

**MINUTES OF THE MEETING OF THE  
BOARD OF DIRECTORS OF  
UNION SANITARY DISTRICT  
December 14, 2015**

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

PRESENT: Jennifer Toy, President (arrived at 7:07 p.m.)  
Tom Handley, Vice President  
Pat Kite, Secretary  
Manny Fernandez, Director  
Anjali Lathi, Director

STAFF: Paul Eldredge, General Manager  
Karen Murphy, District Counsel  
Sami Ghossain, Technical Services Manager  
James Schofield, Collection Services Manager  
Armando Lopez, Treatment & Disposal Services Manager  
Robert Simonich, Fabrication, Maintenance, and Construction Manager  
Maria Scott, Principal Financial Analyst  
Michelle Powell, Communications and Intergovernmental Relations Coordinator  
Jason Yeates, Environmental Compliance Inspector III  
Regina McEvoy, Assistant to the General Manager/Board Secretary

GUESTS: AJ Major, Vavrinek, Trine, Day & Co. LLP

**APPROVAL OF THE MINUTES OF THE MEETING OF NOVEMBER 23, 2015**

It was moved by Secretary Kite, seconded by Director Fernandez, to Approve the Minutes of the Meeting of November 23, 2015. Motion carried with the following vote:

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

**WRITTEN COMMUNICATIONS**

There were no written communications.

## **ORAL COMMUNICATIONS**

There were no oral communications.

## **ACCEPTING FINANCIAL STATEMENTS FOR FISCAL YEAR ENDED JUNE 30, 2015**

This item was reviewed by the Audit Committee. Principal Financial Analyst Scott stated the Audit Committee reviewed the financial statements for Fiscal Year Ended June 30, 2015. AJ Major, Partner with Vavrinek, Trine, Day & Co. LLP, stated the District successfully implemented GASB Statement No. 68, Accounting and Financial Reporting Pensions. There were no material audit comments made by auditors, Vavrinek, Trine, Day & Co. this year.

It was moved by Director Lathi, seconded by Secretary Kite, to Accept Financial Statements for Fiscal Year Ended June 30, 2015. Motion carried with the following vote:

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

## **AWARD THE CONSTRUCTION CONTRACT FOR THE PLANT FACILITIES IMPROVEMENTS PROJECT**

This item was reviewed by the Construction Committee. Technical Services Manager Ghossain stated various equipment and facilities at the Plant and the Newark Pump Station are in need of rehabilitation, replacement, or modification in order to improve the Plan and Pump Station's operation and maintenance. As the scope of work or the cost for each improvement is not extensive enough to warrant standalone projects, these improvements were combined into a larger construction project. West Yost Associates provided preliminary and detailed design for the Project. The Project was advertised for bids on November 12, 2015, and two bids were received. The bid submitted by D.W. Nicholson Corporation (DWN) was the apparent low bid at \$1,570,346. The contractor has 365 calendar days to complete the Project from Notice to Proceed, with estimated substantial completion expected in January 2017. Staff recommended the Board award the construction contract for the Plant Facilities Improvements Project to DWN in the amount of \$1,570,346.

It was moved by Director Fernandez, seconded by Secretary Kite, to Award the Construction Contract for the Plant Facilities Improvements Project. Motion carried with the following vote:

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

**CONSIDER A RESOLUTION TO ACCEPT THE CONSTRUCTION OF THE NEWARK BACKYARD SANITARY SEWER RELOCATION PROJECT – PHASE 2 FROM RANGER PIPELINES, INC. AND AUTHORIZE STAFF TO RECORD A NOTICE OF COMPLETION**

This item was reviewed by the Construction Committee. Technical Services Manager Ghossain stated the item was pulled from consideration. The contractor did not submit change order documentation for District staff to review, and staff was unable to evaluate the information needed to recommend acceptance of the project.

**AUTHORIZE THE GENERAL MANAGER TO EXECUTE AMENDMENT NO. 1 TO TASK ORDER NO. 1 WITH THE COVELLO GROUP FOR PROVIDING ADDITIONAL CONSTRUCTION MANAGEMENT SERVICES FOR THE NEWARK BACKYARD SANITARY SEWER RELOCATION PROJECT – PHASE 2 AND THE MISCELLANEOUS SPOT REPAIRS PROJECT – PHASE 6**

This item was reviewed by the Construction Committee. Technical Services Manager Ghossain stated the Newark Backyard Sanitary Sewer Relocation Project – Phase 2 was the second of a three-phased project to improve the existing sewer system within the residential neighborhood located northerly of the intersection of Dairy Avenue and Cherry Street in the City of Newark. Phase 2 of the project included relocation of 93 sanitary sewer laterals to sanitary sewer mains constructed along George Avenue, Jennifer Street, Deborah Street, Leone Street, and parts of Zulmida Avenue and Noel Avenue. The Miscellaneous Spot Repairs Project – Phase 6 involved the repair of broken or sagging sewer pipes at six sites throughout the District; three sites were in Union City and three sites were in Fremont. Amendment No. 1 would increase the amount of Task Order No. 1 by \$37,257.

