

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT
April 24, 2017**

CALL TO ORDER

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

PLEDGE OF ALLEGIANCE

ROLL CALL

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

ABSENT: Pat Kite, Vice President

STAFF: Paul Eldredge, General Manager
Karen Murphy, District Counsel
Sami Ghossain, Technical Services Manager
James Schofield, Collection Services Manager
Pamela Arends-King, Business Services Manager/CFO
Robert Simonich, Fabrication, Maintenance, and Construction Manager
Tim Grillo, Research and Support Team Coach
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

GUEST: Alice Johnson, League of Women Voters

APPROVAL OF THE MINUTES OF THE MEETING OF APRIL 10, 2017

It was moved by Secretary Lathi, seconded by Director Fernandez, to approve the Minutes of the Meeting of April 10, 2017. Motion carried with the following vote:

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

MONTHLY OPERATIONS REPORT FOR MARCH 2017

This item was reviewed by the Legal/Community Affairs and Budget & Finance Committees.

General Manager Eldredge reported the following:

- Odor Complaints: There were five odor complaints received by the Plant in March 2017. Details regarding the complaints were included in the Board meeting packet.

- The Cogen system produced 76% of power consumed for the month of March 2017.

Business Services Manager/CFO Arends- King reported the following:

- Revenues:
 - The District received \$1,660,000 in capacity fees during March 2017 including:
 - \$312,000 from 24 Hour Fitness at New Park Mall
 - \$70,000 from William Lyons Homes
 - \$67,000 from Casa Bella Homes
 - \$226,000 City Ventures Sugar Mill
- Expenses:
 - Expenses for all Work Groups were at or below budget.

General Manager Eldredge stated Monthly Operations Reports for each work group were included in the Board meeting packet.

WRITTEN COMMUNICATIONS

There were no written communications.

ORAL COMMUNICATIONS

There were no oral communications.

CONSIDER APPROVAL OF AGREEMENT FOR AUDITING SERVICES WITH LANCE SOLL & LUNGHARD LLP.

Business Services Manager/CFO Arends-King stated staff issued a Request for Proposal (RFP) for auditing services, and received responses from nine Certified Public Accounting firms. Following a thorough evaluation in consultation with the Audit Committee, Lance Soll & Lunghard LLP (LSL) was determined to be the best selection of the proposals received. Staff recommended the Board award the professional services contract for annual auditing services to Lance Soll & Lunghard LLP for fiscal years 2016-17 through 2018-19 with the option of providing auditing services for each of the two subsequent fiscal years.

It was moved by Secretary Lathi, seconded by Director Toy, to Award the Professional Services Contract for Annual Auditing Services to Lance Soll & Lunghard LLP, for Fiscal Years 2016-17 through 2018-19 with the Option of Providing Auditing Services for Each of the Two Subsequent Fiscal Years. Motion carried with the following vote:

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

AWARD THE CONTRACT FOR THE CLEANING OF PRIMARY DIGESTER NO. 3 AND SECONDARY DIGESTER NO. 2 TO SYNAGRO

This item was reviewed by the Engineering and Information Technology Committee. Research and Support Team Coach Grillo stated the District has six primary and two secondary digesters located at the Plant that require periodic cleaning to remove accumulated debris. Primary Digester No. 3 was last cleaned in 2010, and Secondary Digester No. 2 was last cleaned in 2008. The project will prepare Primary Digester No. 3 for the upcoming Rehabilitation Project to be performed by the Capital Improvements Projects Team. The contractor will have 60 days to complete the project from Notice to Proceed, and the estimated completion is July 2017. Synagro was determined to be the lowest, responsive, and responsible bidder for the project. Staff recommended the Board award the cleaning contract for Primary Digester No. 3 and Secondary Digester No. 2 to Synagro in the amount of \$128,950.

