

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT/UNION SANITARY DISTRICT FINANCING
AUTHORITY
February 22, 2021**

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 Monday, February 22, 2021, 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
Mark Carlson, Business Services Manager/CFO
Sami Ghossain, Technical Services Manager
James Schofield, Collection Services Manager
Robert Simonich, Fabrication Construction and Maintenance Manager
Armando Lopez, Treatment and Disposal Services Manager
Ric Pipkin, Enhanced Treatment and Site Upgrade Program Manager
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

GUEST: Monique Spyke, PFM Asset Management LLC, Managing Director

APPROVE MINUTES OF THE UNION SANITARY DISTRICT BOARD MEETING OF FEBRUARY 8, 2021

It was moved by Secretary Lathi, seconded by Director Toy, to Approve the Minutes of the Special Board Meeting of February 8, 2021. 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 FEBRUARY 9, 2021

It was moved by Vice President Kite, seconded by Secretary Lathi, to Approve the Minutes of the Special Board Meeting of February 9, 2021. Motion carried with the following vote:

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

JANUARY 2021 MONTHLY OPERATIONS REPORT

This item was reviewed by the Budget & Finance and Legal/Community Affairs Committees. General Manager Eldredge provided an overview of the Odor Report and Work Group Reports and Business Services Manager Carlson reviewed the financial reports included in the Board meeting packet.

FISCAL YEAR 2021 2ND QUARTER MANAGED INVESTMENT PORTFOLIO REPORT

This item was reviewed by the Budget & Finance Committee. Business Services Manager Carlson introduced PFM Asset Management Managing Director Spyke who summarized the Investment Portfolio Report included in the Board meeting packet.

WRITTEN COMMUNICATIONS

Directors stated they each received a letter from the Alameda County Superior Court of California requesting nominations for the Alameda County Civil Grand Jury for the 2021-2022 Term.

PUBLIC COMMENT

There was no public comment.

AUTHORIZE THE GENERAL MANAGER TO EXECUTE AN AGREEMENT AND TASK ORDER NO. 1 WITH PSOMAS FOR VALUE ENGINEERING, CONSTRUCTABILITY REVIEW, AND CONSTRUCTION MANAGEMENT SERVICES FOR THE ENHANCED TREATMENT AND SITE UPGRADE PHASE 1A PROJECT

This item was reviewed by the Engineering and Information Technology Committee. Enhanced Treatment and Site Upgrade Program Manager Pipkin stated staff developed the Phase 1A Project scope which includes construction of both the Aeration Basin Modifications and Campus Building projects. The two projects will be designed together for initial construction because they are the first two concurrent projects that must be constructed to facilitate construction of the remainder of the Phase 1 program. The purpose of Task Order No. 1 is for Psomas to provide all construction management services for the Project, which will include preconstruction value engineering and constructability review services, and program management support. The total not to exceed fee negotiated with Psomas for Task Order No. 1 is \$10,986,283. Staff anticipates

completion of the design of the Aeration Basin Modifications portion of the Project by July 2021 and the Campus Building portion of the Project by October 2021 with construction to begin in late 2021 or early 2022. Staff recommended the Board authorize the General Manager to execute an Agreement and Task Order No. 1 with Psomas for value engineering, constructability review, and construction management services for the Enhanced Treatment and Site Upgrade (ETSU) Phase 1A Project in the amount of \$10,986,283.

It was moved by Secretary Lathi, seconded by Director Fernandez, to Authorize the General Manager to Execute an Agreement and Task Order No. 1 with Psomas for Value Engineering, Constructability Review, and Construction Management Services for the Enhanced Treatment and Site Upgrade (ETSU) Phase 1A Project in the Amount of \$10,986,283. Motion carried with the following vote:

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

AUTHORIZE THE GENERAL MANAGER TO EXECUTE TASK ORDER NO. 2 WITH WOODARD & CURRAN, INC. FOR THE IRVINGTON BASIN REINFORCED CONCRETE PIPE REHABILITATION PROJECT

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated Woodard and Curran (WC) provided predesign services for the Project, which included the assessment of approximately 33,000 feet of reinforced concrete pipe trunk sewer mains, under Task Order No. 1. In January 2021, Woodard and Curran completed their video inspection assessment of the reinforced concrete pipe trunk sewer mains and field inspections of the trunk sewer manholes. The inspection videos revealed various stages of concrete deterioration. Woodard and Curran identified the cured-in-place pipe liner method to rehabilitate the trunk sewer mains. The purpose of Task Order No. 2 is to authorize WC to provide final design and bid period services for the near-term rehabilitation of the trunk sewer mains and rehabilitation in several trunk sewer manholes. Woodard and Curran is scheduled to complete design by October 2021, with construction anticipated to follow in Spring 2022. Staff recommended the Board authorize the General Manager to execute Task Order No. 2 with Woodard & Curran, Inc. in the amount of \$271,417 for final design and bid period services of the Irvington Basin Reinforced Concrete Pipe Rehabilitation Project.

