

**MINUTES OF THE MEETING OF THE  
BOARD OF DIRECTORS OF  
UNION SANITARY DISTRICT  
June 27, 2016**

**CALL TO ORDER**

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

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

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

STAFF: Paul Eldredge, General Manager  
Karen Murphy, District Counsel  
Robert Simonich, Fabrication, Maintenance, and Construction Manager  
Sami Ghossain, Technical Services Manager  
Pamela Arends-King, Business Services Manager/CFO  
James Schofield, Collection Services Manager  
Raymond Chau, Capital Improvements Projects Manager  
Sheila Tolbert, Human Resources Manager  
Kristina Silva, Administrative Specialist

**APPROVAL OF THE MINUTES OF THE MEETING OF JUNE 13, 2016**

It was moved by Secretary Kite, seconded by Director Fernandez, to approve the Minutes of the Meeting of June 23, 2016. Motion carried unanimously.

**WRITTEN COMMUNICATIONS**

There were no written communications.

**ORAL COMMUNICATIONS**

There were no oral communications.

**PUBLIC HEARING TO CONSIDER COLLECTION OF SEWER SERVICE CHARGES ON THE TAX ROLLS FOR FISCAL YEAR 2017 AND ADOPTION OF A RESOLUTION ELECTING TO COLLECT SEWER SERVICE CHARGES ON THE TAX ROLLS**

This item was reviewed by the Budget & Finance Committee. General Manager Eldredge stated the District has collected sewer service charges on the general Alameda County tax rolls for many years. The Board must annually hold a public hearing to consider and reauthorize collection of the sewer service charges on the tax rolls.

The report was made available for public inspection at the District's offices, and staff published the notice of the filing of the report and the public hearing to consider the report in the Argus newspaper on June 3, 2016, and June 10, 2016, and the Tri-City Voice on June 7, 2016, and June 14, 2016.

President Toy opened the public hearing. There were no oral or written public protests or comments received. President Toy closed the public hearing.

It was moved by Secretary Kite, seconded by Director Fernandez, to adopt Resolution No. 2781 Adopting Report on Sewer Service Charge Rates for Fiscal Year 2017 and Electing to Collect Sewer Service Charges on Tax Rolls. Motion carried unanimously.

####

## RESOLUTION NO. 2781

### RESOLUTION OF THE UNION SANITARY DISTRICT BOARD OF DIRECTORS ADOPTING REPORT ON SEWER SERVICE CHARGE RATES FOR FISCAL YEAR 2017 AND ELECTING TO COLLECT SEWER SERVICE CHARGES ON TAX ROLLS

WHEREAS, the Union Sanitary District ("District") has duly adopted Ordinance No. 31.38 which sets the sewer service charges for fiscal year 2016, and Ordinance No. 31.39 which sets the sewer service charges for fiscal years 2017 through 2021; and

WHEREAS, California Health & Safety Code section 5473 provides that the District may elect to have such sewer service charges collected on the County property tax rolls; and

WHEREAS, the District Board of Directors directed the preparation of a written report on Sewer Service Charges for Collection on Tax Rolls for Fiscal Year 2017, which was duly prepared and filed with the Board Secretary (the "Report"); and

WHEREAS, the Board appointed the time and place of hearing for protests to the Report and notice was given in the manner provided by law as it appears by the Affidavits of Publication on file in the office of the Board Secretary; and

WHEREAS, the District Board of Directors, at its regular meeting of June 27, 2016, held a hearing on the Report, where the Board heard and considered all objections or protests, and protests from a majority of owners of separate parcels was not received.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. All recitals above are true and incorporated by reference herein.
2. The Board finds that objections to and protests against the Report were not made by the owners of a majority of the separate parcels of property within the District against which sewer service charges for the services and facilities provided by the District were fixed.
3. The Board further finds that all objections to and protests have been heard by this Board and that any objections and protests are hereby overruled.
4. The Report is hereby adopted in full without revision, change, reduction, or modification, and sewer service charges based upon these rates and the sewer service charges for fiscal year 2017 shall be collected on the tax roll of the County of Alameda in the manner provided by law.
5. The Board Secretary is hereby directed to file with the County Auditor of Alameda County, a certified copy of the Report and this Resolution stating that the Report has been adopted by the District Board of Directors.
6. The Auditor Controller of the County of Alameda shall, upon receipt of a copy of the Report showing the amounts of the charges based upon adopted rates, enter the amounts of the charges against the respective

lots or parcels as they appear on the current assessment roll for fiscal year 2017.

