

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT
February 10, 2014**

1. **CALL TO ORDER**

President Lathi called the meeting to order at 7:01 p.m.

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

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

STAFF: Richard Currie, General Manager/District Engineer
Rich Cortes, Business Services Manager
Sami Ghossain, Technical Services Manager
David Livingston, Treatment & Disposal Services Manager
Tim Grillo, T&D Research & Support Team Coach
Andy Morrison, Collection Services Manager
David Leath, FMC Electrical/Support Team Coach
Mike Marzano, Environmental & Health Safety Program Manager
Donna Wies, Quality Coordinator
Sol Cooper, Mechanic II
David O'Hara, Legal Counsel
Carol Rice, Acting Assistant to the GM/Board Secretary

4. **APPROVAL OF THE MINUTES OF JANUARY 27, 2014.**

On a motion made by Director Kite and seconded by Director Fernandez, the minutes of the Board of Directors' Meeting of January 27, 2014 were unanimously approved.

5. **QUARTERLY BALANCED SCORECARD PERIOD ENDING DECEMBER 2013.**

The Budget & Finance Committee reviewed this item.

- a. Districtwide Balanced Scorecard Measures: Donna Wies reported on the District's strategic objectives for the second quarter of fiscal year 2013-14.

She stated there were no accidents or injuries for the third consecutive quarter and no employees had lost or limited duty since September 2013. The District recently passed the one year mark with no injuries. There were two incidents this year—one was a vehicle accident where staff was at fault; however, no one was injured; and one was an equipment accident. Most of the measures for safety have been met and we are on target for meeting the rest of the measures. We had one critical asset failure in November and one category one overflow.

Rich Currie noted a correction. He stated we had two small category three overflows in November—one was a one gallon overflow.

- b. Treatment & Disposal Scorecard: Dave Livingston explained that in previous years there was only one Process Scorecard for T&D & FMC; however, beginning this fiscal year, FMC and T&D have begun keeping separate Scorecards and tracking performance measurement data separately. The Plant Process Scorecard focuses on process control and compliance, energy and chemical efficiency, and employee skill development. He noted there were six odor complaints in the first half of the fiscal year; five from the same resident. The resident was invited to tour the plant last September; there have been no further complaints since that time. He also noted that excess hydrogen peroxide was due to mitigation of odors. The other complaint was on Christmas Day about a bleach smell which was probably caused by maintenance work being done that day. Water usage was high the first half of the fiscal year due to a significant water leak in the main supply line. Staff is looking into some water conservation efforts later this year.

In response to Director Handley's question about the thermal input limit that applies to the District's co-generation unit, Dave Livingston and Tim Grillo explained that our Permit to Operate issued by the Bay Area Air Quality Management District (BAAQMD) contains an annual thermal throughput limit in addition to emission limits for nitrogen oxide (NOx) and carbon monoxide (CO). The thermal throughput limit is calculated using the Btu value of the digester gas.

- c. FMC Scorecard: David Leath stated that the FMC Workgroup was split into two teams—the Electrical Team and the Mechanical Team. The teams are working with Donna Wies to review the existing measures and develop new measures. They will have a new Scorecard by the start of FY15. He also reported on the team's planned maintenance and labor utilization as well as energy efficiency at the pump stations. Two measures, overtime and percent hours on maintenance work, were impacted by high demand for FMC staff assistance on capital projects.

6. **WRITTEN COMMUNICATIONS.**

Board members received a letter from Washington Hospital Healthcare System detailing changes being made at the hospital.

7. **ORAL COMMUNICATIONS.**

There were no oral communications.

8. **AUTHORIZE THE GENERAL MANAGER TO EXECUTE TASK ORDER NO. 2 WITH RMC WATER AND ENVIRONMENT FOR THE HAYWARD MARSH REHABILITATION OPTIONS STUDY.**

The Legal/Community Affairs Committee reviewed this item. Tim Grillo stated that since 1988, the District has discharged between 3 and 5 million gallons per day (MGD) of secondarily-treated final effluent to the Hayward Marsh. The Marsh NPDES permit required the completion of a mixing zone study by August 2013; however, during planning for the study, the East Bay Regional Parks District (EBRPD) staff discovered that sedimentation was impacting the flow of water to Basin 3B. In order to allow for the successful completion of the mixing zone study, staff submitted an alternative proposal to the Regional Board which delayed the final report for the mixing zone study.

In June 2013, the flow to Basin 3B stopped entirely due to sediment build up. EBRPD notified the Regional Board and the District that the scope of the Marsh dredging project was beyond their capability. The District agreed to assist the EBRPD by conducting a feasibility study to evaluate rehabilitation options for the Marsh. In the fall of 2013, staff issued a request for proposals and received five. The top two were interviewed and staff selected RMC for the study. During the selection process, RMC informed the District that the Marsh Project could potentially receive partial funding under the Department of Water Resources Bay Area Integrated Regional Water Management Plan grant program.

Director Kite asked if rising sea level will effect the Marsh. General Manager responded that in 20-50 years it may, but not currently.

On a motion made by Director Kite and seconded by Director Handley, it was unanimously approved to authorize the General Manager to execute Task Order No. 2 with RMC Water and Environment for the Hayward Marsh Rehabilitation Options Study.

