expenses

■ Budget ■ Actual



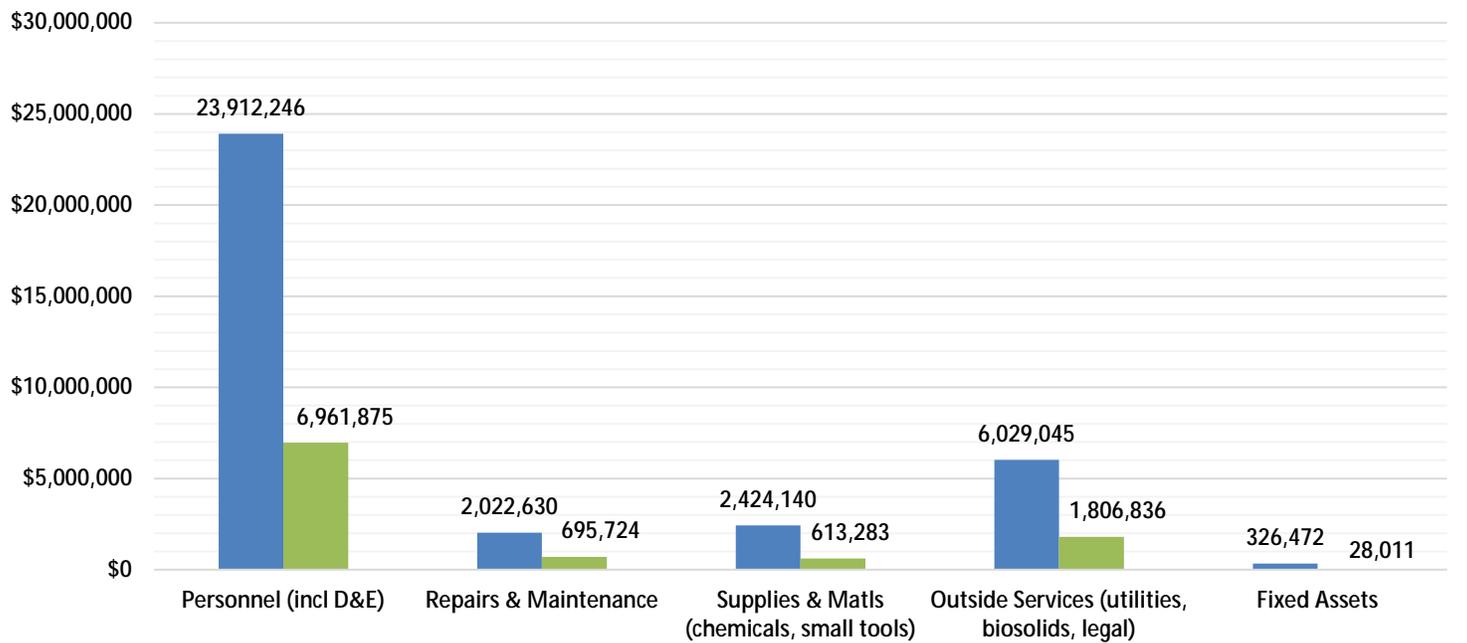
Operating Expenses by Work Group

■ Budget ■ Actual



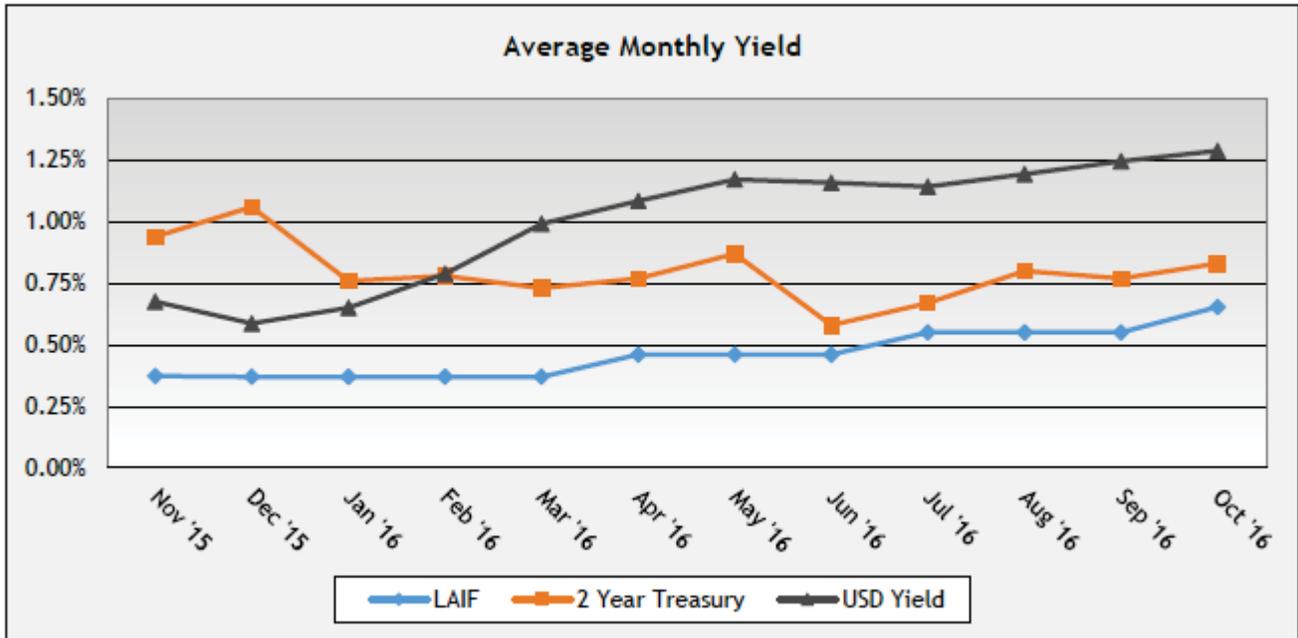
Operating Expenses by Type

■ Budget ■ Actual

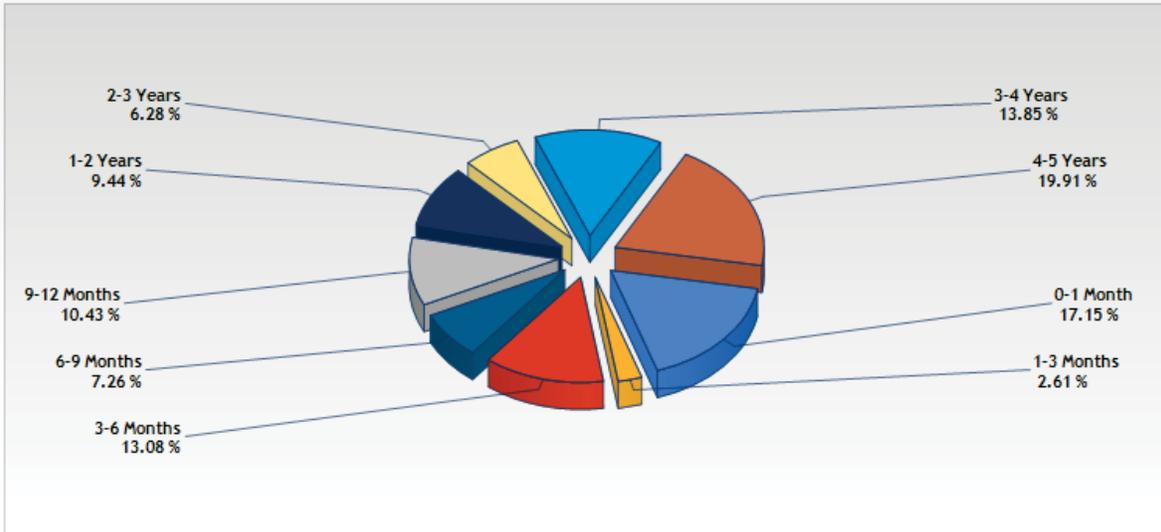


Business Services Group
October 2016

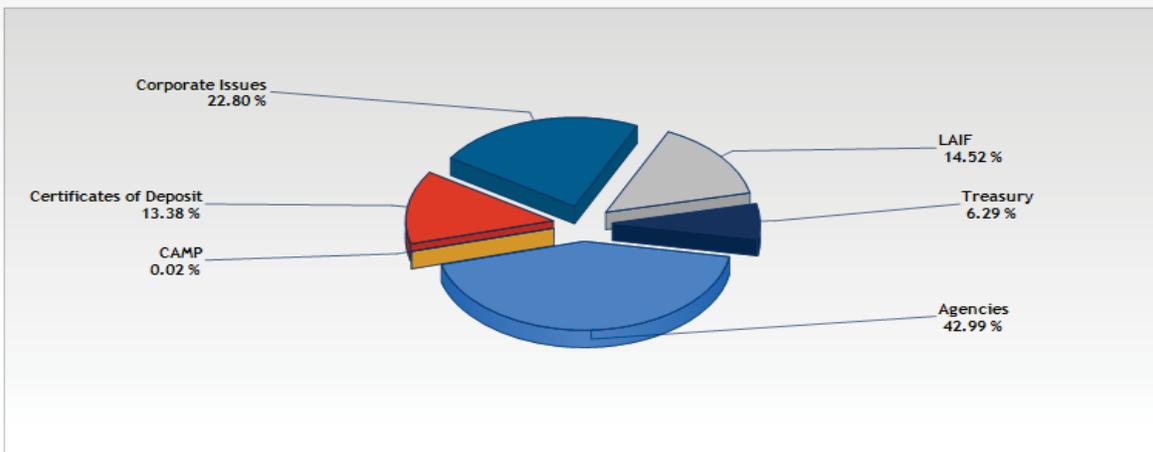
Performance Measures for the USD Investment Portfolio



Portfolio Holdings Distribution by Maturity Range



Portfolio Holdings Distribution by Asset Class



Maturity Range	Face Amount/Shares	YTM @ Cost	Cost Value	Days To Maturity	% of Portfolio	Market Value	Book Value	Duration To Maturity
0-1 Month	8,177,720.41		8,176,720.41	5	17.15	8,177,969.09	8,177,653.35	0.01
1-3 Months	1,240,000.00	0.867	1,243,960.00	80	2.61	1,240,503.38	1,240,694.45	0.22
3-6 Months	6,134,000.00	0.892	6,238,497.12	120	13.08	6,156,010.26	6,153,523.35	0.33
6-9 Months	3,454,000.00	0.809	3,460,230.00	224	7.26	3,455,825.41	3,456,018.69	0.61
9-12 Months	4,967,000.00	0.996	4,976,519.00	310	10.43	4,967,528.65	4,971,960.52	0.85
1-2 Years	4,496,000.00	1.045	4,501,470.00	481	9.44	4,498,635.03	4,499,271.62	1.31
2-3 Years	2,994,000.00	1.211	2,994,000.00	1,003	6.28	2,994,049.05	2,994,000.00	2.71
3-4 Years	6,408,000.00	1.950	6,604,901.85	1,259	13.85	6,590,093.66	6,583,268.70	3.29
4-5 Years	9,500,000.00	1.983	9,494,500.00	1,643	19.91	9,485,115.00	9,494,923.10	4.36
TOTAL / AVERAGE	47,370,720.41		47,690,798.38	677	100	47,565,729.53	47,571,313.78	1.80

Union Sanitary District
Board Report - Holdings
 Report Format: By Transaction
 Group By: Asset Class
 Average By: Cost Value
Portfolio / Report Group: All Portfolios
As of 10/31/2016

Description	CUSIP/Ticker	Credit Rating 1	Settlement Date	Face Amount/Shares	Cost Value	Coupon Rate	Market Value	YTM @ Cost	Next Call Date	Maturity Date	% of Portfolio
Agencies											
FFCB 1.17 5/16/2019-17	3133EF7L5	Moodys-Aaa	5/16/2016	1,000,000.00	1,000,000.00	1.170	998,980.00	1.170	5/16/2017	5/16/2019	2.10
FFCB 1.3 11/25/2019-16	3133EGBK0	Moodys-Aaa	5/25/2016	1,000,000.00	997,950.00	1.300	996,600.00	1.360	11/25/2016	11/25/2019	2.09
FFCB 1.59 3/23/2020-17	3133EFR25	Moodys-Aaa	3/23/2016	1,000,000.00	1,000,000.00	1.590	1,001,300.00	1.590	3/23/2017	3/23/2020	2.10
FFCB 1.7 5/3/2021-17	3133EF5T0	Moodys-Aaa	5/3/2016	1,000,000.00	1,000,000.00	1.700	1,000,520.00	1.700	5/3/2017	5/3/2021	2.10
FHLB 0.625 11/23/2016	3130A3J70	Moodys-Aaa	12/16/2015	1,000,000.00	999,000.00	0.625	1,000,190.00	0.732		11/23/2016	2.09
FHLB 0.8 5/17/2017	3130A4Q54	Moodys-Aaa	3/27/2015	1,000,000.00	1,001,690.00	0.800	1,001,110.00	0.720		5/17/2017	2.10
FHLB 0.9 9/28/2017	3130A5KH1	Moodys-Aaa	7/22/2015	1,000,000.00	1,001,140.00	0.900	1,001,350.00	0.847		9/28/2017	2.10
FHLB Step 3/15/2021-16	3130A7EG6	Moodys-Aaa	3/15/2016	1,000,000.00	1,000,000.00	1.000	999,940.00	2.216	12/15/2016	3/15/2021	2.10
FHLB Step 4/28/2021-16	3130A7PR0	Moodys-Aaa	4/28/2016	1,000,000.00	1,000,000.00	1.000	999,100.00	2.114	1/28/2017	4/28/2021	2.10
FHLB Step 4/28/2021-16	3130A7QX6	Moodys-Aaa	4/28/2016	1,000,000.00	1,000,000.00	1.250	999,300.00	2.021		4/28/2021	2.10
FHLMC 0.8 8/25/2017-16	3134G8L49	Moodys-Aaa	2/25/2016	1,000,000.00	1,000,000.00	0.800	999,380.00	0.800	11/25/2016	8/25/2017	2.10
FHLMC 1 7/25/2017	3134G3ZH6	Moodys-Aaa	6/24/2015	1,000,000.00	1,004,540.00	1.000	1,002,520.00	0.780		7/25/2017	2.11
FHLMC 1.25 10/28/2019-17	3134G8XQ7	Moodys-Aaa	4/28/2016	1,000,000.00	1,000,000.00	1.250	999,030.00	1.250	4/28/2017	10/28/2019	2.10
FHLMC Step 3/30/2020-17	3134G8ST7	Moodys-Aaa	3/30/2016	1,000,000.00	1,000,000.00	1.000	1,000,780.00	1.744	3/30/2017	3/30/2020	2.10
FHLMC Step 4/28/2021-16	3134G8VZ9	Moodys-Aaa	4/28/2016	2,500,000.00	2,500,000.00	1.250	2,494,725.00	2.116		4/28/2021	5.24
FHLMC Step 4/28/2021-16	3134G8Z28	Moodys-Aaa	5/10/2016	1,000,000.00	999,500.00	1.125	999,000.00	2.044	1/28/2017	4/28/2021	2.10
FNMA 1.25 1/30/2017	3135G0GY3		12/16/2015	1,000,000.00	1,004,790.00	1.250	1,002,050.00	0.820		1/30/2017	2.11

Description	CUSIP/Ticker	Credit Rating 1	Settlement Date	Face Amount/Shares	Cost Value	Coupon Rate	Market Value	YTM @ Cost	Next Call Date	Maturity Date	% of Portfolio
FNMA 1.5 6/16/2021-16	3136G3QX6	Moodys-Aaa	6/16/2016	1,000,000.00	995,000.00	1.500	992,950.00	1.604	12/16/2016	6/16/2021	2.09
FNMA Step 5/12/2021-17	3136G3MD4	Moodys-Aaa	5/12/2016	1,000,000.00	1,000,000.00	0.900	999,580.00	1.851	5/12/2017	5/12/2021	2.10
Sub Total / Average				20,500,000.00	20,503,610.00	1.136	20,488,405.00	1.495			42.99
CAMP											
CAMP LGIP	LGIP4000	None	5/31/2011	9,839.85	9,839.85	0.640	9,839.85	0.640	N/A	N/A	0.02
Sub Total / Average				9,839.85	9,839.85	0.640	9,839.85	0.640			0.02
Certificates of Deposit											
Ally Bank 1.35 10/28/2019	02006LQ48	None	10/27/2016	248,000.00	248,000.00	1.350	249,407.65	1.350		10/28/2019	0.52
American Express Centurian 1.05 6/5/2017	02587DYJ1	None	6/5/2015	240,000.00	240,000.00	1.050	239,883.82	1.050		6/5/2017	0.50
Bank Hapoalim 0.85 2/17/2017	06251AL65	None	2/18/2016	248,000.00	248,000.00	0.850	248,003.70	0.850		2/17/2017	0.52
BankUnited NA 0.9 5/24/2017	066519BE8	None	11/24/2015	240,000.00	240,000.00	0.900	239,768.26	0.900		5/24/2017	0.50
Bar Harbor Bank 0.7 1/30/2017	066851TT3	None	6/30/2015	240,000.00	240,000.00	0.700	240,018.17	0.700		1/30/2017	0.50
Capital One Bank 1.5 10/26/2020	140420L99	None	10/26/2016	248,000.00	248,000.00	1.500	250,506.06	1.500		10/26/2020	0.52
Capital One National Asso Bank 1.25 8/28/2017	14042E6B1	None	8/26/2015	245,000.00	245,000.00	1.250	244,997.75	1.250		8/28/2017	0.51
Comenity Capital 1.25 4/11/2019	20033ASR8	None	10/25/2016	248,000.00	248,000.00	1.250	248,805.63	1.250		4/11/2019	0.52
Community Bank of the Chesapeake 0.75 8/8/2017	20350ABN0	None	6/8/2016	248,000.00	248,000.00	0.750	247,037.83	0.750		8/8/2017	0.52
Compass Bank 0.95 6/5/2017	20451PLE4	None	6/5/2015	240,000.00	240,000.00	0.950	239,740.10	0.950		6/5/2017	0.50
Discover Bank 0.75 1/3/2017	254672QZ4	None	7/1/2015	240,000.00	240,000.00	0.750	240,033.38	0.750		1/3/2017	0.50
First Bank of Richmond 0.7 8/2/2017	319267FK1	None	6/2/2016	248,000.00	248,000.00	0.700	246,964.30	0.700		8/2/2017	0.52
First Niagara Bank 1.1 10/30/2017	33583CSV2	None	10/30/2015	245,000.00	245,000.00	1.100	244,088.60	1.100		10/30/2017	0.51
Franklin Synergy Bank 0.85 12/11/2017	35471TCH3	None	6/10/2016	248,000.00	248,000.00	0.850	246,085.22	0.850		12/11/2017	0.52
Goldman Sachs Bank 1 10/16/2017	38148JQX2	None	4/27/2015	240,000.00	239,520.00	1.000	238,909.70	1.069		10/16/2017	0.50
JP Morgan Chase Bank 1.1 7/15/2019	48125Y5L4	None	7/15/2016	249,000.00	249,000.00	1.100	248,744.65	1.100		7/15/2019	0.52
	57116ALG1	None	2/24/2016	248,000.00	248,000.00	0.850	247,186.39	0.850		8/24/2017	0.52

Description	CUSIP/Ticker	Credit Rating 1	Settlement Date	Face Amount/Shares	Cost Value	Coupon Rate	Market Value	YTM @ Cost	Next Call Date	Maturity Date	% of Portfolio
Marlin Business Bank 0.85 8/24/2017											
Medallion Bank 1.15 10/30/2017	58403B2L9	None	10/28/2015	245,000.00	245,000.00	1.150	244,208.72	1.150		10/30/2017	0.51
Merrick Bank 0.9 5/19/2017	59013JLK3	None	11/19/2015	240,000.00	240,000.00	0.900	239,774.06	0.900		5/19/2017	0.50
Pacific Premier Bank 0.9 12/5/2017	69478QDG2	None	6/3/2016	248,000.00	248,000.00	0.900	246,249.81	0.900		12/5/2017	0.52
Peoples State Bank of Newton 0.7 6/15/2017	712490AC5	None	6/15/2016	249,000.00	249,000.00	0.700	248,327.53	0.700		6/15/2017	0.52
Safra National Bank 0.7 11/29/2016	78658QSF1	None	11/30/2015	245,000.00	245,000.00	0.700	245,058.68	0.700		11/29/2016	0.51
Santander Bank 0.8 2/17/2017	80280JLS8	None	2/17/2016	248,000.00	248,000.00	0.800	247,966.45	0.800		2/17/2017	0.52
TCF National Bank 0.85 8/17/2017	872278SH0	None	2/17/2016	248,000.00	248,000.00	0.850	247,205.36	0.850		8/17/2017	0.52
Wells Fargo Bank 1.15 7/22/2019	9497486R3	None	7/20/2016	249,000.00	249,000.00	1.150	249,081.12	1.150		7/22/2019	0.52
Wex Bank 0.85 5/19/2017	92937CDE5	None	11/20/2015	245,000.00	245,000.00	0.850	244,701.64	0.850		5/19/2017	0.51
Sub Total / Average				6,380,000.00	6,379,520.00	0.958	6,372,754.58	0.961			13.38

Corporate Issues

American Express Credit 2.375 3/24/2017	0258M0DD8	Moodys-A2	5/25/2016	1,000,000.00	1,012,171.77	2.375	1,005,440.00	0.900		3/24/2017	2.12
Caterpillar Financial 1 3/3/2017	14912L5Z0	Moodys-A2	12/23/2014	1,313,000.00	1,307,603.57	1.000	1,313,433.29	1.190		3/3/2017	2.74
Chevron Corp 2.193 11/15/2019	166764AN0	Moodys-Aa2	2/26/2016	1,160,000.00	1,167,806.57	2.193	1,182,747.60	2.004		11/15/2019	2.45
General Electric Capital Corp 5.4 2/15/2017	36962G2G8	Moodys-A1	3/2/2015	1,085,000.00	1,179,514.35	5.400	1,098,768.65	0.890		2/15/2017	2.47
HSBC 4.875 8/24/2020	4042Q1AE7	Moodys-A1	5/17/2016	2,000,000.00	2,191,145.28	4.875	2,158,160.00	2.500		8/24/2020	4.59
JP Morgan Chase & Co 2 8/15/2017	48126EAA5	Moodys-A3	2/16/2016	1,000,000.00	1,008,859.00	2.000	1,006,200.00	1.400		8/15/2017	2.12
Royal Bank of Canada 1.2 1/23/2017	78010UNX1	Moodys-Aa3	10/2/2015	1,000,000.00	1,003,960.00	1.200	1,000,470.00	0.895		1/23/2017	2.11
Toyota Motor Credit 1.55 7/13/2018	89236TCP8	Moodys-Aa3	3/16/2016	1,000,000.00	1,002,490.00	1.550	1,004,460.00	1.440		7/13/2018	2.10
Toyota Motor Credit Corp 1.2 4/6/2018	89236TCX1	Moodys-Aa3	5/24/2016	1,000,000.00	1,000,360.00	1.200	998,870.00	1.180		4/6/2018	2.10
Sub Total / Average				10,558,000.00	10,873,910.54	2.695	10,768,549.54	1.496			22.80

LAIF

LAIF LGIP	LGIP1002	None	4/30/2011	6,922,880.56	6,922,880.56	0.065	6,922,880.56	0.065	N/A	N/A	14.52
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Description	CUSIP/Ticker	Credit Rating 1	Settlement Date	Face Amount/Shares	Cost Value	Coupon Rate	Market Value	YTM @ Cost	Next Call Date	Maturity Date	% of Portfolio
Sub Total / Average				6,922,880.56	6,922,880.56	0.065	6,922,880.56	0.065			14.52
Treasury											
T-Bond 0.5 3/31/2017	912828J92	Moodys-Aaa	3/9/2016	1,000,000.00	998,417.43	0.500	1,000,330.00	0.650		3/31/2017	2.09
T-Note 0.875 1/15/2018	912828H37	Moodys-Aaa	6/1/2015	1,000,000.00	1,001,560.00	0.875	1,001,600.00	0.815		1/15/2018	2.10
T-Note 0.875 11/15/2017	912828G20	Moodys-Aaa	6/24/2015	1,000,000.00	1,001,060.00	0.875	1,001,370.00	0.830		11/15/2017	2.10
Sub Total / Average				3,000,000.00	3,001,037.43	0.750	3,003,300.00	0.765			6.29
Total / Average				47,370,720.41	47,690,798.38	1.288	47,565,729.53	1.170			100

All investment actions executed since the last report have been made in full compliance with the District's Investment Policy.

The District will meet its expenditure obligations for the next six months.

Market value sources are the LAIF, CAMP, and BNY Mellon monthly statements.

Broker/Dealers: BOSCO, Inc.; Cantella & Co.; First Empire Securities; Ladenburg, Thalman & Co, Inc.; UBS Financial Services; Wells Fargo Securities.

Union Sanitary District
Board Report - Activity
 Group By: Action
Portfolio / Report Group: All Portfolios
Begin Date: 10/1/2016, End Date: 10/31/2016

Description	CUSIP/Ticker	Face Amount/Shares	Principal	Interest/Dividends	Coupon Rate	YTM @ Cost	Settlement Date	Total
BUY								
Ally Bank 1.35 10/28/2019	02006LQ48	248,000.00	248,000.00	0.00	1.350	1.350	10/27/2016	248,000.00
Capital One Bank 1.5 10/26/2020	140420L99	248,000.00	248,000.00	0.00	1.500	1.500	10/26/2016	248,000.00
Comenity Capital 1.25 4/11/2019	20033ASR8	248,000.00	248,000.00	118.90	1.250	1.250	10/25/2016	248,118.90
Sub Total / Average		744,000.00	744,000.00	118.90				744,118.90
CALLED								
FFCB 1.58 10/13/2020-16	3133EF2A4	1,000,000.00	1,000,000.00	0.00	1.580	0.000	10/13/2016	1,000,000.00
FHLMC Step 7/28/2020-16	3134G8X20	1,000,000.00	1,000,000.00	0.00	1.300	0.000	10/28/2016	1,000,000.00
Sub Total / Average		2,000,000.00	2,000,000.00	0.00				2,000,000.00
DEPOSIT								
LAIF LGIP	LGIP1002	18,381.14	18,381.14	0.00		0.000	10/14/2016	18,381.14
Sub Total / Average		18,381.14	18,381.14	0.00				18,381.14
INTEREST								
Ally Bank 1 10/24/2016	02006LKM4	0.00	0.00	1,209.87	1.000	0.000	10/24/2016	1,209.87
American Express Bank 1.1 10/24/2016	02587CBZ2	0.00	0.00	1,330.85	1.100	0.000	10/24/2016	1,330.85
Bank of Baroda Ny 0.65 10/27/2016	06062QCS1	0.00	0.00	1,596.86	0.650	0.000	10/27/2016	1,596.86
Bank of India NY 0.65 10/26/2016	06279HBX0	0.00	0.00	1,579.41	0.650	0.000	10/26/2016	1,579.41
Bar Harbor Bank 0.7 1/30/2017	066851TT3	0.00	0.00	138.08	0.700	0.000	10/29/2016	138.08
Capital One Bank 1 10/24/2016	140420QG8	0.00	0.00	1,216.44	1.000	0.000	10/24/2016	1,216.44
FFCB 1.58 10/13/2020-16	3133EF2A4	0.00	0.00	7,900.00	1.580	0.000	10/13/2016	7,900.00
FHLB Step 4/28/2021-16	3130A7QX6	0.00	0.00	6,250.00	1.250	0.000	10/28/2016	6,250.00
FHLB Step 4/28/2021-16	3130A7PRO	0.00	0.00	5,000.00	1.000	0.000	10/28/2016	5,000.00
FHLMC 1.25 10/28/2019-17	3134G8XQ7	0.00	0.00	6,250.00	1.250	0.000	10/28/2016	6,250.00

Description	CUSIP/Ticker	Face Amount/Shares	Principal	Interest/Dividends	Coupon Rate	YTM @ Cost	Settlement Date	Total
FHLMC Step 4/28/2021-16	3134G8VZ9	0.00	0.00	15,625.00	1.250	0.000	10/28/2016	15,625.00
FHLMC Step 4/28/2021-16	3134G8Z28	0.00	0.00	5,625.00	1.125	0.000	10/28/2016	5,625.00
FHLMC Step 7/28/2020-16	3134G8X20	0.00	0.00	6,500.00	1.300	0.000	10/28/2016	6,500.00
First Niagara Bank 1.1 10/30/2017	33583CSV2	0.00	0.00	1,358.58	1.100	0.000	10/31/2016	1,358.58
Franklin Synergy Bank 0.85 12/11/2017	35471TCH3	0.00	0.00	173.26	0.850	0.000	10/11/2016	173.26
Goldman Sachs Bank 1 10/16/2017	38148JQX2	0.00	0.00	1,203.29	1.000	0.000	10/15/2016	1,203.29
JP Morgan Chase Bank 1.1 7/15/2019	48125Y5L4	0.00	0.00	690.38	1.100	0.000	10/15/2016	690.38
LAIF LGIP	LGIP1002	0.00	0.00	18,381.14		0.000	10/14/2016	18,381.14
Medallion Bank 1.15 10/30/2017	58403B2L9	0.00	0.00	239.29	1.150	0.000	10/31/2016	239.29
Merrick Bank 0.9 5/19/2017	59013JLK3	0.00	0.00	177.53	0.900	0.000	10/19/2016	177.53
Pacific Premier Bank 0.9 12/5/2017	69478QDG2	0.00	0.00	183.45	0.900	0.000	10/5/2016	183.45
Peoples State Bank of Newton 0.7 6/15/2017	712490AC5	0.00	0.00	143.26	0.700	0.000	10/15/2016	143.26
Toyota Motor Credit Corp 1.2 4/6/2018	89236TCX1	0.00	0.00	5,933.33	1.200	0.000	10/6/2016	5,933.33
US Bankcorp 2.2 10/14/2016	91159HHB9	0.00	0.00	8,195.00	2.200	0.000	10/14/2016	8,195.00
Wells Fargo Bank 1.15 7/22/2019	9497486R3	0.00	0.00	235.36	1.150	0.000	10/20/2016	235.36
Sub Total / Average		0.00	0.00	97,135.38				97,135.38

MATURED

Ally Bank 1 10/24/2016	02006LKM4	240,000.00	240,000.00	0.00	1.000	0.000	10/24/2016	240,000.00
American Express Bank 1.1 10/24/2016	02587CBZ2	240,000.00	240,000.00	0.00	1.100	0.000	10/24/2016	240,000.00
Bank of Baroda Ny 0.65 10/27/2016	06062QCS1	245,000.00	245,000.00	0.00	0.650	0.000	10/27/2016	245,000.00
Bank of India NY 0.65 10/26/2016	06279HBX0	245,000.00	245,000.00	0.00	0.650	0.000	10/26/2016	245,000.00
Capital One Bank 1 10/24/2016	140420QG8	240,000.00	240,000.00	0.00	1.000	0.000	10/24/2016	240,000.00
US Bankcorp 2.2 10/14/2016	91159HHB9	900,000.00	900,000.00	0.00	2.200	0.000	10/14/2016	900,000.00
Sub Total / Average		2,110,000.00	2,110,000.00	0.00				2,110,000.00

SELL

IBM Corp 1.8 5/17/2019	459200JE2	1,000,000.00	1,006,590.00	11,250.00	1.800	0.000	10/4/2016	1,017,840.00
Sub Total / Average		1,000,000.00	1,006,590.00	11,250.00				1,017,840.00



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Officers
Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

DATE: 12/12/16

MEMO TO: Board of Directors - Union Sanitary District

FROM: Paul R. Eldredge, General Manager/District Engineer
Pamela Arends-King, Business Services Manager
Sheila Tolbert, HR Manager
Laurie Brenner, (Acting) Organizational Performance Program Manager

SUBJECT: Agenda Item No. 6b - Meeting of December 12, 2016
Information Item: **First Quarter FY 17 District-Wide Balanced Scorecard Measures**

Recommendation:
Information Only.

Background:

This report summarizes progress meeting the District's strategic objectives for the first quarter of fiscal year 2016-17 (July 1 through September 30, 2016).

Safety

The District performed well overall in meeting published safety measures in the first quarter of FY17; however, a single incident (an ankle sprain) against the "Total accidents with lost days," measure makes meeting the annual goal of zero impossible to achieve for the year.

There were no safety related external best management practice site visits in Q1, but we continue to refine our target list of organizations with similar labor intensive, machine dominant processes and have some key local prospects to engage with after the holiday season.

See Table 1: Safety Objectives and Measures, for District performance against all safety measures in Q1.

Operational Excellence

The District also performed very well in meeting the Operational Excellence measures in Q1 of FY17. Only two measures in the scorecard missed their published targets in Q1 of FY17.

The “# emergency preparedness events...” measure only missed due to an unavoidable scheduling delay at the end of Q1 that resulted in the planned activity occurring 3 days into Q2 (so we will see at least two activities in Q2). This measure should meet the annual target.

There were no recorded assessments completed for the “# Competency assessments...” measure in Collections Services (CS), with the annual target set at 68 for the year. The trend in recent years has been limited progress against the goal during the first half of the year, with concerted efforts in completing assessments in the latter part of the fiscal year. This is not believed to be a material concern.

See Table 2: Operational Excellence Objectives and Measures, for District performance against all operational measures in Q1.

Legend for Table 1 and Table 2:

Green: meeting or exceeding target or projected to meet target by the end of the fiscal year

Yellow: Will not meet target if trend continues, and/or not meeting target by <10%- needs attention

Red: Will not meet FY target by >10%- corrective action needed

Table 1: Safety Objectives and Measures

Measures	Q1 FY17	FY17 Target	YTD	FY16	FY15	FY14	Comments
Total accidents with lost days	1	0	1	2	3	1	Ankle sprain resulting in lost days and continued care in Q1.
Other OSHA reportable accidents	0	<4	0	0	0	0	
# Incidents of vehicle or equipment accidents/damage	1	<2	1	3	3	4	Columbia cart door damaged; straightened internally by fleet mechanics
Cost associated with vehicle/equipment accidents	\$0	<\$5000	\$0	\$540	\$444	\$7,265	
Ave FTE lost time	0.14	<0.5	0.14	0.145	0.4875	0.05	
"Total Costs: Lost time wages only	\$3,525.98	≤\$46,883	\$3,525.98	\$9,883	\$48,903.84	\$4,897	
Ave FTE limited duty time	0	≤0.5	0	0.12	0.53	0	
"Total costs: Limited duty/Other ½ wages	\$0	≤\$23,441	\$0	\$4,775	\$26,545.28	0	
X-Mod	0.72	≤1.0	0.72	1.01	1.16	0.95	Improved over last year; 0.72 is the lowest X Mod in District history
# Facility inspections completed (SIT)	1	4	1	4	4	4	Admin Building on 9/26/16
% of areas of concern identified during SIT resolved within 45 days of report	100%	≥90%	100%	90%	95%	92%	18 items identified; all addressed in a timely fashion
# work site inspections completed	93	≥275	93	337	300	323	Q1=93 inspections completed by Coaches et al
# site visits (for potential BMPS)	0	≥2	0	1	2	2	PepsiCo being scheduled
# GM communications on safety program and performance	1	≥4	1	8	9	6	Q1- Injury update and counter reset communication
# of major safety training events offered	2	7	2	1	8	7	Ergonomics (Industrial and Office), CPR/First Aid/AED
Ave. % of targeted employees trained	95.5%	≥90%	95.5%	77.8%	80%	91.8	

Table 2: Operational Excellence Objectives and Measures

Measures	Q1 FY17	FY17 Target	YTD	FY16	FY15	FY14	Comments
Outreach plan milestones: % completed	26.20%	≥90%	26.20%	92.8%	94%	98%	
Response time to calls for service: % under 1 hour	98.4%	≥95%	98.4%	97.5%	97.7%	97.1%	61 calls in Q1 with an average response time of just over 31 minutes
Response time to contact USD inquiries	90%	≥90%	90%	96.9%	96.4%	95%	Q1= 18/20
# Total adverse impacts on customers	1	≤10	1	10	5	12	Q1 bubbled toilet with claim (8/15/16 incident with 9/19/claim filed)
# Emergency preparedness events	0	3	0	2	5	3	Q1 activity was unavoidably delayed 3 days, throwing it into Q2
Residential SSC compared to surrounding areas	11.50%	Below the 33rd percentile	11.50%	11.50%	15.3%	11.50%	
# regional projects/initiatives with financial benefit	3	≥3	3	3	3	2	Goal changed (target increased) in 2015
# Critical asset failures w/o negative impacts	0	≤2	0	0	0	1	
# critical asset failures with negative impacts	0	0	0	3	2	0	Re-evaluating Co-gens and definition of this measure (financial versus operational critical redundancy)
Priority CIP Project milestones met vs. planned	100%	≥85%	100%	63%	92%	100%	
# adverse impacts on environment	0	0	0	1	2	1	
# regional projects/initiatives with environmental benefit	3	≥3	3	3	3	2	Goal changed (target increased) in 2015
Category 2/3 SSOs	0	≤10	0	5	4	4	

% Training System Milestones Completed (cumulative total)	31.6%	100%	31.6%	76%	100%	66%	All teams tracking to goals in Q1 (CS, FMC, T&D); 6/19 total planned in Q1
# competency assessments completed	0	65	0	58	60	22	68 planned for FY17; team indicates they will complete annual target; got a slow start last year as well



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul Eldredge, P.E.
*General Manager/District
Engineer*

Karen W. Murphy
Attorney

DATE December 12, 2016

MEMO TO: Board of Directors - Union Sanitary District

FROM: Paul Eldredge, General Manager/District Engineer
James Schofield, Collection Services Manager

SUBJECT: Agenda Item No. 6.c - Meeting of December 12, 2016
Information Item: **Collection Services Process Scorecard**

Recommendation

Information only

Background

We are in our sixteenth year of using this Process Scorecard. This planning tool continues to be very useful in maintaining our focus on the prevention/reduction of sanitary sewer overflows and minimizing their impacts on our customers and the environment.

Collection Services ensures that wastewater is kept in the gravity system from the point of entry by the customer, until it is received and processed at the transport system and the treatment plant.

In order to achieve the goal of SSO prevention/reduction, there are five processes that need to be done well.

System Management

- 72 month cleaning and inspection of the entire system
- Effective selective line cleaning program
- Easement maintenance

Pipe Assessment

- Televising to determine condition
- Address structural deficiencies through spot repairs or capital improvements
- Address pipe capacity issues

Control Roots

- Mechanical removal
- Chemical treatment

Control Fats, Oils, and Greases

- More frequent cleaning of selected lines
- Reduce entry into our collection system at the source

Service Requests

- Timely response
- Customer satisfaction

Performance targets are based on the amount of work that needs to be done to support the 72 month sewer cleaning and inspection, selective cleaning, and root control program, and productivity standards originally developed by the Collection System Collaborative Benchmarking Group, in which USD participated, and later enhanced based on the results of an internal USD study.

Collection Services workgroup employees are updated monthly on their performance. With this focused effort to prevent/minimize spills, we have managed to maintain a low number of spills and claims from spills this past year. In FY16 the District experienced 5 category 3 spills with a total estimated volume of 1,705 gallons. In FY17 Qtr1 the District experienced zero spills.

FY17 Collection Services BSC		Qtr 1		FY 17 To Date		FY 17 Target
Objectives	Measures					
Customer Perspective:						
• Minimize Overflows SSO's	• # of Category 3 SSOs (See Comment Note==>)	0	SSOs	0	SSOs	≤ 10 Category 3 SSOs
	• # of Category 2 SSOs	0	SSOs	0	SSOs	• Zero Category 2 SSOs
	• # of Category 1 SSOs	0	SSOs	0	SSOs	• Zero Category 1 SSOs
• Minimize Negative Impact on Environment	• Percent of spill recovery	0.0%	Recovery	0.0%	Recovery	• 50% Recovery
	• SSO's # of Repeats	0	SSO Repeats	0	SSO Repeats	• Zero Repeats
Manage and maintain assets and infrastructure	• Critical Asset Failures Sewer Main or MH Deficiency resulting in Category 1 SSO, sink hole, injury or resulting property damage > \$2,000 due to one or more of the following: – Break, collapse, offset or hole in pipe or – PMP not followed – Corrosion – Defect identified & corrective action not	0	Asset failure	0	Asset failure	• Asset failure
	• Stoppage in > 12" diameter mainline	0	Stoppages	0	Stoppages	• Zero Stoppages
	• # of times building becomes dangerous or unsuitable for occupation.	0	Incidents	0	Incidents	• Zero Incidents
	Critical asset failure with a negative impact on customers or the environment	0	Incidents	0	Incidents	Zero Incidents
• Provide Uninterrupted Service	Response Time from notification thru initial contact includes dispatch time	98.4%	w/i 1 hour	98.4%	w/i 1 hour	≥ 95% w/i 1 hr
• Reduce negative impacts of District	Number of odor complaints attributable to sewer.	0	Odors	0	Odor	≤ 2 Odor
Financial Perspective:						
• Provide competitive service	Cleaning – cost per ft/day/crew	\$0.73	Per ft	\$0.73	Clean Per Ft	Clean - \$01.63 to \$0.91
	Cost per feet/day	\$1.21	Per ft	\$1.21	TV Per Ft	TV - \$1.33 to \$0.76
• Minimize Claims & Fines	Total Cost of Claims/Fines (from SSO's)	\$0	Total Claims	\$0	Total Claims	Claims ≤ \$2000
		\$0	Total Fines	\$0	Total Fines	Fines-\$0
	Average cost per claim/fine	\$0	Avg Claims	\$0	Avg Claims	Claims ≤ \$1000
		\$0	Avg Fines	\$0	Avg Fines	Fines-\$0
Internal Process Perspective:						
• Trouble Call & SSO response	Response Time	98.4%	w/i 1 hour	98.4%	w/i 1 hour	≥ 95% w/i 1 hr
• Pipe/Problem Assessment	Number of Repeat Spills	0	Zero	Zero	per year	≤ 2 per year
• Preventative Maint. Program	Cleaning Goal Footage % Complete	14.2%	% Complete	14.2%	YTD % Complete	Annual Goal = 100%
	Televising Goal Footage % Complete	15.7%	% Complete	15.7%	YTD % Complete	Annual Goal = 100%
• Cleaning (other cleaning omitted)	Per Month Cleaning Footages	53,301	Avg Ft Per Mo	53,304	Avg Mo	94,005 Mo; 1,128,061 YE
o Feet per crew day	o Feet Per Crew/Day	2,468	Ft Per Crew/Day	2,468	Avg Ft Per Crew/Day	2,500 to 4,500 Per Crew Day
o # of Crew Days	o # of Crew Days	18.0	# of Crew Days	18.0	Avg # of Crew Days	38 to 21 Crew Days
• Televising	Per Month Televising Footages	38,424	Avg Ft Per Mo	38,542	Avg Mo	61,366 Mo; 736,394 YE
o Feet per crew day	o Feet Per Crew/Day	1,525	Ft Per Crew/Day	1,525	Avg Ft Per Crew/Da	2,000 to 3,500 Per Crew Day
o # of Crew Days	o # of Crew Days	18	# of Crew Days	18.0	Avg # of Crew Days	31 to 18 Crew Days
• Key Vehicles not Available For Preventative Maintenance Program	Days Per Mo 2 Hydrojets Not Available	0	Days	0	Days	< 3 Days
	Days Per Mo 2 TV Vans Not Available	0	Days	0	Days	< 3 Days
Learning & Growth:						
• Maintain and increase employee skills	# Training modules updated & taught	1	Module	1	Modules	5
	# of Training Modules w/instructions completed	0	Assessments	0	Assessments	N/A
	# of individual Competency Assessments passed	0	Assessments	0	Assessments	68
• Communicate Performance Data to Teams	# of time info shared with Team	3	Min. per mo	3	Min. per mo	12 Total, Min. 1 per/mo



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Jennifer Toy

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

DATE: December 6, 2016

MEMO TO: Board of Directors - Union Sanitary District

FROM: Paul R. Eldredge, General Manager/District Engineer
Sami Ghossain, Technical Services Manager
Michelle Powell, Communications and Intergovernmental Relations Coordinator

SUBJECT: Agenda Item No. 9 - Meeting of December 12, 2016
LEGISLATIVE UPDATE ON REGIONAL, STATE, AND NATIONAL ISSUES OF INTEREST TO THE BOARD

Recommendation

Information only

Background

The Board indicated that it wishes to receive periodic reports on legislation and other information that may impact or be of interest to the District. The Board was last updated at its August 22, 2016 meeting. If there are any additional information or a different format desired by the Board, staff will incorporate feedback into future reports.

Following are summaries of information staff believes would be most significant to the Board. Attached are more comprehensive lists of state and federal legislation currently tracked by industry associations. This document and its attached lists contain the most updated information available as of the publishing date of this staff report.

Regional News:

Alameda County Water District (ACWD)

- Final vote counts from the November 8, 2016 election declare Aziz Akbari as the winner of one of three ACWD Board positions on the ballot. Incumbents John Weed and James Gunther were reelected. The new and reelected board members will be sworn in at the December 8, 2016 board meeting.
- The district is conducting a financial workshop at 4:00 p.m. on December 6, 2016. The workshop is slated for Board review of financial models, rate design, and other rate-related topics and programs for potential implementation in 2017. These include a bill-payment assistance program, "Help On Tap", for low-income residential customers, and late water bill payment fees.

City of Fremont

- Lily Mei was elected Mayor. Incumbent councilmember Vinnie Bacon was reelected, and former councilmember and planning commissioner Raj Salwan is the council's newest member. The Mayor and councilmembers are anticipated to be sworn in at the December 13, 2016 council meeting.

City of Newark

- Mayor Al Nagy and incumbent councilmembers Sucy Collazo and Luis Freitas were reelected. The Mayor and councilmembers are scheduled to be sworn in at the December 8, 2016 council meeting.
- The City's Measure GG ½ cent sales tax passed with 61% yes votes on November 8, 2016. The tax is intended to fund the replacement of the City's Civic Center, which includes the police operations facility, the library, and administrative offices. The new Civic Center will be constructed at the existing site.
- At its October 13, 2016 meeting, the City Council approved the reorganization of its Community Development Department and the addition of two positions: Deputy Community Development Director and Economic Development Manager. Revised activity allocations of existing community development staff and an amendment to the budget for these activities were also approved.

City of Union City

- Mayor Carol Dutra-Vernaci was reelected, and former planning commissioner Gary Singh was elected to council. They will be sworn in at the December 13, 2016 council meeting.

- The City's Measure QQ passed with 78% yes votes. The measure extends for another four years previously existing voter-approved funding of \$123 per parcel to maintain public safety service levels.
- The City continues its General Plan Update activities. At their October 11, 2016 meeting, the City Council provided feedback regarding preferred alternatives for the Horner-Veasby area, which is adjacent to the District's treatment plant, as well as the Union City Boulevard corridor and the Greater Station District area.
- USD's representative attended the meeting, discussing a future possibility of District expansion and USD's preference for certain Horner-Veasby alternatives in order to accommodate the expansion. USD's representative noted that if the City selects an alternative other than those that the District prefers, it would be prudent for the City to add a policy statement allowing the ability for USD to expand should the District purchase property in the area.

The council accepted an alternative that retained industrial zoning west of Whipple Road, with planned residential at what is currently Diamond Mine Mini Storage at 10-20 units per acre east of Whipple Road. The council's preferred alternative also includes some open space adjacent to the Bay.

City staff is currently updating the General Plan policy document. After the policy document is completed, an Environmental Impact Report (EIR) will be prepared that will analyze all of the proposed updates to the General Plan, including land use changes in the Horner-Veasby area. Council will need to certify the EIR and approve the updates to the General Plan.

