

**MINUTES OF THE MEETING OF THE  
BOARD OF DIRECTORS OF  
UNION SANITARY DISTRICT  
June 24, 2019**

**CALL TO ORDER**

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

**SALUTE TO THE FLAG**

**ROLL CALL**

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

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

VISITORS: Alice Johnson, League of Women Voters  
Roelle Balan, Tri-City Voice Newspaper

**MAY 2019 MONTHLY OPERATIONS REPORT**

This item was reviewed by the Legal/Community Affairs and Budget and Finance Committees. General Manager Eldredge provided an overview of the Odor Report and Work Group reports. Business Services Coach Brenner reviewed the Financial Reports.

**WRITTEN COMMUNICATIONS**

There were no written communications.

**ORAL COMMUNICATIONS**

There were no oral communications.

**RESOLUTION NO. 2863**

**RESOLUTION OF THE UNION SANITARY DISTRICT BOARD OF DIRECTORS  
ELECTING TO COLLECT SEWER SERVICE CHARGES ON TAX ROLLS FOR  
FISCAL YEAR 2020**

WHEREAS, the Union Sanitary District ("District") has duly adopted 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 2020, which was duly prepared and filed with the Board Clerk (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 Clerk; and

WHEREAS, the District Board of Directors, at its regular meeting of June 24, 2019, 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 2018 shall be collected on the tax roll of the County of Alameda in the manner provided by law.
5. The Board Clerk 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 2020.

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 24<sup>th</sup> day of June, 2019.

AYES: Fernandez, Handley, Kite, Lathi, Toy

NOES: None

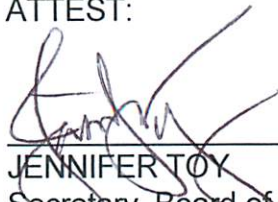
ABSENT: None

ABSTAIN: None



ANJALI LATHI  
President, Board of Directors  
Union Sanitary District

ATTEST:



JENNIFER TOY  
Secretary, Board of Directors  
Union Sanitary District

**PUBLIC HEARING TO CONSIDER COLLECTION OF SEWER SERVICE CHARGES ON THE TAX TOLLS FOR FISCAL YEAR 2020 AND ADOPTION OF A RESOLUTION ELECTING TO COLLECT SEWER SERVICE CHARGES ON THE TAX ROLLS**

This item was reviewed by the Budget & Finance Committee. Business Services Coach Brenner stated the Board approved sewer service charge rates for fiscal years 2017 through 2021 at the January 25, 2016, Board meeting. The Board must hold a public hearing annually to consider and reauthorize collection of sewer service charges on the general Alameda County tax rolls. On June 3, 2019, The Board directed staff to schedule a public hearing on June 24, 2019, to consider collection of sewer service charges on the tax rolls. Staff recommended the Board conduct a public hearing and receive oral and written protests to the proposal to collect sewer service charges on the tax rolls, and if a majority protest is not received, adopt a resolution electing to collect sewer service charges on the tax rolls for FY 2020.

President Lathi opened the public hearing. There were no speakers.

President Lathi closed the public hearing.

The minimum number of protests needed to constitute a majority would have been 49,016. Since no protests were received, Board Clerk McEvoy determined the absence of a majority protest.

It was moved by Director Handley, seconded by Secretary Toy, to Adopt Resolution No. 2863, Electing to Collect Sewer Service Charges on Tax Rolls for Fiscal Year 2020. Motion carried unanimously.

**CONSIDER APPROVING PROPOSED OPERATING AND CIP BUDGET FOR FISCAL YEAR 2020**

This item was reviewed by the Budget & Finance Committee. Business Services Coach Brenner stated the draft budget was presented to the Board for review and feedback at the Budget Workshop held May 20, 2019, and the Special Board Meeting held June 3, 2019. The Proposed Operating and CIP Budget for FY 2020 included in the Board meeting packet reflects the Board's input and information presented at the Board Workshop and Special Meeting. Staff recommended the Board review and consider adopting the Proposed Operating and CIP Budget for FY 2020.

It was moved by Vice President Fernandez, seconded by Secretary Toy, to Adopt the Operating and CIP Budget for FY 2020. Motion carried unanimously.

**REVIEW AND CONSIDER APPROVAL OF POLICY 3100, PUBLIC INPUT AT BOARD AND COMMITTEE MEETINGS**

This item was reviewed by the Legal/Community Affairs Committee. General Manager Eldredge stated Policy No. 3100, Public Input at Board and Committee Meetings, was last reviewed and approved by the Board at the April 22, 2013, Board meeting. Staff

recommended the Board review and consider approval of updated Policy No. 3100, Public Input at Board and Committee Meetings.

The Board requested the Policy be updated to clarify the allowance of public comment at committee meetings.

It was moved by Director Handley, seconded by Vice President Fernandez, to Approve Policy No. 3100, Public Input at Board and Committee Meetings, as Amended to Clarify the Allowance of Public Comment at Committee Meetings. Motion carried unanimously.

#### **REVIEW AND CONSIDER APPROVAL OF POLICY 3200, BOARDMEMBER REQUESTS FOR INFORMATION**

This item was reviewed by the Legal/Community Affairs Committee. General Manager Eldredge stated Policy No. 3200, Boardmember Requests for Information, was last reviewed and approved by the Board at the March 11, 2013, Board meeting. Staff recommended the Board review and consider approval of updated Policy No. 3200, Boardmember requests for information.

