

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT/UNION SANITARY DISTRICT FINANCING
AUTHORITY
May 26, 2020**

Consistent with Executive Orders No. N-25-20 and No. N-29-20 from the Executive Department of the State of California, the Alameda County March 16, 2020 Shelter in Place Order, and Executive Order No. N-33-20, Stay-at-Home Order, the Tuesday, May 26, 2020, Regular Board Meeting was not physically open to the public and all Board Members teleconferenced into the meeting. To maximize public safety while still maintaining transparency and public access, members of the public were able to listen to the Board Meeting, and provide public comment by sending comments to the Board Clerk.

CALL TO ORDER

President Handley called the meeting to order at 4:00 p.m. The regular meeting time was modified due to the COVID-19 emergency.

SALUTE TO THE FLAG

ROLL CALL

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

STAFF: Paul Eldredge, General Manager/District Engineer
Karen Murphy, District Counsel
Sami Ghossain, Technical Services Manager
Armando Lopez, Treatment and Disposal Services Manager
James Schofield, Collection Services Manager
Robert Simonich, Fabrication Construction and Maintenance Manager
Laurie Brenner, Business Services Coach
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

**APPROVE MINUTES OF THE UNION SANITARY DISTRICT BOARD MEETING OF
MAY 11, 2020**

It was moved by Vice President Kite, seconded by Director Fernandez, to Approve the Minutes of the Board Meeting of May 11, 2020. Motion carried with the following vote:

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

APPROVE MINUTES OF THE UNION SANITARY DISTRICT SPECIAL BOARD MEETING OF MAY 12, 2020

It was moved by Vice President Kite, seconded by Director Toy, to Approve the Minutes of the Special Board Meeting of May 12, 2020. Motion carried with the following vote:

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

APRIL 2020 MONTHLY OPERATIONS REPORT

General Manager Eldredge provided an overview of the Odor Report and Work Group Reports included in the Board meeting packet.

Business Services Coach Brenner reviewed the financial reports included in the Board meeting packet.

WRITTEN COMMUNICATIONS

There were no written communications.

PUBLIC COMMENT

There was no public comment.

ADOPT A RESOLUTION DEFERRING THE COLLECTION OF RATE INCREASES ADOPTED PURSUANT TO ARTICLE XIID, SECTION 6 OF THE CALIFORNIA CONSTITUTION ON MAY 11, 2020, UNTIL FY 2022-2023 FOR SINGLE FAMILY RESIDENTIAL AND MULTI FAMILY RESIDENTIAL CUSTOMERS

General Manager Eldredge stated the Board held a public hearing and adopted Ordinance 31.40 setting sewer service charges for Fiscal Years 2021-2025 at the regular meeting of May 11, 2020. At the same meeting, the Board authorized and directed staff to prepare and bring back a resolution deferring collection of FY 2021 increases to sewer service charges for single family and multi-family residences until FY 2022. Staff recommended the Board approve the proposed resolution to defer FY 2021 sewer service charge increases for single family and multi-family residences until FY 2022.

It was moved by Secretary Lathi, seconded by Vice President Kite, to Adopt Resolution No. 2892 Deferring the Collection of Rate Increases Adopted Pursuant to Article XIID, Section 6 of the California Constitution on May 11, 2020, Until FY 2022-2023 for Single Family Residential and Multi Family Residential Customers. Motion carried with the following vote:

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

**Resolution No. 2892 was amended
and restated in its entirety by
Resolution No. 2895, adopted June 8, 2020.**

RESOLUTION NO. 2892

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE UNION SANITARY
DISTRICT DEFERRING THE COLLECTION OF RATE INCREASES ADOPTED
PURSUANT TO ARTICLE XIID, SECTION 6 OF THE CALIFORNIA CONSTITUTION
ON MAY 11, 2020, UNTIL FY 2022-2023 FOR SINGLE FAMILY RESIDENTIAL AND
MULTI FAMILY RESIDENTIAL CUSTOMERS**