It was moved by Vice President Handley, seconded by Secretary Kite, to Authorize the General Manager to Execute Amendment No. 1 to Task Order No. 1 with The Covello Group for Providing Additional Construction Management Services for the Newark Backyard Sanitary Sewer Relocation Project – Phase 2 and the Miscellaneous Spot Repairs Project – Phase 6. Motion carried unanimously.

**CONSIDER CONFIRMING AND DECLARING THE NEED TO CONTINUE THE EMERGENCY ACTION TO REPAIR THE 33-INCH SEWER ON ALVARADO BOULEVARD AND UPDATE ON THE REPAIRS**

This item was reviewed by the Construction Committee. Technical Services Manager Ghossain stated the damaged sewer continues to be plugged and its flows bypassed to the unaffected 39-inch trunk sewer on the south side of the street through a permanent overflow pipe. Staff consulted with the geotechnical consultant and came to the conclusion that the incremental approach to resolving this problem has been exhausted, and the next and final step is to excavate the area and make the necessary repairs. The repair will be accomplished by excavation of a large pit, installation of sheet piles, and replacement of the mainline and manhole. The contractor has begun ordering materials and started planning for the sewer line excavation. Updates will be provided to the City, School District, and media of any lane closures to accommodate this work. Staff

recommended the Board approve a motion by a four-fifths vote finding there is a need to continue the action and confirm and declare the continuance of the emergency.

It was moved by Director Fernandez, seconded by Vice President Handley, to Confirm and Declare the Need to Continue the Emergency Action to Repair the 33-Inch Sewer on Alvarado Boulevard. Motion carried unanimously.

### **ACCEPT THE FINAL REPORT FOR THE PUMP STATION MASTER PLAN FROM CAROLLO ENGINEERS**

This item was reviewed by the Construction Committee. Technical Services Manager Ghossain stated the District operates and maintains a transport system that collects and pumps influent wastewater from three drainage basins to the Alvarado Wastewater Treatment Plant. On January 12, 2015, the Board authorized the General Manager to execute an agreement and Task Order No.1 with Carollo Engineers to complete the Pump Station Master Plan. Staff recommended the Board accept the final report, dated December 2015, prepared by Carollo Engineers for the Pump Station Master Plan.

It was moved by Secretary Kite, seconded by Vice President Handley, to Accept the Final Report for the Pump Station Master Plan from Carollo Engineers. Motion carried unanimously.

### **AUTHORIZE THE GENERAL MANAGER TO EXECUTE AGREEMENT AND TASK ORDER NO. 1 FOR THE ALVARADO BASIN MASTER PLAN UPDATE**

This item was reviewed by the Construction Committee. Technical Services Manager Ghossain stated the goal of the sewer master plan is to develop a long-term capital improvement program for the Alvarado Basin that will provide for adequate hydraulic capacity in the sewer system as well as address maintenance and structural problems in sewers within the basin. The last Alvarado Basin Master Plan update was completed in 2008. Work under Task Order No. 1 will focus on a condition assessment of the District's trunk sewer system and will include wet weather monitoring. To take advantage of the 'El Niño' weather pattern expected this winter, wet weather monitoring has been included in Task Order No. 1. Work under this task order is expected to be completed by June 30, 2016. Staff recommended the Board authorize the General Manager to execute an Agreement and Task Order No. 1 with RMC Water and Environment for an amount not to exceed \$89,800 for the preparation of the Alvarado Basin Sewer Master Plan Update.

It was moved by Director Fernandez, seconded by Director Lathi, to Authorize the General Manager to Execute Agreement and Task Order No. 1 for the Alvarado Basin Master Plan Update. Motion carried unanimously.

### **BOARD MEMBER COMPENSATION FOR 2016**

This item was reviewed by the Budget & Finance Committee. General Manager Eldredge stated the Committee recommended no changes be made to Board Member compensation for calendar year 2016. The Board directed staff to conduct a Board

Member compensation comparison survey of neighboring wastewater agencies, and present as an information item a month or two prior to consideration of Board Member Compensation for 2017.

It was moved by Secretary Kite, seconded by Director Lathi, to make no changes to Board member compensation. Motion carried unanimously.

## **INFORMATION ITEMS:**

### **Check Register**

All questions were answered to the Board's satisfaction.

### **Rising Health Care Costs**

Technical Services Manager Ghossain stated that according to the 2014 California Employer Health Benefits Survey, California health care premiums have risen 185% since 2002. There is a growing contingent of local agencies who want to encourage large purchasers to coordinate purchasing power to drive payment reform for health care services. District staff attended a symposium on April 2, 2015, which included presentations by the City of Richmond, CalPERS, the City of San Francisco, SEIU 1021, and others. This item was presented to bring the Board up to speed on the topic.