- The City is currently preparing a draft Environmental Impact Report (EIR) for a religious facility that is proposed to be built on property adjacent to USD's Union City treatment plant. The District estimates that the draft EIR will be completed next month. USD will have the opportunity to review and comment on the draft EIR upon its release.

Alameda County

- Bond Measure A1 for \$580 million passed with 73% yes votes. The measure is intended to create and protect affordable housing options, prevent displacement of vulnerable populations, provide supportive housing for homeless people countywide, and help low and middle income people purchase houses and stay in their communities.
- Alameda/Contra Costa Transit District measure C1 passed with 81% yes votes. This measure extends an existing \$96.00 per parcel tax for 20 years.
- East Bay Community Energy Authority Joint Powers Agreement: The cities of Fremont and Union City have joined Alameda County and the Cities of Albany, Berkeley, Dublin,

Emeryville, Hayward, Livermore, Oakland, Piedmont, and San Leandro in the formation of this Joint Powers Agreement (JPA). The cities of Newark and Pleasanton have opted to take a “wait and see” approach regarding the JPA. It is the intent of the agreement to “promote the development and use of a wide range of renewable energy sources and energy efficiency programs, including but not limited to State, regional and local solar and wind energy production.” An initial JPA Board meeting is anticipated to be scheduled for the end of January. A Steering Committee meeting is scheduled for Wednesday, December 7, 2016. The District will continue to monitor the progress of the JPA.

- Supervisor Scott Haggerty’s District 1 webpage notes Caltrans’ short-term safety improvements project on State Route 84 between 238 and I-680 (Niles Canyon Road between Mission Blvd. and I-680). Work began in July 2016 and is expected to be complete in December 2016. State Route 84 will remain open to traffic during the entire construction period.

Bay Area Rapid Transit District

- Bond measure RR for \$3.5 billion passed with 71% yes votes.

Hayward Area Recreation and Park District

- Bond measure F1 for \$250 million passed with close to 79% yes votes.

State News:

Bill Quirk was reelected to the State Assembly 20th District.

Kansen Chu was reelected to the State Assembly 25th District.

Little Hoover Commission

This oversight agency continues its research and public hearings regarding special districts. Its October 27, 2016 public hearing included the agenda item “Water/Wastewater Agencies: Preparing for Too Little or Too Much Precipitation”. Testimony was given by [Alexander Coate](#), General Manager, East Bay Municipal Utility District, [Jeffrey Armstrong](#), General Manager, Rancho California Water District, and [Philip Friess](#), Department Head, Technical Services, Sanitation Districts of Los Angeles County. Special District leaders testified on the proactive steps underway to adapt local infrastructure to drought, sea-level rise, increased severity of storms, and other climate-related conditions. The Commission is expected to publish a new report regarding special districts in Spring 2017, and is expected to focus largely on the two issues of climate change adaptation and healthcare districts.

United States Congressional Districts:

Eric Swalwell was reelected as U.S. Representative to the 15th Congressional District.

Ro Khanna was elected the as U.S. Representative to the 17th Congressional District.

United States Senate:

Kamala Harris was elected as California's U.S. Senator. She will be sworn in on January 3, 2017.

State Legislation:

SB 163	(Hertzberg D) Wastewater treatment: recycled water. Position: CASA - Oppose, work w/author; CSDA – Oppose Status: Dead - Bill shelved by author
Summary: Would declare that, except in compliance with the bill's provisions, it is a waste and unreasonable use of water to discharge treated wastewater from an ocean or bay outfall, or for a water supplier or water replenishment district to not take treated wastewater made available for certain purposes. The bill would require the State Water Resources Control Board to promulgate regulations, on or before January 1, 2020, that would require each NPDES permitholder, on or before January 1, 2023, to submit to the state board the permitholder's plans to achieve beneficial reuse, to the maximum extent possible, of treated wastewater that would otherwise be discharged through ocean or bay outfalls. <u>The bill was shelved by the author, who stated in a letter to supporters that he plans to reintroduce the bill next year.</u>	
SB 970	(Layva D) Greenhouse Gas Reduction Fund: grant program: recyclable materials Position: CASA – Support; CSDA – Watch Status: Chaptered 9/14/2016
Summary: Current law requires certain moneys appropriated by the Legislature from the Greenhouse Gas Reduction Fund to be used by the Department of Resources Recycling and Recovery for a grant program to provide financial assistance to reduce greenhouse gas emissions by promoting in-state development of infrastructure to process organic and other recyclable materials into new, value-added products. This bill would require the department, in awarding a grant for organics composting or anaerobic digestion under the program, to consider, among other things, the amount of greenhouse gas emissions reductions that may result from the project and the amount of organic material that may be diverted from landfills as a result of the project.	
SB 1069	(Wieckowski D) An act to amend sections 65582.1, 65583.1, 65589.1, 65852.150, 65852.2, and 66412.2 of the Government Code, relating to land use Position: CASA – Neutral; CSDA - Neutral Status: Chaptered 9/27/2016
Summary: The Planning and Zoning Law authorizes the legislative body of a city or county	

to regulate, among other things, the intensity of land use, and also authorizes a local agency to provide by ordinance for the creation of 2nd units in single-family and multifamily residential zones, as specified. That law makes findings and declarations with respect to the value of second units to California's housing supply. This bill replaces the term "second unit" with "accessory dwelling unit" throughout the law. As amended, the bill states that accessory dwelling units shall not be considered new residential uses for the purposes of calculating local utility connection fees or capacity charges, including water and sewer service. If a property owner remodels an existing home or garage, no additional capacity or traffic mitigation fees can be charged. If there is expansion, capacity fees can be charged proportionate to the size of the burden on the system. This can be calculated by percentage of increased floor area or number of additional fixtures. The amended bill states that the increased floor area of an attached accessory dwelling unit shall not exceed 50 percent of the existing living area, with a maximum increase in floor area of 1,200 square feet.

The District is in contact with Fremont, Newark, and Union City staff as well as other agencies as they determine next steps regarding this law.

SB 1229	(Jackson D) Pharmacies: secure drug take-back bins. Position: CASA – Support; CSDA - Support Status: Chaptered 8/29/2016
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Summary: Would require a pharmacy that owns or operates a secure drug take-back bin in a publicly accessible location to take reasonable steps to ensure the proper disposal of the pharmaceutical waste contained in the bins. The bill would provide that the owner or operator is not liable for civil damages arising from the use of the secure drug take-back bin if the owner or operator takes reasonable steps to ensure the health and safety of consumers and employees and the proper disposal in the waste stream of the pharmaceutical waste contained in the bins.

SB 1298	Hertzberg (D) Local government: Fees and Charges Position: CASA – Disapprove; CSDA – Concerns Status: Dead 8/31/16
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Summary: Articles XIII C and XIII D of the California Constitution generally require that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. Current law, the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with Articles XIII C and XIII D of the California Constitution and defines terms for these purposes. This bill would change the definitions of the term "sewer" to include stormwater.

AB 779	(Garcia D) Local government: financial disclosures Position: CSDA – Oppose Status: Vetoed 9/24/16
Summary: Requires Special Districts and other public entities to post a link on the home page of their websites to information containing names, positions, and total compensations, including breakdowns on types of compensations provided, for the previous fiscal year of each elected official within that entity and the 10 employees with the greatest total compensation.	
AB 1661	(McCarty D) Local government: sexual harassment training and education. Position: CASA – Watch; CSDA – Watch Status: Chaptered 9/29/16
Summary: This bill would add requirements of local agency officials, as defined, to receive sexual harassment training and education if the local agency provides any type of compensation, salary, or stipend to those officials, and would allow a local agency to require employees to receive sexual harassment training or information. The bill would also require an entity that develops curricula to satisfy this requirement to consult with the city attorney or county counsel regarding the sufficiency and accuracy of that proposed content.	
AB 2313	(Williams D) Renewable natural gas: monetary incentive program for biomethane projects: pipeline infrastructure Position: CASA – Support; CSDA – Support Status: Chaptered 9/24/2016
Summary: This bill would require the Public Utilities Commission to modify the monetary incentive program for biomethane projects so that the total available incentive limitation for a project, other than a dairy cluster biomethane project, as defined, is increased from \$1.5 million to \$3 million.	
AB 2257	(Maienschein R) Local agency meetings: agenda: online posting. Position: CASA – Watch; CSDA – Oppose Status: Chaptered 9/9/2016
Summary: This bill would add to requirements of the Ralph M. Brown Act regarding posting of agendas for meetings by requiring an online posting of an agenda by a local agency to have a prominent direct link to the current agenda itself.	

<p>AB 2754</p>	<p>(Grove R) Public employment: employee bargaining representatives: financial information. Position: CASA - Watch Close; CSDA – Watch Status: Dead 5/6/16</p>
<p>Summary: Would require an organization that provides representation to public employees in labor negotiations with a state or local public employer to hold an election every 2 years to determine if the current labor union should continue to represent those members of the organization. This bill grants members the right during that election to affirmatively select another public employee organization to represent them.</p>	
<p>AB 2835</p>	<p>(Cooper D) Public Employees: orientation and informational programs: recognized employee organizations Position: CSDA – Oppose Status: Dead 8/31/16</p>
<p>Summary: Requires all public employers to provide new employees with an orientation during work hours. Unions representing employees shall be given at least 30 minutes, starting within the first hour of the orientation, to provide a union orientation to the new employees. Additionally, the bill will, if requested by an employee organization or employer, require both sides to meet and confer on a union orientation and place that agreement within their MOU.</p>	
<p>AB 2890</p>	<p>(Assembly Committee on Environmental Safety and Toxic Materials) Drinking Water and Wastewater Operator Certification Programs Position: CASA – Watch, work with author Status: Chaptered 9/12/16</p>
<p>Summary: This bill would require the State Water Resources Control Board to appoint an advisory committee to assist it in carrying out its responsibilities to examine and certify people to operate water treatment plants and water distribution systems.</p>	
<p>ACA 8</p>	<p>(Bloom D) Local government financing: water facilities and infrastructure: voter approval. Position: CASA – Support; CSDA – Support if Amended Status: Dead 8/31/16</p>
<p>Summary: Would create an additional exception to the 1% limit for a rate imposed by a city, county, city and county, or special district to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of wastewater treatment facilities and related infrastructure, or other types of facilities and infrastructure, that is approved by 55% of the voters of the city, county, city and county, or special district, as</p>	

applicable, if the proposition meets specified requirements, and would authorize a city, county, city and county, or special district to levy a 55% vote ad valorem tax. This bill contains other related provisions and other existing laws.

Federal Legislation:

Unless otherwise noted, the following issues will likely be legislative initiatives in the next congress.

<p>S 1248</p>	<p>Water Resources Development Act of 2016 (WRDA) Introduced April 25, 2016 Status: According to the Water Environment Federation (WEF), the bill is expected to be considered by the House and Senate prior to Congress recessing on Dec. 9, 2016 to end the 114th Congress.</p>
<p>Summary: According to a December 5, 2016 press release from Senator Feinstein’s office, the bill that left the Senate includes the following:</p> <ul style="list-style-type: none"> • \$558 million in long-term provisions that will help supplement state and local funding to build the 137 projects identified by the Feinstein drought bill S 2533 (listed below). The long-term provisions include \$335 million for storage and \$43 million to benefit salmon, smelt, and wildlife refuges. • Short-term, five-year operational provisions that will help operate the water system more efficiently. • Compliance with environmental laws including the Endangered Species Act and biological opinions. 	
<p>S 2533</p>	<p>(Feinstein D-CA) A bill to provide short-term water supplies to drought-stricken California Position: CASA – Statement of support provided and submitted to Committee on Energy and Natural Resources for the record. Status: Depending on budgetary agreements, Senator Feinstein may be able to include funding for emergency drought relief efforts.</p>
<p>Summary: Providing comprehensive approach to address drought emergencies, including funding of water recycling, desalination, storage, and expedited water transfers.</p>	
<p>H.R. 1278/ S 741</p>	<p>(Capps D-CA, Cardin D-MD) Water Infrastructure Resiliency and Sustainability Act of 2015 Position: CASA – Support</p>

Summary: Authorizes EPA to establish grant program for owners and operators of water systems to increase resiliency to any ongoing or forecasted changes to the hydrologic conditions of a region of the United States.	
H.R. 1634	(Graves R-MO) To amend the Federal Water Pollution Control Act to increase the length of time for a certain permit Position: CASA – Support
Summary: Provides for extended NPDES Permit Terms of 20 years.	
H.R. 1705	(Latta R-OH) Clean Water Affordability Act of 2015
Summary: Assists municipalities and regional sewer authorities that would experience significant hardship raising necessary revenue to finance projects and activities for the construction of wastewater treatment works, and for other purposes.	
H.R. 2583	(Cardin D-MD) FUND Water Act Position: CASA – Sent letter of support; National Water Policy Forum – Support
Summary: More than triples the amount authorized for Clean Water and Drinking Water SRFs. Clean Water SRF would be authorized at \$5.18 billion in FY 2017 with step increases to \$9.06 billion in FY 2021.	

Attachments: CASA 2016 State Bill Positions List as of October 2016
CASA Federal Legislation Matrix as of May 2016

All CASA Bills 2016

[AB 45](#)

(Mullin D) Household hazardous waste.

Last Amend: 1/21/2016

Status: 7/1/2016-Failed Deadline pursuant to Joint Rule 61(b)(13). (Last location was E.Q. on 6/29/2016)

Location: 7/1/2016-S. DEAD

Summary: Would require the Department of Resources Recycling and Recovery to adopt one or more model ordinances for a comprehensive program for the collection of household hazardous waste and would authorize a local jurisdiction that provides for the residential collection and disposal of solid waste that proposes to enact an ordinance governing the collection and diversion of household hazardous waste to adopt one of the model ordinances adopted by the department.

Organization	Position
CASA	Watch Close

[AB 197](#)

(Garcia, Eduardo D) State Air Resources Board: greenhouse gases: regulations.

Last Amend: 8/19/2016

Status: 9/8/2016-Chaptered by Secretary of State - Chapter 250, Statutes of 2016.

Location: 9/8/2016-A. CHAPTERED

Summary: Current law establishes the State Air Resources Board consisting of 14 members and vests the state board with regulatory jurisdiction over air quality issues. This bill would add 2 Members of the Legislature to the state board as ex officio, nonvoting members. The bill would provide that the voting members of the state board are appointed for staggered 6-year terms and upon expiration of the term of office of a voting member, the appointing authority may reappoint that member to a new term of office, subject to specified requirements. The bill would require the state board to establish the initial staggered terms.

Organization	Position
CASA	Support Concept

[AB 520](#)

(Levine D) Private employment: occupational safety and apprenticeships.

Last Amend: 8/15/2016

Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was CONCURRENCE on 8/24/2016)

Location: 8/31/2016-A. DEAD

Summary: This bill would require the Occupational Safety and Health Standards Board, by June 1, 2017, to adopt a standard that requires an employer performing corrosion prevention work on industrial and infrastructure projects to use trained and certified personnel, as specified. Because certain violations of these new requirements would be a misdemeanor, the bill would impose a state-mandated local program.

Organization	Position
CASA	Oppose

[AB 581](#)

(Gomez D) Water Quality, Supply, and Infrastructure Improvement Act of 2014.

Last Amend: 1/4/2016

Status: 7/1/2016-Failed Deadline pursuant to Joint Rule 61(b)(13). (Last location was N.R. & W. on 2/4/2016)

Location: 7/1/2016-S. DEAD

Summary: The Water Quality, Supply, and Infrastructure Improvement Act of 2014 provides that it is the intent of the people that, to the extent practicable, a project supported by the funds made available by the act will include signage informing the public that the project received funds from the act. This bill would require certain recipients of funding pursuant to the act to post signs acknowledging the source of funds in accordance with guidelines that the Secretary of the Natural Resources Agency would be required to develop.

Organization	Position
CASA	Watch Close

[AB 626](#)

(Chiu D) Public contracts: claim resolution.

Last Amend: 8/19/2016

Status: 9/29/2016-Chaptered by Secretary of State - Chapter 810, Statutes of 2016.

Location: 9/29/2016-A. CHAPTERED

Summary: Current law applicable to state public contracts generally requires that the resolution of claims related to those contracts be subject to arbitration. Current law applicable to local agency contracts prescribes a process for the resolution of claims related to those contracts of \$375,000 or less. This bill would establish, for contracts entered into on or after January 1, 2017, a claim resolution process applicable to any claim by a contractor in connection with a public works project.

Organization **Position**
CASA Watch

[AB 779](#) **(Garcia, Cristina D)** Local government: financial disclosures.

Last Amend: 8/3/2016

Status: 9/24/2016-Vetoed by the Governor

Location: 9/24/2016-A. VETOED

Summary: Would require a city, county, city and county, or special district, on or before April 30 of each year, to post compensation information in a conspicuous location on its Internet Web site that contains the names, positions, and total compensation, including a breakdown of the types of compensation provided, of each elected official within that entity for the previous calendar year. By increasing the duties of local officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Organization **Position**
CASA Disapprove

[AB 1103](#) **(Dodd D)** Solid waste disposal: self-haulers.

Last Amend: 6/6/2016

Status: 9/22/2016-Chaptered by Secretary of State - Chapter 443, Statutes of 2016.

Location: 9/22/2016-A. CHAPTERED

Summary: The California Integrated Waste Management Act of 1989, administered by the Department of Resources Recycling and Recovery, generally regulates the disposal, management, and recycling of solid waste. Current law requires exporters, brokers, and transporters of recyclables or compost to submit periodic information to the department on the types, quantities, and destinations of materials that are disposed of, sold, or transferred. This bill would require a self-hauler to submit that information to the department and would require the department to develop regulations that define "self-hauler" to include specified persons and entities.

Organization **Position**
CASA Watch, as
 amended

[AB 1550](#) **(Gomez D)** Greenhouse gases: investment plan: disadvantaged communities.

Last Amend: 8/23/2016

Status: 9/14/2016-Chaptered by Secretary of State - Chapter 365, Statutes of 2016.

Location: 9/14/2016-A. CHAPTERED

Summary: Current law requires the Department of Finance, in consultation with the State Air Resources Board and any other relevant state agency, to develop, as specified, a 3-year investment plan for the moneys deposited in the Greenhouse Gas Reduction Fund. This bill would require the investment plan to allocate (1) a minimum of 25% of the available moneys in the fund to projects located within, and benefiting individuals living in, disadvantaged communities, (2) an additional minimum of 5% to projects that benefit low-income households or to projects located within, and benefiting individuals living in, low-income communities located anywhere in the state, and (3) an additional minimum of 5% either to projects that benefit low-income households that are outside of, but within a 1/2 mile of, disadvantaged communities, or to projects located within the boundaries of, and benefiting individuals living in, low-income communities that are outside of, but within a 1/2 mile of, disadvantaged communities.

Organization **Position**
CASA Watch Close

[AB 1555](#) **(Gomez D)** Greenhouse Gas Reduction Fund.

Last Amend: 3/28/2016

Status: 5/27/2016-Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was BUDGET on 5/4/2016)

Location: 5/27/2016-A. DEAD

Summary: Would appropriate \$800,000,000 from the Greenhouse Gas Reduction Fund for the 2016-17 fiscal year to various state agencies in specified amounts for various purposes including, among other things, low carbon transportation and infrastructure, clean energy communities, wetland and watershed restoration, and carbon sequestration. The bill would state the intent of the Legislature to reserve \$150,000,000 from the fund to fund future legislative priorities.

Organization **Position**
CASA Watch Close

[AB 1588](#) **(Mathis R)** Water and Wastewater Loan and Grant Program.

Last Amend: 8/16/2016

Status: 9/22/2016-Vetoed by the Governor

Location: 9/22/2016-A. VETOED

Summary: Would, to the extent funding is made available, authorize the State Water Resources Control Board to establish a program to provide funding to counties and qualified nonprofit organizations to award low-interest loans and grants to eligible applicants for specified purposes relating to drinking water and wastewater treatment. This bill would authorize a county or qualified nonprofit organization to apply to the board for a grant to award loans or grants, or both, to residents of the county, as prescribed.

Organization	Position
CASA	Approve

[AB 1598](#) **(Ting D) Budget Act of 2016.**

Last Amend: 5/31/2016

Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was BUDGET on 6/1/2016)

Location: 8/31/2016-A. DEAD

Summary: This bill would make appropriations for the support of state government for the 2016-17 fiscal year. This bill contains other related provisions.

Organization	Position
CASA	Watch

[AB 1612](#) **(Committee on Budget) Public resources: energy.**

Last Amend: 6/27/2016

Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was INACTIVE FILE on 8/29/2016)

Location: 8/31/2016-S. DEAD

Summary: Would request the California Council on Science and Technology to undertake and complete a study analyzing the regional and gas corporation specific issues relating to minimum heating value and maximum siloxane specifications adopted by the PUC for biomethane before it can be injected into common carrier gas pipelines. If the California Council on Science and Technology agrees to undertake and complete the study, the bill would require each gas corporation operating common carrier pipelines in California to proportionately contribute to the expenses to undertake the study with the cost recoverable in rates.

Organization	Position
CASA	Support

[AB 1613](#) **(Committee on Budget) Budget Act of 2016.**

Last Amend: 8/30/2016

Status: 9/14/2016-Chaptered by Secretary of State - Chapter 370, Statutes of 2016.

Location: 9/14/2016-A. **CHAPTERED**

Summary: The Budget Act of 2016 made appropriations for the support of state government for the 2016-17 fiscal year. This bill would amend the Budget Act of 2016 by amending and adding items of appropriation and making other changes. This bill contains other related provisions.

Organization	Position
CASA	Watch Close

[AB 1629](#) **(Committee on Budget) Public resources: greenhouse emissions and biomass.**

Last Amend: 8/31/2016

Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was RLS. on 8/31/2016)

Location: 8/31/2016-S. DEAD

Summary: The Cannella Environmental Farming Act requires the Secretary of Food and Agriculture to convene a 5-member Scientific Advisory Panel on Environmental Farming, as prescribed, for the purpose of providing advice and assistance to federal, state, and local government agencies on issues relating to air, water, and wildlife habitat, as specified. Existing law authorizes the panel to establish ad hoc committees to assist the panel in performing its functions. This bill would increase the number of members on the panel from 5 to 9 members and would require that the secretary appoint 5 instead of 3 of these members, the Secretary for Environmental Protection appoint 2 instead of one of these members, and the Secretary of the Natural Resources Agency appoint 2 instead of one of these members, as prescribed.

Organization	Position
CASA	Watch Close

[AB 1637](#) **(Low D) Energy: greenhouse gas reduction.**

Last Amend: 8/18/2016

Status: 9/26/2016-Chaptered by Secretary of State - Chapter 658, Statutes of 2016.

Location: 9/26/2016-A. **CHAPTERED**

Summary: The Public Utilities Commission (PUC) has regulatory authority over public utilities. Current law requires the PUC to require the administration, until January 1, 2021, of a self-generation incentive program for distributed generation resources and energy storage technologies. Current law authorizes the PUC, in consultation with the State Energy Resources Conservation and Development Commission, to authorize the annual collection of not more than the amount authorized for the program in the 2008 calendar year. This bill would increase the maximum annual collection the PUC may authorize for the program to double the amount authorized for the program in the 2008 calendar year.

Organization	Position
CASA	Watch

[AB 1661](#) ([McCarty D](#)) **Local government: sexual harassment prevention training and education.**

Last Amend: 8/15/2016

Status: 9/29/2016-Chaptered by Secretary of State - Chapter 816, Statutes of 2016.

Location: 9/29/2016-A. **CHAPTERED**

Summary: Would require local agency officials, as defined, to receive sexual harassment prevention training and education if the local agency provides any type of compensation, salary, or stipend to those officials, and would allow a local agency to require employees to receive sexual harassment prevention training or information. The bill would also require an entity that develops curricula to satisfy this requirement to consult with the city attorney or county counsel regarding the sufficiency and accuracy of that proposed content.

Organization	Position
CASA	Watch

[AB 1707](#) ([Linder R](#)) **Public records: response to request.**

Last Amend: 3/28/2016

Status: 4/22/2016-Failed Deadline pursuant to Joint Rule 61(b)(5). (Last location was A. L. GOV. on 3/29/2016)

Location: 4/22/2016-A. DEAD

Summary: The California Public Records Act requires state and local agencies to make public records available for inspection, unless an exemption from disclosure applies. The act requires a response to a written request for public records that includes a denial of the request, in whole or in part, to be in writing. This bill instead would require the written response demonstrating that the record in question is exempt under an express provision of the act also to identify the type or types of record withheld and the specific exemption that justifies withholding that type of record.

Organization	Position
CASA	Oppose

[AB 1738](#) ([McCarty D](#)) **Building standards: dark graywater.**

Last Amend: 3/28/2016

Status: 7/1/2016-Failed Deadline pursuant to Joint Rule 61(b)(13). (Last location was E.Q. on 6/22/2016)

Location: 7/1/2016-S. DEAD

Summary: Would define "dark graywater" as a specified wastewater that comes from kitchen sinks and dishwashers. This bill would require the Department of Housing and Community Development, at the next triennial building standards cycle, to adopt and submit for approval building standards for the construction, installation, and alteration of dark graywater systems for indoor and outdoor uses. This bill contains other existing laws.

Organization	Position
CASA	Oppose, Seek Amendments

[AB 1773](#) ([Obernolte R](#)) **Local government renewable energy self-generation program.**

Last Amend: 4/13/2016

Status: 9/26/2016-Chaptered by Secretary of State - Chapter 659, Statutes of 2016.

Location: 9/26/2016-A. **CHAPTERED**

Summary: Under current law, the Public Utilities Commission is vested with regulatory authority over public utilities. Current law authorizes a local governmental entity, except a joint powers authority, to receive a bill credit to a designated benefiting account, for electricity exported to the electrical grid by an eligible renewable generating facility and requires the commission to adopt a rate tariff for the benefiting account. This bill would include as a local governmental entity for this purpose a joint powers authority, except as specified. This bill contains other related provisions and other existing laws.

Organization	Position
CASA	Support

[AB 1842](#) ([Levine D](#)) **Water: pollution: fines.**

Last Amend: 8/2/2016

Status: 9/14/2016-Chaptered by Secretary of State - Chapter 349, Statutes of 2016.

Location: 9/14/2016-A. **CHAPTERED**

Summary: Current law imposes a maximum civil penalty of \$25,000 on a person who discharges various pollutants or other designated materials into the waters of the state. This bill would impose an additional civil penalty of not more than \$10 for each gallon or pound of material discharged. The bill would require that the civil penalty be reduced for every gallon or pound of the illegally discharged material that is recovered and properly disposed of by the responsible party. This bill contains other related provisions and other current laws.

Organization	Position
CASA	Oppose, Work with Others

[AB 2022](#) ([Gordon D](#)) **Advanced purified demonstration water.**

Last Amend: 8/15/2016

Status: 9/21/2016-Chaptered by Secretary of State - Chapter 408, Statutes of 2016.

Location: 9/21/2016-A. **CHAPTERED**

Summary: Would authorize the operator of an advanced water purification facility to cause advanced purified demonstration water to be bottled and distributed as samples for educational purposes and to promote water recycling, as specified. The bill would prohibit the advanced purified demonstration water in each bottle from exceeding 8 ounces and would prohibit that water from being distributed unless the water, among other requirements, meets or exceeds all federal and state drinking water standards.

Organization	Position
CASA	Support

[AB 2076](#) ([Garcia, Cristina D](#)) **Water and energy use efficiency: certification: breweries.**

Last Amend: 4/5/2016

Status: 4/22/2016-Failed Deadline pursuant to Joint Rule 61(b)(5). (Last location was A. W.,P. & W. on 4/11/2016)

Location: 4/22/2016-A. DEAD

Summary: Would require the Department of Water Resources, in consultation with the California brewing industry, to develop water and energy use efficiency certification guidelines for the production of beer that include, among other things, uniform standards for the industry's use of efficiency certification seals and would require the Department of Alcoholic Beverage Control to consult in label design and approval for the use of a seal on a beer bottle.

Organization	Position
CASA	Watch

[AB 2139](#) ([Williams D](#)) **Ocean Protection Council: ocean acidification and hypoxia.**

Last Amend: 8/15/2016

Status: 9/14/2016-Chaptered by Secretary of State - Chapter 352, Statutes of 2016.

Location: 9/14/2016-A. **CHAPTERED**

Summary: Current law establishes the Ocean Protection Council in state government and prescribes the membership, functions, and duties of the council with regard to the protection and conservation of ocean and coastal resources. This bill would, subject to the availability of funding, authorize the council to develop an ocean acidification and hypoxia science task force to ensure that council decisionmaking is supported by the best available science, and require the council to take specified actions to address ocean acidification and hypoxia, as prescribed, and, beginning January 1, 2018, and annually thereafter, at its first meeting of the year, adopt recommendations for further actions that may be taken to address ocean acidification and hypoxia.

Organization	Position
CASA	Watch

[AB 2206](#) ([Williams D](#)) **Renewable gas.**

Last Amend: 6/27/2016

Status: 7/1/2016-Failed Deadline pursuant to Joint Rule 61(b)(13). (Last location was RLS. on 6/28/2016)

Location: 7/1/2016-S. DEAD

Summary: Would require the State Air Resources Board, in coordination with the Public Utilities Commission and State Energy Resources and Conservation Development Commission, to consider and, as appropriate, adopt a policy or programs to increase the production and use of renewable gas, as specified, generated by either an eligible renewable energy resource that meets the requirements of the California Renewables Portfolio Standard Program or direct solar energy, as specified.

Organization **Position**
CASA Support

[AB 2223](#) **(Gray D) Dairy methane reduction.**

Last Amend: 5/27/2016

Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was BUDGET & F.R. on 6/9/2016)

Location: 8/31/2016-S. DEAD

Summary: Current law establishes the Department of Food and Agriculture under the administration of the Secretary of Food and Agriculture to promote and protect the agricultural industry of the state. This bill would appropriate \$10,000,000 from the General Fund to the Department of Food and Agriculture to provide loans for the implementation of dairy digesters and other dairy methane reduction projects and management practices.

Organization **Position**
CASA Watch

[AB 2257](#) **(Maienschein R) Local agency meetings: agenda: online posting.**

Last Amend: 6/22/2016

Status: 9/9/2016-Chaptered by Secretary of State - Chapter 265, Statutes of 2016.

Location: 9/9/2016-A. **CHAPTERED**

Summary: The Ralph M. Brown Act requires the legislative body of a local agency to post, at least 72 hours before the meeting, an agenda containing a brief general description of each item of business to be transacted or discussed at a regular meeting, in a location that is freely accessible to members of the public and to provide a notice containing similar information with respect to a special meeting at least 24 hours prior to the special meeting. This bill would require an online posting of an agenda for a meeting occurring on and after January 1, 2019, of a legislative body of a city, county, city and county, special district, school district, or political subdivision established by the state that has an Internet Web site to be posted on the local agency's primary Internet Web site homepage accessible through a prominent, direct link, as specified.

Organization **Position**
CASA Watch

[AB 2313](#) **(Williams D) Renewable natural gas: monetary incentive program for biomethane projects: pipeline infrastructure.**

Last Amend: 8/19/2016

Status: 9/24/2016-Chaptered by Secretary of State - Chapter 571, Statutes of 2016.

Location: 9/24/2016-A. **CHAPTERED**

Summary: Would require the Public Utilities Commission to modify the monetary incentive program for biomethane projects so that the total available incentive limitation for a project, other than a dairy cluster biomethane project, as defined, is increased from \$1,500,000 to \$3,000,000. The bill would require the commission to increase the total available incentive limitation for a dairy cluster biomethane project to \$5,000,000 and would authorize the use of incentive payments subject to this limitation for interconnection costs and costs incurred for gathering lines for transport of biogas to a centralized processing facility for the project.

Organization **Position**
CASA Support

[AB 2389](#) **(Ridley-Thomas D) Special districts: district-based elections: reapportionment.**

Last Amend: 5/9/2016

Status: 9/28/2016-Chaptered by Secretary of State - Chapter 754, Statutes of 2016.

Location: 9/28/2016-A. **CHAPTERED**

Summary: Would authorize a governing body of a special district, as defined, to require, by resolution, that the members of its governing body be elected using district-based elections without being required to submit the resolution to the voters for approval. This bill would require the resolution to include a declaration that the change in the method of election is being made in furtherance of the purposes of the California Voting Rights Act of 2001.

Organization **Position**
CASA Watch Close

[AB 2406](#) **(Thurmond D) Housing: junior accessory dwelling units.**

Last Amend: 8/19/2016

Status: 9/28/2016-Chaptered by Secretary of State - Chapter 755, Statutes of 2016.

Location: 9/28/2016-A. **CHAPTERED**

Summary: The Planning and Zoning Law authorizes a local agency to provide by ordinance for the creation of 2nd units in single-family and multifamily residential areas, as prescribed. This bill would, in

addition, authorize a local agency to provide by ordinance for the creation of junior accessory dwelling units, as defined, in single-family residential zones. The bill would require the ordinance to include, among other things, standards for the creation of a junior accessory dwelling unit, required deed restrictions, and occupancy requirements.

Organization	Position
CASA	Watch, work w/author

[AB 2413](#) **(Thurmond D) Sea level rise preparation.**

Status: 4/22/2016-Failed Deadline pursuant to Joint Rule 61(b)(5). (Last location was A. NAT. RES. on 3/8/2016)

Location: 4/22/2016-A. DEAD

Summary: Current law, until January 1, 2018, requires the Natural Resources Agency to create, biannually update, and post on an Internet Web site a Planning for Sea Level Rise Database, as specified, and requires specified entities to provide to the agency certain sea level rise planning information for inclusion in the database. This bill would require the agency, on or before January 1, 2019, to complete a study outlining the potential impact of sea level rise on low-income and at-risk communities and public projects and infrastructure. The bill would require the agency, based on the study, to make recommendations on preparing for sea level rise, as specified.

Organization	Position
CASA	Watch

[AB 2438](#) **(Waldron R) California Environmental Quality Act: exemption: recycled water pipelines.**

Status: 7/1/2016-Failed Deadline pursuant to Joint Rule 61(b)(13). (Last location was E.Q. on 6/29/2016)

Location: 7/1/2016-S. DEAD

Summary: Would, until January 1, 2020, additionally exempt from CEQA a project for the construction and installation of a new pipeline or the maintenance, repair, restoration, reconditioning, relocation, replacement, removal, or demolition of an existing pipeline, not exceeding 8 miles in length, for the distribution of recycled water within a public street, highway, or right-of-way and would require the lead agency to undertake specified activities, including the filing of a notice of exemption for the project with the Office of Planning and Research and the office of the county clerk of each county in which the project is located.

Organization	Position
CASA	Watch

[AB 2446](#) **(Gordon D) State Water Resources Control Board: judicial review.**

Last Amend: 8/1/2016

Status: 9/23/2016-Chaptered by Secretary of State - Chapter 523, Statutes of 2016.

Location: 9/23/2016-A. **CHAPTERED**

Summary: The Porter-Cologne Water Quality Control Act, within 30 days of any action or failure to act by a California regional water quality control board under specified law, authorizes an aggrieved person to petition the State Water Resources Control Board to review that action or failure to act. Current law authorizes the state board, in the case of such a review, upon notice and hearing, if a hearing is requested, to stay in whole or in part the effect of the decision and order of a regional board or of the state board. This bill would expand that provision to authorize the state board to issue a stay in the case of review by the state board of a decision or order issued under authority delegated to an officer or employee of the state board where the state board by regulation has authorized a petition for reconsideration by the state board.

Organization	Position
CASA	Watch

[AB 2511](#) **(Levine D) Fertilizing materials: auxiliary soil and plant substances: biochar.**

Last Amend: 3/28/2016

Status: 9/13/2016-Chaptered by Secretary of State - Chapter 331, Statutes of 2016.

Location: 9/13/2016-A. **CHAPTERED**

Summary: Would include biochar, as defined, as a product intended to be used for influencing soils, plant growth, or crop or plant quality for the purposes of the definition of auxiliary soil and plant substances.

Organization	Position
CASA	Watch

[AB 2523](#) **(Mullin D) Local elective offices: contribution limitations.**

Last Amend: 8/15/2016

Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was INACTIVE FILE on 8/31/2016)

Location: 8/31/2016-S. DEAD

Summary: The Political Reform Act of 1974 specifies that it does not prevent the Legislature or any other state or local agency from imposing additional requirements on a person if the requirements do not prevent the person from complying with the act, and that the act does not nullify contribution limitations or prohibitions by any local jurisdiction that apply to elections for local elective office, as specified. This bill, commencing January 1, 2018, instead would prohibit a person from making to a candidate for local elective office, and would prohibit a candidate for local elective office from accepting from a person, a contribution totaling more than the amount set forth in the act for limitations on contributions to a candidate for elective state office.

Organization	Position
CASA	Watch/seek info

[AB 2585](#) **(Williams D) California Global Warming Solutions Act of 2006: market-based compliance mechanisms.**

Last Amend: 3/15/2016

Status: 5/27/2016-Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 5/18/2016)

Location: 5/27/2016-A. DEAD

Summary: Would require the State Air Resources Board, no later than July 1, 2018, to review any regulation adopted as part of a market-based compliance mechanism to consider the intended purpose and consistency of requirements aimed to prevent resource shuffling, as defined, among all fuels subject to that regulation.

Organization	Position
CASA	Watch

[AB 2601](#) **(Eggman D) Building standards: residential property: graywater.**

Status: 4/22/2016-Failed Deadline pursuant to Joint Rule 61(b)(5). (Last location was A. H. & C.D. on 3/10/2016)

Location: 4/22/2016-A. DEAD

Summary: Would require the Department of Housing and Community Development, on or after January 1, 2017, to adopt and submit to the California Building Standards Commission for approval amendments to the building standards adopted pursuant to specified provisions that require that all new single-family and duplex residential dwelling units include specified components to allow the separate discharge of graywater for direct irrigation and that all new single-family residential dwelling units include a segregated building drain for lavatories, showers, and bathtubs to allow for future installation of a distributed graywater system.

Organization	Position
CASA	Oppose, Seek Amendments

[AB 2617](#) **(Mayes R) Water efficiency measures.**

Last Amend: 5/27/2016

Status: 7/1/2016-Failed Deadline pursuant to Joint Rule 61(b)(13). (Last location was RLS. on 6/9/2016)

Location: 7/1/2016-S. DEAD

Summary: Would require the Department of Water Resources to develop and solicit comments on a proposed report, in consultation with subject matter experts at the University of California, the California State University, the State Water Resources Control Board, the State Energy Resources Conservation and Development Commission, and local water districts, by December 1, 2017, and, by July 1, 2018, to issue a final report that contains, among other things, recommendations to public entities to help them achieve water-resilient communities and prioritize cost-effective water efficiency measures with low adverse environmental impacts based on local conditions.

Organization	Position
CASA	Watch

[AB 2773](#) **(Quirk D) Biomethane.**

Last Amend: 3/28/2016

Status: 5/27/2016-Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 4/27/2016)

Location: 5/27/2016-A. DEAD

Summary: The Public Utilities Commission has adopted standards to ensure the protection of human health, and pipeline and pipeline facility integrity and safety, in part by establishing a biomethane minimum heating value, which is a measure of the energy content, a biomethane siloxane trigger level, which gives rise to a monitoring requirement, and a biomethane siloxane lower action level, which is used in screening gas supplies. This bill would require the commission to modify the minimum heating value and the siloxane trigger and lower action levels, as specified.

Organization **Position**
CASA Approve

[AB 2781](#) **(Garcia, Eduardo D) Supplemental environmental projects.**

Last Amend: 8/2/2016

Status: 8/12/2016-Failed Deadline pursuant to Joint Rule 61(b)(14). (Last location was APPR. on 8/11/2016)

Location: 8/12/2016-S. DEAD

Summary: Current law requires each board, department, and office within the California Environmental Protection Agency that has enforcement authority to establish a policy on supplemental environmental projects that benefits disadvantaged communities, as defined. Current law requires that policy to include among other things, allowing the amount of a supplemental environmental project to be up to 50% of the enforcement action. This bill would require an assurance that no less than 10% of the enforcement action monetary penalties received by each board, department, and office within the agency is allocated to supplemental environmental projects in disadvantaged communities.

Organization **Position**
CASA Work w/author

[AB 2801](#) **(Gallagher R) Local government: fees and charges: written protest.**

Last Amend: 5/4/2016

Status: 8/30/2016-Chaptered by Secretary of State - Chapter 248, Statutes of 2016.

Location: 8/30/2016-A. **CHAPTERED**

Summary: Current statutory law provides notice, protest, and hearing procedures for the levying of new or increased fees or charges by local government agencies pursuant to Article XIII D of the California Constitution. Under current statutory law, one written protest per parcel, filed by an owner or tenant of the parcel, is counted in calculating a majority protest to a proposed new or increased fee or charge. This bill would require the agency to maintain the written protests for a minimum of 2 years following the date of the hearing to consider the written protests. By increasing the duties of local officials, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Organization **Position**
CASA Watch

[AB 2835](#) **(Cooper D) Public employees: orientation and informational programs: exclusive representatives.**

Last Amend: 8/19/2016

Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was INACTIVE FILE on 8/31/2016)

Location: 8/31/2016-S. DEAD

Summary: Current law, including the Meyers-Milias-Brown Act, the Ralph C. Dills Act, the Trial Court Employment Protection and Governance Act, the Trial Court Interpreter Employment and Labor Relations Act, and the Los Angeles County Metropolitan Transportation Authority Transit Employer-Employee Relations Act, as well as provisions commonly referred to as the Educational Employment Relations Act and the Higher Education Employer-Employee Relations Act, regulates the labor relations of the state, the courts, and specified local public agencies and their employees. Current law establishes the Public Employment Relations Board and prescribes its powers and duties, in relation to these acts. This bill would require the public employers regulated by the acts described above to provide newly hired employees, as defined, a specified public employee orientation within 4 months of hiring, to be conducted in-person, during work hours.

Organization **Position**
CASA Watch Close,
Work with other
organizations

[AB 2853](#) **(Gatto D) Public records.**

Last Amend: 6/16/2016

Status: 9/9/2016-Chaptered by Secretary of State - Chapter 275, Statutes of 2016.

Location: 9/9/2016-A. **CHAPTERED**

Summary: Would authorize a public agency that posts a public record on its Internet Web site to refer a member of the public that requests to inspect the public record to the public agency's Internet Web site where the public record is posted. This bill would require, if a member of the public requests a copy of the public record due to an inability to access or reproduce the public record from the Internet Web site where the public record is posted, the public agency to promptly provide a copy of the public record to the member of the public, as specified.

Organization **Position**

[AB 2890](#) (Committee on Environmental Safety and Toxic Materi) Drinking water and wastewater operator certification programs.

Last Amend: 8/8/2016

Status: 9/12/2016-Chaptered by Secretary of State - Chapter 305, Statutes of 2016.

Location: 9/12/2016-A. **CHAPTERED**

Summary: Current law requires the State Water Resources Control Board to examine and certify persons as to their qualifications to supervise or operate water treatment plants and water distribution systems. Current law requires the certification to indicate the classification of water treatment plant or water distribution system that the person is qualified to supervise or operate. This bill would require the board to appoint an advisory committee to assist it in carrying out its responsibilities to examine and certify people to operate water treatment plants and water distribution systems. This bill would require the advisory committee to review all proposed regulations and make recommendations to the board.

Organization	Position
CASA	Watch

[ACA 8](#) (Bloom D) Local government financing: water facilities and infrastructure: voter approval.

Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was L. GOV. on 6/23/2016)

Location: 8/31/2016-A. DEAD

Summary: Would create an additional exception to the 1% limit for a rate imposed by a city, county, city and county, or special district to service bonded indebtedness incurred to fund the construction, reconstruction, rehabilitation, or replacement of wastewater treatment facilities and related infrastructure, potable water producing facilities and related infrastructure, nonpotable water producing facilities and related infrastructure, and stormwater treatment facilities and related infrastructure, that is approved by 55% of the voters of the city, county, city and county, or special district, as applicable, if the proposition meets specified requirements, and would authorize a city, county, city and county, or special district to levy a 55% vote ad valorem tax. This bill contains other related provisions and other existing laws.

Organization	Position
CASA	Support

[SB 32](#) (Pavley D) California Global Warming Solutions Act of 2006: emissions limit.

Last Amend: 8/19/2016

Status: 9/8/2016-Chaptered by Secretary of State - Chapter 249, Statutes of 2016.

Location: 9/8/2016-S. **CHAPTERED**

Summary: Would require the State Air Resources Board to ensure that statewide greenhouse gas emissions are reduced to 40% below the 1990 level by 2030. This bill contains other related provisions.

Organization	Position
CASA	Support

[SB 163](#) (Hertzberg D) Bail: pretrial release.

Last Amend: 8/18/2016

Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was E.S. & T.M. on 8/18/2016)

Location: 8/31/2016-A. DEAD

Summary: Current law provides for the procedure of approving and accepting bail, and issuing an order for the appearance and release of an arrested person. This bill would require, notwithstanding any other law, and upon the appearance before a competent court or magistrate of a person charged with a criminal offense, the court or magistrate to hold a specified hearing and take one of several actions, including, among others, releasing the person on his or her own recognizance or upon execution of an unsecured appearance bond, unless the court or magistrate determines that release pursuant to that provision will not reasonably assure the appearance of the person as required or will endanger the safety of any other person or the community.

Organization	Position
CASA	Oppose, as introduced

[SB 286](#) (Hertzberg D) Electricity: direct transactions.

Last Amend: 3/1/2016

Status: 8/12/2016-Failed Deadline pursuant to Joint Rule 61(b)(14). (Last location was APPR. on 8/11/2016)

Location: 8/12/2016-A. DEAD

Summary: Would require the Public Utilities Commission to adopt and implement a schedule that implements a 2nd phase-in period for expanding direct transactions for individual retail nonresidential end-use customers over a period of not more than 3 years, raising the allowable limit of kilowatthours that can be supplied by other providers in each electrical corporation's distribution service territory by that electrical corporation's share of an aggregate of 8,000 gigawatthours, apportioned as specified.

Organization **Position**
CASA Support

[SB 661](#) **(Hill D) Protection of subsurface installations.**

Last Amend: 8/19/2016

Status: 9/29/2016-Chaptered by Secretary of State - Chapter 809, Statutes of 2016.

Location: 9/29/2016-S. **CHAPTERED**

Summary: Current law requires every operator of a subsurface installation, except the Department of Transportation, to become a member of, participate in, and share in the costs of, a regional notification center. Current law requires any person who plans to conduct any excavation to contact the appropriate regional notification center before commencing that excavation, as specified. Current law defines a subsurface installation as any underground pipeline, conduit, duct, wire, or other structure. This bill, the Dig Safe Act of 2016, would define terms for its purposes, including, among others, defining "working day" for purposes of determining excavation start date and time.

Organization **Position**
CASA Watch Close

[SB 830](#) **(Committee on Budget and Fiscal Review) Budget Act of 2016.**

Last Amend: 8/30/2016

Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was THIRD READING on 8/31/2016)

Location: 8/31/2016-A. DEAD

Summary: The Budget Act of 2016 made appropriations for the support of state government for the 2016-17 fiscal year. This bill would amend the Budget Act of 2016 by amending and adding items of appropriation and making other changes. This bill contains other related provisions.

Organization **Position**
CASA Watch Close

[SB 831](#) **(Committee on Budget and Fiscal Review) Monterey County Water Resources Agency: Lake Nacimiento and Lake San Antonio.**

Last Amend: 8/23/2016

Status: 9/13/2016-Chaptered by Secretary of State - Chapter 338, Statutes of 2016.

Location: 9/13/2016-S. **CHAPTERED**

Summary: Would appropriate \$10,000,000 from the General Fund to the Department of Water Resources for the purposes of a water conveyance tunnel between Lake Nacimiento and Lake San Antonio and spillway modifications at Lake San Antonio to increase storage by approximately 60,000 acre-feet. The bill would require the department to grant the \$10,000,000 appropriated for the purposes of the water conveyance tunnel and spillway modifications to the Monterey County Water Resources Agency for the purposes of constructing the water conveyance tunnel and spillway modifications, as specified. This bill contains other related provisions.