I hereby certify that the foregoing Resolution was duly and regularly adopted and passed by the Board of Directors of the UNION SANITARY DISTRICT, Alameda County, California, at a meeting thereof held on the 27<sup>th</sup> day of June, 2016.

AYES: Fernandez, Handley, Kite, Lathi, Toy

NOES: None

ABSENT: None

ABSTAIN: None



JENNIFER TOY, President  
Board of Directors Union Sanitary District

ATTEST:



PAT KITE, Secretary  
Board of Directors Union Sanitary District

**CONSIDER APPROVING FINAL OPERATING AND CIP BUDGETS FOR FISCAL YEAR 2017**

This item was reviewed by the Budget & Finance Committee. The information was presented to the Board of Directors at the Budget Workshop held April 27, 2016, and at the regular Board meeting of June 13, 2016. The budgets included in the Board meeting packet reflect Board input from both sessions.

Business Services Manager/CFO Arends-King presented the information and highlighted the following items within the revised budget:

- Budget includes the increase for sewer service charges and first year of capacity increase fees
- Total Revenues and proceeds - \$64,475,190
- Total Expenditures - \$64,475,190
- Amount going to Total Reserves - \$7,170,458
- Increase in personnel cost of approximately \$313,000 due to additional plant operator positions, including benefits and retirement for those positions.
- Increase of \$100,000 to PG&E due to the Cogen engine down time.
- Increase of \$7,000 to East Bay Dischargers Authority.
- Special projects budget was increased by \$465,000. \$350,000 will be used for the treatment master plan and increase for the IT network masterplan.
- The Co-digestion Pilot Masterplan was removed.

It was moved by Vice President Handley, seconded by Secretary Kite, to Approve the Final Operating and CIP Budgets for Fiscal Year 2017. Motion carried unanimously.

**CONSIDER A RESOLUTION TO ACCEPT A SANITARY SEWER EASEMENT FOR TRACT 8127 – MISSION PLACE, LOCATED ALONG DRISCOLL ROAD BETWEEN BEATRICE STREET AND ROSEWALK COURT IN THE CITY OF FREMONT**

This item was reviewed by the Legal/Community Affairs Committee. Technical Services Manager Ghossain stated Summerhill Driscoll, LLC is constructing twenty-four, multifamily residential units at Driscoll Road, between Beatrice Street and Rosewalk Court, in the city of Fremont. Sanitary sewer service to the residential development will be provided by the construction of a new 8-inch main, connected to an existing 8-inch main in Driscoll Road. Summerhill Driscoll, LLC has constructed the new sewer main across Driscoll Road and in streets within the development. The streets within the development do not meet the City of Fremont street dimension and structure setback requirements and were, therefore, designated as private streets. Summerhill Driscoll, LLC has granted the District a sanitary sewer easement that provides for access, maintenance, and service of the new sewer mains within the private streets.

It was moved by Director Lathi, seconded by Director Kite, to Approve Resolution No. 2782 to Accept a Sanitary Sewer Easement for Tract 8127 – Mission Place, Located Along Driscoll Road Between Beatrice Street and Rosewalk Court in the City of Fremont. Motion carried unanimously.