WHEREAS, on or about March 4, 2020, as part of the State of California's response to address the global COVID-19 outbreak, the Governor of the State of California declared a State of Emergency to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the state prepare for broader spread of COVID-19; and

WHEREAS, the Health Officer of Alameda County issued Declarations of Local Health Emergency on March 1 and 5, and on March 10, 2020, the Board of Supervisors of the County of Alameda adopted a Resolution Ratifying the Declarations of Local Health Emergency; and

WHEREAS, on March 11, 2020, the World Health Organization (WHO) characterized COVID-19 as a global pandemic and the number of cases will tragically continue to increase across the United States and globally; and

WHEREAS, on March 13, 2020, the City of Fremont declared a local emergency, on March 16, 2020, the City of Newark declared a local emergency, and on March 17, 2020, the City of Union City declared a local emergency; and

WHEREAS, on March 16, 2020, the Health Officer of Alameda County adopted an "Order Of The Health Officer Of The County Of Alameda Directing All Individuals Living In The County To Shelter At Their Place Of Residence Except That They May Leave To Provide Or Receive Certain Essential Services Or Engage In Certain Essential Activities And Work For Essential Businesses And Governmental Services; Exempting Individuals Experiencing Homelessness From The Shelter In Place Order But Urging Them To Find Shelter And Government Agencies To Provide It; Directing All Businesses And Governmental Agencies To Cease Non-Essential Operations At Physical Locations In The County; Prohibiting All Non-Essential Gatherings Of Any Number Of Individuals; And Ordering Cessation Of All Non-Essential Travel," and has issued subsequent orders modifying and extending the original shelter in place order; and

WHEREAS, on March 16, 2020, the Governor of the State of California issued Executive Order No. 28-20 encouraging public utilities to implement customer service protections for critical utilities; and

WHEREAS, on March 19, 2020, the Governor of the State of California issued Executive Order N-33-20 mandating that all Californians stay at home or at their place of residence except in order to maintain critical infrastructure sectors; and

WHEREAS, the COVID-19 emergency and Alameda County Shelter-in-Place orders and the State Stay Home Order have resulted in a financial crisis and increasing unemployment in Alameda County and throughout the State of California; and

WHEREAS, on May 11, 2020, the Union Sanitary District conducted a hearing to consider proposed increases to sewer service charges for Fiscal Years 2021-2025; and

WHEREAS, at the May 11, 2020 meeting, the Board also discussed a residential rate deferral program that could alleviate the impact of the proposed rate increases on residential customers by deferring collection of the first year's rate increases; and

WHEREAS, on May 11, 2020, the Union Sanitary District Board of Directors (the "Board") adopted Ordinance No. 31.40 establishing sewer service charges for Fiscal Years 2021-2025; and

WHEREAS, on May 11, 2020, the Board also authorized and directed staff to prepare a resolution approving a fee deferral program that would defer collection of the residential rate increases for Fiscal Year 2021-2022 for single-family residential and multi-family residential until Fiscal Year 2022-2023; and

WHEREAS, Ordinance No. 31.40 increased rates in Fiscal Year 2021-2022 by a fixed amount of \$33.20 for single-family residences and a fixed amount of \$35.26 for multi-family residences; and

WHEREAS, in recognition of the financial crisis caused by the COVID-19 emergency, the Union Sanitary District seeks to temporarily use its reserves to defer collection of the Fiscal Year 2021-2022 rate increases for single family and multi-family residences until Fiscal Year 2022- 2023.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Union Sanitary District that:

1. The District will defer the collection of the sewer service charge increase in Fiscal Year 2021-2022 of \$33.20 for single-family residences and \$35.26 for multi-family residences that was adopted in Ordinance No. 31.40 until Fiscal Year 2022-2023.
2. The District will provide written notice of the fee collection deferral to all single- family and multi-family ratepayers in conjunction with the District's annual newsletter / courtesy notice.
3. The District will indicate in its written report on Sewer Service Charges for Collection on Tax Rolls for Fiscal Year 2021-2022 that: (a) the sewer service charge for single family residences will be \$421.37, which is the same as the sewer service charge for Fiscal Year 2020; and (b) the sewer service charge for multi-family residences will be \$365.32, which is the same as the sewer service charge for Fiscal Year 2020.