Organization **Position**
CASA Watch Close

[SB 859](#) **(Committee on Budget and Fiscal Review) Public resources: greenhouse gas emissions and biomass.**

Last Amend: 8/31/2016

Status: 9/14/2016-Chaptered by Secretary of State - Chapter 368, Statutes of 2016.

Location: 9/14/2016-S. **CHAPTERED**

Summary: The Cannella Environmental Farming Act of 1995 requires the Secretary of Food and Agriculture to convene a 5-member Scientific Advisory Panel on Environmental Farming, as prescribed, for the purpose of providing advice and assistance to federal, state, and local government agencies on issues relating to air, water, and wildlife habitat, as specified. Current law authorizes the panel to establish ad hoc committees to assist the panel in performing its functions. This bill would increase the number of members on the panel from 5 to 9 members and would require that the secretary appoint 5 instead of 3 of these members, the Secretary for Environmental Protection appoint 2 instead of one of these members, and the Secretary of the Natural Resources Agency appoint 2 instead of one of these members, as prescribed.

Organization **Position**
CASA Watch Close

[SB 885](#) **(Wolk D) Contracts: design professionals: indemnity.**

Last Amend: 6/16/2016

Status: 7/1/2016-Failed Deadline pursuant to Joint Rule 61(b)(13). (Last location was JUD. on 6/16/2016)

Location: 7/1/2016-A. DEAD

Summary: Would specify, with certain exceptions, for contracts and amendments to them entered into on or after January 1, 2017, that a design professional, as defined, only has the duty to defend himself or herself from claims or lawsuits that arise out of, or pertain or relate to, negligence, recklessness, or willful misconduct of the design professional. The bill would prohibit these provisions from being construed to affect any duty of a design professional to defend any claims brought against him or her on an ongoing basis during their pendency or the design professional's obligation to reimburse reasonable defense costs incurred by other persons or entities, limited to the design professional's degree of fault, as determined by a court, arbitration, or negotiated settlement.

Organization	Position
CASA	Oppose, Work with Subcommittee

[SB 919](#) ([Hertzberg D](#)) Water supply: creation or augmentation of local water supplies.

Last Amend: 8/11/2016

Status: 9/29/2016-Vetoed by the Governor

Location: 9/29/2016-S. VETOED

Summary: Would require the Public Utilities Commission, before January 1, 2018, in consultation with the Independent System Operator, to address the oversupply of renewable energy resources through a tariff or other economic incentive for electricity purchased by customers operating "facilities that create or augment local water supplies," as defined, to reduce the cost of electricity to those facilities. This bill contains other related provisions and other existing laws.

Organization	Position
CASA	Support/work w/author

[SB 954](#) ([Hertzberg D](#)) Public works: prevailing wage: per diem wages.

Last Amend: 6/14/2016

Status: 8/29/2016-Chaptered by Secretary of State - Chapter 231, Statutes of 2016.

Location: 8/29/2016-S. **CHAPTERED**

Summary: Current law requires the Director of Industrial Relations to determine the general prevailing rate of per diem wages for work of a similar character in the locality in which the public work is to be performed, and the general prevailing rate of per diem wages for holiday and overtime work. This bill would require per diem wages to include industry advancement and collective bargaining agreements administrative fees if the payments are made pursuant to a collective bargaining agreement to which the employer is obligated.

Organization	Position
CASA	Disapprove

[SB 970](#) ([Leyva D](#)) Greenhouse Gas Reduction Fund: grant program: recyclable materials.

Last Amend: 6/29/2016

Status: 9/14/2016-Chaptered by Secretary of State - Chapter 365, Statutes of 2016.

Location: 9/14/2016-S. **CHAPTERED**

Summary: Current law requires certain moneys appropriated by the Legislature from the Greenhouse Gas Reduction Fund to be used by the Department of Resources Recycling and Recovery for a grant program to provide financial assistance to reduce greenhouse gas emissions by promoting in-state development of infrastructure to process organic and other recyclable materials into new, value-added products. This bill would require the department, in awarding a grant for organics composting or anaerobic digestion under the program, to consider, among other things, the amount of greenhouse gas emissions reductions that may result from the project and the amount of organic material that may be diverted from landfills as a result of the project.

Organization	Position
CASA	Support

[SB 1043](#) ([Allen D](#)) Biogas and biomethane.

Last Amend: 4/25/2016

Status: 5/27/2016-Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 5/23/2016)

Location: 5/27/2016-S. DEAD

Summary: Would require the State Air Resources Board to consider and, as appropriate, adopt policies to significantly increase the sustainable production and use of biogas, as defined, and, in so doing,

would require the state board, among other things, to ensure the production and use of biogas provides direct environmental benefits and identify barriers to the rapid development and use of biogas and potential sources of funding. This bill contains other related provisions and other existing laws.

Organization	Position
CASA	Support Concept/Work w/Author

[SB 1069](#) ([Wieckowski D](#)) Land use: zoning.

Last Amend: 8/25/2016

Status: 9/27/2016-Chaptered by Secretary of State - Chapter 720, Statutes of 2016.

Location: 9/27/2016-S. **CHAPTERED**

Summary: The Planning and Zoning Law authorizes the legislative body of a city or county to regulate, among other things, the intensity of land use, and also authorizes a local agency to provide by ordinance for the creation of 2nd units in single-family and multifamily residential zones, as specified. That law makes findings and declarations with respect to the value of 2nd units to California's housing supply. This bill would replace the term "second unit" with "accessory dwelling unit" throughout the law.

Organization	Position
CASA	Neutral, As Amended

[SB 1153](#) ([Cannella R](#)) Greenhouse gases: scoping plan: biomethane.

Last Amend: 4/25/2016

Status: 5/27/2016-Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 5/9/2016)

Location: 5/27/2016-S. DEAD

Summary: Would require the State Air Resources Board, as a part of the update to the scoping plan and in consultation with other state entities, to provide a comprehensive overview of state efforts to encourage the development of in-state biomethane and renewable natural gas.

Organization	Position
CASA	Watch

[SB 1170](#) ([Wieckowski D](#)) Public contracts: water pollution prevention plans: delegation.

Last Amend: 8/1/2016

Status: 8/12/2016-Failed Deadline pursuant to Joint Rule 61(b)(14). (Last location was APPR. on 8/11/2016)

Location: 8/12/2016-A. DEAD

Summary: Would, except as specified, prohibit a public entity, charter city, or charter county from delegating to a contractor the development of a plan, as defined, used to prevent or reduce water pollution or runoff on a public works contract. The bill would also prohibit a public entity, charter city, or charter county from requiring a contractor on a public works contract that includes compliance with a plan to assume responsibility for the completeness and accuracy of a plan developed by that entity

Organization	Position
CASA	Oppose

[SB 1173](#) ([Hertzberg D](#)) Water-conserving plumbing fixtures: CalConserve Water Use Efficiency Revolving Fund.

Last Amend: 3/30/2016

Status: 4/22/2016-Failed Deadline pursuant to Joint Rule 61(b)(5). (Last location was S. T. & H. on 3/30/2016)

Location: 4/22/2016-S. DEAD

Summary: Existing law includes specified requirements to replace plumbing fixtures that are not water conserving, defined as "noncompliant plumbing fixtures," to residential and commercial real property built and available for use on or before January 1, 1994, as specified. Existing law defines "commercial real property," "multifamily residential real property," and "water-conserving plumbing fixture" for purposes of these provisions. This bill would apply these requirements, as specified, to commercial real property regardless of when it was built. This bill contains other related provisions and other existing laws.

Organization	Position
CASA	Watch/seek info

[SB 1213](#) ([Wieckowski D](#)) Renewable energy: biosolids: matching grants.

Last Amend: 4/4/2016

Status: 5/27/2016-Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 5/2/2016)

Location: 5/27/2016-S. DEAD

Summary: Would require the State Energy Resources Conservation and Development Commission to develop and implement the Biosolids to Clean Energy Grant Program to provide 50% matching funds to local wastewater agencies for biosolids to clean energy capital projects. Beginning with the 2016 -17 fiscal year, the bill would continuously appropriate \$20,000,000 annually from the fund to the commission for purposes of the program. This bill contains other existing laws.

Organization	Position
CASA	Support/work w/author

[SB 1229](#) ([Jackson D](#)) **Home-generated pharmaceutical waste: secure drug take-back bins.**

Last Amend: 6/27/2016

Status: 8/29/2016-Chaptered by Secretary of State - Chapter 238, Statutes of 2016.

Location: 8/29/2016-S. **CHAPTERED**

Summary: Would provide that a collector, as defined, is not liable for civil damages, or subject to criminal prosecution, for any injury or harm that results from the collector maintaining a secure drug take-back bin on its premises provided that the collector, not for compensation, acts in good faith to take specified steps, including that the collector regularly inspects the area surrounding the secure drug take-back bin for potential tampering or diversion, to ensure the health and safety of consumers and employees and the proper disposal in the waste stream of home-generated pharmaceutical waste, as defined, contained in the bins. This bill contains other existing laws.

Organization	Position
CASA	Support

[SB 1294](#) ([Pavley D](#)) **The Community Climate and Drought Resilience Program of 2016.**

Last Amend: 4/27/2016

Status: 5/27/2016-Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 5/9/2016)

Location: 5/27/2016-S. DEAD

Summary: Would enact the Community Climate and Drought Resilience Program of 2016 and would require CalFire to review the urban forestry program and, if necessary, revise the program to provide funding priority to multibenefit carbon sequestration projects and to establish local or regional targets for urban tree canopy. This bill contains other related provisions and other existing laws.

Organization	Position
CASA	Support

[SB 1298](#) ([Hertzberg D](#)) **Local government: fees and charges.**

Last Amend: 8/11/2016

Status: 8/31/2016-Failed Deadline pursuant to Joint Rule 61(b)(17). (Last location was INACTIVE FILE on 8/31/2016)

Location: 8/31/2016-A. DEAD

Summary: Articles XIII C and XIII D of the California Constitution generally require that assessments, fees, and charges be submitted to property owners for approval or rejection after the provision of written notice and the holding of a public hearing. Current law, the Proposition 218 Omnibus Implementation Act, prescribes specific procedures and parameters for local jurisdictions to comply with Articles XIII C and XIII D of the California Constitution and defines terms for these purposes. This bill would define the term "sewer" for these purposes.

Organization	Position
CASA	Watch

[SB 1301](#) ([Hertzberg D](#)) **Natural gas: greenhouse gas allowance: allocation.**

Last Amend: 4/7/2016

Status: 5/27/2016-Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 5/9/2016)

Location: 5/27/2016-S. DEAD

Summary: Would authorize the Public Utilities Commission to require up to 25% of revenues received by a gas corporation as a result of the auction of greenhouse gas allowances to be used for clean energy and energy efficiency projects or programs approved by the commission, as specified. The bill would require the commission to require each gas corporation to annually report and post on its Internet Web site all expenditures of these revenues and the quantified reductions in greenhouse gases from projects or programs funded under these provisions.

Organization	Position
CASA	Support

- [SB 1318](#) (Wolk D) Local government: drinking water infrastructure or services: wastewater infrastructure or services.**
Last Amend: 6/1/2016
Status: 7/1/2016-Failed Deadline pursuant to Joint Rule 61(b)(13). (Last location was L. GOV. on 6/9/2016)
Location: 7/1/2016-A. DEAD
Summary: The Cortese-Knox-Hertzberg Local Government Reorganization Act of 2000 governs the procedures for the formation and change of organization of cities and special districts. This bill would additionally authorize a local agency formation commission to initiate a proposal by resolution of application for the annexation of a disadvantaged unincorporated community, as specified. This bill contains other related provisions and other current laws.
- | Organization | Position |
|---------------------|-----------------|
| CASA | Oppose |
- [SB 1328](#) (Lara D) Water delivery projects: reduction of greenhouse gas emissions: funding.**
Last Amend: 8/18/2016
Status: 9/24/2016-Vetoed by the Governor
Location: 9/24/2016-S. VETOED
Summary: Would authorize the State Water Resources Control Board to expend moneys from the Greenhouse Gas Reduction Fund, upon appropriation by the Legislature, to provide grants to public agencies, nonprofit organizations, public utilities, and mutual water companies to implement stormwater and dry weather runoff collection and treatment, wastewater, water recycling, and drinking water projects that are intended to reduce greenhouse gas emissions by decreasing the demand for fossil fuels needed to pump, transport, and deliver water to serve water consumers, as prescribed. This bill contains other existing laws.
- | Organization | Position |
|---------------------|-----------------|
| CASA | Support |
- [SB 1350](#) (Wolk D) Agricultural lands: greenhouse gases: Healthy Soils Program.**
Last Amend: 5/10/2016
Status: 5/27/2016-Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was APPR. SUSPENSE FILE on 5/16/2016)
Location: 5/27/2016-S. DEAD
Summary: The California Global Warming Solutions Act of 2006 requires the Secretary of Food and Agriculture to convene a 5-member Scientific Advisory Panel on Environmental Farming, as prescribed, for the purpose of providing advice and assistance to federal, state, and local government agencies on issues relating to air, water, and wildlife habitat, as specified. Current law authorizes the panel to establish ad hoc committees to assist the panel in performing its functions. This bill would change the number of members on the panel from 5 to 7 members and would require that the secretary appoint 5 instead of 3 of these members, as prescribed.
- | Organization | Position |
|---------------------|-----------------|
| CASA | Watch Close |
- [SB 1383](#) (Lara D) Short-lived climate pollutants: methane emissions: dairy and livestock: organic waste: landfills.**
Last Amend: 8/31/2016
Status: 9/19/2016-Chaptered by Secretary of State - Chapter No. 395, Statutes of 2016
Location: 9/19/2016-S. **CHAPTERED**
Summary: The State Air Resources Board is required to complete a comprehensive strategy to reduce emissions of short-lived climate pollutants, as defined, in the state. This bill would require the state board, no later than January 1, 2018, to approve and begin implementing that comprehensive strategy to reduce emissions of short-lived climate pollutants to achieve a reduction in methane by 40%, hydrofluorocarbon gases by 40%, and anthropogenic black carbon by 50% below 2013 levels by 2030, as specified. The bill also would establish specified targets for reducing organic waste in landfills.
- | Organization | Position |
|---------------------|-----------------|
| CASA | Approve |
- [SB 1415](#) (Bates R) California Environmental Quality Act: local water projects: scoping meetings.**
Last Amend: 4/18/2016
Status: 5/27/2016-Failed Deadline pursuant to Joint Rule 61(b)(8). (Last location was APPR. on 4/21/2016)
Location: 5/27/2016-S. DEAD
Summary: Would require a lead agency to call at least one scoping meeting to receive public comments for local projects for stormwater or dry weather runoff capture and reuse, water recycling, or wastewater treatment to improve water quality. Because a local lead agency would be required to

conduct at least one scoping meeting, this bill would impose a state-mandated local program. This bill contains other related provisions and other existing laws.

Organization	Position
CASA	Approve

[SB 1436](#) ([Bates R](#)) Local agency meetings: local agency executive compensation: oral report of final action recommendation.

Last Amend: 4/6/2016

Status: 8/22/2016-Chaptered by Secretary of State - Chapter No. 175, Statutes of 2016

Location: 8/22/2016-S. **CHAPTERED**

Summary: Current law prohibits the legislative body from calling a special meeting regarding the salaries, salary schedules, or compensation paid in the form of fringe benefits, of a local agency executive, as defined. This bill, prior to taking final action, would require the legislative body to orally report a summary of a recommendation for a final action on the salaries, salary schedules, or compensation paid in the form of fringe benefits of a local agency executive during the open meeting in which the final action is to be taken. This bill contains other related provisions and other existing laws.

Organization	Position
CASA	Watch

Total Measures: 71

Total Tracking Forms: 71

**CASA
FEDERAL LEGISLATION
MATRIX
114TH CONGRESS
Second Session
(May 2016)**

Bill No.	Title	Sponsor	Summary	Status	Cosponsors	Position	Comments
WATER QUALITY							
H.R. 1668	Save our Water Act	Tom McClintock (R-CA)	To amend the Endangered Species Act of 1973 to provide for suspension of application of the Act to water releases by Federal and State agencies in river basins that are affected by drought, and for other purposes.	04/22/2015 Sponsor introductory remarks on measure.	Rep. Dana Rohrabacher (R-CA)		
FISCAL YEAR 2017 APPROPRIATIONS							
H.R.2029	Omnibus Appropriations	Charles Dent (R-PA)	Making appropriations for all federal agencies for the fiscal year ending September 30, 2016, and for other purposes.	House and Senate pass and president signs into law 12/18/2015 P.L.#114-13			Provides for full funding of SRF program and water recycling projects
WATER INFRASTRUTURE							
H.R. 291/S. 176	W-21	Napolitano (D-CA)/Boxer (D-CA)	To provide for integrated water management programs and other pur	Referred to the Subcommittee on Water, Power and Oceans./Senate Referred to Committee on Environment and Public Works	H.R.291: 29 cosponsors/ S.176: 2 cosponsors		Reintroduction of past legislation. (Boxer not expected to push for bill see S. 1894)
S. 2533	A bill to provide short-term water supplies to drought-stricken California	Dianne Feinstein (D-CA)	Bill provides for a comprehensive approach to address drought emergencies including funding of water recycling, desalination, storage, and expedited water transfers	Introduced 02/10/2016	Senator Barbara Boxer (D-CA)		CASA statement of support provided to delegation and submitted to committee for the record
H.R. 2689	Eligible Projects Water Resources Reform and Development Act	Mimi Walters (R-CA)	To clarify the scope of eligible water resources projects under the Water Resources Development Act of 1986 and the Water Resources Reform and Development Act of 2014, and for other purposes.	06/10/2015 Referred to the Subcommittee on Water Resources and Environment.			
H.R. 1705	Clean Water Affordability Act of 2015	Latta (R-OH)	To assist municipalities and regional sewer authorities that would experience a significant hardship raising the revenue necessary to finance projects and activities for the construction of wastewater treatment works, and for other purposes.	03/27/2015 Referred to the Subcommittee on Water Resources and Environment.	2 co-sponsors		
H.R. 2993	Water Recycling Acceleration Act of 2015	Doris Matsui (D-CA)	To authorize funding for water recycling projects in areas experiencing severe, extreme, or exceptional drought	07/24/2015 Referred to the Subcommittee on Water, Power and Oceans. 04/20/2016 Subcommittee Hearings Held.	% Cosponsors	Support	

**CASA
FEDERAL LEGISLATION
MATRIX
114TH CONGRESS
Second Session
(May 2016)**

Bill No.	Title	Sponsor	Summary	Status	Cosponsors	Position	Comments
H.R. 2983	Drought Recovery and Resilience Act of 2015	Jared Huffman (D-CA)	To provide drought assistance and improved water supply reliability to the State of California, other western States, and the Nation.	07/24/2015 Referred to the Subcommittee on Water, Power and Ocean	37 co-sponsors	Support	Many provisions incorporated into S. 1894
	FAST Act	Barbara Boxer (D-CA) James Inhofe (R-OK)	Transportation Reauthorization	Signed into law 12/8/2015		No Position	Provide for the ability to use tax exempt bonds in conjunction with WIFIA assistance
H.R. 625	Infrastructure 2.0 Act	John Delany (D-MD)	To eliminate the incentive for corporations to continue to hold accumulated earnings offshore, to invest in domestic infrastructure, to provide for international tax reform, and for other purposes.	02/02/2015 Referred to the Subcommittee on Water Resources and Environment.	18 cosponsors	Support	
S. 653	Water Resources Research Amendments Act of 2015	Benjamin Cardin (D-MD)	To amend the Water Resources Research Act of 1984 to reauthorize grants for and require applied water supply research regarding the water resources research and technology institutes established under that Act.	6/9/2015 - Passed/agreed to in Senate: Passed Senate without amendment by Unanimous Consent	1 cosponsor	Support	S. Rept. 114-48
S. 896	Innovative Stormwater Infrastructure Act of 2015	Tom Udall (D-NM)	To establish centers of excellence for innovative stormwater control infrastructure, and for other purposes.	04/13/2015 Referred to the Committee on Environment and Public Works.	1 cosponsor	No Position	
H.R. 1278/ S. 741	Water Infrastructure Resiliency and Sustainability Act of 2015	Lois Capps (D-CA) /Benjamin Cardin (D-MD)	To authorize the Administrator of the Environmental Protection Agency to establish a program of awarding grants to owners or operators of water systems to increase the resiliency or adaptability of the systems to any ongoing or forecasted changes to the hydrologic conditions of a region of the United States.	03/23/2015 Referred to the House Subcommittee on Water, Power and Oceans./03/16/2015 Referred to the Senate Committee on Environment and Public Works	H.R. 1278: 12 cosponsors/ S.741: 2 cosponsors	Support	
H.R. 1705	Clean Water Affordability Act of 2015	Robert Latta (R-OH)	To amend the Federal Water Pollution Control Act to assist municipalities and regional sewer authorities that would experience a significant hardship raising the revenue necessary to finance projects and activities for the construction of wastewater treatment works, and for other purposes.	03/27/2015 Referred to the Subcommittee on Water Resources and Environment.	1 cosponsor	No Position	
H.R. 1710	Drought Resilience Investment Act of 2015	Jerry McNerney (D-CA)	To amend the Water Resources Reform and Development Act of 2014 to provide additional financing options for water infrastructure projects carried out in States in which the Governor of the State has issued a state of drought emergency declaration, and for other	03/27/2015 Referred to the Subcommittee on Environment and the Economy.	3 cosponsors	Support	
REGULATORY REFORM / LOCAL GOVERNMENT							
H.R. 1634	To amend the Federal Water Pollution Control Act to increase the length of time for a certain permit	Sam Graves (R-MO)	Provide for extended NPDES Permit Terms of 20 years	03/25/2015 Referred to Committee on Transportation and Infrastructure	6 Cosponsors	Support	

**CASA
FEDERAL LEGISLATION
MATRIX
114TH CONGRESS
Second Session
(May 2016)**

Bill No.	Title	Sponsor	Summary	Status	Cosponsors	Position	Comments
H.R. 3353	To amend the Federal	Duncan Hunter (R-CA)	Provide for affirmative defenses under the Clean Water Act's citizen suits provisions and to end frivolous litigation	7/29/2015 Referred to Committee on Transportation and Infrastructure		Support	
H.R. 712	Sunshine for Regulatory Decrees and Settlements Act of 2015	Doug Collins (R-GA)	Provide for provisions to address sue and settle strategies initiated to secure outcomes desired by NGO's	Passed House 1/7/2016 244-173		No Position	Consistent with CASA effort to address abusive practices by NGO's but does not address citizen suits abuses
H.R. 427	Regulations from the Executive in Need of Scrutiny Act of 2015 (REINS)	Todd Young (R-IN)	A bill to prohibit implementation of a proposed rule relating to the definition of the term "waters of the United States" under the Clean Water Act, or any substantially similar rule, until a Supplemental Scientific Review Panel and Ephemeral and Intermittent Streams Advisory Committee produce certain reports, and for other purposes.	7/28/2015 Passed House of Representatives 243-165 Pending in Senate	171 cosponsors: Tom McClintock, David Valadao, Duncan Hunter, Doug LaMalfa, Devin Nunes, Stephen Knight, and Ken Calvert (R-CA)	No Position	S. 226 Identical bill. No action. Bill would require congressional approval of all "major" rules
H.R. 1732	Regulatory Integrity Protection Act of 2015	Bill Shuster (R-PA)	To preserve existing rights and responsibilities with respect to waters of the United States, and for other purposes.	05/12/2015 Passed/agreed to in House. Pending in Senate	70 cosponsors	No Position	



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

DATE: December 12, 2016

MEMO TO: Board of Directors - Union Sanitary District

FROM: Karen W. Murphy, General Counsel
Regina McEvoy, Board Secretary/Clerk

SUBJECT: Agenda Item No. 10 - Meeting of December 12, 2016
Consider Resolution Approving the 2016 Conflict of Interest Code

Recommendation

It is recommended that the Board adopt a resolution approving the revised 2016 Conflict of Interest Code.

Background

The Political Reform Act, Government Code Section 87200, et seq., requires that the District review its Conflict of Interest Code every two years and submit any revisions to Alameda County, the District's code reviewing body. The Conflict of Interest Code incorporates the Political Reform Act and sets forth the positions of officials that are required to submit Form 700, Statements of Economic Interests, as well as the categories of interests that must be disclosed. The last review took place in 2014.

The Conflict of Interest Code of the Union Sanitary District that was approved on September 12, 2014 ("2014 Conflict of Interest Code"), has been reviewed and found to require modification to update the code references and include all information required by the Fair Political Practices Commission in the recommended format. The designated positions and disclosure categories will remain substantially similar to those incorporated in the 2014 Conflict of Interest Code. However, the updated code differentiates between officials that are required to submit Form 700s by state law, including the Directors, General Manager/District Engineer, General Counsel and Work Group Manager – Business Services (as an official that manages public investments), and those that are required to submit Form 700s pursuant to our local Code, including all Work Group Managers other than Business Services and the Purchasing Agent.

Upon adoption of the attached resolution, District staff will submit the updated Conflict of Interest Code to Alameda County for review and approval.

Attachments: Proposed Resolution with 2016 Conflict of Interest Code

**UNION SANITARY DISTRICT
RESOLUTION NO. ____**

A RESOLUTION APPROVING A REVISED CONFLICT OF INTEREST CODE

WHEREAS, Government Code Section 87200, et seq. requires a biennial review of the District's Conflict of Interest Code; and

WHEREAS, the Conflict of Interest Code of the Union Sanitary District approved on September 12, 2014 ("2014 Conflict of Interest Code"), has been reviewed and found to require modification to update the code references and include all information required by the Fair Political Practices Commission in the recommended format; and

WHEREAS, the designated positions and disclosure categories will remain substantially similar to those incorporated in the 2014 Conflict of Interest Code.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE UNION SANITARY DISTRICT, AS FOLLOWS:

1. The revised Conflict of Interest Code is hereby approved in substantially similar form to that attached hereto and incorporated herein by reference.
2. District staff are authorized to submit the revised Conflict of Interest Code to Alameda County, the code reviewing body, for review and approval, and to make minor or technical revisions required by Alameda County.

The foregoing Resolution was duly and regularly adopted and passed by the Board of Directors of Union Sanitary District, Alameda County, California, at a meeting held on the 12th day of December, 2016.

AYES:
NOES:
ABSENT:
ABSTAIN:

Tom Handley
President, Board of Directors
UNION SANITARY DISTRICT

Attest:

Anjali Lathi
Secretary, Board of Directors
UNION SANITARY DISTRICT

CONFLICT OF INTEREST CODE

UNION SANITARY DISTRICT

Updated December 12, 2016

A. PURPOSE

The purposes of this Code are to provide for the disclosure of assets, investments, interests in real property, income, and business positions of designated District employees which may be materially affected by their official actions and to provide for the disqualification of designated employees from participation in District decisions in which they may have a financial interest.

B. BACKGROUND

The Political Reform Act of 1974, Government Code Sections 81000 *et seq.*, requires state and local agencies to adopt and promulgate Conflict of Interest Codes.

The California Fair Political Practices Commission has, pursuant to its authority under Section 83112 of the Government Code, adopted a regulation which contains the terms of a standard Conflict of Interest Code. This regulation is codified at Title 2 California Code of Regulations Section 18730. This regulation may be incorporated by reference by local agencies and, together with the designation of employees and disclosure categories, meets the requirements of the Political Reform Act.

C. ADOPTION OF CONFLICT OF INTEREST CODE

1. The terms of Title 2 California Code of Regulations Section 18730 are hereby incorporated by reference and, together with the attached Appendix in which officials and employees are designated and disclosure categories are set forth, constitute the Conflict of Interest Code of Union Sanitary District (“District”).

2. Designed positions are set forth in the attached Appendix and are those positions whose duties entail the making or participating in the making of decisions which may foreseeably have a material impact on financial interests. Each person filling a designated

position, and any person filling a designated position on a temporary or acting basis, shall disclose all of the information required under Section 3 of this Code, on forms provided by the District.

3. No person holding a position listed in section 2, immediately above, shall make or participate in the making of a decision when he or she has a financial interest, as defined in Section 87103 of the California Government Code, when it is reasonably foreseeable that the interest may be affected materially by the decision.

4. Designated employees shall file their Statements of Economic Interests with the District, which will make the statements available for public inspection and reproduction (Government Code Section 81800). Statements of designated employees will be retained by the District. Elected officials and the General Manager/District Engineer shall file their Statements of Economic Interests with the District, however the District shall then transmit the statements to Alameda County.

5. As provided in Government Code Section 82011, the code reviewing body is the Alameda County Board of Supervisors. Pursuant to Title 2 California Code of Regulations Section 18227, the Alameda County Clerk shall be the official responsible for receiving and retaining statements of economic interests filed with the Board of Supervisors.

6. The General Manager/District Engineer shall have the power to designate positions for disclosure required by this code on an interim basis pending Board review. Such designations shall be made if the General Manager/District Engineer determines that the position entails the making or participating in the making of decisions which may foreseeably have a material effect on financial interests.

7. Subsequent amendments to Title 2 California Code of Regulations Section 18730 duly adopted by the Fair Political Practices Commission, after public notice and hearings, are also hereby incorporated by reference unless the Board of Directors of the District, within 90 days after the date on which an amendment to Section 18730 becomes effective, adopts a resolution providing that the amendment is not to be incorporated into this Code.

8. This Conflict of Interest Code supersedes any Conflict of Interest Code previously adopted by the District.

9. Nothing contained herein is intended to modify or abridge the provisions of the Political Reform Act of 1974 (Government Code section 81000, *et seq.*). The provisions of this code are in addition to Government Code Section 87100 and other laws pertaining to conflicts of interest, including, but not limited to, Government Code Section 1090, *et seq.*

APPENDIX

EXHIBIT 1

UNION SANITARY DISTRICT LIST OF DESIGNATED EMPLOYEES AND DISCLOSURE CATEGORIES FOR CONFLICT OF INTEREST CODE

Each person holding any position listed below must file statements disclosing the kinds of financial interests shown for the employee's position. Statements must be filed at the times and on the forms prescribed by law. Failure to file statements on time may result in penalties, including but not limited to late fines.

<u>Designated Positions</u>	<u>Disclosure Category</u>
Work Group Manager – Technical Services	1,2,3,4
Work Group Manager – Collection Services	1,2,3,4
Work Group Manager – Treatment & Disposal Services	1,2,3,4
Work Group Manager – Fabrication, Maintenance & Construction	1,2,3,4
Purchasing Agent	1,2,3,4
Consultants**	1,2,3,4

It has been determined that the positions listed below must automatically file a statement of economic interests pursuant to Government Code Section 87200:

Directors
General Manager/District Engineer
General Counsel
Work Group Manager – Business Services

** 2 California Code of Regulations Section 18701(b) defines "consultant" as an individual who, pursuant to a contract with a state or local government agency:

- (1) Makes a Governmental decision whether to:
 - (i) Approve a rate, rule, or regulation;
 - (ii) Adopt or enforce a law;
 - (iii) Issue, deny, suspend, or revoke any permit license, application, certificate, approval, order, or similar authorization or entitlement;
 - (iv) Authorize the agency to enter into, modify, or renew a contract provided it is the type of contract which requires agency approval;
 - (v) Grant agency approval to a contract which requires agency approval and in which the agency is a party or to the specifications for such a contract;
 - (vi) Grant agency approval to a plan, design, report, study, or similar item;
 - (vii) Adopt, or grant agency approval of policies, standards, or guidelines for the agency, or for any subdivision thereof; OR

- (2) Serves in a staff capacity with the agency and in that capacity performs the same or substantially all the same duties for the agency that would otherwise be performed by an individual holding a position specified in the agency's Conflict of Interest Code.

Consultants shall be included in the list of designated employees and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The General Manager/District Engineer may determine in writing that a particular consultant, although a "designated position," is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements described in this section. (See Government Code § 82019 and FPPC Regulations § 18219 and 18734.) Such written determination shall include a description of the consultant's duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager/District Engineer's determination is a public record and shall be retained for public inspection in the same manner and location as this conflict of interest code. (See Government Code § 81008.)

Nothing herein excuses any consultant from any other provisions of this Conflict of Interest Code, specifically those dealing with disqualification.

EXHIBIT 2
DESCRIPTION OF DISCLOSURE CATEGORIES

An investment, interest in real property, or income is reportable if the business entity in which the investment is held, the interest in real property, or the income or source of income may likely be affected materially by any decision made or participated in by the designated person because of his or her position.

Category 1. Investments

A designated employee assigned to Category 1 is required to disclose investments that may be materially affected by any decision made or participated in by the designated employee. The employee should complete the appropriate schedules of Form 700 for investments.

Category 2. Interests in Real Property

A designated employee assigned to Category 2 is required to disclose interests in real property that may be materially affected by any decision made or participated in by the designated employee. The employee should complete the appropriate schedules of Form 700 for interests in real property.

Category 3. Income

A designated employee assigned to Category 3 is required to disclose income that may be materially affected by any decision made or participated in by the designated employee. The employee should complete the appropriate schedules of Form 700 for income.

Category 4. Business Positions

A designated employee assigned to Category 4 is required to disclose any business entity in which the designated employee is a director, officer, partner, trustee, employee or holds any position of management that may be materially affected by any decision made or participated in by the designated employee. The employee should complete the appropriate schedules of Form 700 for business positions.



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

DATE: December 12, 2016

MEMO TO: Board of Directors - Union Sanitary District

FROM: Paul R. Eldredge, General Manager/District Engineer
Karen W. Murphy, General Counsel

SUBJECT: Agenda Item No. 11 - Meeting of December 12, 2016
Consider Amendments to Policy 3070 to Allow for Modification of Board Officer Titles from President and Vice President to Chair and Vice Chair

Recommendation

It is recommended that the Board consider amendments to Policy 3070 to allow for modification of the titles of Board officers from President and Vice President to Chair and Vice Chair.

Background

At the September 26, 2016, Board meeting, Vice President Kite requested that the Board consider changing the titles of Board officers from President and Vice President to Chair and Vice Chair. At its meeting of October 24, 2016, the Board voted 3-2 (Handley and Toy opposed) to amend the titles as requested by Vice President Kite.

Staff is now bringing back revisions to Policy 3070 to address this issue. Rather than modify the titles to Chair and Vice Chair in perpetuity, we have revised the policy to allow the Board, by motion, to make changes to the titles. Adoption of the policy as drafted would allow the Board to modify the officer titles without revising Policy 3070 if a future Board desired to change the titles again, as has been done in the past. The revisions also clarify that the "Chair" serves as the president pursuant to California Health & Safety Code Section 6486.

Lastly, staff is recommending that the changes to the officer titles be made in July when a new "Chair/President" is elected to minimize the time and expense of changing current forms and

informational documents that refer to the offices of "President" and "Vice President." The change could take place by motion directly before or after the election of new officers in July.

Attachments: Policy 3070, with proposed changes in red-line format

Effective: 0312/1412 /16	Boardmember Officers and Committee Membership	Policy Number 3070 Page 1 of 3
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Policy

Selection of Board Officers will be held annually at the first regular meeting in the month of July of each year. Internal Board committee memberships shall be established no later than the second regularly scheduled meeting in July of each year, following the selection of the Board Officers. External commissions/committees representatives shall be established no later than the first regularly scheduled meeting in May of each year.

Purpose

To provide a written record of the procedure approved by the Board for electing its Officers and establishing its committee memberships.

Procedure

Board Officers

1. The Officers are President, Vice President, and Secretary and the term of office shall be for one year. The Board may, by motion, amend the titles of President and Vice President to Chair and Vice Chair, respectively, provided that the Chair, regardless of title, shall act as the "president" pursuant to California Health & Safety Code Section 6486.
2. The Chair/President shall preside over the meetings of the Board of Directors and be responsible for the following:
 - a. maintaining order and following the published agenda
 - b. ensuring Boardmembers are allowed to participate in discussions
 - c. allowing the public to speak on agenda items
 - d. facilitating dialog among the public, staff, and Boardmembers
 - e. appointment of members of the Board of Directors to Committee assignments
 - f. signing resolutions, ordinances, and construction contracts on behalf of the District
 - g. representing the Board of Directors on issues or at events as designated by the full Board

The Vice Chair/Vice President shall fulfill the duties of the Chair/President when the Chair/President is absent or otherwise unavailable.

The Secretary shall ensure the recording of the minutes of the Board of Directors meetings and sign the adopted Minutes, shall sign all Resolutions and Ordinances passed by the District, and shall serve as ~~Vice President~~Vice Chair/Vice President when the ~~Vice President~~Vice Chair/Vice President is absent or otherwise unavailable. If the

~~President~~Chair/President and ~~Vice-President~~Vice Chair/Vice President are both absent, and a quorum is present, the Secretary shall preside over the meetings of the Board of Directors as the Board ~~President~~Chair/President.

3. At the first regularly scheduled Board meeting in July, or as soon thereafter as the item can be agendaized at a regular Board meeting, the Board shall appoint its Board Officers. During election years, the newly elected Boardmembers shall be sworn in as the first item of business on the agenda followed immediately by the selection of the Board Officers. During non-election years, the selection of the Board Officers shall be considered after the last motion item on the agenda. The Board shall elect the ~~President~~Chair/President, Vice Chair/Vice-President and Secretary for one year terms. The election or removal of the ~~President~~Chair/President, Vice Chair/Vice-President or Secretary shall require a majority vote of the Board. The Board may choose to follow a rotation of officers.

The Board officers in office at the beginning of the meeting shall retain their positions until the adjournment of the meeting and the newly selected Board Officers shall assume their duties immediately following this meeting.

Internal Board Committee Memberships

1. Internal committees are: Budget and Finance; Construction; Legal/Community Affairs; Legislative; Personnel; and Audit Committee. There is no fixed schedule for meetings set by this policy and appointments are made by the ~~President~~Chair/President, as set forth below. Notwithstanding the above, meetings are noticed and open to the public.
2. Annually, following the election of Board officers, and at the same meeting as the election of the officers, Directors shall be provided a list of the internal committees along with an internal committee interest form. The internal committee interest form shall be completed in order of preference and provided to the General Manager, or designee, no later than 11 calendar days in advance of the next Board meeting.
3. The ~~President~~Chair/President is delegated the authority to appoint Directors to the internal committees. The ~~President~~Chair/President shall make every effort to rotate committee assignments and ensure a similar number of committee assignments for each Board member. Notice of internal committee membership appointments will be contained in an information item to the Board at the next regularly scheduled meeting following the selection of the Board Officers. The determination of the Board ~~President~~Chair/President on committee assignments shall be considered final.
4. Ad Hoc committees are called as needed by a majority vote of the Board of Directors.

External Commissions / Committee Representatives (CCR)

1. External commissions/committees include: the EBDA Commission; the Joint Powers Authority for Geographic Information Systems; the Alameda County Water District Finance Authority (ACWDFEA); and the Alameda County Chapter of the California Special Districts Association.
2. Membership on the EBDA Commission shall be a maximum of two consecutive years, with a possible three years in exceptional circumstances if approved by the Board.
3. The Board of Directors will elect the representatives for the External Committees no later than the first regularly scheduled Board meeting in May of each year in order to ensure that the representatives may be seated for the first meeting of the new committee or commission. At the prior meeting, Directors shall be provided a list of the external committees along with an external committee interest form. The external committee interest form shall be completed in order of preference and provided to the General Manager, or designee, no later than 11 calendar days in advance of the meeting. The committee interests shall be compiled in a staff report by the General Manager, or designee, and provided to the Board for consideration. The Board shall elect the CCRs for one year terms or as otherwise decided by the Board majority. The election or removal of CCRs shall require a majority vote of the Board.

Management Responsibility

The General Manager will be responsible for scheduling on the Board agenda, the election or appointment of Board officers and external commissions, pursuant to the schedule shown above. The General Manager, or designee, will provide the following to the new ~~President~~Chair/President, with copies to the Board: (1) a list of the last ten years and current committee memberships; (2) a copy of this policy; and (3) a list of internal committee interests. In consultation with the Board ~~President~~Chair/President, the General Manager will also be responsible for scheduling on the Board agenda the announcement of committee appointments.

Supersedes Policy Dated: July 2004, September 2005, January 2008, September 2010, October 2013

Approved by:	Board of Directors March 14 <u>December 12</u> , 2016
Reviewers:	General Manager, Board of Directors, District's attorney
Notify Person:	General Manager
Review frequency:	Every 3 years
Next Review:	March 2019



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

DATE: December 12, 2016

MEMO TO: Board of Directors - Union Sanitary District

FROM: Karen W. Murphy, General Counsel

SUBJECT: Agenda Item No. 12 - Meeting of December 12, 2016
Consider Options for Review of General Manager Expense Reports

Recommendation

It is recommended that the Board consider options for review of General Manager Expense Reports and provide direction to staff.

Background

A question has been raised about how General Manager expense reports are reviewed and approved. We have not been able to locate a policy that addresses this issue, although we understand expense reports have been reviewed by the Budget and Finance Committee in the past. Most recently, expense reports have been reviewed and approved by the Business Services Workgroup Manager/CFO with an informational report to the entire Board in conjunction with the monthly operations report.

There are a number of options for the Board to consider, which are set forth below and include the current process:

1. Review and approval by the Business Services Workgroup Manager/CFO, with an informational report to the entire Board in conjunction with the monthly operations report. No amendments to existing policies would be required.
2. Review and approval by the entire Board. This would require review at least quarterly. No amendments to existing policies would be required.
3. Review and approval by the Budget and Finance Committee, with an informational report to the entire Board, which could be provided in conjunction with the monthly operations report. This would require amendments to the committee job descriptions, as they currently

include only advisory actions and do not include review of General Manager expense reports by the Budget and Finance Committee.

It is recommended that the Board discuss the various options and direct staff to pursue one of the alternatives, or another option as directed by the Board.



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

DATE: December 6, 2016

MEMO TO: Board of Directors - Union Sanitary District

FROM: Paul R. Eldredge, General Manager/District Engineer
Sami E. Ghossain, Manager of Technical Services
Raymond Chau, CIP Coach

SUBJECT: Agenda Item No. 13 – Meeting of December 12, 2016
Authorize the General Manager to Execute an Agreement and Task Order No. 1 with RMC Water and Environment for the Plant Master Plan

Recommendation

Staff recommends the Board authorize the General Manager to execute an Agreement and Task Order No. 1 with RMC Water and Environment in the amount of \$265,217 for the Plant Master Plan.

Background

In the past few years, the District completed several studies and predesigns that identified the need to construct, replace, and rehabilitate multiple facilities within the Alvarado Wastewater Treatment Plant (WWTP) site. The purpose of the Plant Master Plan is to review and assess the District's near- and long-term projects, evaluate the need to retrofit or replace existing facilities (e.g. Operations and Administration Buildings), recommend the sequence of design and construction implementation based on future regulatory changes, determine priorities and schedules of improvements, re-affirm previous recommendations, 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 WWTP for the next 20 to 40 years.

The recently completed Alvarado WWTP Site Use Study provided a high-level planning tool to guide the optimization of the WWTP to meet future operational and maintenance needs based on potential regulatory requirements. The study developed and evaluated alternative site layout scenarios based on estimated land area needs for identified near- and long-term projects. Figures 1 and 2 show the two alternative site layouts included in the study's recommendation.

The life cycle cost and possible fiscal impacts of each of these alternatives is currently being evaluated. The results will be shared with the Board either in conjunction with this master planning process or as a separate discussion. The Plant Master Plan will use the study findings and the alternative site layouts to evaluate the near- and long-term projects at the WWTP and provide a plan or roadmap to implement the projects.

The list of the District's near- and long-term projects to be considered in the master planning effort will include the following (in no particular order):

1. Acquisition of Property – The Site Use Study identified the possible necessity to acquire parcels adjacent to the WWTP to accommodate future needs of the District (depending upon the option chosen). The Plant Master Plan will include services to assist the District in developing the action plan and strategy should it be deemed necessary to acquire the parcels.
2. Nutrient Removal Facilities – The Site Use Study evaluated the size and location of future nutrient removal facilities in anticipation of the Regional Water Quality Control Board reducing the concentration levels of nitrogen and phosphorous in the final effluent under future NPDES discharge permits issued to the District.
3. Advanced Water Treatment Facilities – The District could consider constructing new facilities that would treat a portion or all of the WWTP's final effluent to a level that the effluent can be reused.
4. Plant Solids Capacity/Assessment Study – Phase 1 – This study evaluated the WWTP's capacity to process the biosolids, identified capacity deficiencies, and recommended projects to mitigate those deficiencies.
5. Plant Solids Capacity/Assessment Study – Phase 2 – The second phase of the Plant Solids Capacity/Assessment Study will evaluate the solids capacity of the WWTP's liquid processes. It is currently anticipated that this item will be presented for the Board's consideration in January 2017.
6. Alvarado Equalization Storage Facilities – This is a project to design and construct wastewater storage facilities to temporarily store final effluent during peak wet weather events. Staff is currently evaluating locations for the storage facilities.
7. Standby Power Generation System Upgrade Project – This is a project to replace the six existing diesel engine generators that serve as standby power for the WWTP.
8. Seismic Vulnerability Assessment – The District completed Phases 1 and 2 and has started Phase 3 of the Seismic Vulnerability Assessment. Phase 1 conducted seismic assessments for 25 of the District's structures. During Phase 2, the consultant conducted detailed seismic assessments and identified retrofit work for the Administrative, Field Operations, Plant Operations Control, and Primary Clarifiers 1-4 Buildings.

9. Administration and Field Operations Buildings Repairs – In 2014, staff conducted a water intrusion investigation and identified retrofit work for the Administration and Field Operations Buildings.
10. New FMC Building – In 2016, staff completed the programming efforts for a new building for the FMC Work Group. This project is on hold pending the outcome of the Plant Master Plan. Staff also completed the programming study to evaluate current and future occupancy requirements in the Administration, Field Operations, and Control Buildings. The needs identified in this study will be considered in the Administration and Field Operations Buildings Repairs Project.
11. Co-Digestion and Energy Neutrality – In 2016, the District completed a co-digestion pilot project that directly injected feedstock into one of the primary digesters in order to increase production of biogas and decrease the purchase of natural gas from PG&E. The results from the pilot project look promising and staff continues to evaluate the data. The master plan will consider a location for future co-digestion facilities should the District decide to implement co-digestion on a full scale and the practice is determined to be feasible.

Request for Proposal

In July 2016, staff prepared and issued the Request for Proposal (RFP) to Brown and Caldwell, CDM Smith, Carollo Engineers, CH2M HILL, and RMC Water and Environment. In September, Brown and Caldwell, Carollo, and RMC submitted proposals to the District. CH2M HILL declined to submit a proposal because they did not have the available personnel for the project. CDM Smith did not respond to the RFP.

Staff reviewed the three submitted proposals and selected RMC due to their experience in completing the Alvarado WWTP Site Use Study and their familiarity with the District's future needs. In fact, the key members of RMC's proposed project team are the same personnel who worked on the Site Use Study.

Task Order No. 1

Task Order No. 1 will include the following scope of services:

1. Conduct a project kickoff meeting to get input from staff on the plant needs and requirements and evaluation criteria for project prioritization.
2. Conduct five workshops with staff to discuss the Administrative Building retrofit evaluation; confirm criteria weighting and project prioritization; review RMC's preliminary prioritization findings; review RMC's preliminary recommendations along

with project “trigger points” and roadmap for implementation; and review RMC’s draft Plant Master Plan report.