9. **APPROVE THE GENERAL MANAGER'S EMPLOYMENT CONTRACT FOR 2014.**

The Personnel Committee reviewed this item. Rich Currie noted there have been discussions during several open-session Board meetings regarding the terms and conditions of the General Manager's employment contract. He pointed out the contract includes changes in language under Medical Retiree Benefits that survive the expiration of the Agreement.

On a motion made by Director Fernandez and seconded by Director Toy, the Board unanimously moved to approve the General Manager's employment contract for 2014.

10. INFORMATION ITEMS:

- a. Check Register. In response to several questions from Director Handley, staff will schedule a workshop on the Plant GIS improvements project and research the cost of purchasing an ice machine.
- b. 2013 Employee Safety Survey. The Personnel Committee reviewed this item. Rich Currie noted the latest safety survey shows a high level of employee participation. Donna Wies reported that out of 134 employees, 118 participated in the survey and the average percentage of positive responses was 83.4%. Mike Marzano stated that teams are looking at the data for their workgroup to see if there are areas where they can improve. The Executive Team is looking at the lowest areas of response and the Safety Committee will review some of the questions to see if they should be reworded. Rich Currie added that Mike Marzano did some research and found that USD has not been accident free for one year going back to 1975. He complimented Mike Marzano for doing an excellent job and USD employees for taking safety seriously. He stated there will be a celebration either the last week of February or first week in March.
- c. Solar Facilities Operational Update. The Budget & Finance Committee reviewed this item. Sami Ghossain stated that USD has two solar facilities; one at the Alvarado Plant and one at the Irvington Pump Station. Through December 2013, the Solar Carport facility has generated a total of 662,152 kWh of power, which equates to \$103,528 in energy savings at the Plant. Additionally, the District has received \$126,603 of CSI incentive rebate from PG&E. The total benefit of the Solar Carport is \$230,131. For the Irvington Pump Station, PG&E approved an incentive amount up to \$623,370. Through January 5, 2014, the solar facility has generated a total of 1,742,097 kWh of power, which equates to \$491,025 in energy savings. Additionally, the District has received \$225,854 of CSI incentive rebate from PG&E. The total benefit of the solar facility is \$716,879. Both facilities have been operating well with very little maintenance required.

11. COMMITTEE MEETING REPORTS: The Personnel, Budget, and Legal/-Community Affairs Committees met the week of February 3, 2014.

12. GENERAL MANAGER'S REPORT:

Rich Currie reported the following:

- Survey and soil sampling work on the Hayward Marsh Project is complete; staff is pursuing multiple options for grant funding.

- Recruitment has not started for the Board Secretary/Assistant to the GM position. Staff is currently reviewing the class description for possible updating.
- There were no spills in the month of January.
- Bay Work is sponsoring a job faire in San Francisco on February 19. Staff participating will be Mike Auer and Michelle Powell.
- Staff will be looking at contracting with the vendor doing a pilot study at L. A. County Sanitation on an ammonia removal process for side streams. This process works well with high ammonia and is similar to what we had at the Hayward Marsh.
- I will be moving \$10,000 from the GM's budget to the safety recognition budget to help cover the costs for the upcoming Safety Recognition celebration.
- Dave O'Hara has responses to questions from the Board regarding committee notices and email distribution.

In response to the Board's question regarding whether it is necessary for Board members to post a meeting agenda notice at their home when teleconferencing for committee meetings, Dave O'Hara responded it is not necessary to post a meeting notice unless it's a standing committee. If it is a Board meeting and the Board member is teleconferencing in, the location must be noticed on the agenda and the Board member must post the notice from their location. The Brown Act defines two types of committees—Standing Committee and an Ad Hoc Committee. A Standing Committee is one that has regularly scheduled meetings, such as Board meetings. A Standing Committee also has subject-matter jurisdiction, meaning they have the ability to make decisions regarding matters on the agenda. Teleconferencing is allowed for Board meetings and the type of committees USD has, which are not under the Brown Act definition of *standing committees* because they do not meet on a specific schedule and there is no subject matter jurisdiction for these committees.

In response to whether there should be a formal policy stating the Board must use USD email accounts for correspondence, he noted a formal policy with a resolution number should be considered in order to protect the Board's private email addresses. Additionally, if there is no formal policy and one or two Board members prefer to use their private email address, those who use the District account would not be subject to discovery.

Director Handley requested that staff discuss the option for a Board email policy at the Personnel Committee meeting.

13. OTHER BUSINESS:

Director Kite stated she attended the public information meeting for Newark residents chosen to be included in a study aimed at identifying the condition of their private sewer lateral. USD representatives were available to explain the televising process and answer questions. She stated no one from the public attended the meeting.

14. ADJOURNMENT:

The Board adjourned the meeting at 8:03 p.m. to the next Regular Meeting in the Boardroom on Monday, February 24, 2014 at 7:00 p.m.

SUBMITTED:



CAROL RICE
SECRETARY TO THE BOARD

ATTEST:



JENNIFER TOY
SECRETARY

APPROVED:



ANJALI LATHI
PRESIDENT

Adopted this 24th day of February, 2014