

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT
DECEMBER 9, 2013**

1. CALL TO ORDER

President Lathi called the Board to Order at 7:00 p.m.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

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

ABSENT: None

STAFF: Rich Currie, General Manager
Rich Cortes, Manager, Business Services
Sami Ghossain, Manager, Technical Services
Tim Grillo, Coach, Research & Support
Dave Livingston, Manager, Treatment & Disposal Services
Ed McCormick, Deputy General Manager
Andy Morrison, Manager, Collection Services
David O'Hara, Legal Counsel
Robert Simonich, Manager, Fabrication, Maintenance & Construction
Tom Graves, Assistant to the General Manager/Board Secretary

CONSULTANTS: None

VISITORS: None

4. APPROVAL OF THE MINUTES OF NOVEMBER 25, 2013

Action

On a motion made by Director Kite and seconded by Director Handley, the Minutes of the Board of Directors Meeting of November 25, 2013 were approved. The motion carried unanimously.

5. WRITTEN COMMUNICATIONS

There were no official written communications.

6. ORAL COMMUNICATIONS

There were no oral communications.

7. RESOLUTION NO. 2720, ACCEPTING THE CONSTRUCTION OF THE HAYWARD MARSH PIPELINE REHABILITATION PROJECT FROM MCGUIRE AND HESTER AND AUTHORIZING THE ATTORNEY FOR THE DISTRICT TO RECORD A NOTICE OF COMPLETION

Manager Ghossain presented the report. The design of the rehabilitation of the 30-inch discharge forcemain was completed in-house by the District's engineering staff in June 2013. Staff issued the Notice to Proceed to McGuire and Hester on August 6, 2013. The 60-day project was scheduled to be completed on October 4, 2013. Staff granted a time extension of thirty five (35) additional days to complete Contract Change Order No. 1, and McGuire and Hester substantially completed the project on November 7, 2013. USD staff provided construction management services for the project.

The Contractor has completed all work on the Punch List and the District has assumed beneficial use of the Project.

Action

On a motion made by Director Fernandez and seconded by Director Handley, the Board approved Resolution No. 2720, Accepting the Construction of the Hayward Marsh Pipeline Rehabilitation Project from McGuire and Hester and Authorizing the Attorney for the District to Record a Notice of Completion. The motion carried unanimously.

8. THIS ITEM WAS PULLED BY STAFF

RESOLUTION NO. 2720

**ACCEPTING CONSTRUCTION OF THE HAYWARD MARSH PIPELINE
REHABILITATION PROJECT FROM MCGUIRE AND HESTER LOCATED IN
HAYWARD, CALIFORNIA**

BE IT RESOLVED, that the Board of Directors of UNION SANITARY DISTRICT hereby accepts the Hayward Marsh Pipeline Rehabilitation Project from McGuire and Hester, effective December 9, 2013; and be it

FURTHER RESOLVED, that the Attorney for the District is authorized to file a "Notice of Completion" for the project.

On motion duly made and seconded, this Resolution was adopted by the following vote on December 9, 2013:

AYES: Fernandez, Handley, Kite, Lathi, Toy

NOES: ----

ABSENT: ----

ABSTAIN: ----



ANJALI LATHI
President, Board of Directors
Union Sanitary District

Attest:



JENNIFER TOY
Secretary, Board of Directors
Union Sanitary District

9. **RESOLUTION NO. 2722, ACCEPTING THE CONSTRUCTION OF THE HEADWORKS IMPROVEMENTS PROJECT FROM ANDERSON PACIFIC ENGINEERING CONSTRUCTION, INC. AND AUTHORIZING THE ATTORNEY FOR THE DISTRICT TO RECORD A NOTICE OF COMPLETION**

On November 12, 2012, the Board awarded the Project's construction contract to APEC in the amount of \$1,731,200. The Scope of the Project included:

- Replacing the belt conveyor that transfers removed screenings to a disposal bin with two (2) shaftless screw conveyors.
- Installing two (2) water spray-type washer/compactors.
- Upgrading the existing channel aeration/grit suspension system.
- Upgrading the existing PLC 21 at the Headworks Building.
- Relocating the existing hydrogen peroxide system (utilized for odor control) from its temporary location near the Headworks Building to the abandoned chemical containment area near the Degritter Building.

Staff issued the Notice to Proceed to APEC on December 4, 2012 with a scheduled completion date of November 1, 2013. Staff granted a time extension of fourteen calendar days to complete Contract Change Order No. 21, and APEC substantially completed all contract work on November 15, 2013. Total Change Orders were 4.6% of the construction cost.

The District has assumed beneficial use of the Project. Some punchlist and administrative requirements remain to be done.

Action

On a motion made by Director Kite and seconded by Director Handley, the Board approved Resolution No. 2722, Accepting the Construction of the Headworks Improvements Project from Anderson Pacific Engineering Construction, Inc. and Authorizing the Attorney for the District to Record a Notice of Completion. The Motion carried unanimously.

9.1 **APPROVING A MOTION TO CANCEL THE BOARD OF DIRECTORS MEETING OF DECEMBER 23, 2013.**

GM Currie suggested that there were several items the Board could take up on December 23, 2013, if it was inclined to meet. By consensus, Boardmembers expressed a willingness to meet on that date. No further action is required, since the Board is already scheduled to meet on that date.

RESOLUTION NO. 2722

**ACCEPTING CONSTRUCTION OF THE HEADWORKS IMPROVEMENTS
PROJECT FROM ANDERSON PACIFIC ENGINEERING CONSTRUCTION, INC.,
LOCATED IN UNION CITY, CALIFORNIA**

BE IT RESOLVED, that the Board of Directors of UNION SANITARY DISTRICT hereby accepts the Headworks Improvements Project from Anderson Pacific Engineering Construction, Inc., effective December 9, 2013; and be it

FURTHER RESOLVED, that the Attorney for the District is authorized to file a "Notice of Completion" for the project.