3. Conduct three workshops with the Board to present the status and preliminary findings of the tasks completed to date; present RMC’s draft Plant Master Plan report; and present the final Plant Master Plan report.
4. Review reference documents for the identified near- and long-term projects.
5. Review and develop the criteria that will be utilized for RMC’s evaluations and recommendations.
6. Develop alternatives that best match the priorities of the District, minimize cost, and meet the expected future regulatory requirements. RMC will develop up to four alternative buildout scenarios for the WWTP.
7. Prepare the draft and final Plant Master Plan reports.
8. Procure the services of a subconsultant to develop the action plan and strategy should the opportunity arise to acquire properties to the north of the WWTP site.

The scope of services and their respective fees are summarized as follows:

Task No.	Task Description	Fee
1	Meetings and Workshops	\$64,744
2	Plant Master Plan	\$152,488
3	Real Estate Implementation	\$26,442
4	Project Management	\$21,543
	Total Not-to-Exceed Fee	\$265,217

Staff believes the total not-to-exceed fee of \$265,217 is reasonable given the effort needed to evaluate the projects, develop the evaluation criteria, and recommend the project prioritization.

Schedule

Staff anticipates the completion of the master plan by Spring 2018. Initially, RMC will evaluate the Administrative Building retrofit and provide a recommendation that will determine whether the building will be retrofitted or replaced. This decision will also affect the location of future wastewater treatment facilities. The Administrative Building is currently located to the north the secondary clarifiers, and this site could be ideal for the future treatment facilities to minimize the pumping and piping of the wastewater and to improve operational and maintenance efficiency. Staff will present the findings of this evaluation to the Board by Summer 2017.

Even though the studies and predesigns of most of the projects to be evaluated by RMC are already completed or will be complete by Summer 2017, one key study will not be complete until Fall 2017. The Plant Solids Capacity Assessment Study – Phase 2 will begin in January 2017 and

will evaluate the solids capacity of the WWTP's liquid processes such as the primary clarifiers, return and waste activated sludge systems, aeration basins, and secondary clarifiers. The findings from this study will determine whether those processes need to be upgraded and/or expanded. RMC will include these findings in their study once the work is complete. It is currently anticipated that the process evaluations will be the first order of work and the preliminary results should coincide with RMC's schedule.

Staff recommends the Board authorize the General Manager to execute an Agreement and Task Order No. 1 with RMC Water and Environment in the amount of \$265,217 for the Plant Master Plan.

PRE/SEG/RC:ks

Attachments: Figures 1 and 2
Agreement
Task Order No. 1

Figure 1 - All New Plant Alternative Phase 3

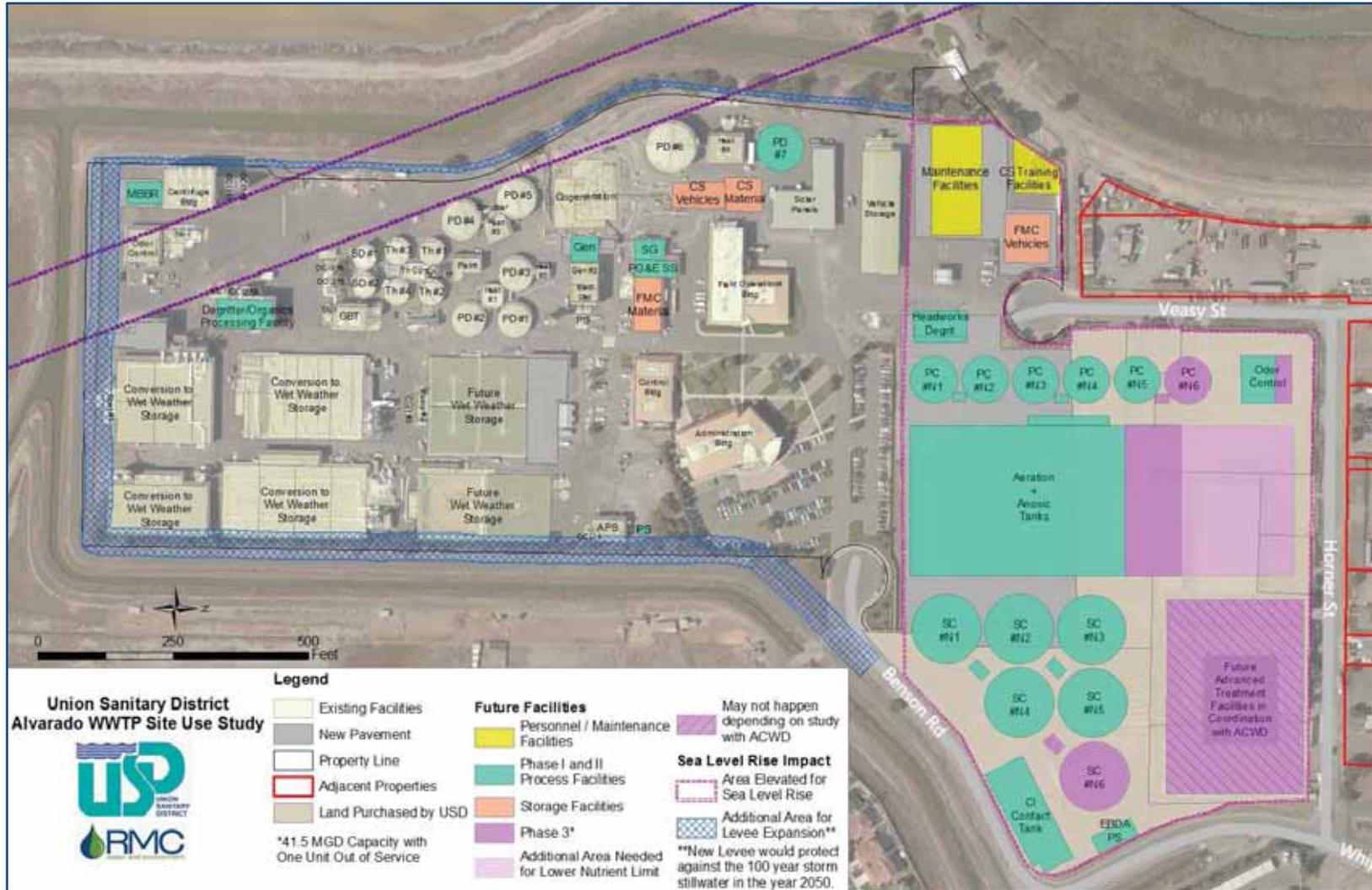
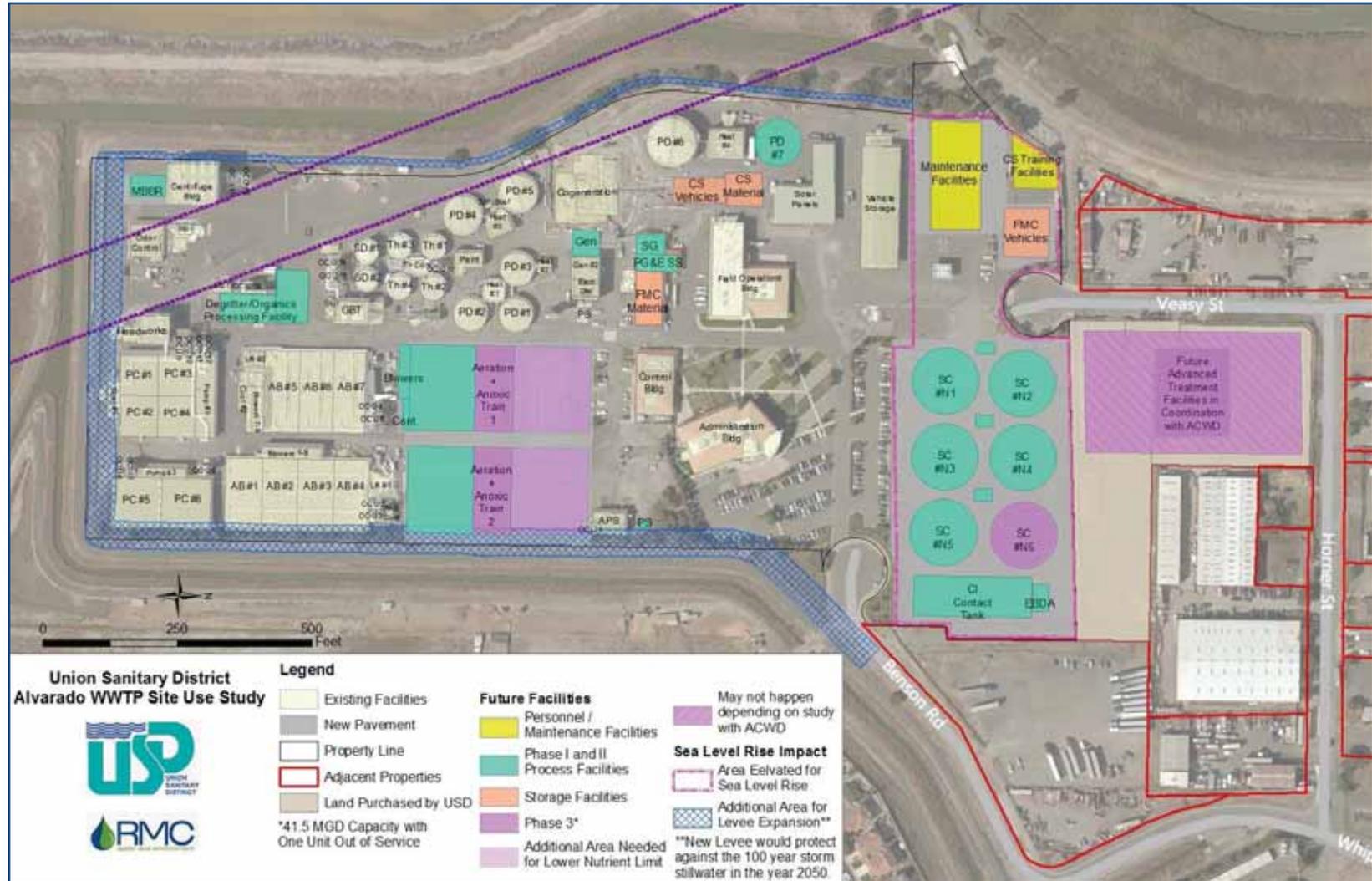


Figure 2 - Revised Baseline Alternative Phase 3



PLANT MASTER PLAN
AGREEMENT
BETWEEN
UNION SANITARY DISTRICT
AND
RMC WATER AND ENVIRONMENT
FOR
PROFESSIONAL SERVICES

THIS IS AN AGREEMENT MADE AS OF December _____, 2016, BETWEEN UNION SANITARY DISTRICT (hereinafter referred to as District), and RMC WATER AND ENVIRONMENT (hereinafter referred to as Engineer).

WITNESSETH:

WHEREAS, District intends to evaluate the implementation of various capital improvement projects that could be impacted by future regulatory changes, operation and maintenance needs, and renewal and replacement of critical facilities at the Alvarado Wastewater Treatment Plant (hereinafter referred to as Project), and,

WHEREAS, District requires certain professional services in connection with the Project (hereinafter referred as Services); and

WHEREAS, Engineer is qualified and prepared to provide such Services;

NOW, THEREFORE, in consideration of the promises contained herein, the parties agree as follows:

ARTICLE 1 - SERVICES TO BE PERFORMED BY ENGINEER

- 1.1 Specific Services and the associated scope of services, payment, schedule, and personnel will be defined in specific Task Order as mutually agreed by District and Engineer.
- 1.2 All Task Orders will by reference incorporate the terms and conditions of this Agreement, and become formal amendments hereto.

ARTICLE 2 - COMPENSATION

2.1 Compensation for consulting services performed under this Agreement shall include:

- (1) Direct labor costs, multiplied by an agreed upon fixed factor (the Multiplier), to compensate for fringe benefits, indirect costs, and profit.
- (2) Non-labor direct project charge not included in the fixed factor and acceptable, without any markup.
- (3) Subconsultant costs, with a maximum markup of 5%.

Definitions are as follows:

- (a) Direct labor is salaries and wages paid to personnel for time directly chargeable to the project. Direct labor does not include the cost of Engineer's statutory and customary benefits, such as sick leave, holidays, vacations, and medical and retirement benefits nor the cost of the time of executive and administrative personnel and others whose time is not identifiable to the project.
- (b) Fringe benefits include Engineer's statutory and customary benefits, such as sick leave, holidays, vacations, medical and retirement benefits, incentive pay, tuition, and other costs classified as employee benefits.
- (c) Indirect costs are allocations of costs that are not directly chargeable to a specific engagement and are commonly referred to as Engineer's overhead. Indirect costs include provisions for such things as clerical support, office space, light and heat, insurance, statutory and customary employee benefits, and the time of executive and administrative personnel and others whose time is not identifiable to the Project or to any other project. Under no circumstances can the same labor costs be charged as direct labor and also appear at the same time as indirect costs, and vice versa.
- (d) The Multiplier is a multiplicative factor which is applied to direct labor costs, and compensates Engineer for fringe benefits and indirect costs (overhead) and profit.
- (e) Other non-labor direct project charges shall be included in the overhead and these charges include typical expenses as cost

of transportation and subsistence, printing and reproduction, computer time and programming costs, identifiable supplies, outside consultant's charges, subcontracts, and charges by reviewing authorities."

Alternatively, the District and the Engineer may agree to utilize the fully-encumbered hourly rates and fees for Services performed by the Engineer. These hourly rates and fees shall be based on the Engineer's rate schedule published at the time this Agreement or Task Order is executed and shall be attached to each applicable Task Order.

- 2.2 Reimbursement for mileage shall not exceed the prevailing Internal Revenue Service's standard mileage rate.
- 2.3 A *Cost Ceiling* will be established for each Task Order which is based upon estimated labor-hours and cost estimates. Costs as described above, comprising direct labor, overhead cost, and other direct costs, shall be payable up to a Cost Ceiling as specified in the Task Order. A *Maximum Fee Ceiling*, or *Task Order Firm Ceiling*, will also be established for each Task Order which includes the Cost Ceiling plus the Professional Fee.
- 2.4 Engineer shall invoice District monthly for the actual costs incurred, and a pro-rated portion of the Professional Fee for work performed during the previous month. If the Maximum Fee Ceiling is reached, the Engineer will complete the agreed-upon work for the Maximum Fee Ceiling. With District staff approval, labor hours may be reallocated within the tasks without renegotiation in such a manner so as not to exceed the Maximum Fee Ceiling.
- 2.5 The Engineer shall provide the District with a review of the budget amounts when 75 percent of the Cost Ceiling for any task has been expended. Engineer may request a revision in the Cost Ceiling for performance of this Agreement, and will relate the rationale for the revision to the specific basis of estimate as defined in the Scope of Services. Such notification will be submitted to the District at the earliest possible date. The authorized Cost Ceiling shall not be exceeded without written approval of the District.
- 2.6 The Professional Fee will not be changed except in the case of a written amendment to the Agreement which alters the Scope of Services. District and Engineer agree to negotiate an increase or decrease in Cost Ceiling and Professional Fee for any change in Scope of Services required at any time during the term of this Agreement. Engineer will not commence work on the altered Scope of Services until authorized by District.

- 2.7 Direct labor rates are subject to revision to coincide with Engineer's normal salary review schedule. Adjustments in direct labor rates shall not affect the firm ceiling without prior written authorization of the District.
- 2.8 District shall pay Engineer in accordance with each Task Order for Services.
- 2.9 Engineer shall submit monthly statements for Services rendered. District will make prompt monthly payments in response to Engineer's monthly statements.

ARTICLE 3 - PERIOD OF SERVICE

- 3.1 Engineer's services will be performed and the specified services rendered and deliverables submitted within the time period or by the date stipulated in each Task Order.
- 3.2 Engineer's services under this Agreement will be considered complete when the services are rendered and/or final deliverable is submitted and accepted by District.
- 3.3 If any time period within or date by which any of the Engineer's services are to be completed is exceeded through no fault of Engineer, all rates, measures and amounts of compensation and the time for completion of performance shall be subject to equitable adjustment.

ARTICLE 4 - DISTRICT'S RESPONSIBILITIES

District will do the following in a timely manner so as not to delay the services of Engineer.

- 4.1 Provide all criteria and full information as to District's requirements for the services assignment and designate in writing a person with authority to act on District's behalf on all matters concerning the Engineer's services.
- 4.2 Furnish to Engineer all existing studies, reports and other available data pertinent to the Engineer's services, obtain or authorize Engineer to obtain or provide additional reports and data as required, and furnish to Engineer services of others required for the performance of Engineer's services hereunder, and Engineer shall be entitled to use

and rely upon all such information and services provided by District or others in performing Engineer's services under this Agreement.

- 4.3 Arrange for access to and make all provisions for Engineer to enter upon public and private property as required for Engineer to perform services hereunder.
- 4.4 Perform such other functions as are indicated in each Task Order related to duties of District.
- 4.5 Bear all costs incident to compliance with the requirements of this Section.

ARTICLE 5 - STANDARD OF CARE

- 5.1 Engineer shall exercise the same degree of care, skill, and diligence in the performance of the Services as is ordinarily provided by a professional Engineer under similar circumstance and Engineer shall, at no cost to District, re-perform services which fail to satisfy the foregoing standard of care.

ARTICLE 6 - OPINIONS OF COST AND SCHEDULE

- 6.1 Since Engineer has no control over the cost of labor, materials, equipment or services furnished by others, or over contractors', subcontractors' , or vendors' methods of determining prices, or over competitive bidding or market conditions or economic conditions, Engineer's cost estimate and economic analysis shall be made on the basis of qualification and experience as a professional engineer.
- 6.2 Since Engineer has no control over the resources provided by others to meet contract schedules, Engineer's forecast schedules shall be made on the basis of qualification and experience as a professional Engineer.
- 6.3 Engineer cannot and does not guarantee that proposals, bids or actual project costs will not vary from his cost estimates or that actual schedules will not vary from his forecast schedules.

ARTICLE 7 - SUBCONTRACTING

- 7.1 No subcontract shall be awarded by Engineer until prior written approval is obtained from the District.

ARTICLE 8 - ENGINEER-ASSIGNED PERSONNEL

- 8.1 Engineer shall designate in writing an individual to have immediate responsibility for the performance of the services and for all matters relating to performance under this Agreement. Key personnel to be assigned by Engineer will be stipulated in each Task Order. Substitution of any assigned person shall require the prior written approval of the District, which shall not be unreasonably withheld. If the District determines that a proposed substitution is not responsible or qualified to perform the services then, at the request of the District, Engineer shall substitute a qualified and responsible person.

ARTICLE 9 - OWNERSHIP OF DOCUMENTS

- 9.1 All work products, drawings, data, reports, files, estimate and other such information and materials (except proprietary computer programs, including source codes purchased or developed with Engineer monies) as may be accumulated by Engineer to complete services under this Agreement shall be owned by the District.
- 9.2 Engineer shall retain custody of all project data and documents other than deliverables specified in each Task Order, but shall make access thereto available to the District at all reasonable times the District may request. District may make and retain copies for information and reference.
- 9.3 All deliverables and other information prepared by Engineer pursuant to this Agreement are instruments of service in respect to this project. They are not intended or represented to be suitable for reuse by District or others on extensions of this Project or on any other project. Any reuse without written verification or adaptation by Engineer for the specific purpose intended will be at District's sole risk and without liability or legal exposure to Engineer; and District shall indemnify and hold harmless Engineer against all claims, damages, losses, and expenses including attorney's fees arising out of or resulting from such reuse. Any such verification or adaptation will entitle Engineer to further compensation at rates to be agreed upon by District and Engineer.

ARTICLE 10 - RECORDS OF LABOR AND COSTS

- 10.1 Engineer shall maintain for all Task Orders, records of all labor and costs used in claims for compensation under this Agreement. Records shall mean a contemporaneous record of time for personnel; a methodology and calculation of the Multiplier for fringe benefits and indirect costs; and invoices, time sheets, or other factors used as a basis for determining other non-labor Project charges. These records must be made available to the District upon reasonable notice of no more than 48 hours during the period of the performance of this Agreement.
- 10.2 After delivery of Services (completion of Task Orders) under this Agreement, the Engineer's records of all costs used in claims for compensation under this Agreement shall be available to District's accountants and auditors for inspection and verification. These records will be maintained by Engineer and made reasonably accessible to the District for a period of three (3) years after completion of Task Orders under this Agreement.
- 10.3 Engineer agrees to cooperate and provide any and all information concerning the Project costs which are a factor in determining compensation under this Agreement as requested by the District or any public agency which has any part in providing financing for, or authority over, the Services which are provided under the Agreement.
- 10.4 Failure to provide documentation or substantiation of all Project costs used as a factor in compensation paid under Article 2 hereof will be grounds for District to refuse payment of any statement submitted by the Engineer and for a back charge for any District funds, including interest from payment; or grant, matching, or other funds from agencies assisting District in financing the Services specified in this Agreement.

ARTICLE 11 - INSURANCE

Engineer shall provide and maintain at all times during the performance of the Agreement the following insurances:

- 11.1 Workers' Compensation and Employer's Liability Insurance for protection of Engineer's employees as required by law and as will protect Engineer from loss or damage because of personal injuries, including death to any of his employees.

- 11.2 Comprehensive Automobile Liability Insurance. Engineer agrees to carry a Comprehensive Automobile Liability Policy providing bodily injury liability. This policy shall protect Engineer against all liability arising out of the use of owned or leased automobiles both passenger and commercial. Automobiles, trucks, and other vehicles and equipment (owned, not owned, or hired, licensed or unlicensed for road use) shall be covered under this policy. Limits of liability for Comprehensive Automobile Liability Insurance shall not be less than \$1,000,000 Combined Single Limit.
- 11.3 Comprehensive General Liability Insurance as will protect Engineer and District from any and all claims for damages or personal injuries, including death, which may be suffered by persons, or for damages to or destruction to the property of others, which may arise from the Engineer's operations under this Agreement, which insurance shall name the District as additional insured. Said insurance shall provide a minimum of \$1,000,000 Combined Single Limit coverage for personal injury, bodily injury, and property damage for each occurrence and aggregate. Such insurance will insure Engineer and District from any and all claims arising from the following:
1. Personal injury;
 2. Bodily injury;
 3. Property damage;
 4. Broad form property damage;
 5. Independent contractors;
 6. Blanket contractual liability.
- 11.4 Engineer shall maintain a policy of professional liability insurance, protecting it against claims arising out of negligent acts, errors, or omissions of Engineer pursuant to this Agreement, in an amount of not less than \$1,000,000. The said policy shall cover the indemnity provisions under this Agreement.
- 11.5 Engineer agrees to maintain such insurance at Engineer's expense in full force and effect in a company or companies satisfactory to the District. All coverage shall remain in effect until completion of the Project.
- 11.6 Engineer will furnish the District with certificates of insurance and endorsements issued by Engineer's insurance carrier and countersigned by an authorized agent or representative of the insurance company. The certificates shall show that the insurance will not be cancelled without at least thirty (30) days' prior written notice to the District. The certificates for liability insurance will show that liability assumed under this Agreement is included. The endorsements will

show the District as an additional insured on Engineer's insurance policies for the coverage required in Article 11 for services performed under this Agreement, except for workers' compensation and professional liability insurance.

- 11.7 Waiver of Subrogation: Engineer hereby agrees to waive subrogation which any insurer of Engineer may acquire from Engineer by virtue of the payment of any loss. Engineer agrees to obtain any endorsement that may be necessary to effect this waiver of subrogation.

The Workers' Compensation policy shall be endorsed with a waiver of subrogation in favor of the District for all work performed by the Engineer, its employees, agents and subconsultants.

ARTICLE 12 - LIABILITY AND INDEMNIFICATION

- 12.1 Having considered the risks and potential liabilities that may exist during the performance of the Services, and in consideration of the promises included herein, District and Engineer agree to allocate such liabilities in accordance with this Article 12. Words and phrases used in this Article shall be interpreted in accordance with customary insurance industry usage and practice.
- 12.2 Engineer shall indemnify and save harmless the District and all of their agents, officers, and employees from and against all claims, demands, or causes of action of every name or nature to the extent caused by the negligent error, omission, or act of Engineer, its agents, servants, or employees in the performance of its services under this Agreement.
- 12.3 In the event an action for damages is filed in which negligence is alleged on the part of District and Engineer, Engineer agrees to defend District. In the event District accepts Engineer's defense, District agrees to indemnify and reimburse Engineer on a pro rata basis for all expenses of defense and any judgment or amount paid by Engineer in resolution of such claim. Such pro rata share shall be based upon a final judicial determination of negligence or, in the absence of such determination, by mutual agreement.
- 12.4 Engineer shall indemnify District against legal liability for damages arising out of claims by Engineer's employees. District shall indemnify Engineer against legal liability for damages arising out of claims by District's employees.
- 12.5 Indemnity provisions will be incorporated into all Project contractual arrangements entered into by District and will protect District and Engineer to the same extent.

- 12.6 Upon completion of all services, obligations and duties provided for in the Agreement, or in the event of termination of this Agreement for any reason, the terms and conditions of this Article shall survive.
- 12.7 To the maximum extent permitted by law, Engineer's liability for District's damage will not exceed the aggregate compensation received by Engineer under this Agreement or the maximum amount of professional liability insurance available at the time of any settlement or judgment, which ever is greater.

ARTICLE 13 - INDEPENDENT CONTRACTOR

Engineer undertakes performance of the Services as an independent contractor and shall be wholly responsible for the methods of performance. District will have no right to supervise the methods used, but District will have the right to observe such performance. Engineer shall work closely with District in performing Services under this Agreement.

ARTICLE 14 - COMPLIANCE WITH LAWS

In performance of the Services, Engineer will comply with applicable regulatory requirements including federal, state, and local laws, rules, regulations, orders, codes, criteria and standards. Engineer shall procure the permits, certificates, and licenses necessary to allow Engineer to perform the Services. Engineer shall not be responsible for procuring permits, certificates, and licenses required for any construction unless such responsibilities are specifically assigned to Engineer in Task Order.

ARTICLE 15 - NONDISCLOSURE OF PROPRIETARY INFORMATION

Engineer shall consider all information provided by District and all drawings, reports, studies, design calculations, specifications, and other documents resulting from the Engineer's performance of the Services to be proprietary unless such information is available from public sources. Engineer shall not publish or disclose proprietary information for any purpose other than the performance of the Services without the prior written authorization of District or in response to legal process.

ARTICLE 16 - TERMINATION OF CONTRACT

- 16.1 The obligation to continue Services under this Agreement may be terminated by either party upon seven days written notice in the event of substantial failure by the other party to perform in accordance with the terms hereof through no fault of the terminating party.
- 16.2 District shall have the right to terminate this Agreement or suspend performance thereof for District's convenience upon written notice to Engineer, and Engineer shall terminate or suspend performance of Services on a schedule acceptable to District. In the event of termination or suspension for District's convenience, District will pay Engineer for all services performed and costs incurred including termination or suspension expenses. Upon restart of a suspended project, equitable adjustment shall be made to Engineer's compensation.

ARTICLE 17 - UNCONTROLLABLE FORCES

- 17.1 Neither District nor Engineer shall be considered to be in default of this Agreement if delays in or failure of performance shall be due to uncontrollable forces, the effect of which, by the exercise of reasonable diligence, the nonperforming party could not avoid. The term "uncontrollable forces" shall mean any event which results in the prevention or delay of performance by a party of its obligations under this Agreement and which is beyond the control of the nonperforming party. It includes, but is not limited to, fire, flood, earthquake, storms, lightening, epidemic, war, riot, civil disturbance, sabotage, inability to procure permits, licenses, or authorizations from any state, local, or federal agency or person for any of the supplies, materials, accesses, or services required to be provided by either District or Engineer under this Agreement, strikes, work slowdowns or other labor disturbances, and judicial restraint.
- 17.2 Neither party shall, however, be excused from performance if nonperformance is due to uncontrollable forces which are removable or remediable, and which the nonperforming party could have, with the exercise of reasonable diligence, removed or remedied with reasonable dispatch. The provisions of this Article shall not be interpreted or construed to require Engineer or District to prevent, settle, or otherwise avoid a strike, work slowdown, or other labor action. The nonperforming party shall, within a reasonable time of being prevented or delayed from performance by an uncontrollable force, give written notice to the other party describing the circumstances and uncontrollable forces preventing continued

performance of the obligations of this Agreement. The Engineer will be allowed reasonable negotiated extension of time or adjustments for District initiated temporary stoppage of services.

ARTICLE 18 - MISCELLANEOUS

- 18.1 A waiver by either District or Engineer of any breach of this Agreement shall not be binding upon the waiving party unless such waiver is in writing. In the event of a written waiver, such a waiver shall not affect the waiving party's rights with respect to any other or further breach.
- 18.2 The invalidity, illegality, or unenforceability of any provision of this Agreement, or the occurrence of any event rendering any portion or provision of this Agreement void, shall in no way effect the validity or enforceability of any other portion or provision of the Agreement. Any void provision shall be deemed severed from the Agreement and the balance of the Agreement shall be construed and enforced as if the Agreement did not contain the particular portion or provision held to be void.

ARTICLE 19 - INTEGRATION AND MODIFICATION

- 19.1 This Agreement (consisting of pages 1 to 14), together with all Task Orders executed by the undersigned, is adopted by District and Engineer as a complete and exclusive statement of the terms of the Agreement between District and Engineer. This Agreement supersedes all prior agreements, contracts, proposals, representations, negotiations, letters, or other communications between the District and Engineer pertaining to the Services, whether written or oral.
- 19.2 The Agreement may not be modified unless such modifications are evidenced in writing signed by both District and Engineer.

ARTICLE 20 - SUCCESSORS AND ASSIGNS

- 20.1 District and Engineer each binds itself and its directors, officers, partners, successors, executors, administrators, assigns and legal representatives to the other party to this Agreement and to the partners, successors, executors, administrators, assigns, and legal representatives of such other party, in respect to all covenants, agreements, and obligations of this Agreement.

- 20.2 Neither District nor Engineer shall assign, sublet, or transfer any rights under or interest in (including, but without limitation, monies that may become due or monies that are due) this Agreement without the written consent of the other, except to the extent that the effect of this limitation may be restricted by law. Unless specifically stated to the contrary in any written consent to an assignment, no assignment will release or discharge the assignor from any duty or responsibility under this Agreement. Nothing contained in this paragraph shall prevent Engineer from employing such independent engineers, associates, and subcontractors as he may deem appropriate to assist him/her in the performance of the Services hereunder and in accordance with Article 7.
- 20.3 Nothing herein shall be construed to give any rights or benefits to anyone other than District and Engineer.

ARTICLE 21 – INFORMATION SYSTEM SECURITY

When the District determines this article is applicable, the Engineer shall obtain written approval from the District representative prior to accessing District internal systems through real-time computer connections. Upon approval, the Engineer will use only in-bound connections to accomplish a legitimate business need and a previously defined and approved task. As a condition of approval, the Engineer shall:

- a) Be running a current operating system supported by the District with up-to-date security patches applied as defined in the District COE/Non-COE document.
- b) Have anti-virus software installed on his/her personal computer with up-to-date virus signatures.
- c) Have personal firewall software installed and enabled on their computer.
- d) Understand and sign the District's Electronic Equipment Use Policy, number 2160.

The District reserves the right to audit the security measures in effect on Engineer's connected systems without prior notice. The District also reserves the right to terminate network connections immediately with all Engineer's systems not meeting the above requirements.

ARTICLE 22 – EMPLOYEE BACKGROUND CHECK

Engineer, at no additional expense to the District, shall conduct a background check for each of its employees, as well as for the employees of its subconsultants (collectively "Consultant Employees") who will have access to District's computer systems, either through on-site or remote access, or whose contract work requires an extended presence on the District's premises. The minimum background check process for any District consultant shall include, but not be limited to:

1. California residents: Criminal Records (County and State Criminal Felony and Misdemeanor
2. Out of State residents: Federal criminal search of the National Criminal Database,

The background check shall be conducted and the results submitted to the District prior to initial access by Consultant Employees. If at any time, it is discovered that a Consultant Employee has a criminal record that includes a felony or misdemeanor, the Engineer is required to inform the District immediately and the District will assess the circumstances surrounding the conviction, time frame, nature, gravity, and relevancy of the conviction to the job duties, to determine whether the Consultant Employee will be placed or remain on a District assignment. The District may withhold consent at its sole discretion. The District may also conduct its own criminal background check of the Consultant Employees. Failure of the Engineer to comply with the terms of this paragraph may result in the termination of its contract with the District.

ARTICLE 23 - EXCEPTIONS

No exceptions.

IN WITNESS THEREOF, the parties hereto have made and executed this Agreement as of the day and year first above written.

UNION SANITARY DISTRICT

RMC WATER AND ENVIRONMENT

By: _____
Paul R. Eldredge, P.E.
General Manager/District Engineer

By: _____
Dave Richardson
Principal Engineer

Date: _____

Date: _____

PLANT MASTER PLAN

TASK ORDER NO. 1
to
AGREEMENT

BETWEEN

UNION SANITARY DISTRICT

AND

RMC WATER AND ENVIRONMENT

FOR

PROFESSIONAL SERVICES

Dated December ____, 2016

1. PURPOSE

The purpose of Task Order No. 1 is to commission a Plant Master Plan to review and assess the District's critical capital improvement projects in order to provide a roadmap to address the future needs of the District's Alvarado Wastewater Treatment Plant (WWTP).

2. PROJECT COORDINATION

All work related to this task order shall be coordinated through the District's Project Manager, Raymond Chau.

3. SCOPE OF SERVICES

The task numbers in this Scope of Services are associated with the cost data presented in Exhibit A.

Task 1 – Meetings and Workshops

Subtask 1.1 – Project Meetings

Engineer shall conduct a kickoff meeting with District staff to discuss the project scope, approach, schedule, assumptions, and initial data needs. Engineer shall solicit input from District's internal teams to establish the list

of facilities and projects to be included in the master plan. At the kickoff meeting, Engineer shall also solicit input on plant needs, requirements, preferences, concerns and evaluation criteria for project prioritization from District staff. The meeting will also include a discussion on which projects may need additional lifecycle cost evaluation (e.g. Administration Building rehabilitation versus all new building) and how to address cash flow and financial impact modeling in the master plan.

Engineer shall develop a Table of Contents and an outline of each chapter for the proposed master plan document, for discussion at the kickoff meeting.

Engineer shall conduct up to one (1) additional meeting with District staff as necessary to gather information on each project, discuss progress, and schedule.

Assumptions:

- None

Subtask 1.2 – Workshops and Board Meeting

Engineer shall attend and facilitate workshops with District staff and Board members through the project. Subject materials will be submitted to the District for review prior to each workshop. The workshops will include:

- *Workshop No. 1 – Administration Building Discussion (Engineer and District staff):* The purpose of Workshop No. 1 is to present, evaluate, and agree upon a preferred approach for the Administration Building and other staff buildings. Evaluation finding along with features of each approach will be discussed.
- *Workshop No. 2 – Project Weighting and Ranking (Engineer and District staff):* The purpose of Workshop No. 2 is to discuss and confirm criteria weighting and project prioritization scoring based on District staff input. Specific project alternatives will also be discussed (e.g. Administration Building rehabilitation versus all new building).
- *Workshop No. 3 – Preliminary Prioritization Findings Discussion (Engineer, and District staff):* The purpose of Workshop No. 3 is to build consensus and obtain buy-in on the identified projects, their prioritization, and timing.
- *Board Workshop No. 1 – Master Plan Status and Preliminary Findings (Engineer, District staff, and Board):* The purpose of Board Workshop No. 1 is to present the status of the master plan and the preliminary findings of the tasks completed to date.

- *Workshop No. 4 – Alternative Discussion and Review (Engineer and District staff):* The purpose of Workshop No. 4 is to present and evaluate alternatives for the master plan. Preliminary recommendations along with “trigger points” and roadmap will be discussed for inclusion in the draft master plan. Cash flow and financing impacts will also be discussed during Workshop No. 4.
- *Workshop No. 5 – Draft Plant Master Plan Review (Engineer and District staff):* The purpose of Workshop No. 5 is to discuss and obtain feedback on the Draft Plant Master Plan.
- *Board Workshop No. 2 – Present Draft Plant Master Plan (Engineer, District staff, and Board):* The purpose of Board Workshop No. 2 is to present the Draft Plant Master Plan, receive comments, and respond to questions.
- *Board Workshop No. 3 – Present Final Plant Master Plan (Engineer, District staff, and Board):* The purpose of Board Workshop No. 3 is to present the Final Plant Master Plan, receive comments, and respond to questions.

Assumptions:

- None

Task 2 - Plant Master Plan

Subtask 2.1 – Review Reference Documents

Subtask 2.1 will involve the review of existing information and project reports or technical memoranda for each project listed below. For projects without reports or technical memoranda, the project needs will be identified by District staff. Engineer shall review the following projects for incorporation into the master plan:

Project to be Included in the Plant Master Plan

Project	Timing	Source(s)
Nutrient Removal Facilities	Future	- Site Use Study - NPDES Permit
Sidestream Nutrient Treatment	Future	- Site Use Study - NPDES Permit
Advanced Water Treatment Facilities	Future	- Site Use Study - Reclaimed Water Feasibility Study

Project	Timing	Source(s)
Property Acquisition	Future	- Site Use Study
Secondary Clarifier Nos. 7 and 8	Future	- Site Use Study - Plant Solids Capacity/Assessment Study Phase 2 (starting in January 2017)
Administrative Building Retrofit and Repair	Near-term	- Seismic Vulnerability Assessment - Water Intrusion Investigation - Space Needs Programming
Field Operations Buildings Retrofit and Repair	Near-term	- Seismic Vulnerability Assessment - Water Intrusion Investigation
Control Building Retrofit	Near-term	- Seismic Vulnerability Assessment
New FMC Building	Near-term	- USD FMC Building Program
New Digester No. 7	Near-term	- Site Use Study - Plant Solids Capacity/Assessment Study Phase 1
Organics Processing Facility	Future	- Site Use Study - Plant Solids Capacity/Assessment Study Phase 1
Equalization Storage	On-hold	- Alvarado Equalization Storage Facilities (design on hold) - EBDA System Flow Master Plan - Hayward Marsh Rehabilitation Options Study - NPDES Permits
Standby Generator Replacement	Near-term	- Standby Power Generation System Upgrade Project
Odor Control Rehab/Improvements	Future	- Odor Control Alternatives Study (starting in January 2017)
12kV and 5kV Switchgear Replacement	Future	- Future Project
Fuel Island Pumps and Tanks Relocation	Future	- USD FMC Building Program

Project	Timing	Source(s)
		- Standby Power Generation System Upgrade Project
Site Waste Pump Station	Future	- Treatment Plant Drainage Study
Improvements to Address Sea Level Rise	Near-term/ Future	- Preliminary Study of the Effect of Sea Level Rise on District Infrastructure
Various Plant Rehab and Repair	Near-term	- USD FY 17 10-Year CIP Budget

For a select number of projects (up to 3) based on discussion with District staff, Engineer shall perform an economic analysis (e.g. lifecycle cost analysis) on whether to retrofit or replace existing facilities.

Assumptions:

- District will provide all data and previous documentation relevant to planning of future facilities.
- District will provide existing site and record drawings.
- Projected flows will be based on previous collection system master plans; loads will be estimated based on available influent data.

Subtask 2.2 – Prioritization and Criteria Development

Engineer shall facilitate a discussion with the District to review and develop the criteria that will be utilized for the consultant’s evaluations and recommendations. The selected criteria will be weighted based on the District’s input. Evaluation criteria for each project will include:

- Schedule and sequence for design and construction of improvements
- Technical requirements to implement the project scope
- Impacts to the project scope from future regulatory changes
- Current and future capacity considerations
- Current and future space needs of the WWTP
- Impacts to the project scope based on the sea level rise projections for the WWTP site
- Availability of site and staff access for the proposed improvements with and without the 31216 Veasy Street property.
- Process and facility adjacencies to minimize piping and ductbanks and maximize operational efficiency
- Maintainability of proposed improvements
- Economic feasibility to proceed as currently planned.

- Other criteria as identified by Engineer and District during the kickoff meeting

Assumptions:

- None

Subtask 2.3 – Alternative Development and Evaluation

With input from the District's team, Engineer shall develop alternatives that best match the priorities of the District, minimize cost, and meet the expected future regulatory requirements. Engineer shall develop and evaluate alternatives for project implementation, including location and schedule. Up to four (4) alternative buildout scenarios for the Alvarado WWTP will be developed. The alternatives will generally consist of two split plant, one unfolding plant and one all new plant alternative. Planning-level lifecycle cost estimates will be developed in order to understand relative cost differences between the alternatives and potential impact on rates. Alternative development and evaluation shall include the conceptual layout of facilities, and estimation of capital costs for each alternative. The evaluation of alternatives based on criteria developed under Subtask 2.2.

Assumptions:

- None

Subtask 2.4 – Draft and Final Master Plan

Engineer shall identify and integrate "trigger points," which may have a significant impact on the WWTP. Using these trigger points, Engineer shall develop a roadmap, which will indicate future plant impacts of decisions at each trigger point. Environmental and/or applicable federal, state, and local regulations that should be addressed will be identified.

Findings will be incorporated into a draft Plant Master Plan report for the District's review. Draft chapters will be submitted to the District as they are prepared to allow for more efficient review by District staff. Engineer shall incorporate comments from the District on the draft Plant Master Plan into a final report. Engineer shall present the findings of the draft report to the District's staff. Engineer shall also present the findings from the final report to the District's Board of Directors.

Assumptions:

- None

Task 3 – Real Estate Implementation

Engineer and land subconsultant shall provide the following scope of services to assist the District develop an action plan and strategy for the future acquisition of key parcels for the Project.

- Review any available title reports, environmental reports, or engineering studies.
- Develop an updated land acquisition plan expanding upon the work previously carried out by PPC Land Consultants.
- Develop a draft scope of work per plan to acquire the key parcels needed for the Project.
- Develop an acquisition schedule model and prepare a preliminary schedule for key parcel acquisition.
- Estimate the current acquisition cost of up to eight (8) parcels.
- Develop a communications plan and supporting documents to engage with the owners of the properties including a Notice of Interest to Acquire (NOI).
- Mail (via certified mail) NOI to up to eight (8) property owners.
- Identify risks and plan responses to the acquisition process.
- Meet with up to eight (8) property owners once to discuss the Project, District's interest to acquire, and timing of potential acquisition of their property.
- Prepare required real estate documents for acquisition process for District's review and approval; including notice of decision to appraise, offer letter, acquisition agreement, and deed.
- Meet with the District's Project Team up to four (4) times to review Project status and deliverables.
- Provide appropriate level of project management and oversight to deliver the Scope of Work outlined here.

Assumptions:

- Fees for the above services are for a not to exceed amount of \$20,000.00.
- The fees do not include the costs to obtain title(s).

Task 4 – Project Management

Engineer shall develop a project plan that will fulfill the requirements of the Project Master Plan and the schedule for completing its tasks. Engineer shall hold regular project progress update conference calls with District's staff to discuss the work progress, request additional information, and

monitor project on schedule. Other activities under this task include internal budget management, invoicing, and project controls. Due to the timing associated with completion on some of the projects currently being undertaken by the District, it is anticipated that work will be split into two phases. The first phase will focus on the developing a preferred approach for Administration Building and the second phase will be focused on incorporating the findings from the Plant Solids Capacity/Assessment Project Phase 2. Part of the first phase will include identifying capital improvement projects that can move forward prior to completion of the solids capacity assessment.

Assumptions:

- Engineer shall participate in up to five (5) conference calls to review project progress
- Engineer shall provide progress reporting and invoicing for up to eighteen (18) months

4. DELIVERABLES

The Project deliverables are listed below:

Task 1 – Meetings and Workshops

Deliverables:

- Table with a preliminary listing of WWTP projects, including process, O&M, and administration facilities
- Agenda and meeting summary for the Kick-Off Meeting and other meetings with District staff
- Agenda, presentation, and meeting summary for the Workshops No. 1 through No. 5 and Board Workshops No. 1 and No. 2.

Task 2 – Plant Master Plan

Deliverables:

- An evaluation table with projects, weighting, and criteria
- Up to four (4) site plans showing the potential parcels and related costs, issues, and difficulties related to the developed alternatives.
- Up to four (4) lifecycle cost tables summarizing the annual and cumulative costs for the developed alternatives.
- Draft Plant Master Plan report in electronic (pdf) format
- Final Plant Master Plan report in electronic (pdf) format

Task 3 – Real Estate Implementation

Deliverables:

- Draft updated Land Acquisition Plan in electronic (pdf) format
- Final updated Land Acquisition Plan in electronic (pdf) format
- Schedule for key parcel acquisition
- Acquisition cost table for up to eight (8) parcels
- Communications plan to engage with the owners of the properties
- Up to eight (8) Notices of Interest to Acquire (NOI) in electronic (pdf) format
- Up to eight (8) notices of decision to appraise, offer letters, acquisition agreements and deeds for acquisition in electronic (pdf) format

Task 4 - Project Management

Deliverables:

- Monthly progress reports and invoices

5. PAYMENT TO THE ENGINEER

Payment to the Engineer shall be as called for in Article 2 of the Agreement. The billing rate schedule is equivalent to an overall labor multiplier of 3.22, including profit. Subconsultants and outside services will be billed at actual cost plus 5%; other direct costs will be billed at actual cost; and mileage will be billed at prevailing IRS standard rate.

Total charges to the DISTRICT not-to-exceed amount shall be \$265,217. A summary of the anticipated distribution of cost and manpower between tasks is shown in Exhibit A.

The following table summarizes the previously-executed and proposed task orders and amendments under the Agreement:

Task Order / Amendment	Not to Exceed Amount	Board Authorization Required? (Yes/No)	District Staff Approval
Task Order No. 1 – Plant Master Plan	\$265,217	Yes	Paul Eldredge
Total	\$265,217		

6. TIME OF COMPLETION

All work defined in this Task Order shall be complete in 324 calendar days after the execution of this Task Order and subject to the conditions of Article 3 of this Agreement. A detailed schedule is included as Exhibit B.

7. KEY PERSONNEL

Engineering personnel assigned to this Task Order No. 1 are as follows:

<u>Role</u>	<u>Key Person to be Assigned</u>
Principal-In-Charge	Steve Clary
Project Manager	Dave Richardson
Project Engineer	Mark Takemoto

Key personnel shall not be changed except in accordance with Article 8 of the Agreement.

IN WITNESS WHEREOF, the parties hereto have made and executed this Task Order No. 1 as of December ____, 2016 and therewith incorporate it as part of the Agreement.