4. The District will provide in its written report on Sewer Service Charges for Collection on Tax Rolls for Fiscal Year 2022-2023 that, in addition to the sewer service charge for Fiscal Year 2022-2023 established by Ordinance No. 31.40, the deferred collection of the increase for Fiscal Year 2021-2022 for single family and multi-family residences will be collected.

* * * * *

On motion of Secretary Lathi, seconded by Vice President Kite, the above resolution was introduced and passed by the Board of Directors of Union Sanitary District at a regular meeting of said Board held on the 26th day of May, 2020, and adopted by the following vote:

Ayes: Fernandez, Handley, Kite, Lathi, Toy

Noes: None

Absent: None

Abstain: None



TOM HANDLEY

President, Board of Directors
Union Sanitary District

ATTEST:



ANJALI LATHI

Secretary, Board of Directors
Union Sanitary District

SCHEDULING PUBLIC HEARING TO CONSIDER COLLECTION OF SEWER SERVICE CHARGES ON THE TAX ROLL FOR FISCAL YEAR 2021

This item was reviewed by the Budget & Finance Committee. General Manager Eldredge stated the Board approved sewer service charge rates for fiscal years 2021 through 2025 at its regular meeting held May 11, 2020. The collection of sewer service charges on the tax rolls requires an annual hearing and consideration of the Board. The District may authorize the sewer service charges for fiscal year 2021 to be collected on the tax rolls by creating a report setting forth the amount of the sewer service charges to be assessed on each parcel in the District; filing the report with the Secretary of the Board; scheduling a public hearing for the Board to hear all objections and protests (if any); and authorizing the collection of the sewer service charges on the tax rolls, if there is no majority protest. After the public hearing date is set by the Board, staff will publish the notice of the time and place of the hearing in the Argus Newspaper on June 5, 2020 and June 12, 2020, and in the Tri-City Voice Newspaper on June 9, 2020 and June 16, 2020. Staff recommended the Board set the date and time for holding the public hearing to consider collection of sewer service charges on the tax roll for fiscal year 2021, at 4:00 p.m. or as soon thereafter as the matter may be heard, on June 22, 2020.

It was moved by Director Toy, seconded by Director Fernandez to Schedule the Public Hearing to Consider Collection of Sewer Service Charges on the Tax Roll for Fiscal Year 2021 for Monday, June 22, 2020, at the hour of 4:00 p.m. or as soon thereafter as the matter may be heard, at the Union Sanitary District Boardroom, 5072 Benson Road, Union City, CA 94587. Motion carried with the following vote:

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

CONSIDER A RESOLUTION TO ACCEPT THE CONSTRUCTION OF THE SLUDGE DEGRITTER SYSTEM PROJECT FROM KIEWIT INFRASTRUCTURE WEST COMPANY

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the Board awarded the construction contract to Kiewit on September 12, 2016. The Project's major elements included installation of one new Hydro International/Eutek Sludge Degritting System, installation of a screw conveyor to transport dewatered grit, and installation of a jib crane to allow removal of the new components through the roof access hatch covers. During the initial round of performance testing it was found the new Sludge Degritter System did not meet contract requirements for the solid concentrations in the dewatered grit. Negotiations pertaining to the performance deficiency of the new Sludge Degritter System were recently concluded and resulted in a credit to the District. Staff recommended the Board consider a resolution to accept construction of the Sludge Degritter System Project from Kiewit Infrastructure West Company and authorize recordation of a Notice of Completion.