On motion duly made and seconded, this Resolution was adopted by the following vote on December 9, 2013:

AYES: Fernandez, Handley, Kite, Lathi, Toy

NOES: ----

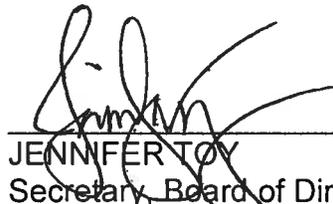
ABSENT: ----

ABSTAIN: ----



ANJALI LATHI
President, Board of Directors
Union Sanitary District

Attest:



JENNIFER TOY
Secretary, Board of Directors
Union Sanitary District

INFORMATION ITEMS

10. CONSIDER MODIFICATIONS TO ORDINANCE NO. 35 CONCERNING CAPACITY FEES FOR RESTAURANTS

GM Currie stated that in 1997, the Board of Directors approved a 50% subsidy for connection (capacity) fees for new restaurants in the Tri-Cities. The original subsidy was to expire after five years, but was extended in 2001 and 2006 for additional 5-year periods. Based on the diminished application for permits for full service restaurants, the Board let the subsidy expire in 2011, at the recommendation of staff. Recently, the issue of reinstating the subsidy was proposed again, and it will be discussed at the Legal/Community Affairs Committee. Based upon that discussion, the Board may provide direction to staff, or direct staff to prepare a revision to Ordinance No. 35 for consideration at a future meeting.

Director Handley asked whether the subsidy makes a material difference or not.

Director Lathi said it makes sense to have some sort of subsidy, and is worth exploring in Committee and discussing in the Board meeting in January. Regarding the GM's suggestion of implementing a 2-3 year trial, Director Lathi felt 5 years would be more appropriate.

11. PROVIDE COMMENTS TO STAFF ON OUTREACH MATERIALS FOR THE LATERAL CONDITION STUDY

GM Currie stated that staff has initiated a lateral pilot study for the purpose of assessing the condition of older laterals in the District's service area. Staff has tentatively selected four neighborhoods for the lateral condition assessment and will begin the process of notifying homeowners in the coming months. A draft notification has been prepared that will be sent to homeowners to inform them of the project and to give them the option to opt-out.

Director Handley suggested making a sewer inspection video available on our website.

Director Kite asked where the 4 neighborhoods are located, and DGM McCormick stated that all 3 are in Fremont, and 1 is in Newark.

Director Handley suggested that the District inform the Cities before we mail out the flyers.

Director Fernandez stated that it's a beneficial service for homeowners.

12. **CONSIDER CREATING A CUSTOMER FOCUS GROUP TO PROVIDE FEEDBACK ON THE PUBLIC WEBSITE**

USD staff will be soliciting input from various Teams at the District that most frequently utilize the District's website to provide information to customers. This input will provide suggestions for enhancing the look, feel and functionality of the District's website to better serve our customer's needs.

It is suggested that we develop a focus group consisting of a subset of customers who have recently filled out surveys as part of the USD newsletter contest. These customers have shown interest in USD and have visited our website. Because they have voluntarily participated in the contest, contact information is available and there may be a higher degree of willingness to participate. We will be seeking comments about our current website and recommendations for improvements, including additional information desired.

13. **CHECK REGISTER**

Director Handley had a question about a repair call on Page 9. Manager Simonich replied that it was for repair of an instrument that measures vibrations.

Director Kite inquired if any more meetings are scheduled with Newark homeowners about the flattop project. Manager Ghossain said that additional meetings will be scheduled, and the new contractor will be introduced as well.

14. **COMMITTEE MEETING REPORTS**

The following committees met: Construction and Legal/Community Affairs.

15. GENERAL MANAGER'S REPORT

Mr. Currie reported the following:

- a) The organizational chart has been updated to reflect Ed McCormick's new responsibilities overseeing Collections Services and the Technical Support Group (formerly known as Technical Support & Customer Services).
- b) Ric Pipkin has been promoted to TPO Coach (Night), and Armando Lopez has moved to TPO Coach (Day).
- c) Collections Services has surpassed 365 days without an OSHA-reportable accident.
- d) We have received a letter of resignation from one of our Plant Operators, who will be moving to Oregon.
- e) On the Friday after Thanksgiving, we experienced a grease-related 600 gallon spill.
- f) The Jarvis Avenue potholing project is continuing, and Manager Ghossain told Director Kite that USD service vehicles may be there for a few days.
- g) The Hayward Marsh Study went out for proposals to evaluate the cost of restoring the marsh, and other options for storage. Out of five proposals received, 2 consultants have been selected to present to us. Interviews will be on December 10, 2013.
- h) GM Currie met with ACWD GM Walt Wadlow regarding a joint meeting of both boards in a Workshop format to share the latest information from both Boards.

16. **OTHER BUSINESS**

Director Lathi asked about an article on "a clearer bay" in The Argus. (We will provide in the next packet). She also mentioned that the City of Fremont now has a Concierge for small businesses, and suggested the District may want to reach out.

17. **ADJOURNMENT**

At 7:28 p.m., the Board adjourned to the next Regular Board Meeting on Monday, December 23, 2013 in the Boardroom at 7:00 p.m.

SUBMITTED:



TOM GRAVES
DISTRICT CLERK

ATTEST:



JENNIFER TOY
SECRETARY

APPROVED:



ANJALI LATHI
PRESIDENT

Adopted this 25th day of December, 2013.