DISTRICT

ENGINEER

Union Sanitary District

RMC Water and Environment

By: _____
Paul R. Eldredge, P.E.
General Manager/District Engineer

By: _____
David Richardson
Principal Engineer

Date: _____

Date: _____



Fee Summary

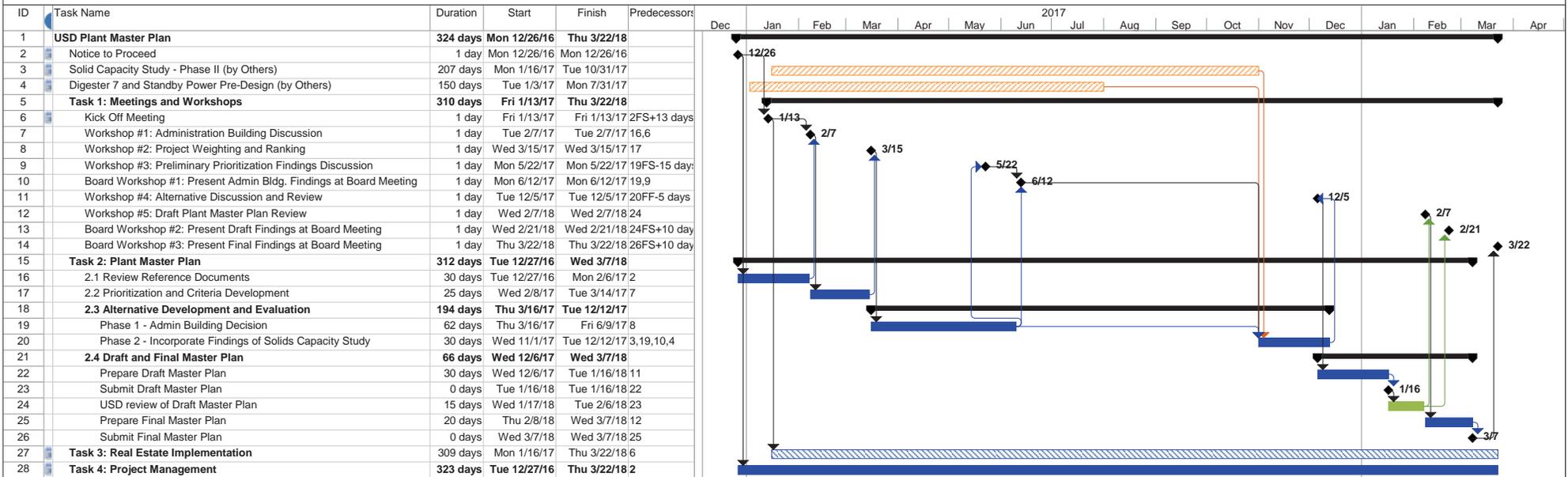
Union Sanitary District Alvarado Wastewater Treatment Plant Master Plan

11/18/16

Tasks	Labor									Total Hours	Total Labor Costs (1)	Outside Services			Subtotal	Sub Consultant Total Cost (2)	ODCs	Total Fee
	Steve Clary	Dave Richardson	Mark Takemoto	Susan Hsu	Christy Nelson	Mary Cousins	Carrie Del Boccio	Graphics	Admin.			Land Consultant	Degenkolb	Burks Toma				
	PIC	PM	PE	Staff Eng.	Staff Eng.	Permitting	Recycled Water	Graphics and Support Team	Land Implementation			Structural	Architecture					
Task 1: Meetings and Workshops	\$317	\$308	\$256	\$205	\$171	\$237	\$237	\$151	\$99									
1.1 Project Meetings	6	10	4	6	8				2	36	\$8,802		\$470		\$470	\$494	\$150	\$9,446
1.2 Workshops and Board Meeting	18	62	28	20	52	4	4	8	6	202	\$48,660	\$1,600	\$1,410	\$2,740	\$5,750	\$6,038	\$600	\$55,298
Subtotal Task 1:	24	72	32	26	60	4	4	8	8	238	\$57,462	\$1,600	\$1,880	\$2,740	\$6,220	\$6,532	\$750	\$64,744
Task 2: Plant Master Plan																		
2.1 Review Reference Documents		6	6	8	32				2	54	\$10,694		\$940	\$2,920	\$3,860	\$4,053		\$14,747
2.2 Prioritization and Criteria Development	2	16		36	80					134	\$26,622		\$3,760	\$1,020	\$4,780	\$5,019		\$31,641
2.3 Alternative Development and Evaluation	4	14	46	10	110	4	4			192	\$40,112	\$3,200	\$5,080	\$14,700	\$22,980	\$24,129		\$64,241
2.4 Draft and Final Master Plan	16	12	24	8	66	4	4	8	4	146	\$31,338	\$3,080	\$6,940	\$10,020	\$10,521			\$41,859
Subtotal Task 2:	22	48	76	62	288	8	8	8	6	526	\$108,766	\$3,200	\$12,860	\$25,580	\$41,640	\$43,722	\$0	\$152,488
Task 3: Real Estate Implementation																		
- Real Estate Implementation	2	8	6	2					2	20	\$5,242	\$20,000			\$20,000	\$21,000	\$200	\$26,442
Subtotal Task 3:	2	8	6	2	0	0	0	0	2	20	\$5,242	\$20,000	\$0	\$0	\$20,000	\$21,000	\$200	\$26,442
Task 4: Project Management																		
- Project Management	6	27	22	6					14	75	\$18,466		\$940	\$1,800	\$2,740	\$2,877	\$200	\$21,543
Subtotal Task 4:	6	27	22	6	0	0	0	0	14	75	\$18,466	\$0	\$940	\$1,800	\$2,740	\$2,877	\$200	\$21,543
TOTAL	54	155	136	96	348	12	12	16	30	859	\$189,936	\$24,800	\$15,880	\$30,120	\$70,600	\$74,131	\$1,150	\$265,217

1. The individual hourly rates include salary, overhead and profit.
2. Subconsultants will be billed at actual cost plus 5%.
3. Other direct costs (ODCs) such as reproduction, delivery, mileage (rates will be those allowed by current IRS guidelines), and travel expenses, will be billed at cost.
4. Rates shown are projected 2017 rates (2016 standard rates plus 3%). RMC reserves the right to adjust its hourly rate structure and ODC markup at the beginning of the calendar year for all ongoing contracts.

Exhibit B – Schedule
USD Plant Master Plan



Project: USD_Plant Master Plan_sche
Date: Tue 12/6/16

Task		Project Summary		Inactive Milestone		Manual Summary Rollup		Progress	
Split		External Tasks		Inactive Summary		Manual Summary		Deadline	
Milestone		External Milestone		Manual Task		Start-only			
Summary		Inactive Task		Duration-only		Finish-only			



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

DATE: December 5, 2016

MEMO TO: Board of Directors - Union Sanitary District

FROM: Paul R. Eldredge, General Manager/District Engineer
Sami E. Ghossain, Manager of Technical Services
Raymond Chau, CIP Coach
Curtis Bosick, Associate Engineer

SUBJECT: Agenda Item No. 14 - Meeting of December 12, 2016
Authorize the General Manager to Execute Amendment No. 1 to Task Order No. 2 with The Covello Group, Inc. for the Thickener Control Building Improvements Project

Recommendation

Staff recommends the Board authorize the General Manager to execute Amendment No. 1 to Task Order No. 2 with The Covello Group, Inc. (Covello) in the amount of \$174,193 for providing extended construction management services for the Thickener Control Building Improvements Project (Project).

Funds for the project have been budgeted in the Renewal and Replacement Fund (75%) and the Capacity Fund (25%).

Background

On November 25, 2013, the Board authorized the General Manager to execute Task Order No. 2 with Covello in the amount of \$1,095,490 for providing construction management services for the Project. These services as defined in Task Order No. 2 were to cover a span of 28 months from the issuance of the Notice to Proceed.

On May 27, 2014, the Board awarded the Project's construction contract to GSE Construction Company, Inc. (GSE) in the amount of \$9,990,050. Staff issued the Notice to Proceed to GSE on July 14, 2014, and the contract time of completion specified was 26 months.

The Project's major elements included the following:

- Construction of a temporary bypass system for all of the existing Thickener Control Building influent and effluent process lines.
- Demolition of existing Thickener Control Building, including scum pits and flow splitter structure.
- Construction of new Thickener Control Building structure with built-in utility trenches.
- Installation of three new progressing cavity sludge pumps, two grinder pumps, and two flow meters with associated piping and instrumentation.
- Construction of new Thickener Electrical Building adjacent to the existing Paint Shop Building. This includes replacing and relocating power and PLC controls from Thickener Control Building and Heating and Mixing Building (HMB) No. 3 to the new electrical building.
- Conversion of the existing gas booster room at HMB No. 1 for use as an electrical room. This includes structural and HVAC improvements, as well as replacing and relocating power and PLC controls from HMB Nos. 1 and 2 to the new electrical room within HMB No. 1.
- Installation of new thickened primary sludge yard piping from the Thickener Control Building to HMB Nos. 1, 2 and 3.
- Replacement of obsolete Primary Scum Pumps Nos. 1-4 at Pump Room Nos. 1 and 3.
- Replacement of PLC 20 at HMB No. 4.

Construction Delays

Additional construction management services are required due to several construction change orders that have delayed the Project's contract completion date. The greater part of these delays can be attributed to four major issues: the redesign of structural steel for the new Thickener Electrical Building roof, the upsizing of temporary bypass system piping, the relocation of HVAC equipment/ductwork in the HMB No. 1 Electrical Room, and the various modifications and/or rerouting of the temporary bypass system to facilitate the replacement of the Thickener Control Building. The four issues are summarized below:

1. The redesign of structural steel for the new Thickener Electrical Building roof was required to accommodate the relocation of electrical conduit roof penetrations, HVAC ductwork, and the orientation of the rooftop air conditioning unit. These modifications were required due to the lack of coordination between the electrical, structural and

HVAC designs. Staff negotiated a time extension of 69 calendar days for this change, which was the period of time it took to procure 8 additional structural steel members.

2. During the startup and testing of the temporary bypass system, it was discovered that approximately 300 feet of degrittied primary sludge piping needed to be upsized from 6-inch to 8-inch diameter pipes in order for the bypass to function appropriately. Staff negotiated a time extension of 14 calendar days for this change, which was the period of time it took to procure the necessary materials and replace the 6-inch piping.
3. The relocation of HVAC equipment and ductwork in the HMB No. 1 Electrical Room was an owner requested change due to the limited existing ceiling space and to improve the overall layout of the electrical room. The design originally situated the HVAC equipment and ductwork to be suspended from the ceiling; along with the lighting and the electrical and communication conduits for HMB Nos. 1 & 2. In addition, suspending the ventilation fans from the ceiling would have made access for future maintenance more difficult. Instead, the HVAC equipment and ductwork was installed vertically, mounted to the wall, per the recommendation of the equipment manufacturer. Staff is currently in the process of negotiating a time extension for this change with GSE which is expected to be approximately 14 calendar days.
4. As a consequence of the complex nature of designing, constructing and operating a temporary bypass system adjacent to the Thickener Control Building, there have been various unforeseen modifications and/or rerouting of the temporary bypass system piping needed to facilitate the replacement of the existing facilities. Staff is currently in the process of negotiating a time extension for the summation of these changes with GSE, which is expected to be approximately 26 calendar days.

As a result of these four issues, the Project's contract completion date is expected to be extended by a total of approximately four months.

Amendment No. 1 to Task Order No. 2

The scope of services for Task Order No. 2 remains unchanged. Amendment No. 1 will extend construction management services with Covello by four months, or through the end of February 2017.

The Amendment No. 1 fee of \$174,193 will revise the not-to-exceed amount of Task Order No. 2 to \$1,269,683, which is 12.2% of the current total construction amount. The total amounts for the Project's agreement with Covello are summarized in the table below:

Description	Fee
Task Order No. 1 – Bid-ability and Constructability Review	\$22,912
Task Order No. 2 – Construction Management Services	\$1,095,490
Amendment No. 1 to Task Order No. 2 – Construction Management Services	\$174,193
Total Not-to-Exceed Fee for this Agreement	\$1,292,595

Staff recommends the Board authorize the General Manager to execute Amendment No. 1 to Task Order No. 2 with The Covello Group, Inc. in the amount of \$174,193 for the Thickener Control Building Improvements Project.

PRE/SEG/RC/CB:ks

Attachment: Amendment No. 1 to Task Order No. 2

**THICKENER CONTROL BUILDING IMPROVEMENTS PROJECT
PROJECT NO. 800-394**

AMENDMENT NO. 1
TO
TASK ORDER NO. 2
TO
AGREEMENT
BETWEEN
UNION SANITARY DISTRICT
AND
THE COVELLO GROUP, INC.
FOR
PROFESSIONAL SERVICES
Dated May 16, 2013

1. PURPOSE

The purpose of this Amendment No. 1 to Task Order No. 2 is to extend construction management services for Project Number 800-394, Thickener Control Building Improvements Project, through the anticipated delayed Project completion in February 2017.

2. PROJECT COORDINATION

Curtis Bosick will be the Project Manager for the District.

3. SCOPE OF SERVICES

The Scope of Services associated with this Amendment are as described in Task Order No. 2 Exhibit A.

4. DELIVERABLES

The Engineer shall provide the deliverables as defined in the Task Order No. 2 Exhibit A.

5. PAYMENT TO THE ENGINEER

Payment to the Engineer shall be as called for in Article 2 of the Agreement. The billing rate schedule is equivalent to an overall labor multiplier of 2.96, including profit. Subconsultants and outside services will be billed at actual cost plus 5%; other direct costs will be billed at actual cost; and mileage will be billed at prevailing IRS standard rate.

The not-to-exceed amount for Amendment No. 1 to Task Order No. 2 shall be \$174,193. A summary of the anticipated distribution of cost and manpower between tasks is shown in Exhibit A.

The following table summarizes the previously-executed and proposed task orders and amendments under the Agreement:

Task Order / Amendment	Not to Exceed Fee	Board Authorization Required?	District Staff Approval
Task Order No. 1 – Biddability and Constructability Review	\$22,912	No	Jesse Gill
Task Order No. 2 – Construction Management Services	\$1,095,490	Yes	Richard Currie
Amendment No. 1 to Task Order No. 2 – Construction Management Services	\$174,193	Yes	Paul Eldredge
Total	\$1,292,595		

6. TIME OF COMPLETION

It is currently anticipated that work under this Amendment will be completed by February 2017.

All order terms and conditions of the Agreement and Task Order No. 2 remain unchanged.

Thickener Control Building Improvements Project

Amendment No. 1 to Task Order No. 2

Page 3

IN WITNESS WHEREOF, the parties hereto have made and executed this Amendment No. 1 to Task Order No. 2 as of December ____, 2016 and therewith incorporate it as part of the Agreement.

DISTRICT

ENGINEER

Union Sanitary District

The Covello Group, Inc.

By: _____
Paul R. Eldredge, P.E.
General Manager/District Engineer

By: _____
Bruce Presser, P.E.
CEO/CFO
PE License No. C38653

Date: _____

Date: _____

EXHIBIT A
UNION SANITARY DISTRICT - THICKENER CONTROL BUILDING IMPROVEMENTS PROJECT
Amendment No. 1 to Task Order No. 2
Staff Effort and Budget Estimate for Construction Management Services

		Hours	Rate	Amount	Oct-16	Nov-16	Dec-16	Jan-17	Feb-17
Covello Construction Management Team									
Principal	B.Presser	20	\$ 230	\$4,600	4	4	4	4	4
Construction Manager	M.Redig	460	\$ 164	\$75,440	100	100	100	80	80
FE-OE	J. Ronses	800	\$ 106	\$84,800	160	160	160	160	160
Administrative Assistant	P.Freitas	100	\$ 95	\$9,500	12	12	12	32	32
Field Office		5	\$ 910	\$4,550	1	1	1	1	1
Covello Estimate to Complete Work		1,385		\$178,890					
Subconsultants									
	CEL			\$7,500					
	RGM			\$15,000					
	BEECHER			\$10,000					
Subtotal Subs				\$32,500					
Markups			5%	\$1,625					
Total Estimate Covello & Subs				\$213,015					
Remaining Budget as of 9/30/16				\$38,822					

Estimated Budget Amendment to Complete the Work \$174,193



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

DATE: December 5, 2016

MEMO TO: Board of Directors - Union Sanitary District

FROM: Paul Eldredge, General Manager/District Engineer
Sami E. Ghossain, Manager of Technical Services
Raymond Chau, CIP Coach
Kevin Chun, Associate Engineer

SUBJECT: Agenda Item No. 15 – Meeting of December 12, 2016
Award the Construction Contract for the Knife Gate Valves 1-3 Replacement Project

Recommendation

Staff recommends the Board award the construction contract, including Bid Alternate A, for the Knife Gate Valves 1-3 Replacement Project to D.W. Nicholson Corporation in the amount of \$478,800.

Funds for the project have been budgeted in the Renewal and Replacement Fund as Project No. 800-480.

Background

The Headworks Building was constructed during the 1993 Plant Upgrade Project. The purpose of the Headworks Building is to combine all influent wastewater to the Alvarado Wastewater Treatment Plant (WWTP), measure the total flow quantity, and remove rags and large debris with mechanical bar screens. The influent wastewater enters the Headworks Building through three 42-inch diameter pipelines. Two of the pipelines transport wastewater from the outlying pump stations through the transport system's twin force mains, and the third pipeline transports wastewater from the on-site Alvarado Influent Pump Station which serves the Alvarado drainage basin.

On each of the 42-inch diameter pipelines, there is a knife gate valve with a motorized actuator to stop the influent wastewater during a WWTP shutdown or to isolate individual pipelines for operation and maintenance needs. The valves are located in an underground valve box south of the Headworks Building. Figures 1 and 2 show the location of the Headworks Valve Box and the three pipelines.

In 2015, staff attempted to isolate the force mains during a WWTP shutdown but discovered the valve on the east force main did not seal completely when closed and that allowed wastewater to leak past it. Replacement of the valve's internal seat would be difficult as it requires removal of the valve in order to access the seat. The valve is large and due to the limited space inside the Headworks Valve Box, the removal would require a contractor who specializes in rigging and lifting large equipment. Additionally, staff performed a condition assessment of the three knife gate valves and found heavy corrosion on the valve bodies due to wastewater leaks from the packing glands that seal around the valve stems to prevent leakage along the stems. Staff is unable to replace the packing material to stop the leakage as it would require removal of the valve bonnet (valve cover). A new re-designed knife gate valve will allow easier replacement of the packing material in the future.

Since the valves need to be removed in order to replace the valve seats, the effort to remove and reinstall the valves represents a majority of the overall project cost. Because the valves are over 20 years old and are at or near the end of their useful life, staff believes it would be best to replace them now. The three knife gate valves were also identified to be replaced in the most recent WWTP Renewal and Replacement Master Plan and Pump Station Master Plan.

Figures 3 through 6 show the Headworks Valve Box and the knife gate valves.

Project Scope

The Project scope includes replacement of three existing 42-inch knife gate valves and three existing flanged coupling adapters at the Headworks Valve Box with new 42-inch knife gate valves and flanged coupling adapters. A flanged coupling adapter allows for easier removal and installation of the valve in a piping system. The existing motorized actuators will be reinstalled on the new valves.

The replacement of the 42-inch knife gate valve on the Alvarado Influent Pump Station pipeline will require the diversion of the wastewater from the pump station to the WWTP's Site Waste Pump Station and the installation and operation of a temporary wastewater bypass pump system. The replacement of the two 42-inch knife gate valves on the twin force mains will be performed one at a time as all of the wastewater from the transport system can be pumped in one of the force mains during dry weather season. The replacement of the three valves will be performed during dry weather season only.

The Project was designed by staff.

Bid Results

Staff advertised the Project for bids on October 28, 2016. Staff received and opened three bids on November 30, 2016. The bid results are summarized in the table below.

Contractor	Total Contract Price
D.W. Nicholson Corporation (DWN) Hayward, CA	\$478,800
TNT Industrial Contractors, Inc. Sacramento, CA	\$519,569
GSE Construction Company, Inc. Livermore, CA	\$561,000

All three bids came in above the Engineer’s Estimate of \$365,000. DWN is the apparent low bidder with a bid of \$478,800, which is 31.2% or \$113,800 above the Engineer’s Estimate. The difference between the Engineer’s Estimate and the apparent low bid is attributed to the following reasons:

- The bid cost of the three knife gate valves came in higher than quoted during the design phase. The difference was \$80,000 which included the contractor’s markups.
- The low bid painting subcontractor’s proposal for the coating work was \$10,000 higher than the Engineer’s Estimate. Staff believes the difference was due to the confined space entry requirements for the coating work inside the Headworks Valve Box.
- Staff contacted the bypass pumping subcontractor and discovered the bypass pumping work was \$20,000 higher than the Engineer’s Estimate. The bypass pumping subcontractor included provisions for pumping capacity redundancy as part of his contingency plan.

Staff believes that the factors for bids coming in above the Engineer’s Estimate are justifiable and reasonable and re-bidding the project will not result in bids lower or equal to the Engineer’s Estimate. Furthermore, the variance between the low and high bids is only 8%. This percentage confirms that the bids accurately reflect the Project’s scope. Additionally, the time it would take to re-bid the project will delay the replacement of the leaking valve on the east force main pipeline. This delay will impact staff’s ability to completely stop wastewater into the WWTP and isolate and dewater the force mains for projects that are planned in 2017. These projects include the Force Main Relocation Project, Force Main Condition Assessment, and Force Main Corrosion Repairs Project. In addition, EBDA is planning to conduct condition assessment of its facilities during the summer of 2017 that will require several plant shutdowns and isolation of the force mains.

The Total Contract Price is the basis of award and includes the total base bid plus Bid Alternate A. Bid Alternate A will provide for builder’s risk insurance coverage. Builder’s risk insurance is a special type of property insurance that indemnifies against the loss of or damage to a building and equipment under construction. DWN submitted a bid amount of \$500 for this coverage. Staff recommends including this bid alternate in the construction contract.

Table 1 includes the bid tabulation sheet and shows detailed results for the three bidders.

Staff reviewed DWN's bid and determined it to be the lowest responsive and responsible bid, which DWN has verified and confirmed. No bid protests were received by the District. DWN is a General Engineering Class A licensed contractor who has recently and successfully constructed multiple projects for the District over the past several years, most notably the Cogeneration Project, Substation No. 1 Replacement Project, and Lift Station No. 1 Improvements Project. DWN is currently constructing the Plant Facilities Improvements Project, MCC and PLC Replacement Project – Phase 3, and Chemical Tanks and Piping Replacement Project. Staff has been satisfied with their work performance.

In addition to submitting a bid as the general contractor, DWN was listed as the electrical subcontractor on the second-low bidder, TNT Industrial Contractors' bid proposal. Staff consulted with legal counsel, McInerney & Dillon about this anomaly and was advised that the California Public Contract Code does not prohibit against a contractor bidding as a general contractor for the entire project and as a subcontractor for a portion of the project. The District's bid documents also do not prohibit this action. However, at the recommendation of McInerney & Dillon, staff will update the District's bid documents to prohibit this action in the future in order to eliminate the possibility of collusion between contractors.

Construction

The Project's construction period will be 260 calendar days with an estimated completion by September 2017. Staff anticipates the leaking valve on the east force main will be replaced first and should be complete by Spring/Summer 2017. Construction management and inspection services will be performed by staff.

Staff recommends the Board award the construction contract, including Bid Alternate A, for the Knife Gate Valves 1-3 Replacement Project to D.W. Nicholson Corporation in the amount of \$478,800.

PRE/SEG/RC/KC:ks

Attachments: Figures 1 and 2 – Site Map
Figures 3 through 6 – Photos
Table 1 – Bid Tabulation
Contractor Agreement

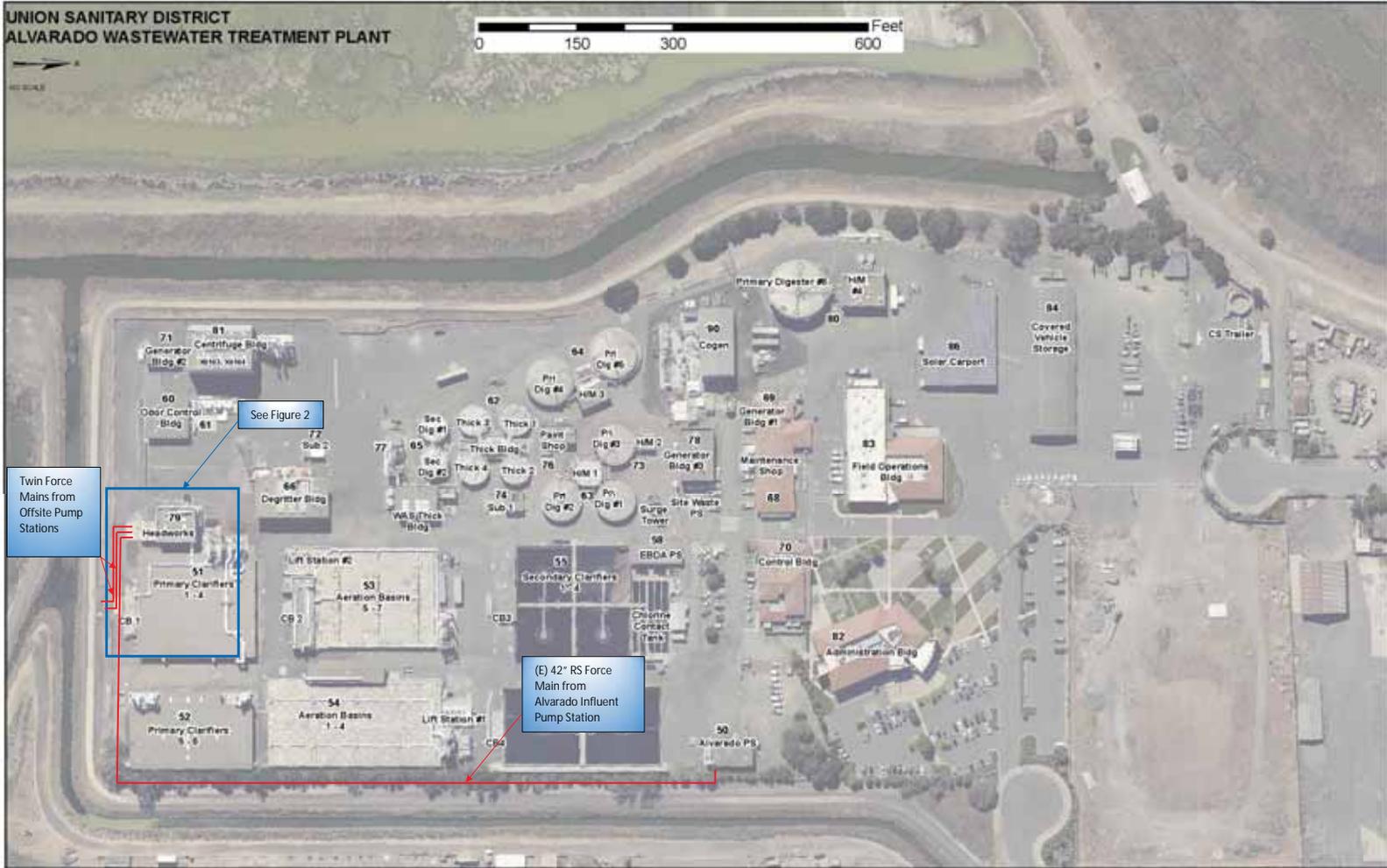


Figure 1 – Site Plan of Existing Force Mains Connecting at the Headworks Valve Box)

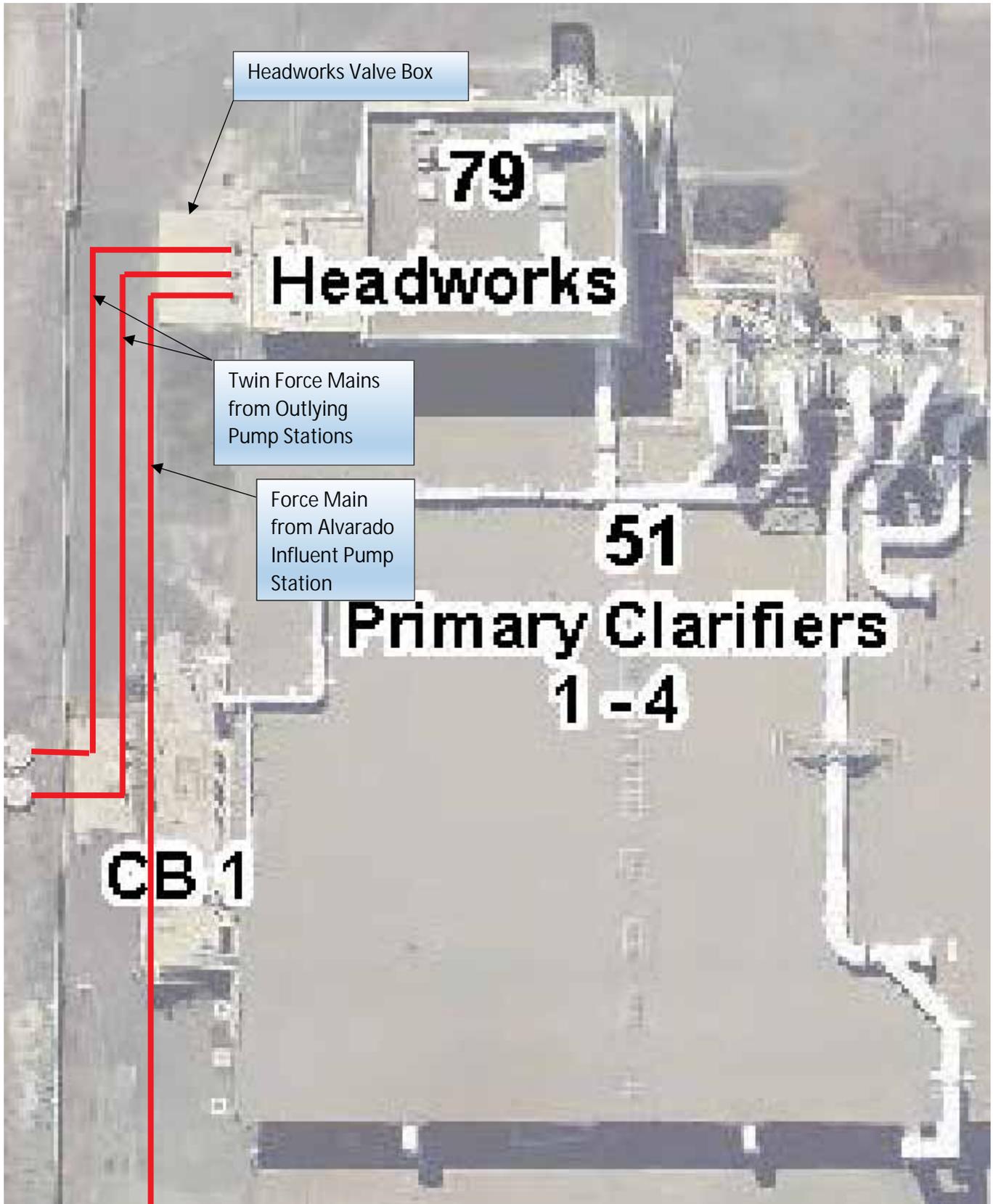
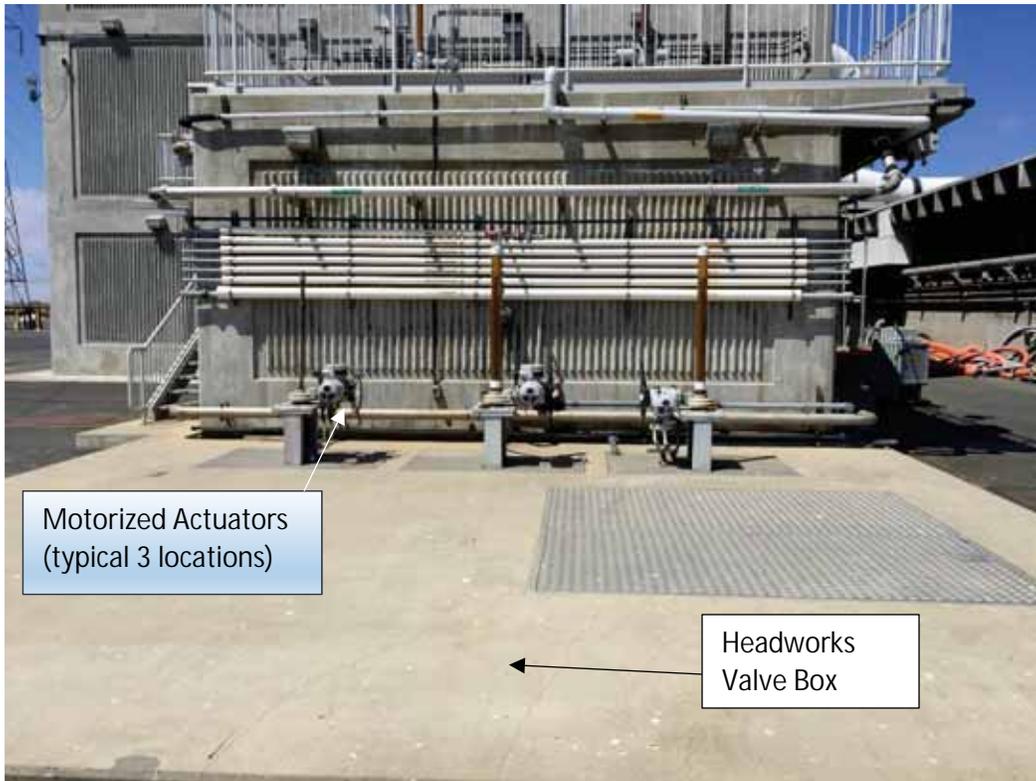


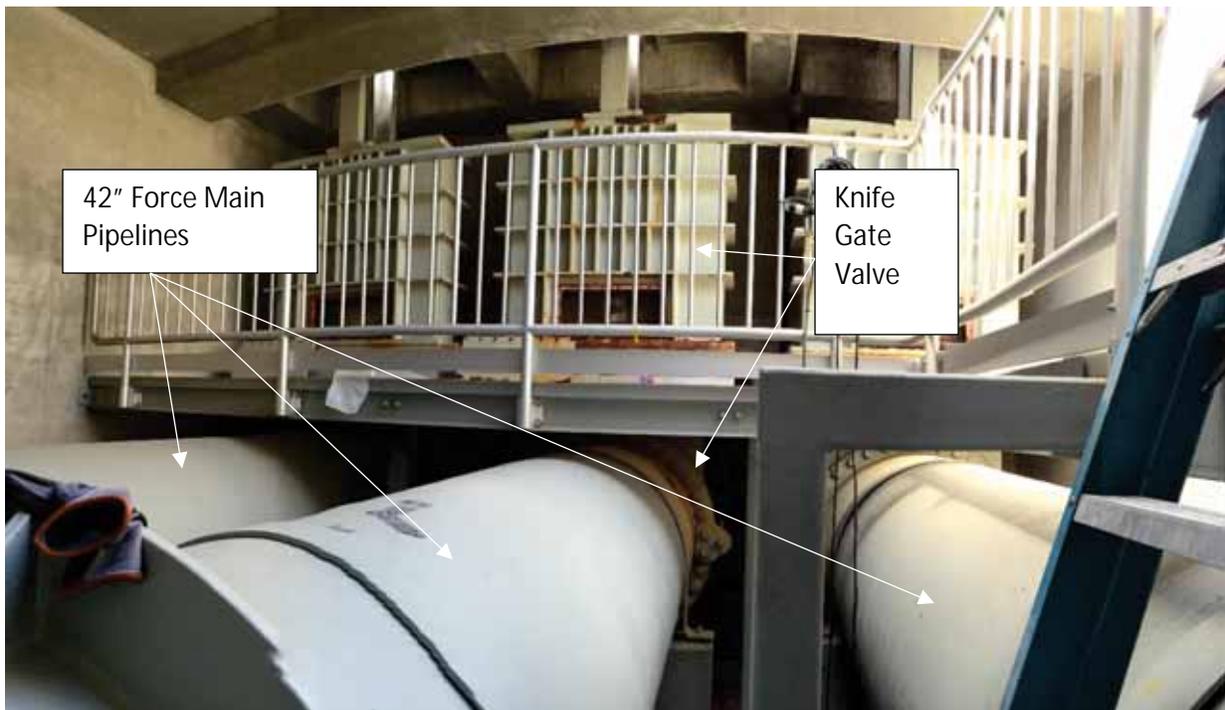
Figure 2 – Headworks Building and Headworks Valve Box



Motorized Actuators
(typical 3 locations)

Headworks
Valve Box

Figure 3 – Exterior view of the Headworks Valve Box with the Headworks Building in the background



42" Force Main
Pipelines

Knife
Gate
Valve

Figure 4 – Interior view of the Headworks Valve Box with the knife gate valves and 42" force main pipelines



Figure 5 – Interior view of the knife gate valves



Figure 6 – Interior view of the knife gate valve bonnets showing corrosion at packing glands.

**Table 1
Bid Tabulation**

Headworks Knife Gate Valves 1-3 Replacement Project
 Bid Tabulation
 Bid Opening: 2:00 pm, November 30, 2016
 Engineer's Estimate: \$365,000

Bid Item No.	Bid Item	Unit	Estimated Quantity	D.W. Nicholson (Hayward, CA)		TNT Industrial (Sacramento, CA)		GSE Construction (Livermore, CA)	
				Unit Bid Price	Total Bid Price	Unit Bid Price	Total Bid Price	Unit Bid Price	Total Bid Price
1	Completion of all Work included as part of the Contract Documents for Project No. 800-480, except as specified in Bid Items Nos. 2 to 3	LS	1	LS	\$43,300	LS	\$79,620	LS	\$80,000
2	Replacement of 42 Inch Knife Gate Valves and Appurtenances	LS	1	LS	\$394,000	LS	\$326,953	LS	\$344,000
3	Installation, Testing, Operation and Maintenance of a Temporary Raw Wastewater Bypass System	LS	1	LS	\$41,000	LS	\$111,496	LS	\$125,000
4	Cost for providing all shoring and bracing on all Bid Items above including but not limited to that as required by Sections 6700-6708 of the Labor Code	LS	1	LS	\$0	LS	\$0	LS	\$1,000
Total Base Bid					\$478,300		\$518,069		\$550,000
BID ALT A	Bid Alternate A: Builder's Risk Insurance				\$500		\$1,500		\$11,000
Total Contract Price					\$478,800		\$519,569		\$561,000
Percent (Under)/Over Engineer's Estimate					31.2%		42.3%		53.7%

AGREEMENT FOR THE CONSTRUCTION OF
Headworks Knife Gate Valves 1-3 Replacement Project
Project No. 800-480

THIS AGREEMENT, made and concluded, in duplicate, this ___ day of December 2016, between the UNION SANITARY DISTRICT ("District"), Union City, California, and D.W. Nicholson Corporation ("Contractor"), License No.68847.

W I T N E S S E T H :

1. That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the District, and under the conditions expressed in the two bonds, bearing even date with these presents, and hereunto annexed, the Contractor agrees with the District, at his/her own proper cost and expense, to do all the work and furnish all the materials necessary to construct and complete in good workmanlike and substantial manner the project entitled: **Headworks Knife Gate Valves 1-3 Replacement Project (Project No. 800-480)** in strict conformity with the plans and specifications prepared therefor, which said plans and specifications are hereby specially referred to and by said reference made a part hereof.

2. Now, therefore, in consideration of the mutual covenants and agreements of the parties herein contained and to be performed, the Contractor hereby agrees to complete the work in accordance with the terms and conditions stipulated in the Contract Documents for the sum of Four Hundred Seventy Eight Thousand Eight Hundred and zero Dollars (~~\$478,800.00~~) (the "Contract Price") computed in accordance with Contractor's accepted proposal dated November 30, 2016, which accepted proposal is incorporated herein by reference thereto as if herein fully set forth. This sum includes the following bid alternate that has been accepted by the District and is hereby incorporated in the Agreement: Alternate A. Compensation shall be based upon the lump sum bid items plus the unit prices stated in the Bid Schedule times the actual quantities or units of work and materials performed or furnished. The further terms, conditions, and covenants of this Agreement are set forth in the Contract Documents, each of which is by this reference made a part hereof. Payments are to be made to the Contractor in accordance with the provisions of the Contract Documents and the Technical Specifications in legally executed and regularly issued warrants of the District, drawn on the appropriate fund or funds as required by law and order of the District thereof.

3. The District hereby promises and agrees with the said Contractor to employ, and does hereby employ, the said Contractor to provide the materials and to do the work according to the terms and conditions herein contained and referred to, for the Contract Price, and hereby contracts to pay the same at the time, in the manner and upon the conditions set forth in the Contract Documents; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

4. The Contractor and any subcontractor performing or contracting any work shall comply

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Headworks Knife Gate Valves 1-3
Replacement Project

with all applicable provisions of the California Labor Code for all workers, laborers and mechanics of all crafts, classifications or types, including, but necessarily limited to the following:

(a) The Contractor shall comply with all applicable provisions of Section 1810 to 1815, inclusive, of the California Labor Code relating to working hours. The Contractor shall, as a penalty to the District, forfeit the sum of twenty-five dollars (\$25) for each worker employed in the execution of the Contract by the Contractor or by any subcontractor for each calendar day during which such worker is required or permitted to work more than eight (8) hours in any one calendar day and forty (40) hours in any one calendar week, unless such worker receives compensation for all hours worked in excess of eight (8) hours at not less than 1-1/2 times the basic rate of pay.

(b) Pursuant to the provision of California Labor Code, Sections 1770 et. seq., the Contractor and any subcontractor under him shall pay not less than the prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations. Pursuant to the provisions of California Labor Code Section 1773.2, the Contractor is hereby advised that copies of the prevailing rate of per diem wages and a general prevailing rate for holidays, Saturdays and Sundays and overtime work in the locality in which the work is to be performed for each craft, classification, or type of worker required to execute the Contract, are on file in the office of the District, which copies shall be made available to any interested party on request. The Contractor shall post a copy of said prevailing rate of per diem wages at each job site.

(c) As required by Section 1773.1 of the California Labor Code, the Contractor shall pay travel and subsistence payments to each worker needed to execute the work, as such travel and subsistence payments are defined in the applicable collective bargaining agreements filed in accordance with this Section.

(d) To establish such travel and subsistence payments, the representative of any craft, classification, or type of workman needed to execute the contracts shall file with the Department of Industrial Relations fully executed copies of collective bargaining agreements for the particular craft, classification or type of work involved. Such agreements shall be filed within 10 days after their execution and thereafter shall establish such travel and subsistence payments whenever filed 30 days prior to the call for bids.

(e) The Contractor shall comply with the provisions of Section 1775 of the California Labor Code and shall, as a penalty to the District, forfeit not more than two hundred dollars (\$200) for each calendar day, or portion thereof, for each worker paid less than the prevailing rate of per diem wages for each craft, classification, or type of worker needed to execute the contract. The Contractor shall pay each worker an amount equal to the difference between the prevailing wage rates and the amount paid worker for each calendar day or portion thereof for which a worker was paid less than the prevailing wage rate.

(f) As required under the provisions of Section 1776 of the California Labor Code, Contractor and each subcontractor shall keep an accurate payroll record,

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Headworks Knife Gate Valves 1-3
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showing the name, address, social security number, work classification, and straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with the public work. Said payroll shall be certified and shall be available for inspection at all reasonable hours at the principal office of the Contractor on the following basis:

(1) A certified copy of an employee's payroll record shall be made available for inspection or furnished to the employee or his or her authorized representative on request.

(2) A certified copy of all payroll records enumerated in Paragraph 4(f), herein, shall be made available for inspection or furnished upon request to the District, the Division of Labor Standards Enforcement, and the Division of Apprenticeship Standards of the Department of Industrial Relations.

(3) A certified copy of all payroll records enumerated in Paragraph 4(f), herein, shall be made available upon request by the public for inspection or for copies thereof; provided, however, that a request by the public shall be made through the District, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement. If the requested payroll records have not been provided pursuant to subparagraph 4(e) herein, the requesting party shall, prior to being provided the records, reimburse the costs of preparation by the Contractor, subcontractors, and the entity through which the request was made. The public shall not be given access to the records at the principal offices of the Contractor.

The certified payroll records shall be on forms provided by the Division of Labor Standards Enforcement or shall contain the same information as the forms provided by the division.

Certified payroll records shall be submitted electronically as required under California Labor Code Section 1776 to the Labor Commissioner pursuant to California Code of Regulations Chapter 8, Section 16404.

Each Contractor shall file a certified copy of the records, enumerated in Paragraph 4(f) with the entity that requested the records within 10 days after receipt of a written request. Any copy of records made available for inspection as copies and furnished upon request to the public or any public agency by the District, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement shall be marked or obliterated in such a manner as to prevent disclosure of an individual's name, address, and social security number. The name and address of the Contractor awarded the contract or performing the contract shall not be marked or obliterated. The Contractor shall inform the District of the location of the records enumerated under Paragraph 4(f) including the street address, city and county, and shall, within 5 working days, provide a notice of change of location and address. The Contractor shall have 10 days in which to comply subsequent to receipt of

written notice specifying in what respects the Contractor must comply with this Paragraph 4(f). In the event that the Contractor fails to comply within the 10-day period, he or she shall, as a penalty to the state or the District, forfeit one hundred dollars (\$100) for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated. Upon the request of the Division of Apprenticeship Standards or the Division of Labor Standards Enforcement, these penalties shall be withheld from progress payments then due. Responsibility for compliance with Paragraph 4(f) lies with the Contractor.

(g) The Contractor and any subcontractors shall, when they employ any person in any apprenticeable craft or trade, apply to the joint apprenticeship committee administering the apprenticeship standards of the craft or trade in the area of the construction site for a certificate approving the Contractor or subcontractor under the apprenticeship standards for the employment and training of apprentices in the area or industry affected; and shall comply with all other requirements of Section 1777.5 of the California Labor Code. The responsibility of compliance with California Labor Code Section 1777.5 during the performance of this contract rests with the Contractor. Pursuant to California Labor Code Section 1777.7, in the event the Contractor willfully fails to comply with the provisions of California Labor Code Section 1777.5, the Contractor shall be denied the right to bid on any public works contract for up to three (3) years from the date noncompliance is determined and be assessed civil penalties.

(h) In accordance with the provisions of Article 5, Chapter 1, Part 7, Division 2 (commencing with Section 1860), and Chapter 4, Part 1, Division 4 (commencing with Section 3700) of the California Labor Code, the Contractor is required to secure the payment of compensation to its employees and for that purpose obtain and keep in effect adequate Workers' Compensation Insurance. If the Contractor, in the sole discretion of the District satisfies the District of the responsibility and capacity under the applicable Workers' Compensation Laws, if any, to act as self-insurer, the Contractor may so act, and in such case, the insurance required by this paragraph need not be provided.

The Contractor is advised of the provisions of Section 3700 of the California Labor Code, which requires every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that Code and shall comply with such provisions and have Employer's Liability limits of \$1,000,000 per accident before commencing the performance of the work of this Contract.

The Notice to Proceed with the Work under this Contract will not be issued, and the Contractor shall not commence work, until the Contractor submits written evidence that it has obtained full Workers' Compensation Insurance coverage for all persons whom it employs or may employ in carrying out the work under this Contract. This insurance shall be in accordance with the requirements of the most current and applicable state Workers' Compensation Insurance Laws. In accordance with the provisions of Section 1861 of the California Labor Code, the Contractor in signing this agreement certifies to the District as true the following statement: "I am aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability

for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of the work of this contract."

A subcontractor is not allowed to commence work on the project until verification of Workers' Compensation Insurance coverage has been obtained and verified by the Contractor and submitted to the Construction Manager for the District's review and records.

(i) In accordance with the provisions of Section 1727 of the California Labor Code, the District, before making payment to the Contractor of money due under a contract for public works, shall withhold and retain therefrom all wages and penalties which have been forfeited pursuant to any stipulation in the contract, and the terms of Chapter 1, Part 7, Division 2 of the California Labor Code (commencing with Section 1720). But no sum shall be withheld, retained or forfeited, except from the final payment, without a full investigation by either the Division of Labor Standards Enforcement or by the District.

5. It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this Agreement the instrument and the bid proposal of said Contractor, then this Agreement instrument shall control, and nothing herein contained shall be considered as an acceptance of the said terms of said proposal conflicting herewith.

6. The Contractor agrees to provide and maintain insurance coverage, and to indemnify and save harmless the parties named and in the manner set forth in Section 00800-2.0, **LIABILITY AND INSURANCE**, of the Supplementary General Conditions of the Specifications.

The duty of Contractor to indemnify and save harmless, as set forth herein, shall include a duty to defend as set forth in Section 2778 of the California Civil Code; provided, however, that nothing herein shall be construed to require Contractor to indemnify against any responsibility or liability in contravention of Section 2782 of the California Civil Code.

7. The Contractor shall diligently prosecute the work so that it shall be substantially completed within the time specified in Section 00800-1.1, **Time Allowed for Completion**.