It was moved by Director Fernandez, seconded by Secretary Lathi, to Award the Cleaning Contract for Primary Digester No. 3 and Secondary Digester No. 2 to Synagro in the amount of \$128,950. Motion carried with the following vote:

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

CONSIDER A RESOLUTION TO ACCEPT A SANITARY SEWER EASEMENT FOR TRACT 8028 – CASA BELLA, LOCATED ON THORNTON AVENUE BETWEEN CHERRY STREET AND NEWARK BOULEVARD IN THE CITY OF NEWARK

This item was reviewed by the Legal/Community Affairs Committee. Technical Services Manager Ghossain stated Casa Bella Homes, LLC will construct 14 townhome units for Tract 8028, at 6249 Thornton Avenue, in the City of Newark. Sanitary sewer service to the residential development will be provided by new 8-inch mains in the development's two shared driveways, and will be connected to the existing 10-inch main in Thornton Avenue. Casa Bella Homes, LLC has constructed the new sewer mains and granted the District a sanitary sewer easement to provide for access, maintenance, and service of the new sewer mains in the common private roadways of the development. Staff recommended the Board consider a resolution to accept a sanitary sewer easement for Tract 8028 – Casa Bella, located on Thornton Avenue between Cherry Street and Newark Boulevard in the City of Newark.

It was moved by Secretary Lathi, seconded by Director Toy, to Adopt Resolution No. 2807, to Accept a Sanitary Sewer Easement for Tract 8028 – Casa Bella, Located on Thornton Avenue Between Cherry Street and Newark Boulevard in the City of Newark, California. Motion carried with the following vote:

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

####

RESOLUTION NO. 2807

**ACCEPT A SANITARY SEWER EASEMENT FOR
TRACT 8028 – CASA BELLA, LOCATED ON THORNTON AVENUE
BETWEEN CHERRY STREET AND NEWARK BOULEVARD
IN THE CITY OF NEWARK, CA**

RESOLVED by the Board of Directors of UNION SANITARY DISTRICT, that it hereby accepts the Grant of Easement from Casa Bella Homes, LLC, executed on March 23, 2015, as described in the Grant of Easement for Sanitary Sewer Purposes and by attached Exhibit A and Exhibit B.

BE IT FURTHER RESOLVED by the Board of Directors of UNION SANITARY DISTRICT that it hereby authorizes the General Manager/District Engineer, or his designee, to attend to the recordation thereof.

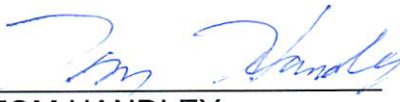
On motion duly made and seconded, this resolution was adopted by the following vote on April 24, 2017:

AYES: Fernandez, Handley, Lathi, Toy

NOES: None

ABSENT: Kite

ABSTAIN: None


TOM HANDLEY
President, Board of Directors
Union Sanitary District

Attest:



ANJALI LATHI
Secretary, Board of Directors
Union Sanitary District

Exhibit A
Legal Description
Sanitary Sewer Easement
6231 – 6259 Thornton Avenue
Newark, California

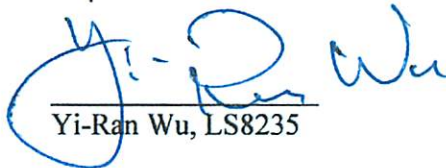
Portion of Lot 1, as shown upon that certain Map for Tract 8028, which Map was filed for record in the Office of the Recorder of the County of Alameda, State of California, on July 31, 2015 in Book 333 of Maps, at Page 33 and 34, more particularly described as follows:

Beginning at a point on the northwesterly line of Thornton Avenue, from which point the most southerly corner of said Tract 8028 bears S33°00'00"W, 53.00 feet; Thence N57°00'00"W, 130.61 feet; Thence N33°00'00"E, 95.93 feet; Thence S57°00'00"E, 130.61 feet to a point on said northwesterly line of Thornton Avenue; Thence along said northwesterly line of Thornton Avenue, S33°00'00"W, 15.00 feet; Thence N57°00'00"W, 115.61 feet; Thence S33°00'00"W, 65.93 feet; Thence S57°00'00"E, 115.61 feet to a point on said northwesterly line of Thornton Avenue; Thence along said northwesterly line of Thornton Avenue, S33°00'00"W, 15.00 feet to the POINT OF BEGINNING.

Containing an area of 4,907 square feet, more or less.

End of description.

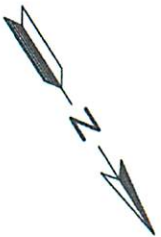
Prepared by or Under the
Supervision of:


Yi-Ran Wu, LS8235



3/20/15

Date



FOXWOOD TOWNHOMES
(TRACT NO 5560)

N.33°00'00"E.