####

RESOLUTION NO. 2782

ACCEPT A SANITARY SEWER EASEMENT FOR TRACT 8127- MISSION PLACE  
LOCATED ALONG DRISCOLL ROAD BETWEEN BEATRICE STREET AND  
ROSEWALK COURT  
IN THE CITY OF FREMONT, CA

RESOLVED by the Board of Directors of UNION SANITARY DISTRICT, that it hereby accepts the Grant of Easement from Summerhill Driscoll, LLC executed on May 9, 2016, as described in the Grant of Easement for Sanitary Sewer Purposes and by attached Exhibit A and Exhibit B. Legal Counsel for the District is hereby authorized to attend to the recordation thereof.

On motion duly made and seconded, this resolution was adopted by the following vote on June 27, 2016:

AYES: Fernandez, Handley, Kite, Lathi, Toy

NOES: None

ABSENT: None

ABSTAIN: None

  
\_\_\_\_\_  
JENNIFER TOY  
President, Board of Directors  
UNION SANITARY DISTRICT

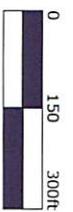
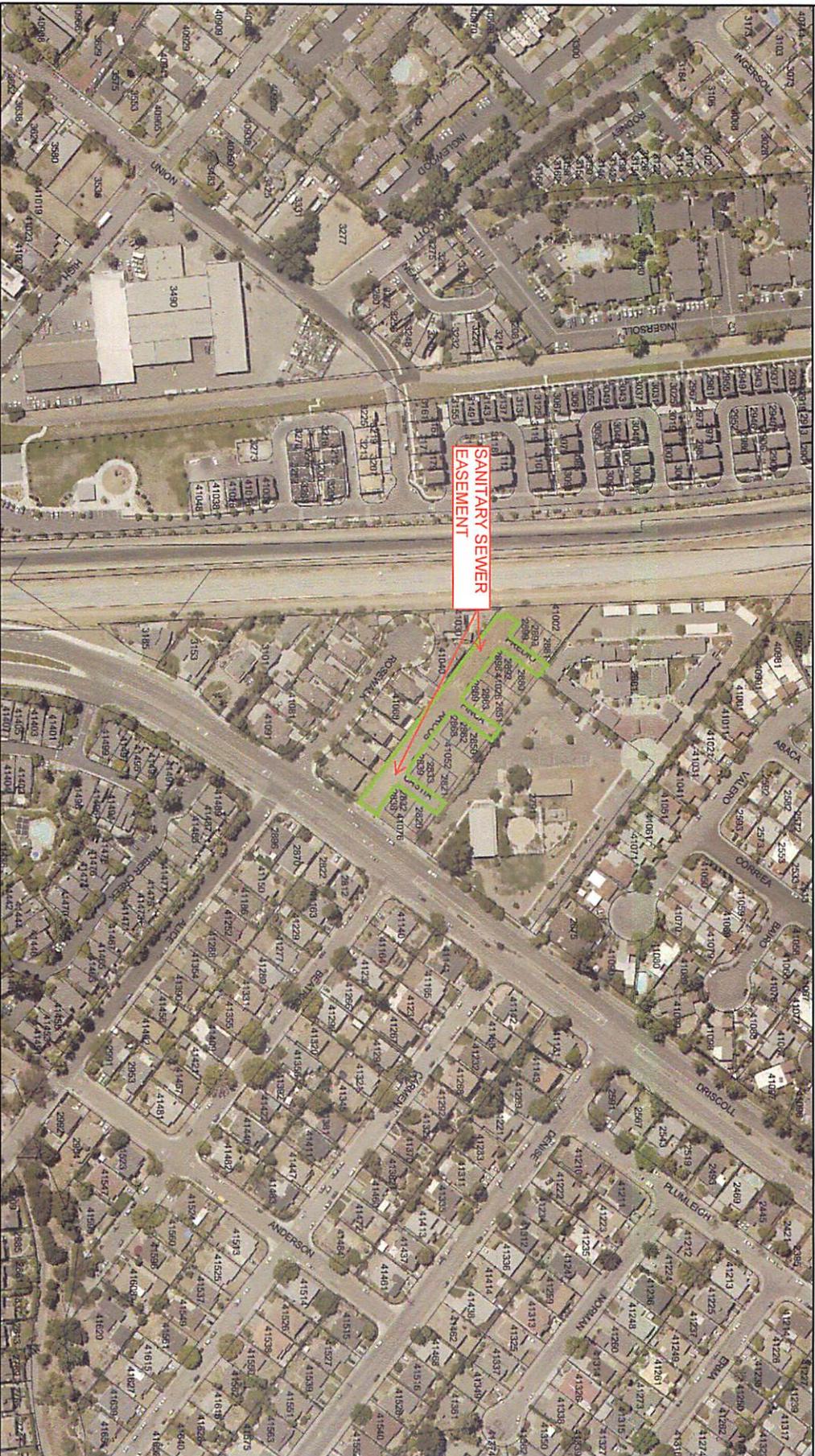
Attest:



\_\_\_\_\_  
PAT KITE  
Secretary, Board of Directors  
UNION SANITARY DISTRICT

# GRANT OF EASEMENT - TRACT 8127 MISSION PLACE

## VICINITY MAP



Printed: 6/1/2016 3:24:4

**Disclaimer:**  
 The information on this map is provided by Union Sanitary District (USD) for internal use only. Such information is derived from multiple sources which may not be current, be outside the control of USD, and may be of indeterminate accuracy. The information provided hereon may be inaccurate or out of date, and any person or entity who relies on said information for any purpose whatsoever does so solely at their own risk.

**For USD use only**



Legend	
<span style="color: yellow;">■</span>	Identified Features
<span style="color: blue;">■</span>	Streets
<span style="color: lightblue;">■</span>	Parcels
<span style="color: cyan;">■</span>	Lakes
<span style="color: gray;">■</span>	2014 Aerial Photo

**Site**

**GRANT OF EASEMENT**

**FOR SANITARY SEWER PURPOSES**

THIS INDENTURE, made this 9<sup>th</sup> day of May 2016, by and between SummerHill Driscoll LLC, the Party/Parties of the First Part, and Union Sanitary District, the Party/Parties of the Second Part,

**WITNESSETH:**

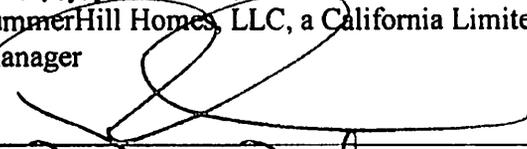
That said Party/Parties of the First Part does hereby grant to the Party of the Second Part and to its successors and assigns forever, for the use and purposes herein stated, the rights of way and easements hereinafter described, located in the City of Fremont, County of Alameda, State of California:

**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.

SummerHill Driscoll LLC  
By: SummerHill Homes, LLC, a California Limited Liability Company  
Its: Manager

By:   
Name: Douglas McDonald  
Its: CEO

By:   
Name: Jasaw Biggs  
Its: Asst. Secretary

(Notarize)

**EXHIBIT A  
SANITARY SEWER EASEMENT  
TRACT 8127 (327 M 8)  
FREMONT, CALIFORNIA**

Real property situate in the City of Fremont, County of Alameda, State of California described as follows:

Being the areas labeled Sanitary Sewer Easement (SSE) as shown on the final map of Tract 8127, filed on June 13, 2014 in Book 327 of Maps at Page 8, Alameda County Records.

See Exhibit B – Plat Map of Sanitary Sewer Easement Granted to Union Sanitary District, which is attached hereto and made a part hereof.

**END OF DESCRIPTION**

This description was prepared by or under the direction of:

  
\_\_\_\_\_  
Alvin Leung, PLS

April 21, 2016

Date



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 the document.