8. Except as otherwise may be provided herein, Contractor hereby expressly guarantees for one (1) full year from the date of the substantial completion of the work under this agreement and acceptance thereof by the District, to repair or replace any part of the work performed hereunder which constitutes a defect resulting from the use of inferior or defective materials, equipment or workmanship. If, within said period, any repairs or replacements in connection with the work are, in the opinion of the District, rendered necessary as the result of the use of inferior or defective materials, equipment or workmanship, Contractor agrees, upon receipt of notice from District, and without expense to District, to promptly repair or replace such material or workmanship and/or correct any and all defects therein. If Contractor, after such notice, fails to proceed promptly to comply with the terms of this guarantee, District may perform the work necessary to effectuate such correction and recover the cost thereof

from the Contractor and/or its sureties.

In special circumstances where a particular item of work or equipment is placed in continuous service before substantial completion of the Work, the correction period for that item may start to run from an earlier date. This date shall be agreed upon in writing by the Contractor and District on or before the item is placed in continuous service.

Any and all other special guarantees which may be applicable to definite parts of the work under this agreement shall be considered as an additional guarantee and shall not reduce or limit the guarantee as provided by Contractor pursuant to this paragraph during the first year of the life of such guarantee.

9. The Contractor shall provide, on the execution of this Agreement, a good and sufficient corporate surety bond in the penal sum of one hundred percent (100%) of the Contract Price, which bond shall be on the form provided by the District in Section 00610, **FORM OF PERFORMANCE BOND**, and be conditioned upon the faithful performance of all work required to be performed by the Contractor under this Agreement. Said bond shall be liable for any and all penalties and obligations which may be incurred by Contractor under this Agreement. The corporate surety bond shall be issued by a corporate surety that possesses a minimum rating from A. M. Best Company of A:VII and that is approved by the District. The corporate surety shall be authorized to conduct business in California. At its discretion, the District may request that a certified copy of the certificate of authority of the insurer issued by the Insurance Commissioner of the State of California be submitted by the surety to the District. At its discretion, the District may also require the insurer to provide copies of its most recent annual statement and quarterly statement filed with the Department of Insurance pursuant to Article 10 (commencing with Section 900) of Chapter 1 of Part 2 of Division 1 of the Insurance Code.

10. In addition to the bond required under Paragraph 9, hereof, Contractor shall furnish a good and sufficient corporate surety bond in the penal sum of one hundred percent (100%) of the Contract Price, which bond shall be on the form provided by the District in Section 00620, **PAYMENT BOND**, and conform strictly with the provisions of Sections 9550 et seq. of the Civil Code, and all amendments thereto. The corporate surety bond shall be issued by a corporate surety that possesses a minimum rating from A. M. Best Company of A:VII and that is approved by the District. The corporate surety shall be authorized to conduct business in California. At its discretion, the District may request that a certified copy of the certificate of authority of the insurer issued by the Insurance Commissioner of the State of California be submitted by the surety to the District. At its discretion, the District may also require the insurer to provide copies of its most recent annual statement and quarterly statement filed with the Department of Insurance pursuant to Article 10 (commencing with Section 900) of Chapter 1 of Part 2 of Division 1 of the Insurance Code.

11. The Contractor may substitute securities for the amounts retained by the District to ensure performance of the work in accordance with the provisions of Section 22300 of the Public Contract Code.

12. The Contractor shall be provided the time period specified in Section 01340-2.0, **MATERIAL AND EQUIPMENT SUBSTITUTIONS**, for submission of data substantiating a

request for a substitution of an "or equal" item.

13. As required by Section 6705 of the California Labor Code and in addition thereto, whenever work under the Contract involves the excavation of any trench or trenches five feet or more in depth, the Contractor shall submit in advance of excavations, a detailed plan showing the design of shoring, bracing, sloping, or other provisions to be made for worker protection from the hazard of caving ground during the excavation of such trench or trenches. If such plan varies from the shoring system standards established by the Construction Safety Orders of the Division of Industrial Safety in Title 8, Subchapter 4, Article 6, California Code of Regulations, the plan shall be prepared by a registered civil or structural engineer employed by the Contractor, and all costs therefore shall be included in the price named in the Contract for completion of the work as set forth in the Contract Documents. Nothing in this Section shall be deemed to allow the use of a shoring, sloping, or other protective system less effective than that required by the Construction Safety Orders. Nothing in this Section shall be construed to impose tort liability on the District, the Design Consultant, Construction Manager or any of their agents, consultants, or employees. The District's review of the Contractor's excavation plan is only for general conformance to the California Construction Safety Orders.

Prior to commencing any excavation, the Contractor shall designate in writing to the Construction Manager the "competent person(s)" with the authority and responsibilities designated in the Construction Safety Orders.

14. In accordance with Section 7104 of the Public Contract Code, whenever any work involves digging trenches or other excavations that extend deeper than four feet below the surface, the provisions of Section 00700-7.2, **Differing Site Conditions**, shall apply.

15. In accordance with Section 7103.5 of the Public Contract Code, the Contractor and subcontractors shall conform to the following requirements. In entering into a public works contract or a subcontract to supply goods, services, or materials pursuant to a public works contract, the Contractor or subcontractor offers and agrees to assign to the District all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act [Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code], arising from purchases of goods, materials or services pursuant to this Contract or the subcontract. Such assignment shall be made and become effective at the time the District tenders final payment to the Contractor, without further acknowledgment by the parties.

16. In accordance with Section 4552 of the Government Code, the Contractor shall conform to the following requirements. In submitting a bid to the District, the Contractor offers and agrees that if the bid is accepted, it will assign to the District all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act [Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code], arising from purchase of goods, materials, or services by the Contractor for sale to the District pursuant to the bid. Such assignment shall be made and become effective at the time the District tenders final payment to the Contractor.

17. Pursuant to Public Contract Code Section 7100, the acceptance by the Contractor of

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Headworks Knife Gate Valves 1-3
Replacement Project

Page 7 of 9

an undisputed payment made under the terms of the Contract shall operate as, and shall be, a release to the District, and their duly authorized agents, from all claim of and/or liability to the Contractor arising by virtue of the contract related to those amounts. Disputed contract claims in stated amounts may be specifically excluded by the Contractor from the operation of the release.

18. In accordance with California Business and Professions Code Section 7030, the Contractor is required by law to be licensed and regulated by the Contractors' State License Board which has jurisdiction to investigate complaints against contractors if a complaint regarding a patent act or omission is filed within four years of the date of the alleged violation. A complaint regarding a latent act or omission pertaining to structural defects must be filed within 10 years of the date of the alleged violation. Any questions concerning the Contractor may be referred to the Registrar, Contractors' State License Board, P.O. Box 26000, Sacramento, California 95826.

19. INDEMNIFICATION. To the fullest extent permitted by law, Contractor shall indemnify and hold harmless the District from any claims, choses in action or lawsuits, whereby any subcontractor, material or equipment supplier, laborer or any person who supplies work or materials to said work of improvement may claim damages, losses and expenses thereto arising out of or resulting from any claim for performance of work, including the legal defense of any stop notice action as well as attorney fees and costs. District may be required to engage separate legal counsel from that of the Contractor should District and Contractor be both named as defendants, cross-defendants or other parties to any such stop notice action in District's sole discretion. Contractor shall be fully liable for any judgment or damages resulting from any claim for stop notice relief or other liability regarding payment for materials, supplies, labor or equipment under this contract. In claims against any person or entity indemnified under this paragraph by an employee of Contractor, a subcontractor, anyone directly or indirectly employed by them for whose acts they may be liable, the indemnification obligation under this paragraph shall not be limited in amount or type of damages, compensation or benefits payable by or for the Contractor or a subcontractor. In all cases, indemnification shall include attorney fees and court costs.

Unless arising solely out of the active negligence, gross negligence or willful misconduct of the District or the Design Consultant, the Contractor shall indemnify, defend and hold harmless: (1) the District and its Board of Directors, officers, employees, agents and representative; (ii) the Design Consultant and its consultants for the Work and their respective agents and employees; and (iii) if one is designated by the District for the work, the Construction Manager and its agents and employees (collectively "the Indemnified Parties"). The Contractor's obligations hereunder include indemnity, defense and hold harmless of the Indemnified Parties from and against any and all damages, losses, claims, demands or liabilities whether for damages, losses or other relief, including, without limitation attorney's fees and costs which arise, in whole or in part, from the Work, the Contract Documents or the acts, omissions or other conduct of the Contractor or any subcontractor or any person or entity engaged by them for the Work. The Contractor's obligations under the foregoing include without limitation: (i) injuries to or death of persons; (ii) damage to property; or (iii) theft or loss of property; (iv) stop notice claims asserted by any person or entity in connection with the Work; and (v) other losses, liabilities, damages or costs resulting from, in whole or part, any acts, omissions or other conduct of Contractor, any of Contractor's Subcontractors, of any tier,

or any other person or entity employed directly or indirectly by Contractor in connection with the Work and their respective agents, officers or employees. If any action or proceeding, whether judicial, administrative, arbitration or otherwise, shall be commenced on account of any claim, demand or liability subject to Contractor's obligations hereunder, and such action or proceeding names any of the Indemnified Parties as a party thereto, the Contractor, at its sole cost and expense, shall defend the District and the Design Consultant in such action or proceeding with counsel reasonably satisfactory to the Indemnified Parties named in such action or proceeding. In the event that there shall be any judgment, award, ruling, settlement, or other relief arising out of any such action or proceeding to which any of the Indemnified Parties are bound by, Contractor shall pay, satisfy or otherwise discharge any such judgment, award, ruling, settlement or relief. Contractor shall indemnify and hold harmless the Indemnified Parties from any and all liability or responsibility arising out of any such judgment, award, ruling, settlement or relief. The Contractor's obligations hereunder are binding upon Contractor's Performance Bond Surety and these obligations shall survive notwithstanding Contractor's completion of the Work or the termination of the Contract.

IN WITNESS WHEREOF, the parties hereto have executed this agreement this _____ day of December 2016.

D.W. NICHOLSON CORPORATION

By: _____

Thomas S. Reed
President

Address: 24747 Clawiter Road, Hayward, California 94545

UNION SANITARY DISTRICT

By: _____

Anjali Lathi
Board Secretary

Address: 5072 Benson Road, Union City, California 94587

ATTEST:

Karen W. Murphy
Attorney for Union Sanitary District



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

DATE: December 5, 2016

MEMO TO: Board of Directors - Union Sanitary District

FROM: Paul R. Eldredge, General Manager / District Engineer
Sami E. Ghossain, Manager of Technical Services
Raymond Chau, CIP Coach
Chris Elliott, Associate Engineer

SUBJECT: Agenda Item No. 16 – Meeting of December 12, 2016
Consider a Resolution to Accept the Construction of the Pine Street Easement Improvements Project from Valentine Corporation and Authorize Recordation of a Notice of Completion

Recommendation

Staff recommends the Board consider a resolution to accept the construction of the Pine Street Easement Improvements Project from Valentine Corporation, and authorize recordation of a Notice of Completion.

Background

The District owns and maintains a 12-inch diameter sewer main that parallels Mammoth Creek in southeastern Fremont. This pipeline aerially crosses a small creek tributary to Mammoth Creek behind the residences on Sabercat Place. Please see the location map provided in Exhibit A.

In 1997, due to the El Niño storms of the 1990's, the District completed a project to stabilize the Pine Street Easement in localized areas along the Mammoth Creek watershed where sliding failures and / or erosion were threatening the easement access road and sewer pipeline. One of these localized improvements included riprap placement in the aforementioned tributary creek where stream bank erosion had partially exposed the top of the pipe bridge's eastern foundation.

Since those 1997 improvements, the tributary creek channel has moved closer to the pipe bridge's eastern foundation and the bank has continued to erode. The top of the foundation is again exposed due to creek channel incisement, or down-cutting, and displacement of the 1997 riprap. The western foundation is far from the creek channel and is unaffected by the erosion.

As of last winter, approximately two feet of the eastern foundation's side had been exposed by erosion. This erosion has removed approximately one-third of the pier embedment on the downslope, or channel side, of the pier, and places the pier in danger of failure should further erosion around the pier occur. Although there has not been damage to the pipe bridge or pipeline to date, further soil movements and erosion may result in damage, and failure could expose the tributary creek and Mammoth Creek to wastewater.

The Project eliminated structural dependence on the eastern pier by constructing a new, more robust eastern abutment, and by strengthening the existing bridge span itself. The project scope of work included construction and modification to the existing aerial pipe bridge casing and pier support, construction of a new drilled pier support and concrete abutment, painting/coating of existing and new steel components, and access road improvements. West Yost Associates completed the project design in February 2016.

Construction Contract

On June 13, 2016, the Board awarded the construction contract for the Project to Valentine Corporation in the amount of \$183,969. Staff issued the Notice to Proceed to Valentine Corporation on July 5, 2016. The 90-day project was scheduled to be completed on October 2, 2016, and Valentine Corporation substantially completed the project on October 2, 2016. District staff provided construction management services for the project. Please see the construction photos provided in Exhibit B.

Change Orders

The project includes five (5) change orders at a total credit of -\$27,681.11, which is approximately -15% of the original contract amount. All negotiations have been finalized and the change orders have been executed.

The most notable change order was Change Order No. 4. It was in the amount of -\$37,349.10 for revising the access road grading. The main changes were 1) to eliminate 12 inches of excavation and off haul of native soil; 2) to reduce the depth of native soil scarification from 12 inches to 6 inches; 3) to reduce the aggregate base thickness from 12 inches to 6 inches, and; 4) to add 3:1 side slopes to the roadway cross-section. The original bid item was credited back in its entirety and a new unit price was negotiated. The final payment quantity was based on trucking tags showing the actual amount of material imported.

A summary of the change orders is shown in Table 1:

Table 1
Change Order Summary

No.	Description	Amount
1	Unforeseen Spot Repair	\$2,565.53
2	Unforeseen Leak Repairs	\$1,964.77
3	Unforeseen Welding Heat Tests	\$1,977.60
4	Reduced Access Road Grading	(\$37,349.10)
5	Pier Connection Field Revisions	\$3,160.09
Change Order Total (Approx. -15% of Contract Amount)		(\$27,681.11)

All punchlist work is complete and the District has assumed beneficial use of the Project.

Staff recommends the Board consider a resolution to accept the construction of the Pine Street Easement Improvements Project from Valentine Corporation, and authorize recordation of a Notice of Completion.

PRE/SEG/RC/CE:ks

Attachments: Exhibit A – Location Map
Exhibit B – Photos
Resolution
Notice of Completion



Mammoth Creek

Project Location

Exhibit A
Pine Street Easement Improvements Project
Location Map

EXHIBIT B - PHOTOS

Photo 1 – Modifications to the Bridge Casing and Construction of New Drilled Concrete Pier



Photo 2 – Construction of New Concrete Abutment



EXHIBIT B - PHOTOS

Photo 3 – Modifications to the Existing Pier Support



Photo 4 – Access Road Improvements



RESOLUTION NO. _____

**ACCEPT CONSTRUCTION OF THE
PINE STREET EASEMENT IMPROVEMENTS PROJECT
LOCATED IN THE CITY OF FREMONT, CALIFORNIA
FROM VALENTINE CORPORATION**

RESOLVED, by the Board of Directors of the UNION SANITARY DISTRICT that it hereby accepts the Pine Street Easement Improvements Project from Valentine Corporation, effective December 12, 2016.

FURTHER RESOLVED: That the Board of Directors of the UNION SANITARY DISTRICT authorize the General Manager/District Engineer, or his designee, to execute and record a "Notice of Completion" for the Project.

On motion duly made and seconded, this resolution was adopted by the following vote on December 12, 2016:

AYES:

NOES:

ABSENT:

ABSTAIN:

TOM HANDLEY
President, Board of Directors
Union Sanitary District

Attest:

ANJALI LATHI
Secretary, Board of Directors
Union Sanitary District



**RECORDING REQUESTED BY
AND WHEN RECORDED
RETURN TO:**

**Regina McEvoy
Union Sanitary District
5072 Benson Road
Union City, CA 94587**

NO RECORDING FEE – PER GOVERNMENT CODE SECTIONS 6103 & 27283 (R&T Code 11911)

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN by the **UNION SANITARY DISTRICT**, Alameda County, California, that the work hereinafter described, the contract for the construction of which was entered into on June 13, 2016, by said District and **VALENTINE CORPORATION**, 111 Pelican Way, San Rafael, CA 94901, Contractor for the Project, “Pine Street Easement Improvements Project,” was substantially completed on October 2, 2016, and accepted by said District on December 12, 2016.

The name and address of the owner is the **UNION SANITARY DISTRICT**, at 5072 Benson Road, Union City, CA 94587.

The estate or interest of the owner is: FEE SIMPLE ABSOLUTE.

The description of the site where said work was performed and completed is near Sabercat Place, Ocaso Camino, and Southland Way, in the City of Fremont, County of Alameda, State of California.

The undersigned declares under penalty of perjury that the foregoing is true and correct.

Executed on December 12, 2016, at UNION CITY, CALIFORNIA.

PAUL R. ELDREDGE, P.E.
GENERAL MANAGER/DISTRICT ENGINEER
UNION SANITARY DISTRICT



Directors
Manny Fernandez
Tom Handley
Pat Kite
Anjali Lathi
Jennifer Toy

Officers
Paul R. Eldredge
*General Manager/
District Engineer*

Karen W. Murphy
Attorney

DATE: December 5, 2016

MEMO TO: Board of Directors - Union Sanitary District

FROM: Paul R. Eldredge, General Manager/District Engineer
Sami E. Ghossain, Manager of Technical Services
Raymond Chau, CIP Coach
Curtis Bosick, Associate Engineer

SUBJECT: Agenda Item No. 17 - Meeting of December 12, 2016
Consider a Resolution to Accept the Construction of the High Speed Aeration Blower Project from D.W. Nicholson Corporation and Authorize Recordation of a Notice of Completion

Recommendation

Staff recommends the Board consider a resolution to accept the construction of the High Speed Aeration Blower Project (Project) from D.W. Nicholson Corporation (DWN), and authorize recordation of a Notice of Completion.

Background

On November 23, 2015, the Board awarded the Project's construction contract to DWN in the amount of \$1,065,500. The purpose of the project was to install and pilot one 600-horsepower (hp) high speed aeration blower at the east aeration blower building for the following reasons:

- The plant process that uses the most energy is the activated sludge process where large aeration blowers continuously deliver air to the activated sludge in the aeration basins. The installation of high speed aeration blowers should improve the energy efficiency of the activated sludge process. Additionally, high speed blowers incorporate variable frequency drives and controls to maintain efficiency when wastewater flows are lower.

- The three existing 700-hp multi stage aeration blowers in the west aeration blower building are approximately 20 years old and are nearing the end of their useful life. Replacement of these blowers is currently on the 10-year CIP plan. The installation of the new high speed blower allows the District to pilot the new blower technology for future replacement considerations.
- The Project qualifies for the California Performance Optimization Program (CalPOP) incentive with the installation of the high speed blower. CalPOP is administered by PG&E and provides engineering services to identify energy saving measures while also providing incentives for the implementation of measures that improve wastewater processes, reduce operating costs, and save energy. An initial study indicated that the District may receive an incentive of approximately \$65,000 after completion of the Project.
- The District had previously deferred replacement of failing gaskets and check valves in the aeration piping due to the lack of any lifting mechanism or lifting points in the west aeration blower building. The failing gaskets allowed the pressurized and heated air from the aeration blowers to escape into the blower room, which increased the room temperature and decreased blower efficiency.

Project Scope

The Project's major elements included the following:

- Demolish three existing positive displacement blowers, reinforced concrete equipment pads, piping, and other associated items in the east aeration blower building.
- Install one new dual core, 600-hp high speed aeration air blower in the east aeration blower building that includes a blower, blower discharge manifold, isolation valves, piping, and appurtenances.
- Replacement of gaskets and District-provided check valves for the aeration air piping in the west aeration blower building including replacement of pipe insulation impacted by these activities.
- Install all required electrical and instrumentation items necessary to support improvements.

Carollo Engineers completed the design of the Project in October 2015.

Construction Contract

Staff issued the Notice to Proceed to DWN on December 16, 2015. The 233-day project was scheduled to be completed on August 4, 2016. Beneficial use of the new high speed blower

was taken on June 10, 2016. Staff granted a time extension of eight additional days to facilitate the removal and reinstallation of three check valves in the west aeration blower building under Change Order No. 5 as described in the next section of this report.

DWN substantially completed all contract work on August 12, 2016. Staff awaited the completion of the final punchlist and submittal of the 5-year maintenance bond, which were received on November 16, 2016, before recommending project acceptance by the Board. Staff provided construction management services for the project.

Some photos of the completed project are attached.

Change Orders

The Project included six change orders in the amount of \$35,407.04, which is approximately 3.3% of the original contract amount. A summary of these change orders follows in Table 1:

**Table 1
 Change Order Summary**

No.	Description	Amount
1	Owner-Requested MCC-13 Wireway Modifications	(\$800.00)
2	Additional East Aeration Blower Building Pipe Supports	\$14,034.00
3	Unforeseen 24-inch Butterfly Valve Operator Modifications	\$1,427.00
4	Unforeseen West Aeration Blower Building Piping Modifications	\$7,843.00
5	Owner requested Check Valve Removal and Reinstallation – Includes Time Extension of 8 Days	\$11,394.75
6	Unforeseen Miscellaneous Additional Work – (1) Relocate materials from staging area due to broken water main, and (2) Standby during plant process issue prior to commencing work	\$1,508.29
Change Order Total (Approx. 3.3% of Contract Amount)		\$35,407.04

A summary of the notable change orders are provided below.

Change Order No. 2 was for the addition of hanger supports for the blower discharge piping manifold located in the east aeration blower building. These supports were added per the requirements of the blower manufacturer, APG-Neuros, during construction.

Change Order No. 4 was for modifications necessary to replace additional failing gaskets and correct defective aeration air piping discovered following the removal of the existing pipe insulation in the west aeration blower building. All work associated with this change was completed prior to the reinstallation of pipe insulation.

Change Order No. 5 was for the removal and reinstallation of the three District-provided check valves on the discharge piping headers for Aeration Blower Nos. 7, 8 and 9. Following their initial installation, the 30-inch check valves were discovered to have a manufacturing defect which was not allowing them to close properly. This change was for the removal and reinstallation of the check valves as required to facilitate the corrective work by the valve supplier. The change order also included a time extension of eight days.

CalPOP Incentive

PG&E has contracted with Quantum Energy Services & Technologies, Inc. (QuEST), a third-party energy efficiency implementation specialist, to review, recommend, and verify projects that meet the CalPOP requirements. Following project completion, staff provided QuEST the necessary data and information for PG&E to conduct a measurement and verification analysis to ensure performance of the high speed aeration blower meets the CalPOP requirements. QuEST submitted their post installation verification calculations to PG&E for review in October 2016. The exact incentive amount is not yet known; however, an initial study indicated that the District may receive an incentive of approximately \$65,000.

Staff recommends the Board accept the construction of the High Speed Aeration Blower Project from D.W. Nicholson Corporation by resolution, and authorize recordation of a Notice of Completion.

PRE/SEG/RC/CB:ks

Attachments: Photos
 Resolution
 Notice of Completion

PHOTOS



Photo 1 – New High Speed Aeration Blower, including blower discharge manifold, valves, piping, and appurtenances

PHOTOS



Photo 2 – High Speed Aeration Blower Internal Electrical and Instrumentation Components

PHOTOS

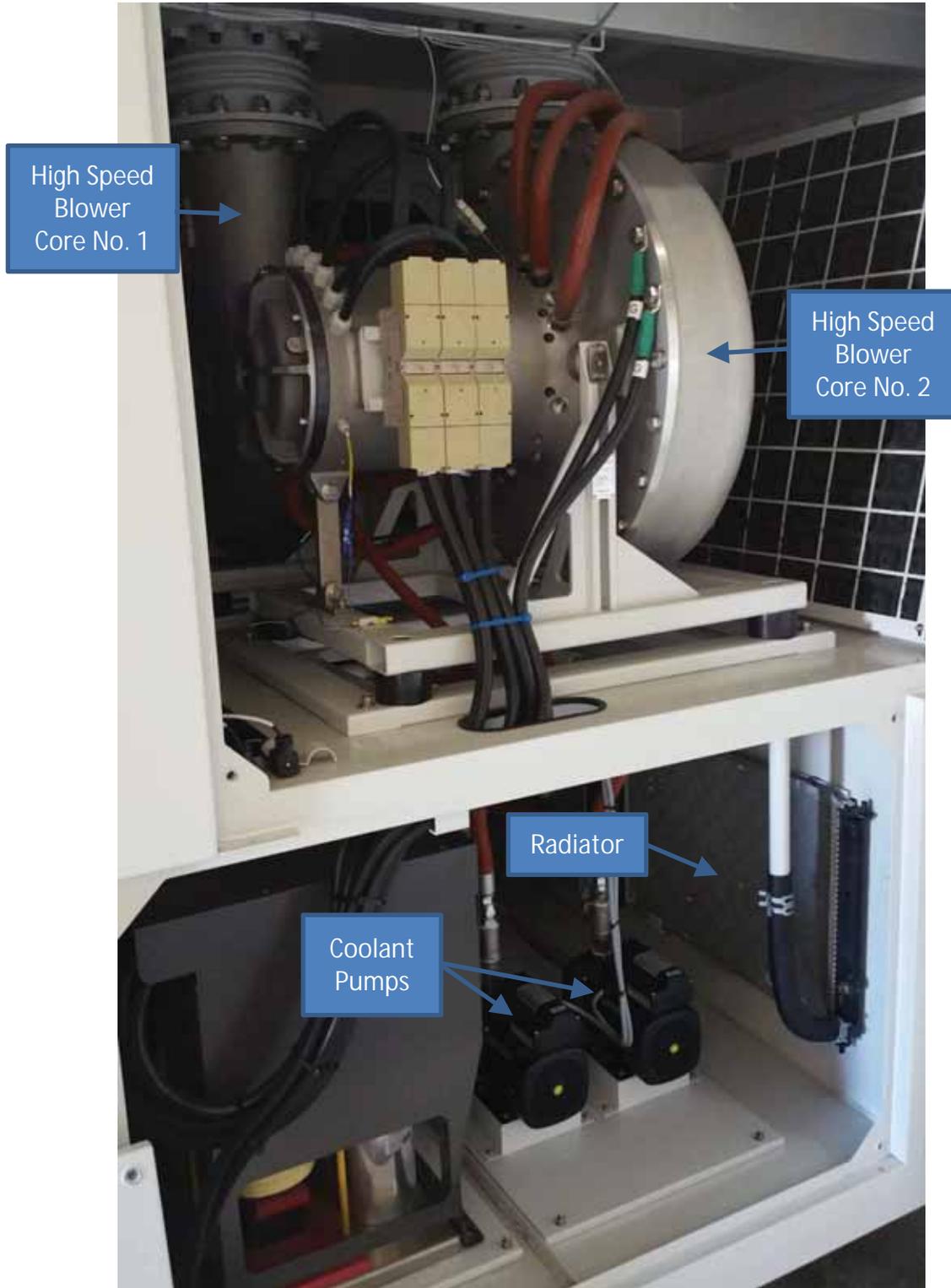


Photo 3 – High Speed Aeration Blower Internal Mechanical Components

PHOTOS

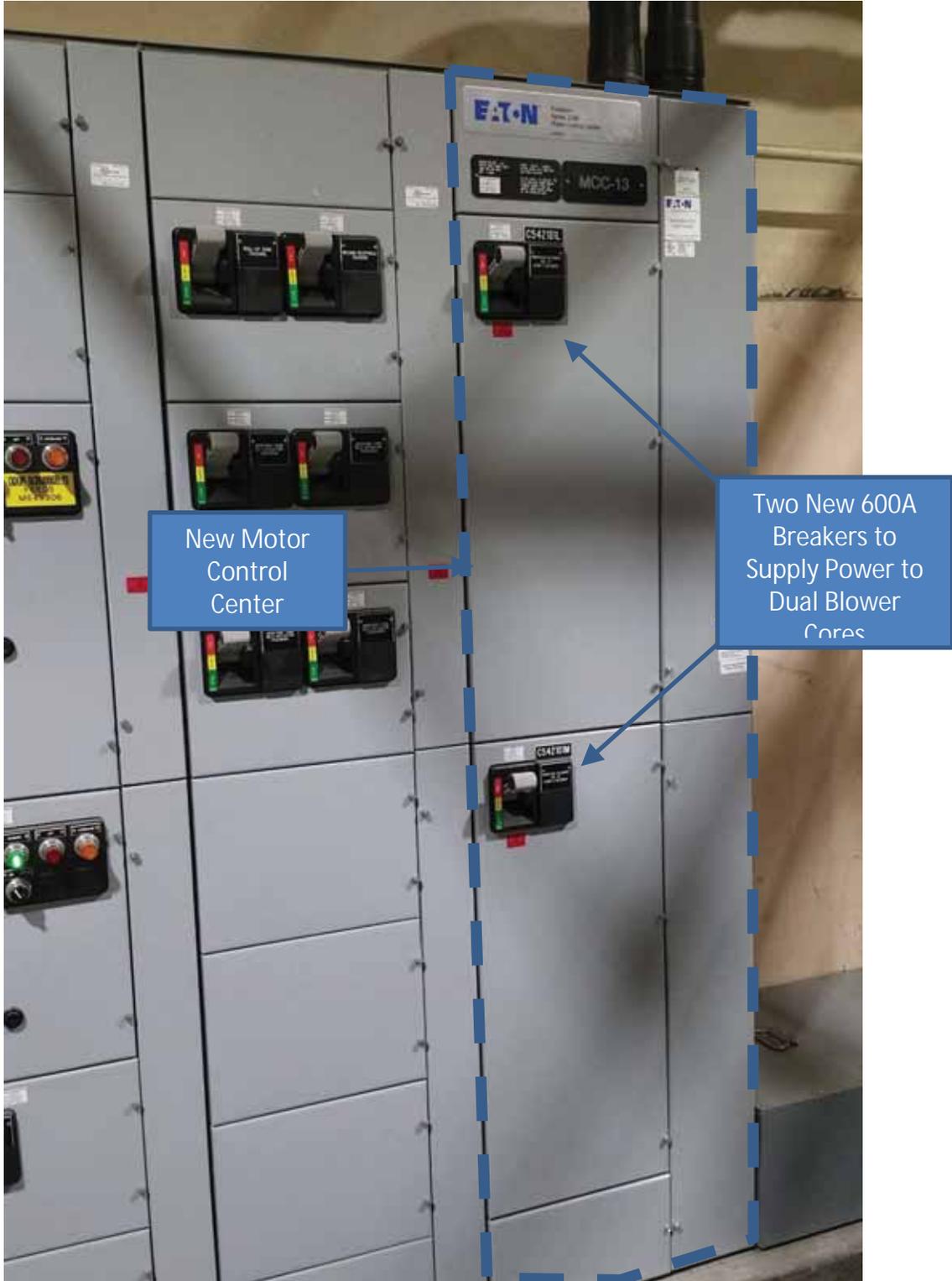


Photo 4 – New Section Added to Existing Motor Control Center No. 13

PHOTOS

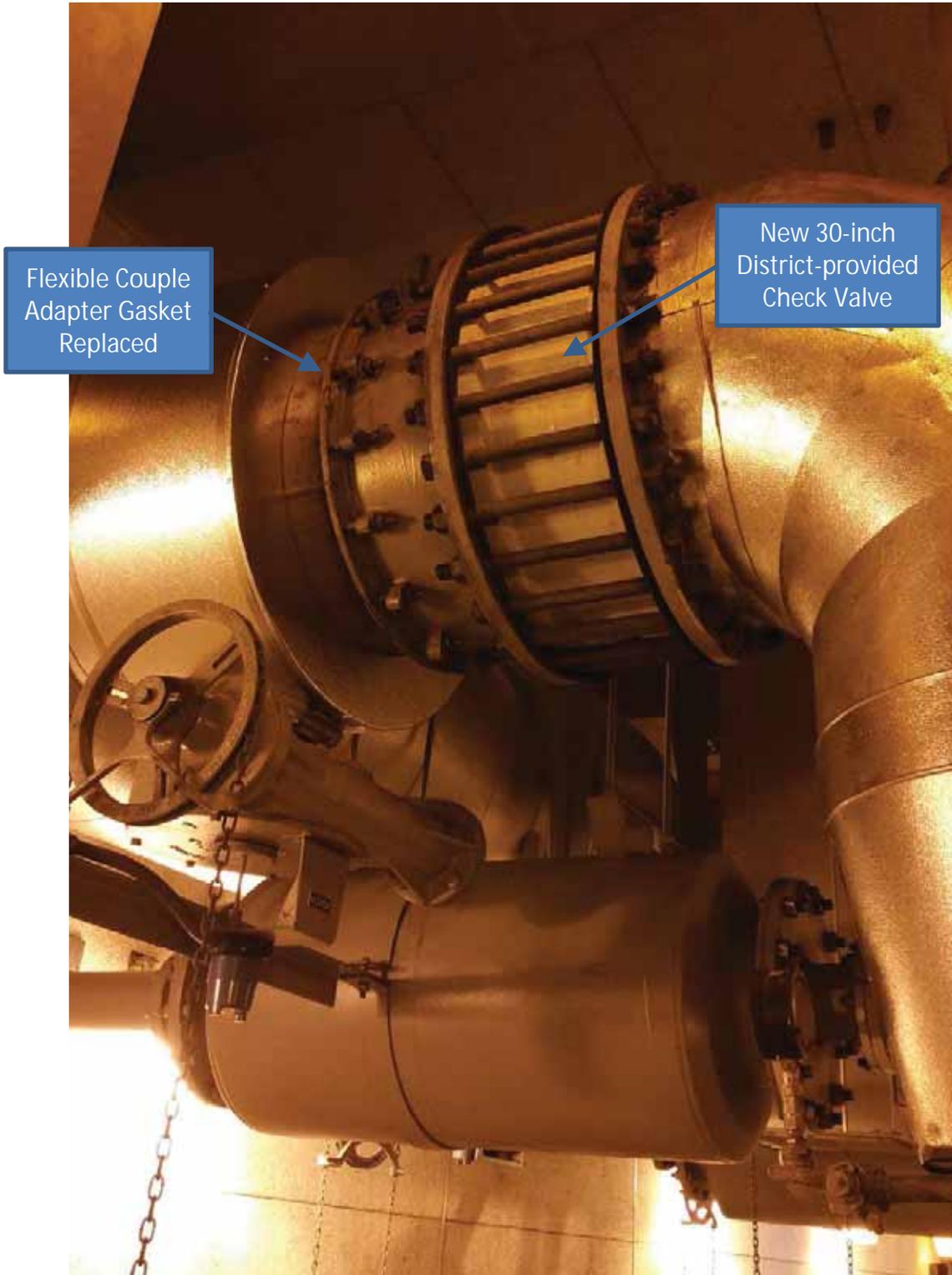


Photo 5 – New 30-inch Insertion Type Check Valve Installed at Aeration Blower No. 8

RESOLUTION NO. _____

**ACCEPT CONSTRUCTION OF THE
HIGH SPEED AERATION BLOWER PROJECT
LOCATED IN THE CITY OF UNION CITY, CALIFORNIA
FROM D.W. NICHOLSON CORPORATION**

RESOLVED, by the Board of Directors of the UNION SANITARY DISTRICT that it hereby accepts the High Speed Aeration Blower Project from D.W. Nicholson Corporation, effective December 12, 2016.

FURTHER RESOLVED: That the Board of Directors of the UNION SANITARY DISTRICT authorize the General Manager/District Engineer, or his designee, to execute and record a "Notice of Completion" for the Project.

On motion duly made and seconded, this resolution was adopted by the following vote on December 12, 2016:

AYES:

NOES:

ABSENT:

ABSTAIN:

TOM HANDLEY
President, Board of Directors
Union Sanitary District

Attest:

ANJALI LATHI
Secretary, Board of Directors
Union Sanitary District



**RECORDING REQUESTED BY
AND WHEN RECORDED
RETURN TO:**

**Regina McEvoy
Union Sanitary District
5072 Benson Road
Union City, CA 94587**

NO RECORDING FEE – PER GOVERNMENT CODE SECTIONS 6103 & 27283 (R&T Code 11911)

NOTICE OF COMPLETION

NOTICE IS HEREBY GIVEN by the **UNION SANITARY DISTRICT**, Alameda County, California, that the work hereinafter described, the contract for the construction of which was entered into on November 23, 2015, by said District and **D.W. NICHOLSON CORPORATION**, 24747 Clawiter Road, Hayward, CA 94545, Contractor for the Project, “High Speed Aeration Blower Project,” was substantially completed on August 12, 2016 and accepted by said District on December 12, 2016.

The name and address of the owner is the **UNION SANITARY DISTRICT**, at 5072 Benson Road, Union City, CA 94587.

The estate or interest of the owner is: FEE SIMPLE ABSOLUTE.

The description of the site where said work was performed and completed is the Union Sanitary District’s Wastewater Treatment Plant, located at 5072 Benson Road, City of Union City, County of Alameda, State of California.

The undersigned declares under penalty of perjury that the foregoing is true and correct.

Executed on _____ at UNION CITY, CALIFORNIA.

PAUL R. ELDREDGE, P.E.
GENERAL MANAGER/DISTRICT ENGINEER
UNION SANITARY DISTRICT

**UNION SANITARY DISTRICT
CHECK REGISTER
11/05/2016-12/02/2016**

Check No.	Date	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
162959	11/23/2016	15926	SAK CONSTRUCTION LLC	ALVARADO-NILES ROAD SS REHABILITATION	\$292,196.16	\$292,196.16
162790	11/10/2016	800394.26	GSE CONSTRUCTION CO INC	THICKENER CONTROL BLDG IMPROV PHASE II	\$284,620.95	\$284,620.95
163007	12/1/2016	800444.6	MOUNTAIN CASCADE INC	FREMONT & PASEO PADRE LS IMPROVEMENTS	\$205,753.85	\$205,753.85
162802	11/10/2016	20914	MCGUIRE & HESTER	NEWARK BACKYARD SS RELOCATION - PHASE 3	\$138,931.80	\$138,931.80
162996	12/1/2016	6894	DW NICHOLSON CORP	BLOWER 7 CHECK VALVE - REMOVE AND REPLACE	\$7,400.00	\$121,658.54
	12/1/2016	6829		MCC & PLC REPLACEMENT - PHASE 3	\$114,258.54	
162949	11/23/2016	170120161107	PACIFIC GAS AND ELECTRIC	SERV TO 10/19/16 PLANT	\$74,985.70	\$74,985.70
162920	11/23/2016	215023	COVELLO GROUP INC	FREMONT & PASEO PADRE LS IMPROVEMENTS	\$28,900.00	\$69,696.72
	11/23/2016	20160181		PLANT FACILITIES IMPROVEMENTS	\$2,270.00	
	11/23/2016	201303530		THICKENER CONROL BUILDING IMPROVEMENTS PHASE II	\$38,526.72	
162893	11/17/2016	30104205	SYNAGRO WEST LLC	SEPTEMBER 2016 BIOSOLIDS DISPOSAL	\$57,103.84	\$57,103.84
162842	11/17/2016	11278168	BROWN & CALDWELL CONSULTANTS	ALVARADO-NILES ROAD SS REHABILITATION	\$42,727.87	\$42,727.87
162863	11/17/2016	115180567001	GEXPRO	SCADA SOFTWARE ANNUAL SUPPORT	\$33,912.31	\$33,912.31
162899	11/17/2016	533620161024	US BANK CORP PAYMENT SYSTEM	MONTHLY CAL CARD STMT - OCT 2016	\$33,181.86	\$33,181.86
162951	11/23/2016	1088165	POLYDYNE INC	45,040 LBS CLARIFLOC C-6267	\$31,658.62	\$31,658.62
162782	11/10/2016	315674	EXPONENT INC.	PROFESSIONAL SERVICES - GAS ENGINE	\$8,662.00	\$30,869.66
	11/10/2016	314434		PROFESSIONAL SERVICES - GAS ENGINE	\$22,207.66	

**UNION SANITARY DISTRICT
CHECK REGISTER
11/05/2016-12/02/2016**

Check No.	Date	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
162925	11/23/2016	902849875	EVOQUA WATER TECHNOLOGIES	4,534 GAL HYDROGEN PEROXIDE	\$21,146.58	\$30,628.49
	11/23/2016	902849874		2,033 GAL HYDROGEN PEROXIDE	\$9,481.91	
162774	11/10/2016	152613	CAROLLO ENGINEERS	FREMONT & PASEO PADRE LS IMPROVEMENTS	\$20,947.46	\$25,900.56
	11/10/2016	152576		HIGH SPEED AERATION BLOWER	\$4,953.10	
162822	11/10/2016	11317221	STANDARD & POOR'S FIN SERV LLC	ANALYTICAL SERVICES RENDERED REVENUE REFUNDING BONDS	\$24,500.00	\$24,500.00
162813	11/10/2016	898220161031	PACIFIC GAS AND ELECTRIC	SERV TO 10/30/16 FREMONT PS	\$519.21	\$23,539.77
	11/10/2016	892820161031		SERV TO 10/30/16 HAYWARD MARSH	\$57.54	
	11/10/2016	666720161031		SERV TO 10/30/16 PASEO PADRE PS	\$175.02	
	11/10/2016	761520161026		SERV TO 10/24/16 NEWARK PS	\$22,459.77	
	11/10/2016	380420161031		SERV TO 10/30/16 CHERRY ST PS	\$267.71	
	11/10/2016	096020161031		SERV TO 10/30/16 CATHODIC PROJECT	\$60.52	
162955	11/23/2016	141291	RESC-Q SERVICES LLC	GAS CONDITIONING MEDIA EXCHANGE	\$22,800.00	\$22,800.00
162846	11/17/2016	152842	CAROLLO ENGINEERS	PLANT SOLIDS SYSTEM/CAPACITY ASSESSMENT	\$21,198.02	\$21,198.02
162760	11/10/2016	66342	3T EQUIPMENT COMPANY INC	11 PIPEPATCH KIT - WINTER	\$9,969.31	\$20,006.35
	11/10/2016	66344		14 PIPEPATCH KIT - WINTER & 1 INSTALLATION KIT	\$8,334.77	
	11/10/2016	66343		6 LEADERHOSE F X F COUPLINGS	\$1,702.27	

**UNION SANITARY DISTRICT
CHECK REGISTER
11/05/2016-12/02/2016**

Check No.	Date	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
162972	11/23/2016	2030775	WEST YOST ASSOCIATES	PLANT FACILITIES IMPROVEMENTS	\$1,175.00	\$18,127.15
	11/23/2016	2030776		HYPO TANKS & PIPING REPLACEMENT	\$3,399.25	
	11/23/2016	2030774		STANDARD SPECIFICATIONS & INFO BULLETIN	\$11,032.80	
	11/23/2016	2030773		NEWARK BACKYARD SS RELOCATION - PHASE 3	\$237.00	
	11/23/2016	2030849		SLUDGE DEGRITTER SYSTEM	\$107.60	
	11/23/2016	2030817		NEWARK BACKYARD SS RELOCATION - PHASE 3	\$757.00	
	11/23/2016	2030848		FM RELOCATION NEAR HICKORY STREET	\$798.00	
	11/23/2016	2030772		ALVARADO-NILES ROAD SS REHABILITATION	\$620.50	
162775	11/10/2016	2115	CDW GOVERNMENT LLC	RENEW VMWARE SOFTWARE AND SUPPORT	\$17,349.00	\$17,880.34
	11/10/2016	118		DELL WYSE THIN CLIENT EVALUATION	\$335.50	
	11/10/2016	7458		DELL WYSE THIN CLIENT EVALUATION	\$195.84	
162791	11/10/2016	800394.26E	GSE CONSTRUCTION CO INC	THICKENER CONTROL BLDG IMPROV PHASE II - ESCROW PYMT	\$14,980.05	\$14,980.05
162963	11/23/2016	129280	UE SYSTEMS INCORPORATED	1 ULTRAPROBE 1000 SD DIGITAL ULTRASONIC INSPECTION SYSTEM	\$14,270.49	\$14,270.49
162843	11/17/2016	205964	BURKE, WILLIAMS & SORENSON LLP	GENERAL LEGAL - AUGUST 2016	\$8,284.96	\$14,246.50
	11/17/2016	205963		CIP - AUGUST 2016	\$260.70	
	11/17/2016	205965		RECORDS RETENTION POLICY	\$3,547.50	
	11/17/2016	205966		SPECIAL COUNSEL SERVICES - AUGUST 2016	\$2,153.34	
163020	12/1/2016	105536	VANDERLANS & SONS INC	3 DOMEHEAD FRONT & 2 SLEEVE PROTECTIVE ACCESSORY	\$13,793.95	\$13,793.95
162858	11/17/2016	1079	EAST BAY MUNI UTILITY DISTRICT	FY16-17 BACWA PARTICIPATION FEES	\$12,000.00	\$12,000.00

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162907	11/23/2016	8617	AMERICAN ASPHALT REPAIR & RES.	PLANT PAVING	\$11,351.00	\$11,351.00
162966	11/23/2016	7405-3	VALENTINE CORPORATION	PINE STREET EASEMENT	\$10,765.96	\$10,765.96
162975	12/1/2016	66418	3T EQUIPMENT COMPANY INC	21 PIPEPATCH KIT - WINTER	\$10,721.71	\$10,721.71
162978	12/1/2016	4071036120161118	ALAMEDA COUNTY WATER DISTRICT	SERV TO: 11/18/16-BENSON ROAD	\$9,186.36	\$9,251.90
	12/1/2016	4071038120161118		SERV TO: 11/18/16-BENSON ROAD	\$65.54	
163019	12/1/2016	782961	UNIVAR USA INC	4,796 GALS SODIUM HYPOCHLORITE	\$2,118.15	\$8,662.96
	12/1/2016	784499		5,009 GALS SODIUM HYPOCHLORITE	\$2,212.22	
	12/1/2016	783560		5,009 GALS SODIUM HYPOCHLORITE	\$2,212.22	
	12/1/2016	783957		4,801 GALS SODIUM HYPOCHLORITE	\$2,120.37	
163008	12/1/2016	103618	MUNIQUEIP, LLC	4 EA TRANSMITTERS, TRANSDUCERS, AND FLANGES	\$8,590.92	\$8,590.92
162894	11/17/2016	14429	SYSTEMATES INC	PROJECTMATES SOFTWARE ANNUAL MAINTENANCE	\$8,300.00	\$8,300.00
162872	11/17/2016	3936US06A	INFOR PUBLIC SECTOR, INC	INFOR MOBILE ANNUAL SUPPORT	\$8,029.28	\$8,029.28
162801	11/10/2016	37432220161101	LINCOLN NATIONAL LIFE INS COMP	LIFE & DISABILITY INSURANCE - NOV 2016	\$7,885.66	\$7,885.66
162805	11/10/2016	6771	MISSION PEAK CO./PALM AVENUE	REFUND # 19368	\$7,560.00	\$7,560.00
162986	12/1/2016	29980	CALIFORNIA WATER TECHNOLOGIES	44,000 LBS FERROUS CHLORIDE	\$3,731.75	\$7,467.85
	12/1/2016	29950		43,700 LBS FERROUS CHLORIDE	\$3,736.10	
162771	11/10/2016	29842	CALIFORNIA WATER TECHNOLOGIES	42,540 LBS FERROUS CHLORIDE	\$3,627.99	\$7,430.71
	11/10/2016	29863		42,900 LBS FERROUS CHLORIDE	\$3,802.72	