It was moved by Secretary Lathi, seconded by Director Fernandez, to Adopt Resolution No. 2893 to Accept Construction of the Sludge Degritter System Project Located in the

City of Union City, California from Kiewit Infrastructure West Company. Motion carried with the following vote:

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

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RESOLUTION NO. 2893

**ACCEPT CONSTRUCTION OF THE
SLUDGE DEGRITTER SYSTEM PROJECT
LOCATED IN THE CITY OF UNION CITY, CALIFORNIA
FROM KIEWIT INFRASTRUCTURE WEST COMPANY**

RESOLVED, by the Board of Directors of the UNION SANITARY DISTRICT that it hereby accepts the Sludge Degritter System Project from Kiewit Infrastructure West Company, effective May 26, 2020.

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 May 26, 2020:

AYES: Fernandez, Handley, Kite, Lathi, Toy

NOES: None


ABSENT: None

ABSTAIN: None



TOM HANDLEY
President, Board of Directors
Union Sanitary District

Attest:



ANJALI LATHI
Secretary, Board of Directors
Union Sanitary District



**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 October 11, 2016, by said District and **Kiewit Infrastructure West Company**, 4650 Business Center Drive, Fairfield, CA 94534, Contractor for the Project, "Sludge Degritter System Project," was substantially completed on April 2, 2020 and accepted by said District on May 26, 2020.

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 Alvarado 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

AUTHORIZE THE GENERAL MANAGER TO EXECUTE CHANGE ORDER NO. 1 WITH THATCHER COMPANY OF CALIFORNIA, INC. FOR THE ODOR CONTROL ALTERNATIVES STUDY

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the Board authorized the General Manager to execute an agreement and Task Order No. 1 with CH2M on January 9, 2017. CH2M conducted air sampling at the Alvarado Wastewater Treatment Plant, developed a dispersion model, and evaluated odor control alternatives. The Board authorized the General Manager to execute Task Order No. 2 with CH2M on February 26, 2018. One primary objective of Task Order No. 2 was to develop an odor model to evaluate current odor impacts in the collection system, identify wastewater characteristics, and simulate different chemical dosing schemes which were tested at the Newark and Irvington Pump Stations (PS). Staff issued an invitation for bid for the pilot test of Calcium Nitrate Chemical System at Newark PS and Irvington PS. Thatcher's bid included the cost of the calcium nitrate chemical that was used during the pilot. The total duration of the calcium nitrate pilot test lasted for approximately 3.5 weeks. CH2M included the data from the pilot test and their odor control recommendations in the draft Odor Control Study Report, the Report is pending completion of additional odor control technology pilot testing at the Plant scheduled to be complete by Spring/Summer 2021. Contract Change Order No. 1 is for the additional chemical usage during the pilot test, the cost is \$30,000 and is approximately 26.7% of the original contract amount. Staff recommended the Board authorize the General Manager to execute Change Order No. 1 and the corresponding settlement agreement with Thatcher Company of California, Inc. for the Odor Control Alternatives Study.

It was moved by Director Fernandez, seconded by Director Toy, to Authorize the General Manager to Execute Change Order No. 1 and the Corresponding Settlement Agreement with Thatcher Company of California, Inc. for the Odor Control Alternatives Study. Motion carried with the following vote:

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

CONSIDER A RESOLUTION TO ACCEPT A SANITARY SEWER EASEMENT FOR TRACT 8287 – THE SUGARMILL, LOCATED AT 30910 UNION CITY BOULEVARD, IN THE CITY OF UNION CITY

This item was reviewed by the Legal/Community Affairs Committee. Technical Services Manager Ghossain stated the developer, City Ventures Homebuilding, LLC, has constructed a mixed-use development consisting of 36 condominiums and 3,443 square feet of commercial space for Tract 8287, located at the southeast corner of Union City Boulevard and Bettencourt Way, in the City of Union City. Sanitary sewer service to the residential development will be provided by new sewer mains in the development's roadways. The roadways of the development do not meet the City of Union City's street dimensions and structure setback requirements for public streets and were designated as private. City Ventures Homebuilding, LLC, has constructed the new sewer mains and granted the District a sanitary sewer easement to provide for access and maintenance of

the new sewer mains. Staff recommended the Board consider a resolution to accept a sanitary sewer easement for Tract 8287 – The Sugarmill, located at 30910 Union City Boulevard in the City of Union City, California.