204.43'

CHERRY STREET

DEED
(DOC. # 2011357149)
S.57°00'00"E. 140.00'

15.00'
53.00'
N.33°00'00"E.
130.61'
115.61'
TRACT 8028
115.61'
130.61'
15.00'
65.93'
15.00'
204.43'
55.50'

S.57°00'00"E. DEED 140.00'
3255-O.R.-413
(DOC. # 72141152)

CENTER LINE OF THORNTON AVENUE

THORNTON

AVENUE

LEGEND:

P.O.B.

POINT OF BEGINNING

PROPERTY LINE

CENTER LINE

MONUMENT LINE OR TIE

SANITARY SEWER EASEMENT

BASIS OF BEARINGS:

THE BEARING, N33°00'00"E, OF THE CENTER LINE OF THORNTON AVENUE, AS SHOWN ON THAT CERTAIN MAP FILED IN THE OFFICE OF THE RECORDER OF ALAMEDA COUNTY, STATE OF CALIFORNIA, IN BOOK 16 OF MAPS AT PAGE 11, WAS USED AS THE BASIS OF BEARINGS SHOWN ON THIS MAP.

SCALE: 1"=50'
NOVEMBER 10, 2014



EXHIBIT B
PLAT TO ACCOMPANY LEGAL
DESCRIPTION FOR
SANITARY SEWER EASEMENT
6231-6239 THORNTON AVENUE
NEWARK, CA

W E C
& ASSOCIATES

2625 MIDDLEFIELD RD #658
PALO ALTO, CA 94306

TEL: (650) 823-6466
FAX: (650) 887-1294

CONSIDER A RESOLUTION TO ACCEPT A SANITARY SEWER EASEMENT FOR TRACT 7938 – ORACLE COMMON, LOCATED ON EGGERS DRIVE NORTH OF FREMONT BOULEVARD IN THE CITY OF FREMONT

This item was reviewed by the Legal/Community Affairs Committee. Technical Services Manager Ghossain stated Carmel 9, Inc. will construct eight townhome units for Tract 7938, at 3803 Eggers Drive in the City of Fremont. Sanitary sewer service to the residential development will be provided by a new 8-inch main in Oracle Common which will be connected to the existing 12-inch main in Eggers Drive. The roadway of the development has been designated as a private street. Carmel 9, Inc. has constructed the sewer main and granted the District a sanitary sewer easement to provide for access, maintenance, and service of the new main in the private roadway. Staff recommended the Board consider a resolution to accept a sanitary sewer easement for Tract 7938 – Oracle Common, located on Eggers Drive north of Fremont Boulevard in the City of Fremont.

It was moved by Secretary Lathi, seconded by Director Fernandez, to Adopt Resolution No. 2808 to Accept a Sanitary Sewer Easement for Tract 7938 – Oracle Common Located on Eggers Drive North of Fremont Boulevard in the City of Fremont, California. Motion carried with the following vote:

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

####

RESOLUTION NO. 2808

**ACCEPT A SANITARY SEWER EASEMENT FOR
TRACT 7938 – ORACLE COMMON
LOCATED ON EGGERS DRIVE NORTH OF FREMONT BOULEVARD
IN THE CITY OF FREMONT, CALIFORNIA**

RESOLVED by the Board of Directors of UNION SANITARY DISTRICT, that it hereby accepts the Grant of Easement from Carmel 9, Inc., executed on May 5, 2015, as described in the Grant of Easement for Sanitary Sewer Purposes and by attached Exhibit A and Exhibit B.

BE IT FURTHER RESOLVED by the Board of Directors of UNION SANITARY DISTRICT that it hereby authorizes the General Manager/District Engineer, or his designee, to attend to the recordation thereof.

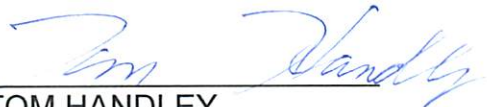
On motion duly made and seconded, this resolution was adopted by the following vote on April 24, 2017:

AYES: Fernandez, Handley, Lathi, Toy

NOES: None

ABSENT: Kite

ABSTAIN: None


TOM HANDLEY
President, Board of Directors
Union Sanitary District

Attest:


ANJALI LATHI
Secretary, Board of Directors
Union Sanitary District

EXHIBIT "A"
LEGAL DESCRIPTION
15' WIDE SANITARY SEWER EASEMENT

ALL THAT CERTAIN REAL PROPERTY SITUATE IN THE CITY OF FREMONT, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

BEING A PORTION OF PARCEL 'A', AS SHOWN ON THAT CERTAIN MAP ENTITLED "TRACT 7938, "ORACLE COMMONS", FILED MAY 7th, 2015, IN BOOK 331 OF MAPS, AT PAGE 68-70, ALAMEDA COUNTY REDORDS, FURTHER DESCRIBED AS FOLLOWS:

A STRIP OF LAND 15.00 FOOT WIDE FOR SANITARY SEWER EASEMENT PURPOSES,, LYING 7.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

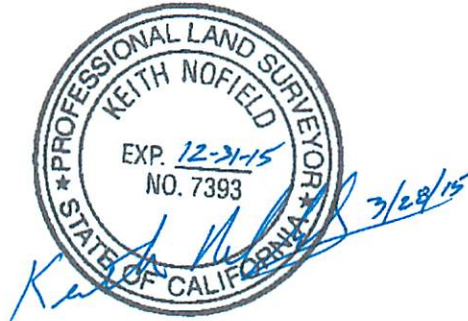
COMMENCING AT THE MOST SOUTHERLY CORNER OF SAID PARCEL 'A' ON THE NORTHWESTERLY RIGHT OF WAY LINE OF EGGERS DRIVE AS SHOWN ON SAID MAP (MAPS); THENCE ALONG SAID NORTHWESTERLY LINE NORTH 34°30'47" EAST, 56.08' FEET TO THE **ACTUAL POINT OF BEGINNING**; THENCE LEAVING SAID LINE NORTH 57° 03'41" WEST, 141.50 FEET.

THE SIDE LINES SHALL BE LENGTHENED OR SHORTENED TO TERMINATE ON THE SOUTH LINE OF

A PLAT OF THE ABOVE DESCRIBED STRIP OF LAND LABELED " EXHIBIT 'B' " IS ATTACHED HERETO AND MADE A PART HEREOF.