It was moved by Secretary Toy, seconded by Director Kite, to Approve Policy No. 3200, Boardmember Requests for Information. Motion carried unanimously.

#### **REVIEW AND CONSIDER APPROVAL OF POLICY 4000, REPRESENTATION BY BOARDMEMBERS ON SPECIFIC ISSUES**

This item was reviewed by the Legal/Community Affairs Committee. General Manager Eldredge stated Policy No. 4000, Representation by Boardmembers on Specific Issues, was last reviewed and approved by the Board at the March 11, 2013, Board meeting. Staff recommended the Board review and consider approval of updated Policy No. 4000, Representation by Boardmembers on Specific Issues.

It was moved by Director Handley, seconded by Director Kite, to Approve Policy No. 4000, Representation by Boardmembers on Specific Issues. Motion carried unanimously.

#### **REJECT THE SOLE BID RECEIVED FOR THE NEWARK PUMP STATION CATHODIC PROTECTION SYSTEM UPGRADE PROJECT**

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the District operates cathodic protection systems to protect its underground steel and iron pipelines and appurtenances from corrosion. The Newark Pump Station Cathodic Protection System Upgrade Project was first advertised for bids on February 12, 2019, and two bids were received and opened on March 12, 2019. On April 22, 2019, the Board rejected both bids and authorized staff to re-bid the project. The Project was re-advertised for bids on May 14, 2019, and one bid was received and opened on June 11, 2019. The bid exceeded the Engineer's Estimate by a large percentage, and staff believe it would be best to reject the bid. Another cathodic protection system improvement project is scheduled in FY 2019-2020, staff will include the scope of work from the Newark Pump Station in this future project.

Staff believe the larger project would attract multiple bidders as well as competitive bids. Staff recommended the Board reject the sole bid received for the Newark Pump Station Cathodic Protection System Upgrade Project.

It was moved by Vice President Fernandez, seconded by Director Kite, to Reject the Sole Bid Received for the Newark Pump Station Cathodic Protection System Upgrade Project. Motion carried unanimously.

**SCHEDULE A PUBLIC HEARING TO ADOPT ORDINANCE NO. 36.04, SEWER USE ORDINANCE, AND TO REPEAL ORDINANCE 36.03**

This item was reviewed by the Legal/Community Affairs Committee. Technical Services Manager Ghossain stated District Ordinance 36.03 provides requirements for restrictions on discharges to the sanitary sewer. The Ordinance applies to industrial, commercial, and residential dischargers and establishes requirements for USD's pretreatment program to be in compliance with federal, state, and local laws regulating discharges. A summary of proposed revisions to Ordinance 36.03 was included in the Board meeting packet. The Notice of Public Hearing will be published in The Argus newspaper on June 28 and July 5, 2019, notifying the public that the Board of Directors of Union Sanitary District will consider adoption of revisions to Ordinance 36.03 at the Public Hearing to be held August 12, 2019, at 7:00 p.m. in the Boardroom at 5072 Benson Road, Union City, California. Staff recommended the Board schedule a public hearing to adopt Ordinance 36.04, Sewer Use Ordinance and repeal Ordinance 36.03.

The Legal/Community Affairs Committee asked staff if the definition for "building sewer" was the same as "lateral sewer", and requested staff use consistent terminology through all District ordinances. Environmental Compliance Coach Dunning stated the definition for "building sewer" would be updated to include "lateral sewer" in parenthesis.

It was moved by Director Handley, seconded by Secretary Toy, to Schedule a Public Hearing to Adopt Ordinance 36.04 on August 12, 2019, at 7:00 p.m. in the Boardroom at 5072 Benson Road, Union City, California. Motion carried unanimously.

**INFORMATION ITEMS:**

**Check Register**

Staff responded to Boardmember questions regarding the Check Register.

**COMMITTEE MEETING REPORTS:**

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

**GENERAL MANAGER'S REPORT:**

General Manager Eldredge stated:

- General Manager Eldredge shared the updated Sewer Lateral Information Video and stated the video will be uploaded to the District's website following addition of closed captioning.
- An update regarding the Newark Force Main relocation will be presented at an upcoming Board meeting.
- Alameda County Water District (ACWD) staff met with USD staff to discuss ACWD's upcoming smart meter project.
- The General Manager will present a District Update for all staff at 1:30 p.m. on Thursday, June 27, 2019.
- The General Manager's Check-in and District Update Board Workshop will be held in the Alvarado Conference Room at 6:00 p.m. on Tuesday, July 9, 2019.
- General Manager Eldredge reminded everyone that the July 8, 2019, Regular Board Meeting had been canceled.

**OTHER BUSINESS:**

There was no other business.

**ADJOURNMENT:**

The meeting was adjourned at 7:50 p.m. to a Board Workshop in the Alvarado Conference Room on Tuesday, July 9, 2019, at 6:00 p.m.

The Board will then adjourn to the next Regular Meeting in the Boardroom on Monday, July 22, 2019, at 7:00 p.m.

SUBMITTED:

  
REGINA McEVOY  
BOARD CLERK

ATTEST:

  
JENNIFER TOY  
SECRETARY

APPROVED:

  
ANJALI LATHI  
PRESIDENT

Adopted this 22<sup>nd</sup> day of July 2019