It was moved by Director Toy, seconded by Secretary Lathi, to Adopt Resolution No. 2894 to Accept a Sanitary Sewer Easement for Tract 8287 – The Sugarmill, Located at 30910 Union City Boulevard, in the City of Union City, California. Motion carried with the following vote:

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

####

RESOLUTION NO. 2894


**ACCEPT A SANITARY SEWER EASEMENT FOR
TRACT 8287 – THE SUGARMILL, LOCATED AT 30910 UNION CITY
BOULEVARD, IN THE CITY OF UNION CITY, CALIFORNIA**

RESOLVED by the Board of Directors of UNION SANITARY DISTRICT, that it hereby accepts the Grant of Easement from CITY VENTURES HOMEBUILDING, LLC, executed on July 28, 2016, as described in the Grant of Easement for Sanitary Sewer Purposes and by the legal description and plat map, attached as Exhibit A and Exhibit B, respectively.


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

On motion duly made and seconded, this resolution was adopted by the following vote on May 26, 2020:

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


TOM HANDLEY
President, Board of Directors
Union Sanitary District

Attest:


ANJALI LATHI
Secretary, Board of Directors
Union Sanitary District

GRANT OF EASEMENT

FOR SANITARY SEWER PURPOSES

THIS INDENTURE, made this 28th day of July 2016, by and between City Ventures Homebuilding, LLC, the Party/~~Parties~~ of the First Part, and Union Sanitary District, the Party/~~Parties~~ of the Second Part,

WITNESSETH:

That said Party/~~Parties~~ of the First Part does hereby grant to the Party of the Second Part and to its successors and assigns forever, for the use and purposes herein stated, the rights of way and easements hereinafter described, located in the City of Union City, County of Alameda, State of California:

See Exhibit "A" and Exhibit "B"

together with the right and privilege of constructing, reconstructing, cleaning, repairing and maintaining at any time, a sanitary sewer and appurtenances along, upon, over, in, through and across the above described property; together with free ingress and egress to and for the said Party of the Second Part, its successors and assigns, its agents and employees, workmen, contractors, equipment, vehicles and tools, along, upon, over, in, through and across said right of way; together with the right of access by its successors and assigns, its agents and employees, workmen, contractors, equipment, vehicles and tools to said right of way from the nearest public street, over and across the adjoining property, if such there be; otherwise by such route or routes across said adjoining property as shall occasion the least practicable damage and inconvenience to the Party of the First Part, for constructing, cleaning, repairing and maintaining said sanitary sewer and appurtenances; together with free ingress and egress over the land immediately adjoining for maintenance, repair and replacement as well as the initial construction of said sewer.

IN WITNESS WHEREOF the said Party/~~Parties~~ of the First Part have executed this indenture the day and year first above written.



Signature

By: Phil Kerv CEO - Homebuilding
(Print or type name and title of signatory)
Party/~~Parties~~ of the First Part

(Notarize)

CITY VENTURES HOMEBUILDING, LLC

CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

CIVIL CODE § 1189

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

State of California)

County of Orange)

On 7/28/16 before me, Michelle Bohannon - Notary Public

Date

Here Insert Name and Title of the Officer

personally appeared Phil Kerr

Name(s) of Signer(s)

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

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature

Signature of Notary Public

Place Notary Seal Above

OPTIONAL

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

Description of Attached Document

Title or Type of Document: Grant of Easement Document Date: N/A

Number of Pages: 1 Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: Phil Kerr

☒ Corporate Officer — Title(s): CEO

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Signer's Name: _____

☐ Corporate Officer — Title(s): _____

☐ Partner — ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer Is Representing: _____

Exhibit A
Legal Description for Union Sanitary District Easement
City of Union City

Situate in the City of Union City, County of Alameda, State of California.