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162844	11/17/2016	29875	CALIFORNIA WATER TECHNOLOGIES	42,580 LBS FERROUS CHLORIDE	\$3,683.90	\$7,341.49
	11/17/2016	29904		42,340 LBS FERROUS CHLORIDE	\$3,657.59	
162803	11/10/2016	20914R	MCGUIRE & HESTER	NEWARK BACKYARD SS RELOCATION - PHASE 3 - ESCROW PYMT	\$7,312.20	\$7,312.20
162794	11/10/2016	9714313	HF&H CONSULTANTS, LLC	FINANCIAL PLANNING MODEL	\$7,287.50	\$7,287.50
162998	12/1/2016	5192	ENERGY CHOICE INC	P3 SPARK PLUGS FOR ENGINE 1	\$7,096.37	\$7,096.37
162984	12/1/2016	207148	BURKE, WILLIAMS & SORENSON LLP	RECORDS RETENTION POLICY	\$1,229.80	\$7,092.80
	12/1/2016	207146		GENERAL LEGAL - SEPTEMBER 2016	\$4,804.80	
	12/1/2016	207147		GENERAL LEGAL - SEPTEMBER 2016	\$1,058.20	
162834	11/17/2016	8767572	AT&T	SERV: 09/20/16 - 10/19/16	\$6,678.01	\$6,884.42
	11/17/2016	8767594		SERV: 09/20/16 - 10/19/16	\$186.61	
	11/17/2016	8767570		SERV: 09/20/16 - 10/19/16	\$19.80	
162876	11/17/2016	13554	LOOKINGPOINT INC	WIFI IMPLEMENTATION	\$6,862.50	\$6,862.50
162964	11/23/2016	782322	UNIVAR USA INC	5,010 GALS SODIUM HYPOCHLORITE	\$2,212.67	\$6,611.52
	11/23/2016	782170		4,949 GALS SODIUM HYPOCHLORITE	\$2,185.73	
	11/23/2016	781566		5,011 GALS SODIUM HYPOCHLORITE	\$2,213.12	
162853	11/17/2016	124120161110	CSDA CAL SPECIAL DIST ASSOC	2017 MEMBERSHIP DUES	\$6,485.00	\$6,485.00
162827	11/10/2016	779075	UNIVAR USA INC	4,796 GALS SODIUM HYPOCHLORITE	\$2,118.15	\$6,450.29
	11/10/2016	780378		5,009 GALS SODIUM HYPOCHLORITE	\$2,212.22	
	11/10/2016	780136		4,800 GALS SODIUM HYPOCHLORITE	\$2,119.92	

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162965	11/23/2016	16392	V&A CONSULTING ENGINEERS	PLANT FACILITIES IMPROVEMENTS	\$6,303.84	\$6,303.84
163021	12/1/2016	129312	VAVRINEK, TRINE, DAY & CO LLP	AUDITING SERVICES OCTOBER 2016	\$6,000.00	\$6,000.00
162921	11/23/2016	5182	ENERGY CHOICE INC	3 P3 SPARK PLUGS	\$5,926.76	\$5,926.76
162818	11/10/2016	1468	ROCKWELL SOLUTIONS INC	1 MOTOR 30 HP & 1 BASEPLATE W/ADJUSTERS	\$5,640.20	\$5,640.20
162913	11/23/2016	300988200	BUCKLES SMITH ELECTRIC	1 GAS SKID BLOWER 1 VFD	\$4,537.71	\$4,537.71
162812	11/10/2016	168686	PACIFIC COAST CHEMICALS CO	660 GALS CAPTOR CALCIUM THIOSULFATE	\$4,464.90	\$4,464.90
162953	11/23/2016	161031	PROSAFE	40 HRS INSPECTIONS & 4 HRS SPCC INSPECTIONS	\$4,400.00	\$4,400.00
162897	11/17/2016	780979	UNIVAR USA INC	4,649 GALS SODIUM HYPOCHLORITE	\$2,053.22	\$4,265.00
	11/17/2016	780755		5,008 GALS SODIUM HYPOCHLORITE	\$2,211.78	
162903	11/23/2016	4017275220161108	ALAMEDA COUNTY WATER DISTRICT	SERV TO: 11/03/16 - FREMONT BLVD	\$120.32	\$4,160.55
	11/23/2016	4017274120161104		SERV TO: 11/03/16 - FREMONT BLVD	\$3,981.82	
	11/23/2016	4017420220161103		SERV TO: 11/03/16 - FREMONT BLVD	\$58.41	
162900	11/17/2016	35805	VALLEY OIL COMPANY	1 DR SHELL PELLA A & 1 DR MOBIL SHC 630 OIL	\$4,074.14	\$4,074.14
162895	11/17/2016	130908	TOTAL WASTE SYSTEMS INC	OCTOBER 2016 GRIT DISPOSAL	\$4,033.71	\$4,033.71
162884	11/17/2016	1085849	POLYDYNE INC	42,440 LBS CLARIFLOC WE-539	\$4,014.82	\$4,014.82
162987	12/1/2016	152987	CAROLLO ENGINEERS	HIGH SPEED AERATION BLOWER	\$3,964.84	\$3,964.84
162914	11/23/2016	29917	CALIFORNIA WATER TECHNOLOGIES	44,620 LBS FERROUS CHLORIDE	\$3,849.87	\$3,849.87
163014	12/1/2016	47031066	ROBERT HALF INTERNATIONAL INC	TEMP LABOR-BRIONES, R., WKEND 11/04/16	\$3,743.91	\$3,743.91

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162837	11/17/2016	5701	BAY AREA COATING CONSULTANT	INSPECTION SERVICES -COATING REPAIR OF 60" PE LINE	\$835.12	\$3,630.92
	11/17/2016	5725		PROVIDE INSPECTION SERVICES FOR THE COATING REPAIR OF THE	\$1,257.34	
	11/17/2016	5699		COATINGS INSPECTION	\$1,538.46	
162956	11/23/2016	47001911	ROBERT HALF INTERNATIONAL INC	TEMP LABOR-BRIONES, R., WKEND 10/28/16	\$3,565.62	\$3,565.62
162888	11/17/2016	46929334	ROBERT HALF INTERNATIONAL INC	TEMP LABOR-BRIONES, R., WKEND 10/21/16	\$3,438.28	\$3,438.28
162814	11/10/2016	8496	PSR WEST COAST BUILDERS INC	REFUND # 19381	\$3,300.00	\$3,300.00
163004	12/1/2016	8265	INCHIN'S BAMBOO GARDEN	REFUND # 19460	\$3,300.00	\$3,300.00
162773	11/10/2016	16609675	CANON SOLUTIONS AMERICA INC	MONTHLY LEASE 6 CANON COLOR COPIERS	\$3,161.33	\$3,161.33
162762	11/10/2016	9056502228	AIRGAS NCN	OXYGEN ACETYLENE SET UPS	\$3,038.70	\$3,038.70
162906	11/23/2016	20160916	AMAZON.COM LLC	10/16 - ASTD OFFICE SUPPLIES	\$3,025.37	\$3,025.37
162865	11/17/2016	9246017009	GRAINGER INC	1 CABLE	\$763.43	\$2,966.25
	11/17/2016	9245725479		4 CANS STRIPING PAINT SOLVENT	\$35.33	
	11/17/2016	9247133839		1 EA WIRE DUCT AND COVER	\$84.42	
	11/17/2016	9245725461		ASTD PARTS & MATERIALS	\$1,501.80	
	11/17/2016	9247138689		2 COFFEE MAKERS	\$401.45	
	11/17/2016	9244731437		4 QUARTZ METAL HALIDE LAMPS	\$62.44	
	11/17/2016	9246017017		ASTD PARTS & MATERIALS	\$117.38	
162878	11/17/2016	617901	MISSION CLAY PRODUCTS LLC	49 ASTD CLAY FITTINGS	\$2,840.04	\$2,840.04
162838	11/17/2016	6601	BAY AREA MACHINE & MARINE	IPS HEADGATE 2 CYLINDER REBUILD	\$2,812.50	\$2,812.50

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162808	11/10/2016	6342715	NATIONAL TECHNOLOGY TRANSFER	CENTRIFUGAL PUMP TRNG - S. MARTIN - SACRAMENTO 11/15-17	\$1,399.00	\$2,798.00
	11/10/2016	6342719		CENTRIFUGAL PUMP TRNG - M. TATAKAMOTONGA - SACRAMENTO 11/15-17	\$1,399.00	
162832	11/17/2016	276057941	ALFA LAVAL ASHBROOK SIMON-HART	GBT ROLLER BEARING PEDASTALS	\$2,780.88	\$2,780.88
162939	11/23/2016	43169	JET-CARE INTERNATIONAL INC	GENERATOR OIL SAMPLE KITS	\$2,730.70	\$2,730.70
162999	12/1/2016	116525759	FREMONT URGENT CARE CENTER	1 HEARING TEST/1 FLU VACCINE	\$54.00	\$2,708.00
	12/1/2016	171925760		22 DOT PHYSICALS/3 FLU VACCINES	\$2,654.00	
162882	11/17/2016	013720161103	PACIFIC GAS AND ELECTRIC	SERV TO 11/02/16 BOYCE RD PS	\$2,650.22	\$2,675.11
	11/17/2016	140120161103		SERV TO 11/01/16 IRVINGTON PS	\$24.89	
162905	11/23/2016	6110991	ALPHA ANALYTICAL LABORATORIES	225 SAMPLE ANALYSIS	\$2,625.00	\$2,625.00
162825	11/10/2016	8637	TRENCH FREE INC	REFUND # 19373	\$2,500.00	\$2,500.00
162816	11/10/2016	916002911117	REPUBLIC SERVICES #916	RECYCLE & ROLL OFF - OCTOBER 2016	\$2,466.04	\$2,466.04
162988	12/1/2016	4112	CDW GOVERNMENT LLC	ADMIN & CONTROL BLDG SERVER ROOM UPS SUPPORT	\$2,345.00	\$2,345.00
162948	11/23/2016	XCTZO1N	PACHECO BROTHERS GARDENING INC	WEED ABATEMENT WORK NOVEMBER 2016	\$915.00	\$2,280.00
	11/23/2016	XCTZO1M		LANDSCAPE MAINTENANCE SERVICES NOVEMBER 2016	\$1,365.00	
162992	12/1/2016	17613032000	CORIX WATER PRODUCTS INC	10 MANHOLE CASTINGS	\$2,199.78	\$2,199.78
162989	12/1/2016	3520059541	CHARTWELL STAFFING SVCS INC	TEMP LABOR-ALVARADO MURCIA, S., WEEK ENDING 11/06/16	\$949.60	\$2,099.12
	12/1/2016	3520057948		TEMP LABOR-ALVARADO MURCIA, S., WEEK ENDING 10/30/16	\$1,149.52	
162912	11/23/2016	20161118	LAURIE BRENNER	TRAVEL REIMB: WEFTEC CONF HOTEL/MEALS/TAXI/PARKING	\$2,049.88	\$2,049.88

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162946	11/23/2016	8524	MR. ROOTER PLUMBING	REFUND # 19415	\$500.00	\$2,000.00
	11/23/2016	8507		REFUND # 19429	\$500.00	
	11/23/2016	8632		REFUND # 19423	\$1,000.00	
162957	11/23/2016	8512	ROOTER HERO	REFUND # 19414	\$500.00	\$2,000.00
	11/23/2016	8700		REFUND # 19425	\$500.00	
	11/23/2016	8569		REFUND # 19416	\$500.00	
	11/23/2016	8663		REFUND # 19417	\$500.00	
162770	11/10/2016	671399	BRENNTAG PACIFIC, INC.	3846 LBS SODIUM HYDROXIDE	\$1,998.80	\$1,998.80
162993	12/1/2016	271383	CURTIS & TOMPKINS, LTD	5 LAB SAMPLE ANALYSIS	\$270.00	\$1,940.00
	12/1/2016	271414		25 LAB SAMPLE ANALYSIS	\$330.00	
	12/1/2016	271187		2 LAB SAMPLE ANALYSIS	\$90.00	
	12/1/2016	271199		10 LAB SAMPLE ANALYSIS	\$605.00	
	12/1/2016	271249		20 LAB SAMPLE ANALYSIS	\$330.00	
	12/1/2016	271251		9 LAB SAMPLE ANALYSIS	\$315.00	
162892	11/17/2016	3320000049	STAPLES CONTRACT & COMMERCIAL	ASTD OFFICE & BREAKROOM SUPPLIES - INVENTORY	\$701.87	\$1,916.94
	11/17/2016	3320000047		ASTD JANITORIAL & BREAKROOM SUPPLIES - INVENTORY	\$84.14	
	11/17/2016	3320000040		ASTD JANITORIAL & BREAKROOM SUPPLIES - INVENTORY	\$1,042.98	
	11/17/2016	3320000051		ASTD OFFICE & BREAKROOM SUPPLIES - INVENTORY	\$87.95	

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162947	11/23/2016	54340888	NEOPOST INC	NEOPOST STAND ALONE SCALE RENTAL 12/1/16 - 11/30/17	\$342.63	\$1,851.98
	11/23/2016	54340714		NEOPOST METER RENTAL WJ150 12/1/16 - 11/30/17	\$1,509.35	
162819	11/10/2016	7639060201	RS HUGHES CO INC	ASTD PPE & SAFETY SUPPLIES	\$265.17	\$1,819.53
	11/10/2016	7642413500		ASTD PPE & SAFETY SUPPLIES	\$1,351.76	
	11/10/2016	7642413501		ASTD PPE & SAFETY SUPPLIES	\$202.60	
162880	11/17/2016	20161114	SHAWN NESGIS	COMPUTER NOTE	\$1,817.62	\$1,817.62
162970	11/23/2016	37545	WECO INDUSTRIES LLC	15 BULBS, XENON & 1 STRAIN RELIEF FITTING	\$410.47	\$1,785.47
	11/23/2016	37539		1 WEEK TRAILER JETTER RENTAL	\$1,375.00	
162916	11/23/2016	99005489	CALTROL INC	4 PRESSURE GAUGES	\$1,728.76	\$1,728.76
162941	11/23/2016	13591	LOOKINGPOINT INC	ANNUAL SUPPORT FOR PHONE AND NETWORK -NOV 2016	\$1,225.00	\$1,725.00
	11/23/2016	13596		MONTHLY PREMIER SERVICE - NOV 2016	\$500.00	
162869	11/17/2016	3K1707	HARRINGTON INDUSTRIAL PLASTICS	2 REGULATORS	\$1,287.61	\$1,695.30
	11/17/2016	3K1590		ASTD PVC FITTINGS AND PRIMER	\$407.69	
162887	11/17/2016	22782	RMC WATER AND ENVIRONMENT	AS NEEDED SUPPORT FOR PRETREATMENT PROGRAM	\$1,595.00	\$1,595.00
162944	11/23/2016	88871579	MCMASTER SUPPLY INC	ASTD PARTS & MATERIALS	\$1,119.11	\$1,560.93
	11/23/2016	89035984		1 EXTENDED OPENING BENCH VISE W/SWIVEL BASE	\$222.68	
	11/23/2016	89490172		6 EA PORTABLE BAND SAW BLADE	\$61.16	
	11/23/2016	88753977		1 PK AIR FILTERS	\$70.50	
	11/23/2016	88568029		1 OPEN-TOP BAG	\$87.48	

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162873	11/17/2016	520463	INSTRUMART	ROSEMOUNT ANALYTICAL MODEL 1056 DUAL INPUT ANALYZER	\$1,550.70	\$1,550.70
162962	11/23/2016	2417	TNT SAFETY ENTERPRISES INC	13 EXCAVATION (TRENCH SAFETY) TRAINING	\$1,500.00	\$1,500.00
162817	11/10/2016	46913743	ROBERT HALF INTERNATIONAL INC	TEMP LABOR-BRIONES, R., WKEND 10/14/16	\$1,477.19	\$1,477.19
162902	11/23/2016	9940496789	AIRGAS NCN	CYLINDER RENTAL	\$704.96	\$1,460.10
	11/23/2016	9056880620		2 CYL ARGON	\$755.14	
162901	11/17/2016	8046603878	VWR INTERNATIONAL LLC	ASTD LAB & SAMPLING SUPPLIES	\$1,284.93	\$1,440.55
	11/17/2016	8046612284		1 PK TUBE HYDROGEN SULFIDE DETECTOR	\$77.43	
	11/17/2016	8046596083		4 BUFFER PH 4.01 32OZ	\$78.19	
162804	11/10/2016	87447193	MCMASTER SUPPLY INC	ASTD PARTS & MATERIALS	\$1,087.42	\$1,346.23
	11/10/2016	86794405		4 DOUBLE GRIP-LOCK HOSE COUPLING SOCKETS	\$84.30	
	11/10/2016	86540017		2 LONG-LIFE RECHARGE NO MAINT LARGE-CELL BATTERIES	\$103.00	
	11/10/2016	86572715		2 BX-SECTION COGGED V BELTS	\$71.51	
162937	11/23/2016	1041037	INDUSTRIAL SAFETY SUPPLY	ASTD CAL GAS	\$1,343.75	\$1,343.75
162828	11/10/2016	9774019195	VERIZON WIRELESS	WIRELESS SERV 09/21/16-10/20/16	\$1,340.00	\$1,340.00
162938	11/23/2016	NCR8302	IRON MOUNTAIN	OFF-SITE STORAGE AND SERVICE - OCT 2016	\$953.94	\$1,267.08
	11/23/2016	NCF9363		OFF-SITE STORAGE AND SERVICE - OCT 2016	\$313.14	
162855	11/17/2016	20161025.25	DALE HARDWARE INC	10/16 - ASTD PARTS & MATERIALS	\$1,251.80	\$1,251.80
162850	11/17/2016	53256272	CHANNING BETE COMPANY, INC.	1000 WASTEWATER TREATMENT WORKBOOKS	\$1,239.70	\$1,239.70

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162890	11/17/2016	4868173110316	SIERRA SPRING WATER COMPANY	WATER SERVICE 10/07/16 - 11/03/16	\$996.19	\$1,235.19
	11/17/2016	8122768110316		BOTTLESS COOLERS RENTAL	\$239.00	
162950	11/23/2016	8088380	PILLSBURY WINTHROP SHAW PITTMAN	LABOR & EMPLOYMENT LAW FEES	\$1,160.20	\$1,160.20
162851	11/17/2016	3520055424	CHARTWELL STAFFING SVCS INC	TEMP LABOR-ALVARADO MURCIA, S., WEEK ENDING 10/16/16	\$1,149.52	\$1,149.52
163001	12/1/2016	9256719783	GRAINGER INC	1 PNEUMATIC OIL FILTER	\$63.78	\$1,120.88
	12/1/2016	9259451061		ASTD PARTS & MATERIALS	\$236.78	
	12/1/2016	9261630348		JUNCTION BOX	\$350.39	
	12/1/2016	9262207468		15 ASTD HAND TAPS	\$138.77	
	12/1/2016	9259451079		4 WIRE MARKER SLEEVES	\$331.16	
162820	11/10/2016	2873417002	S & S SUPPLIES & SOLUTIONS	ASTD SAFETY SUPPLIES	\$1,119.80	\$1,119.80
162879	11/17/2016	114455	MUNICIPAL MAINT EQUIPMENT INC	NOZZLE CHAIN	\$1,032.46	\$1,032.46
162977	12/1/2016	161104231	AIRTECH MECHANICAL INC	SERVICE: BLDG 76 PAINT SHOP	\$482.50	\$1,022.50
	12/1/2016	161004209		HVAC MAINTENANCE - OCT 2016	\$540.00	
162833	11/17/2016	568283	A-PRO PEST CONTROL INC	OCT PEST CONTROL	\$1,005.00	\$1,005.00
162960	11/23/2016	8673	STREAMLINE PLUMBING & DRAIN	REFUND # 19421 & 19422	\$1,000.00	\$1,000.00
162919	11/23/2016	20161028	COMMUNICATION & CONTROL INC	UTILITY FEE/ANTENNA RENTAL	\$975.20	\$975.20
162777	11/10/2016	3520053810	CHARTWELL STAFFING SVCS INC	TEMP LABOR-ALVARADO MURCIA, S., WEEK ENDING 10/09/16	\$949.60	\$949.60

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162767	11/10/2016	8723590	AT&T	SERV: 09/13/16 - 10/12/16	\$749.24	\$946.81
	11/10/2016	8723593		SERV: 09/13/16 - 10/12/16	\$66.38	
	11/10/2016	8723594		SERV: 09/13/16 - 10/12/16	\$88.03	
	11/10/2016	8723592		SERV: 09/13/16 - 10/12/16	\$43.16	
162793	11/10/2016	1729821	HANSON AGGREGATES INC	12.34 TONS 1/2 MED TYPE A AC-R	\$927.05	\$927.05
162788	11/10/2016	9242498955	GRAINGER INC	1 STRAIGHT LADDER	\$271.37	\$879.84
	11/10/2016	9238245774		1 GAUGE	\$131.94	
	11/10/2016	9250654028		CREDIT FOR 1 REPLACEMENT PROPELLER INV 9241852830	\$-286.57	
	11/10/2016	9241852830		1 REPLACEMENT PROPELLER	\$286.57	
	11/10/2016	9239463525		ASTD PARTS & MATERIALS	\$178.95	
	11/10/2016	9241299594		1 CORDSET	\$35.42	
	11/10/2016	9238442843		4 ANCHOR SHACKLES	\$262.16	
162783	11/10/2016	1115424	FASTENAL	ASTD PARTS & MATERIALS	\$61.02	\$851.73
	11/10/2016	1115437		ASTD PARTS & MATERIALS	\$638.34	
	11/10/2016	1115416		ASTD PARTS & MATERIALS	\$152.37	
162909	11/23/2016	1331	AUTOMATED NETWORK CONTROLS	COMPACTLOGIX FIRMWARE UPDATE	\$827.90	\$827.90
162945	11/23/2016	38684	METROMOBILE COMMUNICATIONS INC	2 BATTERIES FOR RADIOS	\$207.80	\$790.55
	11/23/2016	161148		ANNUAL RADIO SERVICE - NOV 2016	\$582.75	
162871	11/17/2016	10014869	HUBER TECHNOLOGY INC	2 S VALVE COILS	\$787.68	\$787.68

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162854	11/17/2016	270678	CURTIS & TOMPKINS, LTD	11 LAB SAMPLE ANALYSIS	\$345.00	\$780.00
	11/17/2016	270677		13 LAB SAMPLE ANALYSIS	\$435.00	
162926	11/23/2016	9893	FREMONT EXPRESS COURIER SVC	COURIER SERVICES: OCT 2016 DAILY MAIL/1 BOARDMEMBER DELIVER	\$730.00	\$730.00
162795	11/10/2016	944720161028	HOME DEPOT CREDIT SERVICES	MONTHLY HARDWARE STMT - OCT 2016	\$663.69	\$723.07
	11/10/2016	8584166		ASTD PARTS & MATERIALS	\$59.38	
162931	11/23/2016	20161114	TIMOTHY GRILLO	EXP REIMB: WEFTEC - NEW ORLEANS- LODGING/TAXI/BAG CHECK	\$469.30	\$715.48
	11/23/2016	20161121.2		EXP REIMB: WEFTEC - NEW ORLEANS - MEALS	\$176.99	
	11/23/2016	20161121.1		EXP REIMB: QUARTERLY RECOG TEAM LUNCH	\$69.19	
162776	11/10/2016	1194254	CH BULL COMPANY	2016 USD LADDER SAFETY	\$700.00	\$700.00
163015	12/1/2016	1300605	ROCHESTER MIDLAND CORPORATION	HOT WATER LOOP SERVICE	\$689.03	\$689.03
162835	11/17/2016	1306	AUTOMATED NETWORK CONTROLS	COMPACTLOGIX FIRMWARE UPDATE	\$665.10	\$665.10
162990	12/1/2016	38656	CLAREMONT BEHAVIORAL SERVICES	DEC 2016 EAP PREMIUM	\$662.40	\$662.40
162974	11/23/2016	4448	ZELAYA DESIGNS	PRELIMINARY DEVELOPMENT: UPCOMING NEWSLETTER	\$662.00	\$662.00
162927	11/23/2016	1083840735	G&K SERVICES CO	UNIFORM LAUNDERING & RUGS	\$278.89	\$656.05
	11/23/2016	1083840736		UNIFORM LAUNDERING SERVICE	\$361.46	
	11/23/2016	1083840737		ASTD DUST MOPS, WET MOPS & TERRY TOWELS	\$15.70	
162799	11/10/2016	20161027	ALAN F. & ELAINE M. KENNEY	SEWER SERVICE CHARGE REFUND	\$655.50	\$655.50
162933	11/23/2016	1733942	HANSON AGGREGATES INC	8.51 TONS 1/2 MED TYPE A AC-R	\$641.87	\$641.87
162968	11/23/2016	6359	VON EUW TRUCKING	23.76 TONS 3/4 CLASS II AB	\$631.18	\$631.18

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162862	11/17/2016	1083838783	G&K SERVICES CO	UNIFORM LAUNDERING SERVICE	\$245.96	\$627.34
	11/17/2016	1083838784		ASTD DUST MOPS, WET MOPS & TERRY TOWELS	\$12.93	
	11/17/2016	93937381		3 POLO SHIRTS FOR DOUG DATTAWALKER	\$133.53	
	11/17/2016	1083838782		UNIFORM LAUNDERING & RUGS	\$234.92	
162796	11/10/2016	5646793	HOSE & FITTINGS ETC	ASTD PARTS & MATERIALS	\$25.94	\$622.88
	11/10/2016	5647037		ASTD PARTS & MATERIALS	\$596.94	
162839	11/17/2016	19543600	BECK'S SHOES	SAFETY SHOES: J. SOTO	\$200.10	\$616.10
	11/17/2016	1952900		SAFETY SHOES: E. TATOLA/A. DIOSDADO	\$416.00	
162870	11/17/2016	602282611	HILLYARD/SAN FRANCISCO	ASTD JANITORIAL SUPPLIES	\$589.68	\$589.68
162889	11/17/2016	7643902502	RS HUGHES CO INC	ASTD PPE & SAFETY SUPPLIES	\$156.87	\$586.21
	11/17/2016	7643902500		ASTD PPE & SAFETY SUPPLIES	\$429.34	
162786	11/10/2016	1083836866	G&K SERVICES CO	ASTD DUST MOPS, WET MOPS & TERRY TOWELS	\$17.38	\$582.90
	11/10/2016	1083836865		UNIFORM LAUNDERING SERVICE	\$245.96	
	11/10/2016	1083836864		UNIFORM LAUNDERING & RUGS	\$319.56	
162807	11/10/2016	20161031	NAPA AUTO PARTS	MONTHLY AUTO PARTS STMT - OCT 2016	\$580.56	\$580.56
162847	11/17/2016	1067	CASA	WINTER CONF REG - S. GHOSAIN	\$550.00	\$550.00
162806	11/10/2016	1138607	MOBILE MODULAR MANAGEMENT CORFFMC TRAILER RENTAL - OCT 2016		\$542.30	\$542.30
162824	11/10/2016	F2YMJ	THE ORLEANS HOTEL & CASINO	PREPAY LODGING, M. MOSLEY, 11/28 - 12/2/16	\$268.76	\$537.52
	11/10/2016	2ML25		PREPAY LODGING, Y. LU, 11/28 - 12/2/16	\$268.76	

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162983	12/1/2016	11585090	BLAISDELL'S	ASTD OFFICE SUPPLIES	\$50.86	\$513.81
	12/1/2016	11582180		ASTD OFFICE SUPPLIES	\$21.44	
	12/1/2016	11584160		1 ELECTRIC STAPLER	\$76.99	
	12/1/2016	11588520		1 WALL CALENDAR	\$20.34	
	12/1/2016	11581250		ASTD OFFICE SUPPLIES	\$58.82	
	12/1/2016	11581830		1 PLANNER	\$15.26	
	12/1/2016	11581350		ASTD OFFICE SUPPLIES	\$5.68	
	12/1/2016	11584560		ASTD OFFICE SUPPLIES	\$264.42	
163013	12/1/2016	141292	RESC-Q SERVICES LLC	1 CARBON VESSLE TOP LID GASKET	\$513.10	\$513.10
162845	11/17/2016	4020509103	CANON SOLUTIONS AMERICA INC	MTHLY MAINTENANCE BASED ON USE	\$511.62	\$511.62
162868	11/17/2016	10166353	HACH COMPANY	ASTD SAMPLING SUPPLIES	\$507.10	\$507.10
162932	11/23/2016	264380	HANIGAN COMPANY INC	5000 WINDOW ENVELOPES W/USD LOGO	\$501.80	\$501.80
162761	11/10/2016	8653	ABOVE ALL PLUMBING, INC.	REFUND # 19374	\$500.00	\$500.00
162781	11/10/2016	8434	E Z PLUMBING	REFUND # 19375	\$500.00	\$500.00
162800	11/10/2016	8583	LIL ROOTER	REFUND # 19294	\$500.00	\$500.00
162840	11/17/2016	8483	BEST BUILDER	REFUND # 19408	\$500.00	\$500.00
162856	11/17/2016	8645	DOTY PLASTERING & DRYWALL INC	REFUND # 19409	\$500.00	\$500.00
162857	11/17/2016	8652	DRAIN DOCTOR	REFUND # 19407	\$500.00	\$500.00
162874	11/17/2016	8679	ANIL KESWANI	REFUND # 19405	\$500.00	\$500.00

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162924	11/23/2016	8691	EVENFLOW PLUMBING CO. INC.	REFUND # 19420	\$500.00	\$500.00
162940	11/23/2016	8703	KING TRENCHLESS	REFUND # 19424	\$500.00	\$500.00
162981	12/1/2016	20161130	ROLLIE ARBOLANTE	EXP REIMB: CUSTOMER SERVICE TEAM SAFETY RECOGNITION	\$500.00	\$500.00
163005	12/1/2016	8336	SRANJEET KOHLI	REFUND # 19452	\$500.00	\$500.00
163006	12/1/2016	8529	RAGHUNATHA KONDAREDDY	REFUND # 19459	\$500.00	\$500.00
163016	12/1/2016	8719	ROOTER HERO	REFUND # 19448	\$500.00	\$500.00
162930	11/23/2016	9254000327	GRAINGER INC	1 REPLACEMENT PROPELLER	\$286.57	\$495.06
	11/23/2016	9250283067		2 PR SAFETY READER GLASSES	\$21.48	
	11/23/2016	9250283059		1 UTILITY CART	\$187.01	
162997	12/1/2016	8638	ENDVRCORP	REFUND # 19450	\$487.63	\$487.63
163000	12/1/2016	1083842662	G&K SERVICES CO	ASTD DUST MOPS, WET MOPS & TERRY TOWELS	\$15.70	\$487.57
	12/1/2016	1083842660		UNIFORM LAUNDERING & RUGS	\$223.23	
	12/1/2016	1083842661		UNIFORM LAUNDERING SERVICE	\$248.64	

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162911	11/23/2016	11568580	BLAISDELL'S	1 DESKTOP CALCULATOR	\$20.89	\$482.74
	11/23/2016	11569060		ASTD OFFICE SUPPLIES	\$49.48	
	11/23/2016	11569061		1 LAMINATE CRG	\$82.49	
	11/23/2016	11568810		ASTD OFFICE SUPPLIES	\$153.30	
	11/23/2016	11570740		1 WALL CALENDAR	\$25.29	
	11/23/2016	11577720		ASTD OFFICE SUPPLIES	\$3.18	
	11/23/2016	11576020		ASTD OFFICE SUPPLIES	\$62.36	
	11/23/2016	11571450		ASTD OFFICE SUPPLIES	\$19.11	
	11/23/2016	11571270		ASTD OFFICE SUPPLIES	\$66.64	
162961	11/23/2016	843134390	TELEPACIFIC COMMUNICATIONS	WIRELESS INTERNET BACKUP - NOVEMBER	\$480.00	\$480.00
162917	11/23/2016	3520056810	CHARTWELL STAFFING SVCS INC	TEMP LABOR-ALVARADO MURCIA, S., WEEK ENDING 10/23/16	\$474.80	\$474.80
162866	11/17/2016	1073827	GRANITE CONSTRUCTION COMPANY	6.01 1/2" HMA64-10R15 B	\$444.22	\$444.22
162954	11/23/2016	750929.1	PUBLIC SURPLUS AUCTION	SURPLUS SALE FEE: 6 ASTD COPIERS	\$14.00	\$435.09
	11/23/2016	750929.2		SURPLUS SALE FEE: 1 CART, 2 PUMPS & 1 AIR COMPRESSOR	\$421.09	
162918	11/23/2016	56931	CITYLEAF INC	PLANT MAINTENANCE - NOV 2016	\$420.23	\$420.23
162994	12/1/2016	2940530	DAILY JOURNAL CORPORATION	AD NAME: NIB HEADWORKS KNIFE GATE VALVES	\$420.00	\$420.00
162910	11/23/2016	120201	BARNETT MEDICAL SERVICES LLC	60 LBS PHARMACEUTICAL WASTE REMOVAL	\$243.00	\$413.00
	11/23/2016	100210		40 LBS PHARMACEUTICAL WASTE REMOVAL	\$85.00	
	11/23/2016	99881		80 LBS PHARMACEUTICAL WASTE REMOVAL	\$85.00	

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162875	11/17/2016	20161116.2	KATHLEEN KING	EXP REIMB: REGIS FEE - NCCIPMA ANNUAL CONF MAR 2017	\$299.00	\$396.11
	11/17/2016	20161116.3		EXP REIMB: NCCIPMA BREAKFAST BRIEFING 9/22	\$15.00	
	11/17/2016	20161116.1		EXP REIMB: QAI SNACKS (CS LEAD & SR ACCT)/LUNCH & MILEAGE SEM	\$82.11	
162785	11/10/2016	27248	FREMONT TEST ONLY	ANNUAL SMOG TESTING - VEHICLE T1267	\$35.00	\$390.00
	11/10/2016	27407		ANNUAL SMOG TESTING - VEHICLE T1304	\$35.00	
	11/10/2016	27412		ANNUAL SMOG TESTING - VEHICLE T1309	\$35.00	
	11/10/2016	27255		ANNUAL SMOG TESTING - VEHICLE T1271	\$35.00	
	11/10/2016	27221		ANNUAL SMOG TESTING - VEHICLE P8330	\$35.00	
	11/10/2016	27523		ANNUAL SMOG TESTING - VEHICLE T1326	\$35.00	
	11/10/2016	27209		ANNUAL SMOG TESTING - VEHICLE P8035	\$40.00	
	11/10/2016	27470		ANNUAL SMOG TESTING - VEHICLE T1338	\$35.00	
	11/10/2016	27269		ANNUAL SMOG TESTING - VEHICLE T1066	\$35.00	
	11/10/2016	27424		ANNUAL SMOG TESTING - VEHICLE T1305	\$35.00	
	11/10/2016	27207		ANNUAL SMOG TESTING - VEHICLE P8363	\$35.00	
162829	11/10/2016	13213	WESTERN MACHINE & FAB INC	3 BRASS RINGS MFG PER SAMPLE	\$379.50	\$379.50
162980	12/1/2016	14275333	APPLEONE EMPLOYMENT SVCS	TEMP LABOR-YOLLAND, L., WK END 11/05/16	\$349.43	\$349.43
162784	11/10/2016	666543783	FEDERAL EXPRESS CORPORATION	SHIPPING SERVICE - LAB	\$335.65	\$335.65
162936	11/23/2016	5649049	HOSE & FITTINGS ETC	ASTD PARTS & MATERIALS	\$179.58	\$314.27
	11/23/2016	5649443		ASTD PARTS & MATERIALS	\$134.69	

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162969	11/23/2016	8046623810	VWR INTERNATIONAL LLC	ASTD LAB & SAMPLING SUPPLIES	\$76.70	\$308.70
	11/23/2016	8046632128		1 CS POWER TIP BOTTLE BRUSH & 1 PK SAMPLE CELL	\$174.13	
	11/23/2016	8046623809		1 SULFURIC ACID 0.5N STD SOL 4L	\$57.87	
162815	11/10/2016	32470C	R & S ERECTION OF S ALAMEDA	ROLL UP DOOR CHAIN SKIPPING	\$303.46	\$303.46
162780	11/10/2016	15711	DUBLIN SAN RAMON SVCS DISTR	2017 ALAMEDA CTY SCIENCE & ENGR FAIR SPONSORSHIP	\$300.00	\$300.00
162896	11/17/2016	7500	TURNER RISK CONSULTING INC	FALL PROTECTION TRAINING - DIOSDADO	\$300.00	\$300.00
163017	12/1/2016	20161201	JENNIFER SIO-KWOK	EXP REIMB: RETIREMENT DINNER	\$290.96	\$290.96
162860	11/17/2016	20161115	MAURICE FORTNER	TRAVEL REIMB: WEFTEC CONF MEALS/TAXI	\$287.97	\$287.97
162971	11/23/2016	2000145653	WENDEL ROSEN BLACK & DEAN LLP	SOLYNDRA LLC BANKRUPTCY	\$285.30	\$285.30
162797	11/10/2016	531619	HULBERT LUMBER SUPPLY	ASTD LUMBER SUPPLIES	\$78.90	\$278.84
	11/10/2016	531553		ASTD LUMBER SUPPLIES	\$52.77	
	11/10/2016	531651		ASTD LUMBER SUPPLIES	\$124.33	
	11/10/2016	531568		ASTD LUMBER SUPPLIES	\$22.84	
162826	11/10/2016	7455	TURNER RISK CONSULTING INC	CONFINED SPACE TRAINING - DIOSDADO	\$275.00	\$275.00
162952	11/23/2016	124376	PREFERRED ALLIANCE INC	OCTOBER 2016 SERVICE FEE	\$273.00	\$273.00
162811	11/10/2016	30227370	OLDCASTLE ENCLOSURE SYSTEMS	2 DI STACK WALL 24X24 - T&G - 5W - 12 IN TALL	\$254.92	\$254.92
162768	11/10/2016	87896581210252016	AT&T	SERV: 09/18/16 - 10/17/16	\$247.90	\$247.90

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162841	11/17/2016	11554480	BLAISDELL'S	ASTD OFFICE SUPPLIES	\$61.08	\$246.47
	11/17/2016	11557190		ASTD OFFICE SUPPLIES	\$78.53	
	11/17/2016	11565290		ASTD OFFICE SUPPLIES	\$70.04	
	11/17/2016	11554671		ASTD OFFICE SUPPLIES	\$16.49	
	11/17/2016	11565170		ASTD OFFICE SUPPLIES	\$4.39	
	11/17/2016	11554670		ASTD OFFICE SUPPLIES	\$15.94	
162821	11/10/2016	20161101	SPOK INC	NOVEMBER 2016 PAGER SERVICE	\$243.10	\$243.10
162942	11/23/2016	20161121	SCOTT MARTIN	EXP REIMB: CENTRIFUGAL PUMP TRNG - MEALS & MILEAGE	\$237.44	\$237.44
162886	11/17/2016	308661	RKI INSTRUMENTS INC	20 FILTERS, HELAPET, PTFE, 25MM, 1UM	\$165.00	\$234.30
	11/17/2016	308660		3 CLIPS, ALLIGATOR, WITH MOUNTING SCREWS	\$69.30	
162881	11/17/2016	20161110	CHRIS PACHMAYER	EXP REIMB: MEALS/BAGGAGE SMRP CONF	\$213.97	\$213.97
162885	11/17/2016	1820	RED WING SHOE STORE	SAFETY SHOES - PETERSON	\$208.00	\$208.00
162982	12/1/2016	19593500	BECK'S SHOES	SAFETY SHOES: M. GONZALEZ	\$204.74	\$204.74
163011	12/1/2016	4169	RED WING SHOE STORE	SAFETY SHOES - FARSAI	\$200.45	\$200.45
162778	11/10/2016	20161103	RAYMOND CHAU	EXP RIEMB: CIP TEAM QTLY SAFETY STRATEGY	\$200.00	\$200.00
162859	11/17/2016	208191	FERGUSON WELDING SERVICE INC	LABOR & MATERIALS - SS PLATES	\$198.00	\$198.00
162922	11/23/2016	90083707291	ENTERPRISE GOV 43-1514861	RENTAL: R. SCHWARTZ, JACKSONVILLE, FL	\$184.04	\$184.04
162765	11/10/2016	5149516	ALL INDUSTRIAL ELECTRIC SUPPLY	ASTD PARTS & MATERIALS	\$176.00	\$176.00

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162935	11/23/2016	602291441	HILLYARD/SAN FRANCISCO	ASTD JANITORIAL SUPPLIES	\$107.89	\$173.70
	11/23/2016	602296701		2 CS TRASH LINERS	\$65.81	
162823	11/10/2016	20161108	SWRCB - CERTIFICATIONS	GRADE I CERT RENEW - VERRELLI	\$170.00	\$170.00
163010	12/1/2016	12618G	R & S ERECTION OF S ALAMEDA	PM SERVICE ON ALL GATES	\$165.17	\$165.17
162836	11/17/2016	93446	BARNETT MEDICAL SERVICES LLC	120 LBS PHARMACEUTICAL WASTE REMOVAL	\$164.00	\$164.00
162769	11/10/2016	11544130	BLAISDELL'S	ASTD OFFICE SUPPLIES	\$92.97	\$159.71
	11/10/2016	11550380		1 DESK LAMP	\$26.94	
	11/10/2016	11554100		ASTD OFFICE SUPPLIES	\$39.80	
162958	11/23/2016	7643902503	RS HUGHES CO INC	72 PRS LATEX COATED RED NYLON GLOVES	\$155.78	\$155.78
162979	12/1/2016	5151255	ALL INDUSTRIAL ELECTRIC SUPPLY	ASTD PARTS & MATERIALS	\$62.85	\$151.54
	12/1/2016	5151254		ASTD PARTS & MATERIALS	\$88.69	
162852	11/17/2016	20161115	DENNIS CHRISTOPHER	RETIREMENT GIFT	\$150.00	\$150.00
162928	11/23/2016	20161123	GFOA-GOV FIN OFFICERS ASSOC	MEMBERSHIP - LAURIE BRENNER	\$150.00	\$150.00
162923	11/23/2016	11382860	ENTERPRISE GOV 43-1514861	RENTAL: J. ROJO, ONTARIO, CA	\$147.44	\$147.44
162787	11/10/2016	81907	GORILLA METALS	ASTD METAL, STEEL, STAINLESS & ALUMINUM	\$124.06	\$124.06
162867	11/17/2016	20161114.1	TIMOTHY GRILLO	EXP REIMB: COSTCO GIFT CARDS - FY 16 4TH QTR SAFETY RECOG	\$120.00	\$120.00
163018	12/1/2016	20161130	MOSA TATAKAMOTONGA	EXP REIMB: MILEAGE NNT PUMP TRAINING	\$117.72	\$117.72
162883	11/17/2016	20161115.1	RIC PIPKIN	EXP REIMB: CROSS TEAM RECOGNITION WORK AT HMB 1 & HMB 3	\$71.34	\$115.27
	11/17/2016	20161115.2		EXP REIMB: PROPANE TANKS FOR TEAM USE	\$43.93	

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162898	11/17/2016	9853436.0	UPS - UNITED PARCEL SERVICE	SHIPPING CHARGES W/E 10/22/16	\$111.08	\$111.08
162809	11/10/2016	20161107.2	SHAWN NESGIS	EXP REIMB: MSA MEETING - PACIFICA 11/1/16	\$35.00	\$110.00
	11/10/2016	20161107.1		EXP REMIB: SAFETY RAFFLE PRIZES - OCT 2016	\$75.00	
162877	11/17/2016	87887906	MCMASTER SUPPLY INC	1 LIGHT DUTY FAN BLADE	\$55.86	\$109.89
	11/17/2016	87656455		2 MEDIUM-BASE HIGH-INTENSITY DISCHARGE LIGHT BULBS	\$54.03	
162973	11/23/2016	26751	WILEY PRICE & RADULOVICH LLP	LABOR & EMPLOYMENT LAW FEES	\$104.00	\$104.00
162764	11/10/2016	2810	ALL ABOUT BACKFLOW	BACKFLOW PREVENTION TEST AT NPS	\$102.00	\$102.00
162985	12/1/2016	16110025	CALIFORNIA REGIONAL CGA	STAKEHOLDER ANNUAL MEMBERSHIP 01/01/17-12/31/17	\$100.00	\$100.00
162991	12/1/2016	9062Z6K2Q9	COMMON GROUND ALLIANCE	MEMBERSHIP DUES: S. NESGIS	\$100.00	\$100.00
163012	12/1/2016	84599	REMOTE SATELLITE SYSTEMS INT'L	IRIDIUM SVC FEE DECEMBER 2016	\$97.90	\$97.90
162810	11/10/2016	20161107	STEVEN NOEGEL	EXP REIMB: BREAKFAST FOR IRV PS WET WELL CLEANING CREW	\$93.01	\$93.01
162779	11/10/2016	20161107	RICHARD CZAPKAY	EXP REIMB: EIC SITE VISIT LUNCH	\$90.28	\$90.28
162908	11/23/2016	635800120161031	AT&T	SERV: 10/01/16 - 10/31/16	\$88.85	\$88.85
162943	11/23/2016	77831598	MATHESON TRI-GAS INC	CYLINDER RENTAL FEE - OCT 2016	\$80.48	\$80.48
162861	11/17/2016	152598	FREMONT RUBBER STAMP CO INC	2 SELF INKERS - APPROVAL	\$78.29	\$78.29
162789	11/10/2016	20161001	GREEN LEAF CLEANERS	CLEAN 9 JACKETS	\$76.50	\$76.50
162831	11/17/2016	12108	ALAMEDA COUNTY WATER DISTRICT	COST SHARE CII HET/HEU REBATE PROGRAM	\$75.00	\$75.00
162798	11/10/2016	20161107	PAULETTE JACOBS-ROBERSON	EXP REIMB: EXECUTIVE TEAM LUNCH ORDER FOR 10/25/2016	\$74.76	\$74.76
162849	11/17/2016	455404	CENTERVILLE SAW AND TOOL	REPAIR KIT	\$72.50	\$72.50

**UNION SANITARY DISTRICT
CHECK REGISTER
11/05/2016-12/02/2016**

Check No.	Date	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
162848	11/17/2016	293040	CENTERVILLE LOCKSMITH	2 KEYS/50 BRASS TAGS	\$68.77	\$68.77
162891	11/17/2016	20161110	THOMAS SOLARI	EXP REIMB: MILEAGE FOR CALL OUT	\$66.53	\$66.53
162864	11/17/2016	81966	GORILLA METALS	ASTD METAL, STEEL, STAINLESS & ALUMINUM	\$58.76	\$58.76
162763	11/10/2016	4088644120161024	ALAMEDA COUNTY WATER DISTRICT	SERV TO: 10/24/16 - BOYCE ROAD	\$58.41	\$58.41
162976	12/1/2016	66177	AIR & TOOL ENGINEERING COMPANY	5 DIX MS6 NIPPLE	\$55.18	\$55.18
163003	12/1/2016	5650616	HOSE & FITTINGS ETC	3 CF1P-002A	\$53.87	\$53.87
162995	12/1/2016	615320161118	DISH NETWORK	DEC 2016 - SERVICE FEE	\$50.92	\$50.92
162929	11/23/2016	82039	GORILLA METALS	ASTD METAL, STEEL, STAINLESS & ALUMINUM	\$38.70	\$38.70
162792	11/10/2016	264177	HANIGAN COMPANY INC	BUSINESS CARDS FOR L. BRENNER	\$36.79	\$36.79
163009	12/1/2016	224720161121	PACIFIC GAS AND ELECTRIC	SERV TO 11/20/16 CS TRAINING TRAILER	\$36.09	\$36.09
162830	11/17/2016	1412	ALAMEDA COUNTY TREASURER	12 ASSESSOR'S MAPS	\$36.00	\$36.00
162934	11/23/2016	3K1774	HARRINGTON INDUSTRIAL PLASTICS	2 COUPLINGS	\$35.68	\$35.68
162772	11/10/2016	193472	STATE OF CALIFORNIA	1 NEW HIRE FINGERPRINTS	\$32.00	\$32.00
162915	11/23/2016	199416	STATE OF CALIFORNIA	1 NEW HIRE FINGERPRINTS	\$32.00	\$32.00
163002	12/1/2016	765512	HAYWARD WATER SYSTEM	WATER SERV 09/08/16 - 11/07/16	\$31.43	\$31.43
162766	11/10/2016	6101259	ALPHA ANALYTICAL LABORATORIES	10 SAMPLE ANALYSIS	\$30.00	\$30.00
162967	11/23/2016	9774498863	VERIZON WIRELESS	WIRELESS SERV 10/02/16-11/01/16	\$26.62	\$26.62
162904	11/23/2016	20161115	ALAMEDA COUNTY WATER DISTRICT	BACKFLOW TESTING 2017 - CHAPARRO	\$25.00	\$25.00

**UNION SANITARY DISTRICT
CHECK REGISTER
11/05/2016-12/02/2016**

Check No.	Date	Invoice No.	Vendor	Description	Invoice Amt	Check Amt
Invoices:				Checks:		
Credit Memos :		1	-286.57			
\$0 - \$1,000 :		293	75,567.47	\$0 - \$1,000 :	141	50,290.50
\$1,000 - \$10,000 :		111	379,553.27	\$1,000 - \$10,000 :	91	328,818.12
\$10,000 - \$100,000 :		24	612,521.37	\$10,000 - \$100,000 :	25	680,846.92
Over \$100,000 :		5	1,035,761.30	Over \$100,000 :	5	1,043,161.30
Total:		434	2,103,116.84	Total:	262	2,103,116.84



**Summary of the EBDA Commission Meeting
Thursday, November 17, 2016, at 9:30 a.m.**

Prepared by: P. Eldredge

- Commissioners Becker, Peixoto, Johnson, Prola, and Toy were present.
- The Consent Calendar was approved unanimously and included the Commission Meeting Minutes, List of Disbursements, and Treasurer's Report.
- The Commission unanimously approved the reports from the Financial Management, Regulatory Affairs, Operations & Maintenance, Personnel, and Ad Hoc committees. The following items were discussed:
- **Public Forum** - Commissioner Prola introduced the City of San Leandro Mayor Pauline Cutter. Mayor Cutter may replace Commissioner Prola at the end of 2016 due to term limits. Mayor Cutter stated that she served as an alternate commissioner in the past and looks forward to returning to the EBDA Commission.
- **General Managers Report** - The General Manager deferred comments to specific agenda items.
- **Managers Advisory Committee (MAC)** – The General Manager deferred comments to specific agenda items.
- **Financial Management Committee** approved the October list of disbursements and Treasurer's Report at the meeting of November 15, 2016. The Committee held a telephone conference with auditor David Alvey of Maze and Associates and reviewed the Authority's Basic Financial Statements for the year ending June 30, 2016. The auditor issued an unmodified opinion that the Authority's financial statements are fairly stated, in all material respects, and conform with accounting principles generally accepted (GAAP) in the United States. There were no deficiencies of internal controls. The Committee recommends approval of the Authority's Basic Financial Statements for Fiscal Year ending June 30, 2016.
- **Regulatory Affairs Committee** met on November 15, 2016, and discussed permit compliance. The General Manager updated the Committee on the status of the regional watershed nutrients permit negotiations. The Water Board is considering increased funding for science rather than setting specific nutrient limits. Lastly, the Committee reviewed BACWA's annual summary of regulatory issues in the Bay Area. The Environmental Lab Accreditation Process (ELAP) is under review by the State Water Board. Complying with the proposed standards could be challenging for agencies with labs smaller than 5 employees. The Water Board will continue the discussion in Winter 2017.