MARCH 28, 2015

KEITH NOFIELD, P.L.S. 7393
LICENSE EXPIRES: 12/31/15



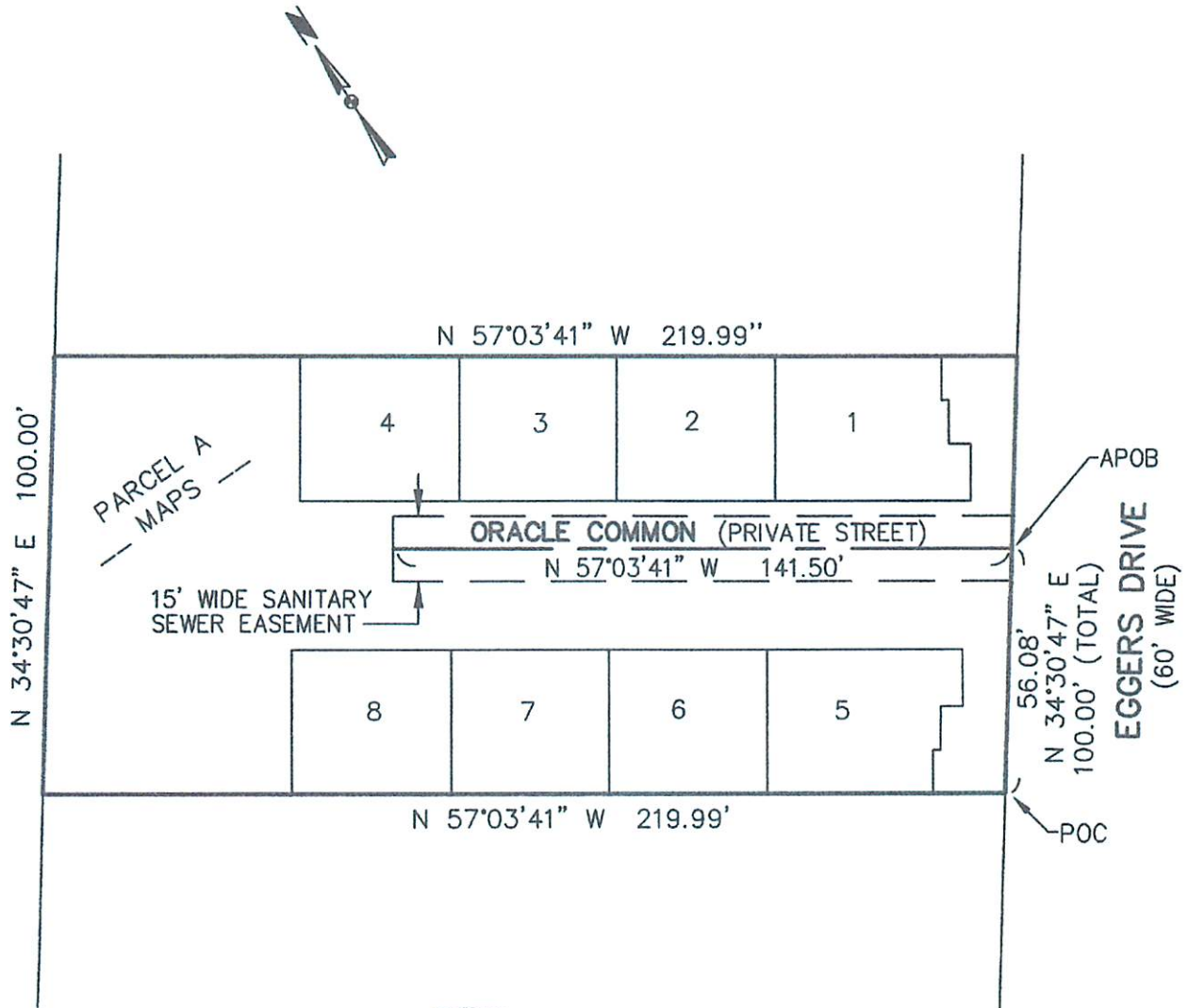
SCALE IN FEET



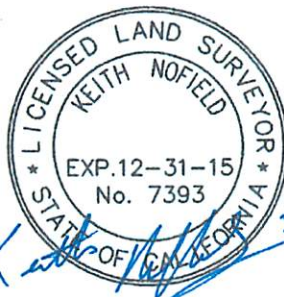
1 INCH = 40 FEET

LEGEND

APOB ACTUAL POINT OF BEGINNING
POC POINT OF COMMENCEMENT



KEITH NOFIELD, PLS 7393
LICENSE EXPIRES: 12-31-15



KEITH NOFIELD, PLS
5178 MOWRY AVE., STE. 2151
FREMONT, CA 94538
510/468-2703

EXHIBIT "B"
SANITARY SEWER EASEMENT
TRACT 7938 - EGGERS AVENUE

JOB NO.:
13-019

SHT. 1 OF 1

DATE: 03/28/15 SCALE: 1"=40'

INFORMATION ITEMS:

Check Register

All questions were answered to the Board's satisfaction.

COMMITTEE MEETING REPORTS:

The Budget & Finance Committee, Legal/Community Affairs, and Engineering and Information Technology Committees met.

General Manager Eldredge stated the Ad Hoc Subcommittee for Communications Strategy will no longer need to meet. The Board agreed that the subcommittee should be removed from the Committee Meeting Reports section of the Board meeting agenda.

GENERAL MANAGER'S REPORT:

General Manager Eldredge reported the following:

- The General Manager's Six Month Check-in Board Workshop will be held at 5:30 p.m. on Tuesday, April 25, 2017.
- General Manager Eldredge will provide a District update presentation at the Newark City Council meeting at 7:30 p.m. on April 27, 2017.
- The District's Certificates of Merit Award Ceremony will be held in the Boardroom at 3:00 p.m. on May 4, 2017.

OTHER BUSINESS

There was no other business.

ADJOURNMENT:

The meeting was adjourned at 7:19 p.m. to the General Manager's 6-month Check-in Board Workshop in the Alvarado Conference Room on Tuesday, April 25, 2017, at 5:30 p.m.

The Board will then adjourn to the next Regular Board Meeting in the Boardroom on Monday, May 8, 2017, at 7:00 p.m.

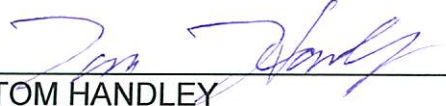
SUBMITTED:


REGINA McEVOY
BOARD CLERK

ATTEST:


ANJALI LATHI
SECRETARY

APPROVED:


TOM HANDLEY
PRESIDENT

Adopted this 8th day of May, 2017