STATE OF CALIFORNIA ) SS  
COUNTY OF CONTRA COSTA )

On May 9, 2016, before me, Veronica Simon, Notary Public, personally appeared Douglas L. McDonald and Jason R. Biggs, 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

Veronica Simon

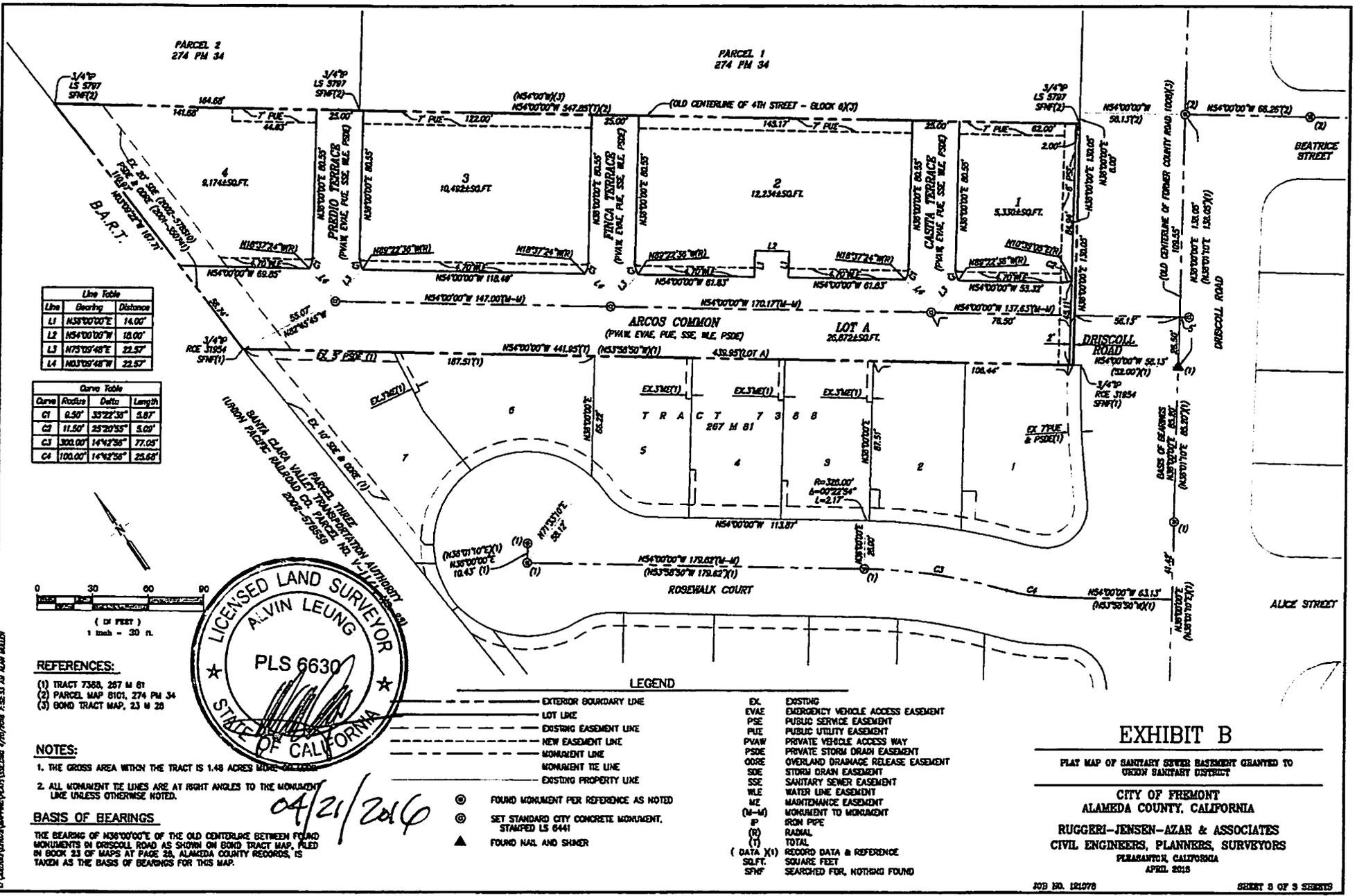


My Commission Expires: September 16, 2019

This area for official notarial seal

Notary Name: Veronica Simon  
Notary Registration Number: 2126016

Notary Phone: 925-575-5794  
County of Principal Place of Business: Contra Costa

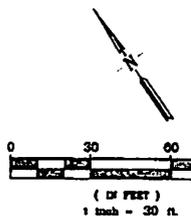


**Line Table**

Line	Bearing	Distance
L1	N58°00'00"E	14.00'
L2	N54°00'00"W	18.00'
L3	N75°03'48"E	22.57'
L4	N03°05'48"W	22.57'