Being a portion of Parcel One and Parcel Two of the lands of Manuel J. Andrade and wife as shown on that certain Grant Deed recorded April 11, 1942 as Recorder's Series Number PP/16653, Book 4218 at Page 86, Alameda County Records.

Being an easement for the installation, construction and maintenance of sewer lines and appurtenances thereto for Union Sanitary District which is more particularly bounded and described as follow to wit;

Parcel 1


Beginning at a point in the Western boundary of lands of Andrade from which the southwestern corner thereof bears South 22° 45' 58" East 21.86 feet distant.

Thence from said point of Beginning along said western boundary North 22° 45' 58" West 32.01 feet; thence leaving said last mentioned boundary North 69° 45' 00" East 28.74 feet; North 14° 54' 51" East 43.24 feet to a point of curvature; thence along a curve to the left with a radius of 10.00 feet through a central angle of 38° 17' 50" an arc length of 6.68 feet to a point of reverse curvature; thence along a curve to the right with a radius of 890.00 feet through a central angle of 14° 22' 37" an arc length of 223.32 feet to a point of reverse curvature; thence along a curve to the left with a radius of 10.00 feet through a central angle of 85° 27' 34" an arc length of 14.92 feet; thence South 85° 32' 04" West 48.09 feet to a point in said western boundary; thence along said last mentioned boundary on a curve to the right from a radial bearing of North 81° 49' 43" East with a radius of 945.00 feet through a central angle of 01° 51' 07" an arc length of 30.54 feet; thence leaving said last mentioned boundary North 85° 39' 49" East 54.79 feet to a point of curvature; thence on a curve to the right with a radius of 42.00 feet through a central angle of 71° 33' 47" an arc length of 52.46 feet to a point of reverse curvature; thence along a curve to the left with a radius of 15.00 feet through a central angle of 71° 33' 29" an arc length of 18.73 feet; thence North 85° 40' 07" East 198.53 feet; thence South 17° 40' 49" West 28.04 feet; thence South 85° 40' 07" West 190.83 feet; thence along a curve to the left with a radius of 17.00 feet through a central angle of 101° 18' 22" an arc length of 30.06 feet; thence South 15° 38' 15" East 73.56 feet to a point of curvature; thence along a curve to the left with a radius of 15.00 feet through a central angle of 78° 41' 39" an arc length of 20.60 feet; thence North 85° 40' 06" East 130.81 feet; thence South 42° 47' 45" West 38.21 feet; thence South 85° 40' 07" West 87.99 feet; thence along a curve to the left with a radius of 15.00 feet through a central angle of 107° 43' 22" an arc length of 28.20 feet; thence South 22° 03' 15" East 32.72 feet to a point of curvature; thence along a curve to the right with a radius of 46.00 feet through a central angle of 36° 25' 27" an arc length of 29.24 feet; thence South 14° 22' 12" West 37.23 feet to a point of curvature; thence along a curve to the right with a radius of 46.00 feet through a central angle of 55° 25' 59" an arc length of 44.50 feet; thence South 69° 48' 11" West 12.66 feet to the point of beginning.

The **basis of bearings** for this legal description is found monuments in Vallejo Street as shown on that certain parcel map filed November 1979 in Book 113 of Parcel Maps at Page 56, Alameda County Records; North 00° 00' 00" East.

Attached hereto are a number of plats labeled "Exhibit B" and by this reference made a part thereof.

Compiled by Alpha Land Surveys, Inc. in July of 2016.