- **Operations and Maintenance (O&M) Committee** met with the General Manager on November 14, 2016, and discussed the status of the EBDA facilities. The Committee was updated on the status of the AEPS No. 1 Effluent Pump, Hayward MCC replacement project, and OLEPS fuel tank replacement and the No. 3 Diesel Pump. The installation of the No. 3 Diesel Pump is scheduled for the last week of November 2016.
- **Personnel Committee** - The Personnel Committee met with the General Manager on November 14, 2016. In planning for the retirement of David Stoops in fall 2017, the General Manager developed a job posting for the Operations & Maintenance Manager position. Staff recommends the following: 1) Operators license preferred not required; 2) CalPERS classic members would retain their classification; 3) Advertise position as Manager with option to elevate to Superintendent; and 4) Wet weather duties can be shared with other staff. The Committee and MAC agree that Staffs recommendations will open the pool to a larger group of applicants. The posting will be advertised through California Water Environment Association (CWEA) and Brown & Caldwell's Water News.
- **Ad Hoc Committee** met with the General Manager on November 16, 2016. Tamayo Group, Inc. consultant Michele Tamayo presented preliminary data obtained during the interview process. The Ad Hoc Committee discussed the Strategic Planning workshop agenda, which is scheduled for Wednesday, January 25, 2017 at the Marina Community Center located at 15301 Wicks Boulevard, San Leandro, CA 94579.

The General Manager invited Michele Tamayo to update the Commission on EBDA's Strategic Planning project. Michele commended the Commission and Staff on their proactive approach to reviewing the expiring joint exercise of powers agreement. Michele reviewed interview highlights; which included Commissioners, Staff, Managers, and key stakeholders. Lastly, the draft agenda for the January 25 workshop was reviewed. The Consultant suggested the MAC meet before the workshop to discuss the proposed agenda items. The General Manager will have a definitive plan for the Commission at the December 15 meeting.

- **Motion to Accept the Audited Financial Statements for Fiscal Year Ending June 30, 2016**

General Manager Connor introduced David Alvey, Audit Partner, of Maze & Associates who presented the Authority's Basic Financial Statements for fiscal year ending June 30, 2016. The auditor discussed their findings, implementation of GASB 72 and impact of GASB 68. The Authority's net pension was \$32.5 million at June 30, 2016. A net pension liability of \$504,000 was reported based on CalPERS' GASB 68 valuation. The Commission discussed paying down the Authority's other postemployment benefits liability in preparation for GASB 74/75 *Accounting and Financial Reporting for Postemployment Benefits Other Than Pensions*.

Commissioner Prola moved to accept the audited financial statements for fiscal year ending June 30, 2016. The motion was seconded by Commissioner Peixoto and carried unanimously (Becker, Peixoto, Prola, Toy, Johnson; ayes).

Sea level rise — a common threat, an array of answers

By John King November 19, 2016

The levee that rings Oakland International Airport seemingly has nothing in common with the salt-crusted stretch of land and water alongside Menlo Park's Bayfront Park.

One is a 7-foot-high line of boulders, an engineered barrier between the tidal flows that surge in through the Golden Gate twice daily and the runways used by 10,000 commercial flights every month. The other is quiet desolation, a white void dotted with stagnant pools of water.

Both, though, are examples of the Bay Area shoreline at risk from the long-term effects of sea level rise — and reminders that there's no single way to prepare for what might lie ahead.

The correct remedy in some areas of shoreline will involve forms of natural healing, with restored and managed marshes that provide habitat for wildlife and trails for people. But when major public investments or large residential communities are at risk, barriers might be needed to keep out water that wants to come in.

It's a future where now-isolated salt ponds near Silicon Valley would be reunited with the larger bay, while North Bay farmland is turned back into marshes. Levees that protect the lagoon-sliced suburb of Foster City likely would grow higher, as would the Oakland airport's seawall.

The troubling question is whether the region can adapt itself at the scale we need in the time we have. Projections done in 2012 by the National Research Council, a scientific think tank, suggest that looking ahead to 2100, the "most likely" scenario for bay rise is average tides 36 inches higher than today's. The worst-case scenario is more sobering, 66 inches. In either case, the tidal changes are expected to accelerate after 2050.

"We're in a big transitional period," said Allison Brooks, executive director of the Bay Area Regional Collaborative, an alliance of four state and regional agencies that play a regulatory role in planning in the nine Bay Area counties. "There's not going to be a magic bullet."

Whatever the precise impacts of sea level rise, the mistake for us would be to treat it as one of those problems to be dealt with someday, down the road. Addressing the issue

should be a Bay Area-wide priority on par with housing or transportation, and is one that will require government at all levels working together.

There's another ingredient that would help. We need the spark of imagination. This might sound frivolous, but it's essential. No matter how grim the political climate in Washington, D.C., might be, the design community here and beyond can offer scientifically grounded visions of the future that stir a sense of potential rather than dwelling on apocalyptic what-ifs. A proposed competition would offer us the chance to move the discussion forward; the sooner that it begins the better off we all could be.

"I tell people, 'Give me an air boat and a box of dynamite, and I'll restore the marshes,'" said John Bourgeois, driving his Prius across bumpy levees on the south edge of the bay, Silicon Valley's tech campuses visible through the haze. "But I'd destroy the infrastructure."

Bourgeois is executive manager of the California Coastal Conservancy's South Bay Salt Pond Restoration Project, which since 2004 has worked to bring 15,100 acres of former marshland back to life. About 3,750 acres have been restored so far in an effort that, when completed, will be the largest such reclamation in the Western United States.

His tour of this site begins near a managed pond where white pelicans linger. Nearby are the lumpy remnants of a levee, bits of it left in place after it was breached so that salt marsh harvest mice, an endangered species, can scamper to safety during extra-high tides. Other levees, still intact, frame grids of water that were marshland before they were remade more than a century ago to extract salt from the bay's briny flow.

This methodically altered landscape bears witness to how we treated the bay between the 1850s — when migrants descended on California seeking riches — and the 1960s, when the idea of filling the bay became virtually taboo.

First, a levee would be erected at the far edge of tidal flats. Berms added on the inland side allowed marshes to be flooded to create ponds of uniform depth. Bay waters were pumped into the first artificial pond in the sequence, then moved from pool to pool as evaporation took place.

The process took about five years, each pond becoming saltier than the one before. The end result: mountains of white crystals waiting to be refined and sold.

One functioning salt works remains north of Fremont, several thousand acres carved into ponds of different colors and operated by Cargill. Within the 10,000-plus unrestored acres that are overseen by the Coastal Conservancy, the next phase of restoration should begin in 2018 — an \$11 million rebirth of 730 acres on the shore of Menlo Park owned by the U.S. Fish & Wildlife Service known as Ravenswood Ponds.

So much salt remains here that parts of the old, dried-up ponds look like disheveled ice rinks. Within 15 years, though, if all goes well, the area will be shorebird habitat as well

as marshes intended to soften the force of rising waters. The wetlands will also protect neighbors like Facebook's main campus, which borders the area.

By starting now, the restored tidal marshes should be hardy enough that as sea level rises, the remade wetlands will endure.

"Several feet of sediment needs to accumulate before vegetation can take hold," Bourgeois said. "Once it does, marshes can keep pace" with all but the most extreme projections through the end of the century.

Starting the process sooner rather than later also allows time for trial and error.

That approach came in handy on the bay's northern rim, where one of the first large-scale conversions to wetlands occurred near Sears Point and Highway 37 beginning in 1996.

Today, the former hay fields where a levee was breached are a sleepy rustle of cord grass and pickleweed sliced by blue rivulets of water that swell and contract depending on the tide.

Initially, though, the 25-foot-wide gap made in the levee was too narrow to allow San Pablo Bay to reassert itself. Years passed before storms blew an opening wide enough to let sediment build up and vegetation take root. The conversion was a success, but took much longer than anticipated.

Last fall, the Sonoma Land Trust undertook a similar effort on 1,000 acres next door, but created a breach 10 times the width of the 1996 gap. Portions of the shoreline, meanwhile, were molded into slowly rising slopes known as horizontal levees, where, if needed, marshes can migrate as sea level rises.

Such levees are the current rage among marsh planners. Yet at this site, the mud dredged to form the slopes has such high acid levels that seeds placed there haven't sprouted.

The trust's program manager for the effort is Julian Meisler. This fall, he took stock of the situation and canceled an order for \$10,000 worth of seeds that were to be planted there.

Instead, Meisler ordered 125 tons of lime. A local farmer spread the material and then plowed it into the slope, reducing the acid levels so that native plants someday will sprout.

"Going from dry to wet overnight is the easy part," Meisler said during a visit to Sears Point, where he pointed with relish to a single tuft of cord grass poking above the muck. "After that, everything takes time."

To understand why Foster City doesn't have the luxury of cloaking itself in protective marshes, contemplate the view from Beach Park Boulevard: a 13-foot-high levee that stands between you and the bay.

This community of nearly 35,000 people in San Mateo County sits on former tidal flats that were converted to ranch land around 1900. After T. Jack Foster bought the acreage in 1960, 18 million cubic yards of fill were used to raise future development parcels above sea level and shape lagoons that now hold boat slips for homeowners.

Nobody anticipated that the Federal Emergency Management Agency in 2014 would warn that Foster City could be in a flood hazard zone. To escape that designation, the city expects to spend \$70 million to raise existing levees an average of 3 feet — and perhaps millions more to take sea level rise into account.

Some residents have called for a horizontal levee, but trying to redo the mudflats beyond Foster City would be hugely expensive and scientifically problematic. Instead, the engineering firm Schaaf & Wheeler has devised a system with a line of metal plates that could be driven into the current levee. Adding a knee-high wall to the path along the levee's crest would add to the expense, but also would protect against the tide levels forecast through at least 2050. The City Council is scheduled to choose a preferred option early next year.

"The idea is to build a foundation for the future," said Schaaf & Wheeler's Chuck Anderson. "Everyone around the bay is going to be dealing with decisions like this." That's already the case at Oakland International Airport, which is exposed to the bay on three sides.

The main runways are fringed by bouldered riprap. But to the east, facing a bay inlet known as San Leandro Bay, airport property ends at the low bend of Doolittle Drive, a roadway owned by Caltrans that leads into the city of Alameda.

San Leandro Bay includes restored wetlands managed by the East Bay Regional Park District. A study done for the Bay Conservation and Development Commission demonstrates that, with as little as 12 inches of sea level rise during storms and when tides are higher than normal, water could surge across marshes and Doolittle Drive onto the runways that serve private aircraft.

Unlike its rival airport in San Francisco, which is gathering approvals for a \$58 million "shoreline protection project" that includes 4 miles of taller seawalls, Oakland is taking a more episodic approach.

"We're studying the entire levee, but we may not have to fix the entire levee," said Richard Sinkoff, director of environmental programs and planning at the Port of Oakland, which owns and operates the airport. "We're focusing on the areas that are most critical to protect the entire airport."

That includes Doolittle Drive, the weak link in the chain. “If we solve this particular stretch, we’re pretty much protected” through at least 2050, Sinkoff said. “A huge problem becomes a manageable issue.”

In an ideal world — meaning a region with a holistic approach to the challenges posed by climate change — the port, Caltrans, Alameda and the East Bay parks district would collaborate on an adaptation plan for San Leandro Bay. They would pool resources on an environmentally sensitive response that takes everyone’s needs into account. But if protecting the airport is a top priority for Oakland, a service road to Alameda probably isn’t high on Caltrans’ to-do list.

So the day may come when the port will need to bite the bullet and raise the edge of its property on the airport side of Doolittle Drive. Even though, realistically, the other upgrades will need to be made at some point as well, a duplication of efforts and expense for everyone involved.

The regulatory dilemmas that hinder the Bay Area’s ability to prepare for sea level rise are confounding, whether it is the four years to secure the approvals and permits for the Ravenswood Ponds or the bureaucratic thicket along San Leandro Bay.

It’s easy to respond by fixating on the need for government reform and comprehensive planning. But there’s another avenue being pursued — a path that could lead to solutions and strategies we might not otherwise find.

That would be Resilient by Design — a design competition on a grand scale that aims to tackle the local impacts of climate change and sea rise in ways that are creative and compelling, without crossing into the realm of sci-fi.

“We want new ideas. We also want ideas based on reality,” said Margie Driscoll, one of two consultants working on the nine-county effort. “We’re keenly interested in making sure that they can be implemented.”

That aim distinguishes Resilient by Design from a previous effort. In 2009, the Bay Conservation and Development Commission held the Rising Tides design competition — essentially a consciousness-raising exercise that drew crowds to the Ferry Building to see 131 submissions.

“The whole idea at that point was to get the Bay Area thinking about sea level rise” rather than find actual workable responses, Driscoll said.

This time, the competition is envisioned as a yearlong effort with a \$5 million budget. After a request for qualifications, 10 teams would be selected. Each would include architects or landscape architects as well as firms with expertise in such fields as hydrology and marine engineering.

Each team would be awarded a six-figure commission and assigned a distinct site along the bay. They'd be given several months to work with local residents to devise a plan for their site that passes environmental muster and has community support.

The model is New York's Rebuild by Design, which was held after the ravages of 2012's Hurricane Sandy and spurred such provocative notions as wave-calming oyster beds off Staten Island.

But unlike New York's competition, the Bay Area effort isn't being funded with federal dollars provided after a natural disaster. Instead, Resilient by Design languished for months as San Francisco officials made fitful starts at raising the money needed to pull things off. Now there's a 10-member oversight board drawn from around the region and a fundraising consultant making the rounds of foundations and local corporations.

"The idea is a deeply researched set of proposals with lots of people involved," said Sam Schuchat, who heads the state's Coastal Conservancy and is on the competition's board. "If nothing else, we'll get fresh thinking from smart design teams," including thoughts on how to streamline the governmental maze.

Another board member is Brooks, from the Bay Area Regional Collaborative. "Our officials and politicians have been good at bringing this issue (sea level rise) forward," Brooks said. "What's been missing is turning from that to: 'What can we do about it?'"

Brooks is right.

The Bay Area deserves credit for not ignoring the likelihood that we'll need to learn to live with a bay much different than the one residents in the 1960s and '70s fought so hard to save. The ongoing restoration of the South Bay salt ponds as well as the flexibility shows that we aren't burying our heads in the sand. So does San Francisco's requirement that development projects along the shore need to be elevated at least 3 feet above current ground levels.

But these individual local initiatives must be paired with a regional approach — one ambitious and wide-ranging enough to generate responses that can be put into action in years, not decades.

Resilient by Design could do this by tapping into our shared imagination. It deserves support from local governments and businesses, as well as far-sighted foundations that recognize the best time to face the future is before a disaster strikes, not afterward.

Climate change and sea level rise are ominous clouds on our horizon. But our region has faced adversity before. We have an opportunity, to begin to bring the challenge down to size. If we succeed, the rest of the world will take notice.

John King is The San Francisco Chronicle's urban design critic. Email: jking@sfchronicle.com Twitter: [@johnkingsfchron](https://twitter.com/johnkingsfchron)

Young Fremont Resident Elected to Water District's Board

SUNITA SOHRABJI, India-West Staff Reporter Nov 25, 2016



A 23-year-old Indian American ran against three long-time incumbents to win a seat on the Alameda County, Calif., Water District's Board of Directors.

Aziz Akbari is one of the youngest candidates elected to office in the 2016 U.S. election, and one of the first Muslim Americans to be elected to office in the East Bay region. An earlier India-West story reported that Akbari had lost his race. But ballots continued to be counted until Nov. 19, when Akbari was declared a winner with 45,309 votes.

Akbari, who grew up in Fremont, Calif., and attended the University of Southern California, had been working as a consumer affairs commissioner with the water district for several years before he ran for office.

"The biggest complaints I received were about the rising cost of water," Akbari told India-West. The candidate ran on a platform of expanding the use of desalinated water. "It is our cheapest water source," he said, noting that Alameda County currently uses desalinated water in a responsible manner.

Akbari also wants more residents and businesses in the district to adopt "gray water" facilities, which recycle used water into purified water which can be used for irrigation and toilets. The run-off water comes from a number of sources, including dishwashers, laundry machines, and bathwater.

"People will really see a reduction in their bill if they start using gray water," said Akbari, who ran for Fremont mayor in 2012, while he was a sophomore at USC.

"I'm really excited to see more young people from the desi community standing up to fight the good fight," said Akbari, noting the unprecedented number of Indian Americans who ran for office this year.

The Alameda County Water District serves the cities of Fremont, Union City, and Newark.

Where, Oh, Where, Does Your Used Water Go? Find Out On Free Tour

Central San offering free walking tour of its award-winning wastewater treatment plant in Martinez.

By [Susan C. Schena \(Patch Staff\)](#) - November 27, 2016 1:19 pm ET



MARTINEZ, CA – Wondering where all the water and other stuff goes after draining from sinks, showers, tubs, washing machines and toilets? (Doesn't everyone?)

Here's your chance to see that mystery revealed, and learn how wastewater is transformed into valuable resources like energy and drought-proof recycled water. The Central Contra Costa Sanitary District invites you to a behind-the-scenes tour of its award-winning wastewater treatment plant.

The treatment plant cleans more than 32 million gallons of wastewater a day, produces 600 million gallons of recycled water each year, and generates more than 80% of its own power needs. It is one of the few treatment plants in the country to have earned the National Association of Clean Water Agencies "Peak Performance Award" 18 years in a row.

Central San is offering a free 90-minute tour of its treatment plant at 5019 Imhoff Place in Martinez on Wednesday, Nov. 30, at 9 a.m.

This tour provides a rare opportunity to see and learn about the people, facilities, and operations of Central San that protect public health and the environment 24 hours a day.

The minimum age for tour participants is 10; those under 18 require an accompanying adult. The tour entails a lot of walking and stairs, and Central San cannot accommodate people with mobility disabilities. Reservations are required.

For more information or to sign up for the free tour, please go to:

<http://CentralSanPlantTours.eventbrite.com> or contact Kit Ohlman at (925) 229-7329 or kohlman@centralsan.org.

If you are unable to attend on Nov. 30, the next quarterly tour will be on Jan. 25. Central San also offers an always-available virtual tour with its "Follow the Flow" video at [YouTube.com/CentralSanDist](https://www.youtube.com/CentralSanDist).

--Info and image courtesy of Central San

YAHOO!

Lystek Thermal Hydrolysis Process for Biosolids Management Continues to Gain Regulatory Recognition in U.S.

 CNW GROUP

[CNW Group](#) Nov 29, 2016 7:45 AM



Attention: Environmental, agricultural, municipal, recycling & waste management reporters/editors

CAMBRIDGE, ON, Nov. 29, 2016 /CNW/ - Lystek's Thermal Hydrolysis Process (Lystek THP) for the sustainable management of biosolids and organics continues to be recognized by regulatory bodies across the U.S.

In October of this year, the company received a letter from Organics Reduction and Recycling lead, Sally Rowland (Ph.D., P.E.) with the Division of Materials Management, Bureau of Waste Reduction & Recycling, New York State Department of Environmental Conservation stating that, based on information provided, the process is able to achieve Class A PR and VAR required by NYSDEC under 6 NYCRR Part 360- 5.

This is in addition to the letter of acknowledgment issued by Region 9 (California) of the US Environmental Protection Agency (EPA) in February of 2014 confirming that the LysteGro product, produced by Lystek THP, meets or exceeds the requirements for Class A EQ (Exceptional Quality) biosolids. As such, it may be distributed without restriction. In August of this year, the California Department of Food & Agriculture (CDFA) issued a Fertilizing

Materials License for LysteGro, now being produced at the company's new, state-of-the-art, 150,000 tons (per annum) Organic Material Recovery Center (OMRC), located at the Fairfield-Suisun Sewer District, in Fairfield, California.

"These recognitions show that, when treated using advanced science, biosolids do not have to be viewed as "waste". Demand for LysteGro is expanding rapidly. This trend is expected to continue far into the future as prices for commercial fertilizers continue to rise," says Mike Dougherty, Director of Product Management for Lystek.

"There is also a high level of interest in our ability to reduce volumes, increase biogas outputs and produce safer, more cost effective, alternative sources of carbon for BNR systems. As global populations continue to rise and the resources required to produce commercial fertilizers are depleted, demand for innovative technology and organically-based products, like LysteGro, will escalate," adds Dr. Ajay Singh , co-founder and Technical Director for Lystek.

Pressure to increase diversion of valuable, organic resources from landfills is mounting; as is the demand for alternative sources of energy. These materials can be converted into "green" energy and utilized to power wastewater treatment plants, reducing operational costs and greenhouse gases and transforming these facilities into Wastewater Resource Recovery Centers (WRRC's). Lystek is uniquely positioned to play a significant role in this movement. Its growing collection of cost-effective solutions are capable of helping generators divert hundreds of thousands of tons of biosolids and organics from landfills annually, converting them into value-added products and services.

Lystek International Inc. is a leading provider of Thermal Hydrolysis solutions for the sustainable management of biosolids and organics. The multi-use, award-winning Lystek system reduces costs, volumes and GHG's by converting municipal and industrial wastewater treatment facilities into resource recovery centers. This is achieved by transforming organic waste streams into value-added products and services, such as the patented LysteMize® process for optimizing digester performance, reducing volumes and increasing biogas production; LysteGro®, a high-value, nutrient-rich biofertilizer and LysteCarb®, an alternative source of carbon for BNR systems.

SOURCE Lystek International Inc.

November 30, 2016

Water Rule Rewrite by Trump Would Moot Lawsuits: Attorneys

From [Daily Environment Report™](#)

Turn to the nation's most objective and informative daily environmental news resource to learn how the United States and key players around the world are responding to the environmental...

By [Amena H. Saiyid](#)

Nov. 29 — Legal challenges to a major Clean Water Act rule could be rendered moot if the incoming Trump administration persuades the courts to send the regulation back for a rewrite, several water attorneys told Bloomberg BNA.

President-elect Donald Trump singled out the currently stayed Clean Water Rule for rollback during his campaign. Since the election, Trump reiterated his position on his transition team [website](#): "We will eliminate the highly invasive 'Waters of the US' rule." The Clean Water Rule (RIN:2040-AF30), also known as the waters of the U.S. (WOTUS) rule, issued by the Environmental Protection Agency and the U.S. Army Corps of Engineers, clarifies which waters and wetlands fall under the protection of the Clean Water Act.

The U.S. Court of Appeals for the Sixth Circuit is reviewing the rule, which it stayed last October. The 32 states and dozens of groups representing business, agriculture, manufacturing and property rights challenging the rule say it represents government overreach and further muddies the scope of the Clean Water Act.

During the past several days, environmental attorneys have discussed with Bloomberg BNA what options are available to the Trump administration if it decides not to defend the rule in the nearly a dozen lawsuits filed in federal appeals and district courts.

If the Justice Department refused to defend the rule, other intervenors that have the status of parties to the suits could step in to mount a defense, Harvard Law School Professor Jody Freeman said in an e-mail.

However, these lawsuits can be rendered irrelevant, Freeman added.

"If DOJ asks the court to hold the case in abeyance and send the rule back to EPA the agencies for reconsideration, then if the lawsuit would be put on hold, and EPA would have a chance to revise the rule, potentially mooting any litigation," she wrote in an e-mail. Right now the rule is stayed, so it is not being implemented in any event, she added.

But could the Trump administration simply rescind the rule and then do nothing?

If a rule is mandated by statute, then the administrative agency has to issue a regulation and defend it in court, she said.

"It can't say, well, we'd rather not make this decision, even if the law tells us to," Freeman said.

In this instance, she said, the Supreme Court already has ruled on the question of Clean Water Act jurisdiction over wetlands, and the agencies face pressure from the regulated community to more precisely define the waters it may regulate.

However, Freeman said, the Trump administration could reconsider the rule and adopt a narrower interpretation of the authority of the Army Corps of Engineers and the EPA. It would then need to defend this decision, if challenged in court.

"So in the case of WOTUS, the corps and the EPA could take a more limited view of their jurisdiction," she said.

Fredric Andes and Jeffrey Longworth, attorneys with the Chicago and Washington, D.C., offices of Barnes & Thornburg LLP, agree that the lawsuits would be rendered moot if the government informs the court of its plans. Longworth is the attorney who helped write a friend of the court brief for 88 U.S. lawmakers who oppose the rule.

"I think the agencies should publish a notice in the Federal Register announcing their plans to withdraw the rule and to reinstate the rulemaking," Longworth said in a telephone interview. "That way they could turn to the court and say we published a notice about our plans when seeking an abeyance."

Hasty Withdrawal

Longworth said the EPA could withdraw the rule through notice and comment, or Trump could issue an executive order directing the EPA to withdraw the rule. But Andes, who joined Longworth on the call, said the new president cannot merely issue an executive order to withdraw the rule.

Rather, it would be required under the Administrative Procedure Act to go through a notice and comment process, he said.

"Remember what happened with President Ronald Reagan who issued an executive order withdrawing pretreatment regulations soon after his inauguration in 1981. The Third Circuit said you can't do that without going through notice and comment," Andes said.

A revised rule would be the most effective way to yield a regulation that provides more certainty to the industry, which Trump has repeatedly pledged to protect, said Joshua Belcher, associate with the Houston office of Sutherland Asbill & Brennan LLP.

At the same time, many of Trump's advisers on the transition team have advocated slashing the EPA's budget, which would severely constrain its ability to rewrite rules, a labor- and time-intensive process, Belcher said. "That will require a balancing act of resources."

At the end of the day, the question remains whether the Trump administration is looking for the quickest way to fulfill its campaign promise by just pulling back from the rule altogether or by backing a long-term solution to the question of jurisdiction, Belcher said.

Supreme Court May Not Accept Petition

Regarding the pending petition before the Supreme Court, Andes said, the High Court is unlikely to move on it if the government has voluntarily offered to remand the rule.

The Supreme Court was asked by the National Association of Manufacturers to review whether a federal district court or an appeals court is the appropriate venue to hear challenges to the Clean Water Rule. The association's petition was backed by 32 states as well as a coalition of agriculture, property rights, business and industry groups. The government's response is due Dec. 7.

Longworth said the Supreme Court is not likely to accept the petition if the underlying rule will be remanded. This is despite the fact that the petition deals with resolving the confusion over legal review of the water rule, and potentially all other rules that don't fit neatly into the categories of effluent limits, permits and water quality standards that the Clean Water Act says should be reviewed by a federal appeals court.

The Supreme Court will try to get rid of a petition based on mootness or standing before taking the issue up on the merits, Longworth said.

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Denham urges President-Elect Trump to rescind defining water rule

By Alysson Aredas

Staff Reporter aaredas@turlockjournal.com *POSTED December 1, 2016 7:15 p.m.*

Congressman Jeff Denham (R-Turlock) sent a letter to President-Elect Donald Trump this week, strongly encouraging him to repeal the U.S. Environmental Protection Agency's "Water of the United States," a rule he called both "harmful and flawed."

"The EPA should not be putting restrictions on Valley farmers' use of their property," said Denham. "The people spoke, Congress acted, and the current administration refused to acknowledge their concerns. President-Elect Trump has a real opportunity to support the ag community that feeds America by immediately rescinding this burdensome rule."

WOTUS defines the scope of water protected under the Clean Water Act, which established "basic structure for regulating discharges of pollutants into the waters of the United States and regulating quality standards for surface waters." Under CWA, federal and state permitting authorities were created in order to protect navigable waters from pollution. States were also encouraged to protect groundwater and non-navigable intrastate waters.

The letter, which was backed by 28 additional members of Congress, urged immediate action on Trump's part upon taking office to repeal WOTUS, as Denham said it has "thrown the Central Valley's ag community into a state of uncertainty as to how it will be regulated by the federal government."

WOTUS expanded the definition of "navigable waters" in 2015 to small bodies of water such as farm ponds and drainage ditches, making them subject to regulation under the Clean Water Act, regardless of size or continuity of flow. Previously, only interstate waters were under the scope of federal jurisdiction.

In the WOTUS final rule, EPA said agencies clarified the scope of WOTUS in light of statute, science, Supreme Court decisions in *U.S. v. Riverside Bayview Homes*, *Solid Waste Agency of Northern Cook County v. U.S. Army Corps of Engineers*, and *Rapanos v. United States*, and the agencies' experience and technical expertise. The final rule also took into consideration public comments.

In January, Congress passed a joint resolution that would have nullified WOTUS; however, the repeal was vetoed by President Barack Obama.

"The new WOTUS rule furthers the Administration's desire to ignore the term 'navigable' and essentially declares jurisdiction over all waters, regardless of their scope and purpose," the letter stated. "The Administration is attempting to unilaterally broaden its jurisdiction which will have serious long-term consequences for the nation's business owners, homeowners, private property owners and manufacturers as well as agriculture and rural economies."

New California housing laws make granny units easier to build

By Kathleen Pender *December 3, 2016*

California homeowners should find it easier and cheaper to build a second unit on their property, or turn an illegal unit into a legal one, thanks to two laws that take effect Jan. 1.

The laws, along with a third that took effect in September, will ease or eliminate the off-street parking requirements and often-enormous utility-hookup fees that homeowners face when they create a second dwelling, often called an in-law or granny unit.

One set of rules will apply if the second unit is created within an existing space — such as a bedroom, basement, attic or garage. Another set will apply if the new unit, whether attached or detached, adds square footage outside or on top of existing structures.

Homeowners will still have to comply with local building codes, find a contractor and arrange financing. Sylvia Krug, who is looking to convert bedrooms in her Novato home into a rental unit, said she interviewed three contractors “and they all have yearlong waiting lists.”

The new laws won't come close to filling the Bay Area's housing needs. But they could create options for middle-income renters who don't qualify for below-market-rate housing and can't afford a market-rate apartment. They also could help homeowners meet their mortgage payments, seniors stay in their homes with an on-site caregiver, and multigenerational families live together, but not too together.

Toni Gardner just moved into a granny cottage she had built in the backyard of her home just outside Santa Cruz. Gardner built the cottage so her son and his family could move into the main house from a mobile home in Prunedale (Monterey County). She watches her grandkids in the afternoon while her son and daughter-in-law are at work.

“It was a long, hard road with lots and lots of obstacles,” Gardner said. Some of those roadblocks, such as converting most of her backyard into three parking places and paying more than \$20,000 in water hookup fees, would have been reduced under the new laws.

The laws that take effect Jan. 1 — AB2299 and SB1069 — amend the state law governing second units and rename them “accessory dwelling units.”

About two-thirds of California's cities and counties have their own second-unit ordinances, but the state law is more permissive than most of them. Jurisdictions that have not adopted or

amended a local ordinance that complies with the new state law by Jan. 1 will have to follow the state law until they approve a compliant one.

Under the new law, second units are allowed on any lot with a single-family home, but local ordinances can say where they will or won't be permitted based on factors such as water and sewer services, traffic flow and public safety.

The amended law will allow accessory units up to 1,200 square feet, but allows jurisdictions to impose lower limits and establish standards governing height, setback, lot coverage, landscaping and architectural review.

The state law does not prevent homeowners from renting out the second unit to short-term guests or require them to live in one of the units. But local jurisdictions can require one of the structures to be owner-occupied and regulate rentals of less than 30 days, as San Francisco does.

When a homeowner submits a second-unit application that meets state and local requirements, the local jurisdiction must approve it within 120 days, without the need to notify neighbors.

Some cities are rushing to conform their ordinances by Jan. 1 or soon thereafter. But there are a lot of unanswered questions. "It's a confusing set of regulations, that, in the opinion of this planner, has a lot of gray zones," said Neal Toft, Larkspur's planning and building director.

The California Department of Housing and Community Development plans to issue guidance on the law in a week or two. "We are in a housing crisis," said Paul McDougall, the department's housing policy manager. "Local governments should embrace this as a way to create" accessory dwelling units.

For most homeowners, the bill will remove a big impediment to second-unit creation: the need to create off-street parking.

For units created within an existing space, cities and counties cannot require any additional parking.

For units outside that space, cities can require one additional parking space per bedroom created. However, this requirement is waived if the home is within one-half mile of public transit, within a block of a car-share vehicle, in an architecturally and historically significant district, or if on-street parking permits are required but not offered to the second-unit occupant.

If new parking is required, it generally can be provided as tandem parking on an existing driveway or in setback areas (the space between your home and property line that is supposed to be empty), unless this would not be feasible based on topography or safety considerations.

The law also will let homeowners create a second unit within existing space, such as a garage, that sits within a setback area.

The other big bonus is the reduction or elimination of certain fees. Today, some water and sewer districts levy the same hookup fees on tiny second units that they charge on a full-fledged home. These fees can reach into the tens of thousands of dollars.

In the future, on second units built within existing space, utilities cannot require the homeowner to install a new or separate utility connection, nor can they impose a connection fee or capacity charge.

For units outside existing space, they can require a new or separate connection, and can charge a connection fee or capacity charge, but it must be "proportionate to the burden" of the second unit based on its size or number of plumbing fixtures.

San Jose has updated its zoning code to adopt the mandatory provisions of the new state law. "We had already started in the direction of making it easier to build secondary dwellings," said Jenny Nusbaum, San Jose's supervising planner. "We wanted to update our code before the the state law kicked in so we could, as much as possible, maintain local control."

Among other things, San Jose reduced the minimum lot size needed to build a second unit from 6,000 square feet for attached and 8,000 square feet for detached to 5,445 feet for either type.

Russell Feirstein is in the design phase for a second unit on a quarter-acre lot he owns in San Jose. When his architect sent him San Jose's revised code, "all the barriers that I had seemed to be lower, which had me dancing for joy."

Feirstein and his late wife bought the home about 10 years ago, "when it was a piece of junk. We slowly fixed it up" and rented it out. Their long-term plan was to build a granny unit on the property to increase their retirement income. Alternatively, they thought their children might use it one day or live in it themselves, "God forbid, if something happens," he said.

A third law, AB2406, which took effect when Gov. Jerry Brown signed it in September, gives cities the option of allowing homeowners to create a "junior accessory dwelling unit." This is a unit created within an existing bedroom that has an efficiency kitchen (no gas or appliances requiring 220 volts) and an interior connection to the main house. This can be two doors with separate locks, like adjoining hotel rooms.

This is probably the cheapest way to create a second unit because there is no need for a separate address, heating unit or fire separation, said Rachel Ginis, founder of Lilypad Homes in Corte Madera.

San Jose has not adopted this option because it requires one of the units to be owner-occupied. "We would rather have the flexibility of having someone rent out both units," Nusbaum said.

Larkspur has adopted it. "We are excited about the junior (accessory dwelling units) for people to age in place or have a tenant in a smaller unit, to reuse the single-family home without demanding additional parking, and to do it in an affordable manner," Toft said.

*Kathleen Pender is a San Francisco Chronicle columnist. Email: kpender@sfchronicle.com
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Boxer slams water bill rider backed by Feinstein

By **Carolyn Lochhead**

Published 4:27 pm, Monday, December 5, 2016

WASHINGTON — Sen. **Dianne Feinstein**, D-Calif., and House Majority Leader **Kevin McCarthy**, R-Bakersfield, teamed up Monday to slip a legislative rider into a giant end-of-year water infrastructure bill that would override endangered species protections for native California fish for the purpose of sending water to San Joaquin Valley farmers.

Retiring Sen. **Barbara Boxer**, D-Calif., angrily denounced the rider as a “poison pill,” calling a late-afternoon news conference, during which she lashed out against McCarthy, saying he lied by calling the more than 80-page provision a “little, small agreement.”

“This is so wrong it is shocking,” Boxer said of the provision, saying it would authorize water pumping from the state’s rivers beyond what is allowed under the biological opinions for fish protection. She said the legislation also would transfer from Congress to the incoming Trump administration the power to approve big dam projects in the West.

Boxer vowed to use every tool at her disposal to block the legislation.

Feinstein’s move was a clear affront to Boxer, trampling over Boxer’s legislative turf as the top Democrat on the **Environmental and Public Works Committee**. Boxer is a co-author of the Water Resources and Development Act, a massive bill with broad bipartisan support. Boxer noted that the bill that Feinstein and McCarthy want to add their provision to, includes many projects that Feinstein herself wrote. Among them are restoration of Lake Tahoe and the San Francisco Bay shoreline.

The rider was negotiated behind closed doors without legislative hearings or public input, and suddenly attached Monday afternoon in the House to the larger water bill.

McCarthy hinted at the legislation to reporters Monday morning, referring to the “little, small agreement.” Boxer said it was hatched “in the dead of night” just before the bill is about to be taken up.

The rider came out of more than three years of attempts by **Feinstein and House Republicans** to respond to California’s five-year drought with provisions that would loosen environmental protections. Earlier efforts had failed time and again over the opposition of Boxer, the Obama administration and nearly every Democrat in the Bay Area delegation, mainly over provisions that allow more water to be pumped from rivers to farmers during the spring.

State water authorities have said that more water needs to remain in rivers to prevent the extinction of several native fish species, including salmon and the delta smelt.

Feinstein’s office claimed that the legislation does not violate the Endangered Species Act, because it contains a “savings clause” that dictates that nothing in the provision shall violate the act. House Democratic aides countered that the courts have ruled that direct instructions from Congress, in this case on how much water can be pumped from rivers, always supersede more general clauses declaring that nothing in the legislation violate bedrock environmental law.

McCarthy praised Feinstein’s cooperation. The legislation could not have been achieved without her help, he said, adding that the legislation “will bring more water to our communities and supports critical storage projects.” He said it was critical to pass the legislation now to allow water authorities to capture more of this season’s rains.

He also indicated that more drought legislation will come next year, as well, when Republicans will maintain their control of the House and Senate but no longer face President Obama’s veto. President-elect **Donald Trump** promised during the campaign at a rally in Fresno that he would turn on the pumps for farmers.

Feinstein in a statement touted the provision’s more than half billion dollars in authorizations to “help California develop a new water infrastructure,” and said it calls

only for “short-term operational improvements to help us hold more water in a way that does not negatively affect fish or the environment.”

Boxer said the larger water infrastructure bill contains nearly everything for California’s water infrastructure that Feinstein claims will be in the new legislation, including money for desalination, water recycling and groundwater recharge.

She vowed that she would not end her Senate career by allowing the Feinstein/McCarthy provision to stand.

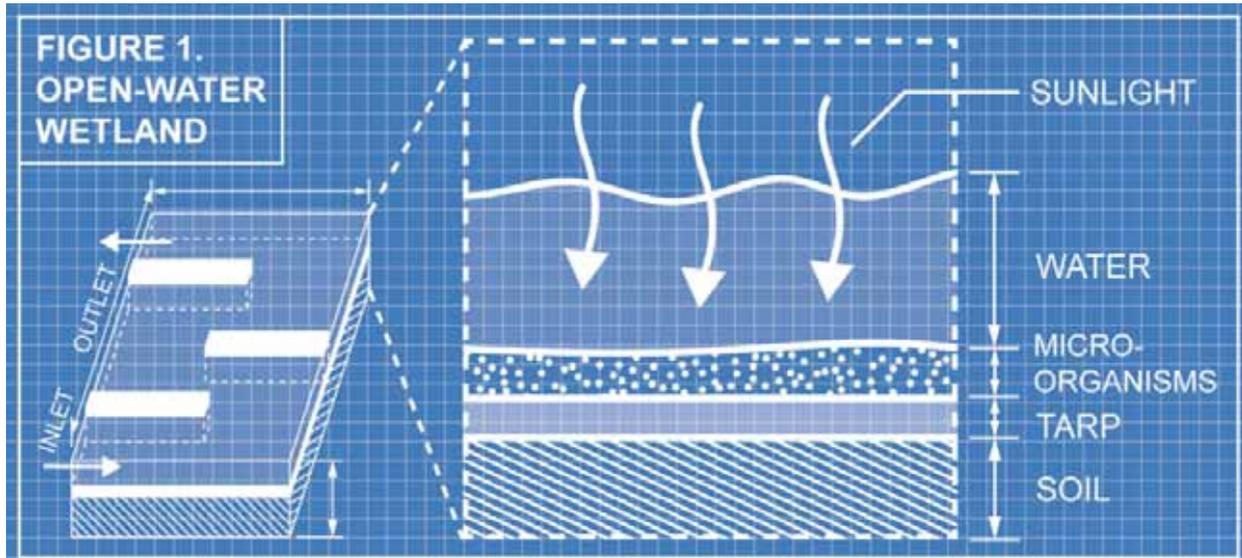
Boxer promised to play “hardball” by filibustering every piece of legislation, including her own, that is pending in the Senate in the current lame-duck session, scheduled to end this week. Noting that many of her Republican colleagues have big stakes in all of it, she speculated that they will not be inclined to see their own projects filibustered over a contentious California water bill that she said would inevitably wind up in court.

The broader water infrastructure legislation contains authorizations to fix the lead problem in the water supply in Flint, Mich., as well as similar problems in municipal water systems across the country.

Feinstein has long supported San Joaquin Valley farmers on water issues and in return received big political support from the valley. She has not yet announced whether she will be running for re-election when her term expires in 2018.

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NATURE'S WATER FILTER



By Kim Huynh

November 29, 2016

You're very sick. Doubled over, coughing and sneezing, you head to the doctor and receive a prescription for antibiotics. You soon feel better, but the completion of your antibiotic regimen is not the end of the story. The medicine passes through your body and enters the sewer system. It traverses through wastewater treatment plants, and most likely ends up back in the environment—the very place that provides water for communities all across the country.

According to the World Health Organization, typical wastewater treatment plants can only remove around 50 percent of antibiotics in the water. Other techniques, such as reverse osmosis, are more effective. In reverse osmosis, wastewater is pushed through a membrane under high pressure. This technique removes an impressive 99 percent of large pharmaceutical molecules, but is too expensive and energy-intensive to be used in wastewater treatment plants across the country.

Researchers are searching for more cost-effective alternatives for treating wastewater. Professor David Sedlak of UC Berkeley is working on a solution: constructed wetlands. Constructed wetlands are pools of standing water that serve as “natural filters” for unwanted chemicals. Sedlak designs several types of wetlands, including open-water wetlands, which use sunlight for contaminant degradation, as well as subsurface wetlands, which treat water below ground. Both techniques act as a “polishing” step in wastewater treatment. They are one of the final steps in removing low-concentration contaminants, such as medical drugs, from wastewater before its re-release into waterways.

Open-water wetlands are not impressive to look at. They are shallow pools of water in the ground, lined with tarp at the bottom. However, this bare-bones look actually improves the ability to break down compounds. The tarp lining the bottom limits plant growth, which in turn maximizes the

amount of water exposed to sunlight. Using a process known as sunlight photolysis, the sun decomposes the trace organic contaminants in the water. The covered bottom is also home to a mat of microorganisms. This mat can break down or hold onto contaminants, lowering the concentration of medical drugs in the water.

Open-water wetlands open up new avenues for many other forms of wastewater treatment. Graduate student Rachel Scholes works in Sedlak's lab, where she studies how to leverage open-water wetlands to treat liquid waste from reverse osmosis plants. While reverse osmosis is highly effective at removing contaminants from water, the process creates a concentrated mix of metals, nitrates, phosphates, and other contaminants dredged from the original treatment water. Using the same principles as open-water wetlands, Scholes is optimizing constructed wetlands to treat higher levels of contaminants.

Another Sedlak lab graduate student, Aidan Cecchetti, aims to use a wetland's properties underground, using microbes and filters in the soil rather than the sun's light to degrade compounds. "Typical constructed wetlands don't care about soil. They're seen as tanks of water," Cecchetti explains, "but a subsurface wetland does care about soil."

In particular, subsurface wetlands are concerned with soil's hydraulic conductivity—a property that describes how easy it is for a fluid to move through a given medium. The subsurface wetlands that Cecchetti works with have a below-ground bed of gravel, which physically filters water that flows through it. In addition to treating wastewater, Cecchetti hopes to integrate habitat restoration and flood protection into his work. Introducing soil to subsurface wetlands may help them support native wetland flora, and Cecchetti suggests that subsurface wetlands may also help protect low-lying areas from rising sea levels. If used as a buffer zone in front of levees, subsurface wetlands could protect these barriers from storm surges and erosion.

The next time you need to take medicine, remember that its journey does not end with you. Maybe bits of it have been transformed and degraded in a sunny wetland. Or perhaps bits of it are stuck underground, beneath a rich home for native Bay Area plants. With the efforts of the Sedlak group, hopefully it remains far away from your drinking glass.

Featured Image Credit: Zeke Barger