**Curve Table**

Curve	Radius	Delta	Length
C1	8.50'	35°22'35"	5.87'
C2	11.50'	25°20'35"	5.00'
C3	300.00'	14°42'38"	77.05'
C4	100.00'	14°42'38"	23.68'



**REFERENCES:**

- (1) TRACT 7388, 267 M 81
- (2) PARCEL MAP 8101, 274 PM 34
- (3) BOND TRACT MAP, 23 M 28

**NOTES:**

- 1. THE GROSS AREA WITHIN THE TRACT IS 1.48 ACRES MORE OR LESS.
- 2. ALL MONUMENT TIE LINES ARE AT RIGHT ANGLES TO THE MONUMENT LINE UNLESS OTHERWISE NOTED.

**BASIS OF BEARINGS**

THE BEARINGS OF N58°00'00"E OF THE OLD CENTERLINE BETWEEN FOUND MONUMENTS ON DRISCOLL ROAD AS SHOWN ON BOND TRACT MAP, FILED IN BOOK 23 OF MAPS AT PAGE 28, ALAMEDA COUNTY RECORDS, IS TAKEN AS THE BASIS OF BEARINGS FOR THIS MAP.

*04/21/2016*

- LEGEND**
- EXTERIOR BOUNDARY LINE
  - LOT LINE
  - - - EXISTING EASEMENT LINE
  - - - NEW EASEMENT LINE
  - - - MONUMENT TIE LINE
  - - - EXISTING PROPERTY LINE
  - ⊙ FOUND MONUMENT PER REFERENCE AS NOTED
  - ⊙ SET STANDARD CITY CONCRETE MONUMENT, STAMPED LS 6441
  - ▲ FOUND NAIL AND SHIMMER

- EX EXISTING EMERGENCY VEHICLE ACCESS EASEMENT
- EVAE PUBLIC SERVICE EASEMENT
- PSE PUBLIC UTILITY EASEMENT
- FUE PRIVATE VEHICLE ACCESS WAY
- PVAW PRIVATE STORM DRAIN EASEMENT
- PSDE OVERLAND DRAINAGE RELEASE EASEMENT
- OORE STORM DRAIN EASEMENT
- SDE SANITARY SEWER EASEMENT
- SSE WATER LINE EASEMENT
- WLE MAINTENANCE EASEMENT
- ME MONUMENT TO MONUMENT
- IP IRON PIPE
- (R) RADIAL
- (T) TOTAL
- ( ) DATA (X) RECORD DATA & REFERENCE
- SQ.FT. SQUARE FEET
- SFNF SEARCHED FOR, NOTHING FOUND

**EXHIBIT B**

PLAT MAP OF SANITARY SEWER EASEMENT GRANTED TO URBAN SANITARY DISTRICT

CITY OF FREMONT  
ALAMEDA COUNTY, CALIFORNIA  
RUGGERI-JENSEN-AZAR & ASSOCIATES  
CIVIL ENGINEERS, PLANNERS, SURVEYORS  
FREMONT, CALIFORNIA  
APRIL 2016

## **PROVIDE DIRECTION REGARDING 2016 BOARD COMPENSATION SURVEY**

This item was reviewed by the Personnel Committee. At the December 14, 2015, Board meeting it was requested that the District prepare a survey of Board compensation for surrounding agencies with comparable services. Human Resources Manager Tolbert requested direction regarding which agencies to survey, and also asked the Board to clarify if the survey should include only salary or all benefits (salary, medical retirement etc.). Previously, Human Resources conducted a Board of Director salary survey in 2011 and 2014.