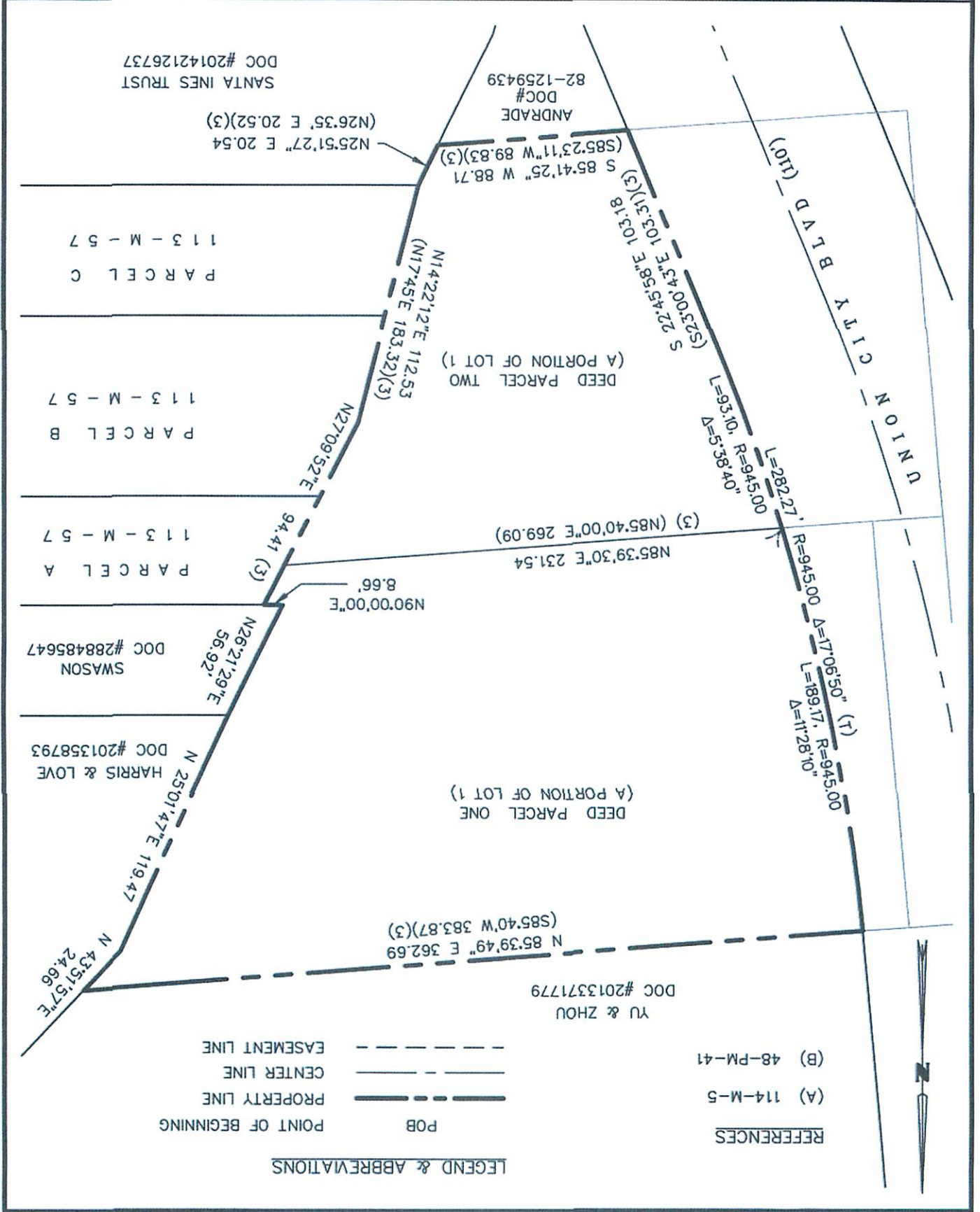

Jean-Paul Happee, PLS 8807



ALPHA LAND SURVEYS, INC.
4444 SCOTTS VALLEY DRIVE, SUITE 7
SCOTTS VALLEY, CA 95066 (831) 438-4453

EXHIBIT B - EXTERIOR BOUNDARY
PLAT TO ACCOMPANY LEGAL DESCRIPTION
UNION SANITARY DISTRICT EASEMENTS
UNION CITY, CA

SHEET 1 OF 2
SCALE 1"=60'
2016-067



Original Map may be found at USD, 5072 Benson Rd., Union City, CA 94587-2508

CONSIDER A SEWER SERVICE CHARGE REFUND FOR DOUGH AVENUE LLC

This item was reviewed by the Budget & Finance Committee. Technical Services Manager Ghossain stated Dough Avenue LLC is the owner of 33300 Western Avenue, Union City; the tenant is Sterling Foods, a food manufacturing business and permitted industry since 2008. As a District permitted industry, Sterling Foods is required to provide information related to their manufacturing process that is used to calculate sewer service charges. In February 2020, Sterling Foods informed the District that the flow factor they provided for FY 2019 and FY 2020 was in error. The flow factor estimates the percent of water used in the industrial process that is discharged to the sanitary sewer. Sterling Foods previously provided a flow factor of 0.55 for FY 2019 and FY 2020; however, Sterling Foods indicated the flow factor should have been 0.38 as it was in previous years. Staff researched the error and concluded Sterling Foods process for FY 2019 and FY 2020 was consistent with previous years and recommended a refund of \$68,973.56. Sewer Service Charges are the responsibility of the property owner. Although Sterling Foods initiated the sewer service charge refund, the property owner, Dough Avenue LLC, has confirmed the request. Staff recommended the Board consider approving a Sewer Service Charge Refund in the amount of \$68,973.56 for Dough Avenue LLC and recommended the Board allow staff to apply the refund as a credit toward the parcel's FY 2021 sewer service charges.