It was moved by Secretary Lathi, seconded by Director Toy, to Authorize the General Manager to Execute Task Order No. 2 with Woodard & Curran, Inc. in the Amount of \$271,417 for Final Design and Bid Period Services of the Irvington Basin Reinforced Concrete Pipe Rehabilitation Project. 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, QUITCLAIM TWO SANITARY SEWER EASEMENTS AND QUITCLAIM PART OF A SANITARY SEWER EASEMENT FOR TRACT 8314 – PALM AVENUE PROPERTY, LOCATED NEAR TANGELO COURT AND SAN MARCO AVENUE, IN THE CITY OF FREMONT

This item was reviewed by the Legal/Community Affairs Committee. Technical Services Manager Ghossain stated Tri-Pointe Homes, Inc. will construct a residential development for Tract 8314, located south of the intersection of Tangelo Court and San Marco Avenue in Fremont. USD has an existing sewer within a 10-foot-wide and two 15-foot-wide sanitary sewer easements. The alignment of the sanitary sewer and corresponding easements conflicted with the proposed streets and parcel layout of the development and Tri Point Homes was required to relocate the existing sewer main. Tri Point Homes was also required to grant a new easement to the District while the District would quitclaim two sanitary sewer easements and quitclaim part of another sanitary sewer easement. The new sewer main is located in Majestic Palm Avenue and Areca Palm Street, new public streets in the development, and discharges to an existing sewer main in Tangelo Court. The existing 10-foot-wide easement was replaced with a 15-foot-wide easement where a new manhole was installed in a parcel between I-680 and Majestic Palm Avenue. Staff recommended the Board consider a resolution to accept a sanitary sewer easement, quitclaim two sanitary sewer easements, and quitclaim part of a sanitary sewer easement for Tract 8314 – Palm Avenue Property, located near Tangelo Court and San Marco Avenue, in the City of Fremont.

It was moved by Director Fernandez, seconded by Vice President Kite, to Adopt Resolution No. 2918 to Accept a Sanitary Sewer Easement, Quitclaim Two Sanitary Sewer Easements, and Quitclaim Part of a Sanitary Sewer Easement for Tract 8314 – Palm Avenue Property, Located Near Tangelo Court and San Marco Avenue, in the City of Fremont. Motion carried with the following vote:

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

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RESOLUTION NO. 2918

ACCEPT A SANITARY SEWER EASEMENT, QUITCLAIM TWO SANITARY SEWER EASEMENTS AND QUITCLAIM PART OF A SANITARY SEWER EASEMENT FOR TRACT 8314 – PALM AVENUE PROPERTY, LOCATED NEAR TANGELO COURT AND SAN MARCO AVENUE, IN THE CITY OF FREMONT, CALIFORNIA


RESOLVED by the Board of Directors of UNION SANITARY DISTRICT, as follows:

1. The Board hereby accepts the Grant of Easement from TRI POINTE HOMES, INC., executed on October 23, 2019, 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.
2. The Board hereby quitclaims its interest in a ten-foot wide sanitary sewer easement, a fifteen-foot wide sanitary sewer easement and part of a fifteen-foot wide sanitary sewer easement in Tract 8314 in the city of Fremont, as described in the Quitclaim Deed and by the legal descriptions and plat maps attached as Exhibits C, D, E, F, G and H.

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 February 22, 2021:

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

DocuSigned by:

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TOM HANDLEY
 President, Board of Directors
 Union Sanitary District

Attest:

DocuSigned by:

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ANJALI LATHI
 Secretary, Board of Directors
 Union Sanitary District

Certificate Of Completion

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Certificate Pages: 5	Initials: 0
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Envelope Stamping: Enabled	Regina McEvoy
Time Zone: (UTC-08:00) Pacific Time (US & Canada)	5072 Benson Road
	Union City, CA 94587
	Reginam@unionsanitary.ca.gov
	IP Address: 50.227.238.26

Record Tracking

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Signer Events

Tom Handley
thandley@unionsanitary.ca.gov
Security Level: Email, Account Authentication
(None)

Signature

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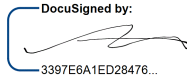
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Anjali Lathi
alathi@unionsanitary.ca.gov
Security Level: Email, Account Authentication
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Agent Delivery Events

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Intermediary Delivery Events

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Certified Delivery Events

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Carbon Copy Events

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Regina McEvoy
Reginam@unionsanitary.ca.gov
Assistant to GM
Union Sanitary District
Security Level: Email, Account Authentication
(None)

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Electronic Record and Signature Disclosure:

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Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

REVIEW AND CONSIDER APPROVAL OF POLICY NO. 5160, LEGAL DEFENSE FOR VIOLATION OF ENVIRONMENTAL LAWS AND RESCIND RESOLUTION NO. 2351.1, PROVIDING FOR DEFENSE OF CRIMINAL OR CIVIL ACTION OR PROCEEDING FOR UNION SANITARY DISTRICT EMPLOYEES AND ELECTED OFFICIALS CHARGED WITH A VIOLATION OF CERTAIN ENVIRONMENTAL LAWS