### **Update on the Hayward Marsh**

Treatment & Disposal Services Manager Lopez stated since 1988, the Hayward Marsh (Marsh) has provided 20 MGD of wet weather flow capacity not available in the East Bay Dischargers Authority (EBDA) force main. Sedimentation due to natural processes resulted in a blockage of the inlet to pond 3B in the summer of 2013. The District agreed to conduct a planning level study at the request of the East Bay Regional Parks District (EBRPD) to identify options for rehabilitation of the Marsh. All options presented in the study would bare considerable costs to implement. In September 2015, District staff met with EBRPD staff who concurred the options developed and evaluated in the Hayward Marsh Options Study were too expensive for EBRPD to continue to support the current operation of the marsh. Concepts and details are being evaluated cooperatively between the District and EBRPD staff. Additional information will be brought back before the Board as it becomes available. The current National Pollutant Discharge Elimination System (NPDES) permit will expire in October 2016, and efforts to renew said permit have begun. Staff has begun working on refining the scope and tasks for the Hayward Marsh NPDES permit renewal application with RMC Water and Environment.

### **Report on the East Bay Dischargers Authority (EBDA) Commission Meeting of November 19, 2015**

Vice President Handley stated the EBDA Commission meeting included a discussion regarding the EBDA outfall evaluation which revealed a leak in the pipe located in the shallow area. A temporary fix has been completed, and a permanent fix is planned for next year.

## **DISCUSS AND PROVIDE DIRECTION REGARDING BROWN ACT / ETHICS REFRESHER BOARD WORKSHOP**

General Manager Eldredge stated the Board had previously discussed scheduling a refresher course on the Brown Act and general public agency ethics. The Brown Act / Ethics Refresher workshop had been scheduled for December 15, 2015, but was cancelled due to unforeseen scheduling conflicts with the Board. General Manager Eldredge noted all Board Members completed their AB 1234 Ethics training in 2015. Staff requested the Board provide direction regarding next steps for the Brown Act / Ethics Refresher Workshop.

The Board agreed by consensus to cancel the Workshop with no plans to reschedule at this point.

### **COMMITTEE MEETING REPORTS:**

The Budget & Finance, Construction, and Audit Committees met.

General Manager Eldredge noted the Ad Hoc Subcommittee for Content Review of Proposition 218 Notification completed its work and will disband.

### **GENERAL MANAGER'S REPORT:**

General Manager Eldredge reported the following:

- General Manager Eldredge contacted the City Manager's for Fremont, Newark, and Union City to inquire about potential Boardmember participation in National Night Out activities. Staff will notify the Board as responses are received.
- The Co-digestion Pilot project continues, and results continue to be favorable. The feed was recently increased to 3.5 gpm.
- The California Association of Sanitation Agencies (CASA) Winter Conference will be held in Palm Springs January 20-22, 2016. The registration deadline is January 6, 2016. Please let staff know if you would like to be registered to attend.
- The CASA Washington D.C. Conference will be held February 22-24, 2016. The registration deadline has not been posted. Please let staff know if you would like to be registered to attend.
- Per CASA's request, Organizational Performance Program Manager Brenner will facilitate an Operator Recruitment and Training roundtable discussion at the CASA Winter Conference on January 20, 2016.
- Proposition 218 public hearing notices were mailed to property owners last week and staff have been receiving responses, including email.
- The District's annual holiday potluck for staff will be held Thursday, December 17, 2015.
- General Manager Eldredge will meet with City of Union City, City Manager Tony Acosta on Tuesday, December 15, 2015. Topics of discussion will include the Alvarado-Niles Lining Project and repair of the damaged sewer beneath Alvarado Boulevard.

**OTHER BUSINESS:**

General Manager Eldredge suggested the Board's request for a Board Member compensation comparison survey be presented as an agenda item in June to afford the Board an opportunity to provide further direction. The Board agreed by consensus.

**ADJOURNMENT:**

The meeting was adjourned at 8:25 p.m. to the next scheduled Regular Board Meeting to be held in the Boardroom on Monday, January 11, 2016, at 7:00 p.m.

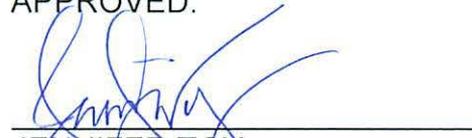
SUBMITTED:

  
REGINA McEVOY  
SECRETARY TO THE BOARD

ATTEST:

  
PAT KITE  
SECRETARY

APPROVED:

  
JENNIFER TOY  
PRESIDENT

Adopted this 11<sup>th</sup> day of January, 2016