Vice President Handley stated the East Bay Discharge Authority (EBDA) is currently preparing a salary survey for the commissioner, and suggested the District may want to wait until the survey is completed to review EBDA's findings.

The Board agreed by consensus to table the item of a Board compensation survey to a later date.

## **MONTHLY OPERATIONS REPORT FOR MAY 2016**

This item was reviewed by the Legal/Community Affairs and Budget & Finance Committees. General Manager Eldredge reported the following:

- Odor Complaints: The District received two odor complaints received during the month of May 2016. The first was received from Fremont. No odors were found after staff inspected the USD mains, storm drain inlets, alley adjacent to the building, and grease traps. The complaining party was advised they should contact the property manager to request they inspect the drains and ceiling pipe vents for the source of the odor inside the building. The second complaint was received from a Union City resident regarding an odor reportedly emanating from the treatment plant. The Plant Coach and an operator conducted two odor patrols in the afternoon and no odor was detected. The District has also reached out to wild life agencies that manage the ponds to see if they are draining ponds or doing something that would create odor.
  
- Hours Worked and Leave Time by Work Groups
  - Staff is looking into how the information can be presented differently, in different categories, per a request received at the Committee meeting

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

- Revenues:
  - Capacity fees increased \$477,000
  - SERF loan proceeds were \$366,000
- Operating expenses were within budget
- Major capital expenditures were for the High Speed Aeration Project and MCC and PLC Replacement Project
- Investment report was on target

General Manager Eldredge reported the following:

- Technical Services:

- 69 sewer permits were issued in May which was increased from 19 permits issued in April and 51 permits issued in March
- Treatment & Disposal:
  - Cogen Power production was lower due to one engine out of commission

## **INFORMATION ITEMS:**

### **Check Register**

All questions were answered to the Board's satisfaction.

### **COMMITTEE MEETING REPORTS:**

The Legal/Community Affairs, Budget & Finance, and Personnel Committees met.

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

General Manager Eldredge reported the following:

- At the end of July, Staff will tour the Ora Loma levee project. The District was approached to participate in a similar project for the Eden Landing area. John Bourgeois is scheduled to provide a presentation at the July 11, 2016, Board meeting regarding specifics of the project.
- The Department of Home Land Security has completed a seismic analysis of the greater Bay Area. The analysis was based on the ramifications of a 7.0 earthquake on the Hayward fault to roadways, bridges, water, and wastewater facilities in the area. The report indicated that most water facilities would have complete failure of all pipelines or extensive damage to the filter gallery. Alameda County Water District (ACWD) is referenced by name in the report. The analysis concluded that ACWD would experience extensive pipeline breaks. Union Sanitary District (USD) was also referenced in the report. USD was reported to be in the "Extensive" repair category, which is one below the "Complete" damage category. Home Land Security did not contact the District for information on our facility. Staff contacted consultants that had previously completed a seismic study of the District facilities. It was found that the Home Land Security report was generated by use of a program for the analysis that relied upon many generalizations and did not include information such as recent upgrades and repairs. There is a comment period available for the report, and staff is looking into providing comments.
  - Director Handley stated Staff should provide the comments to Home Land Security to let the public know the District was not contacted during the preparation of the analysis nor was it given the opportunity to provide any information for the report.

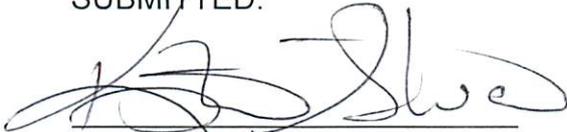
### **OTHER BUSINESS:**

There was no other business.

**ADJOURNMENT:**

The meeting was adjourned at 7:34 p.m. to the next scheduled Regular Board Meeting to be held in the Boardroom on Monday, July 11, 2016, at 7:00 p.m.

SUBMITTED:



KRISTINA SILVA  
ADMINISTRATIVE ASSISTANT

ATTEST:



PAT KITE  
SECRETARY

APPROVED:



JENNIFER TOY  
PRESIDENT

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