It was moved by Vice President Kite, seconded by Director Toy, to Approve a Sewer Service Charge Refund in the Amount of \$68,973.56 for Dough Ave LLC, Authorized the General Manager to Execute the Refund Request Form on the Board's Behalf, and Authorized Staff to Apply the Refund as a Credit Toward the Parcel's FY 2021 Sewer Service Charges. Motion carried with the following vote:

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

PROPOSED OPERATING AND CIP BUDGET FOR FISCAL YEAR 2021

This item was reviewed by the Budget & Finance Committee. Business Services Coach Brenner stated the Proposed Operations and CIP Budget for FY 2021, included in the Board meeting packet, reflects Board input and information presented at the Budget Workshop held May 12, 2020. The Board directed staff to present the final version of the Operating and CIP Budget for FY 2021 at the June 22, 2020, Board meeting.

INFORMATION ITEMS:

Report on the East Bay Dischargers Authority Meeting of April 16, 2020

President Handley provided an overview of the EBDA meeting minutes included in the Board meeting packet.

COVID-19 Update

General Manager Eldredge provided an update regarding COVID-19 impacts on District operations and associated coordination efforts.

Check Register

There were no questions regarding the Check Register.

COMMITTEE MEETING REPORTS:

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

GENERAL MANAGER'S REPORT:

General Manager Eldredge stated he had nothing further to report.

OTHER BUSINESS:

Director Fernandez stated he attended the Southern Alameda County Geographic Information System Authority meeting held May 20, 2020.

Director Toy stated she attended the Alameda County Special Districts Association meeting held May 13, 2020.

ADJOURNMENT:

The meeting was adjourned at 4:45 p.m. to the next Regular Meeting at 4:00 p.m. in the Alvarado Conference Room on Monday, June 8, 2020.

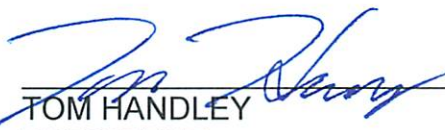
SUBMITTED:

ATTEST:


REGINA McEVOY
BOARD CLERK


ANJALI LATHI
SECRETARY

APPROVED:


TOM HANDLEY
PRESIDENT

Adopted this 8th day of June 2020