This item was reviewed by the Legal/Community Affairs Committee. District Counsel Murphy stated staff reviewed Policy No. 5160, Legal Defense for Violation of Environmental Laws, and determined that a number of revisions were required to be consistent with state law. Staff also reviewed Resolution No. 2351.1, Providing for Defense of a Criminal or Civil Action or Proceeding for District Employees and Elected Officials Charged with a Violation of Certain Environmental Laws, and determined it is duplicative of Policy No. 5160, and can be rescinded. District Counsel Murphy stated there was a question raised during the Legal/Community Affairs Committee meeting to inquire if Policy No. 5160 had been needed, staff confirmed it had not been used to date. Staff recommended the Board consider approval of Policy No. 5160, Legal Defense for Violation of Environmental Laws, and Rescind Resolution No. 2351.1, Providing for Defense of a Criminal or Civil Action or Proceeding for District Employees and Elected Officials Charged with a Violation of Certain Environmental Laws.

It was moved by Director Fernandez, seconded by Director Toy, to Approve Policy No. 5160, Legal Defense for Violation of Environmental Laws, and Rescind Resolution No. 2351.1, Providing for Defense of a Criminal or Civil Action or Proceeding for District Employees and Elected Officials Charged with a Violation of Certain Environmental Laws. Motion carried with the following vote:

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

AUTHORIZE THE GENERAL MANAGER TO EXECUTE TASK ORDER NO. 2 WITH JACOBS ENGINEERING GROUP INC. FOR THE PUMP STATIONS CHEMICAL SYSTEM IMPROVEMENTS PROJECT

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated, under Task Order No. 1, Jacobs Engineering Group Inc. (Jacobs) provided predesign services for the Project that included evaluation of items at the Newark Pump Station and Irvington Pump Station. In January 2021, Jacobs completed the Basis of Design Report that will serve as the guiding document for the final design in Task Order No. 2. The primary focus of the Report was the evaluation of new odor control systems at the Newark and Irvington Pump Stations. The Report summarized design criteria for the new odor control systems, chemical metering pumps, variable frequency drives, chemical distribution piping system, and the Irvington Pump Station equalization piping modifications. The purpose of Task Order No. 2 is to authorize Jacobs to provide final design and bid period services for the Project. Staff anticipates Jacobs will complete design of the Project by Fall 2021 and construction to begin by early 2022. Staff recommended the Board authorize the General Manager to execute Task Order No. 2 with Jacobs Engineering Group Inc. in the amount of \$638,983

to provide design services for the Pump Stations Chemical System Improvements Project.

It was moved by Secretary Lathi, seconded by Vice President Kite, to Authorize the General Manager to Execute Task Order No. 2 with Jacobs Engineering Group Inc. in the Amount of \$638,983 to Provide Design Services for the Pump Stations Chemical System Improvements Project. Motion carried with the following vote:

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

INFORMATION ITEMS:

Receive Update on Conflict of Interest Code Biennial Review

District Counsel Murphy provided an update on the District's Conflict of Interest Biennial Review.

Report on the East Bay Dischargers Authority Meeting of January 21, 2021

Director Toy provided an overview of the East Bay Dischargers Authority Meeting held January 21, 2021.

COVID-19 Update

General Manager Eldredge provided an update regarding COVID-19 impacts on District operations and coordinated 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 the following:

- Board officers will be appointed at the first regular Board meeting in April. Staff will distribute internal and external committee preferences forms at the same meeting; committee assignments will be finalized at the second regular Board meeting in April.
- A Combined Board Workshop will be conducted virtually on Wednesday, February 24, 2021, at 4:00 p.m.
- The General Manager will present an informational report summarizing Board feedback received following the recent Enhanced Treatment and Site Upgrade (ETSU) Phase 1 Update Board Workshop at the first Board meeting in March.
- The Mid-Year Budget and Capacity Fee Program Board Workshop will be held virtually at 4:00 p.m. on Tuesday, March 9, 2021.


OTHER BUSINESS:

There was no other business.

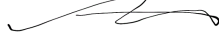
ADJOURNMENT:

The meeting was adjourned at 4:57 p.m. to a Board Workshop to be held virtually at 4:00 p.m. on Wednesday, February 24, 2021.


SUBMITTED:

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REGINA McEVOY
BOARD CLERK

ATTEST:

DocuSigned by:

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ANJALI LATHI
SECRETARY

APPROVED:

DocuSigned by:

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TOM HANDLEY
PRESIDENT

Adopted this 8th day of March 2021

Certificate Of Completion

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	Union City, CA 94587
	Reginam@unionsanitary.ca.gov
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Record Tracking

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Signer Events

Tom Handley
thandley@unionsanitary.ca.gov
Security Level: Email, Account Authentication (None)

Signature

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Anjali Lathi
alathi@unionsanitary.ca.gov
Security Level: Email, Account Authentication (None)

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Regina McEvoy
Reginam@unionsanitary.ca.gov
Assistant to GM
Union Sanitary District
Security Level: Email, Account Authentication (None)

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Electronic Record and Signature Disclosure
