

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT/UNION SANITARY DISTRICT FINANCING
AUTHORITY
March 8, 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, March 8, 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
Karoline Terrazas, Organizational Performance Manager
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

GUESTS: Lora Carpenter, Fieldman Rolapp and Associates
Doug Brown, Stradling Yocca Carlson & Rauth Law Firm

APPROVE MINUTES OF THE UNION SANITARY DISTRICT BOARD MEETING OF FEBRUARY 22, 2021

It was moved by Vice President Kite, seconded by Director Toy, to Approve the Minutes of the Board Meeting of February 22, 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 24, 2021

It was moved by Director Fernandez, seconded by Secretary Lathi, to Approve the Minutes of the Special Board Meeting of February 24, 2021. Motion carried with the following vote:

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

SECOND QUARTER FISCAL YEAR 2021 DISTRICT-WIDE BALANCED SCORECARD MEASURES

This item was reviewed by the Legal/Community Affairs Committee. Organizational Performance Manager Terrazas provided an overview of the District-wide Balanced Scorecard Measures and responded to Boardmember questions.

WRITTEN COMMUNICATIONS

There were no written communications.

PUBLIC COMMENT

There was no public comment.

CONSIDER A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF AN ENVIRONMENTAL PROTECTION AGENCY WATER INFRASTRUCTURE FINANCE AND INNOVATION ACT APPLICATION FOR THE ENHANCED TREATMENT AND SITE UPGRADE PHASE 1 PROJECT

This item was reviewed by the Budget & Finance Committee. Business Services Manager/CFO Carlson stated the next phase of the Environmental Protection Agency (EPA) loan process requires the District to pass a resolution authorizing the General

Manager to prepare and submit on behalf of the District the WIFIA Loan Application to include the \$100,000 non-refundable application fee. Following Board approval, staff will prepare the application along with all supporting documents and submit to the EPA at the end of March 2021. Staff recommended the Board approve the proposed resolution authorizing the submittal of an Environmental Protection Agency Water Infrastructure Finance and Innovation Act (WIFIA) Application for the ETSU Phase 1 Project to include the payment of an application fee in the amount of \$100,000.

It was moved by Secretary Lathi, seconded by Director Fernandez, to Adopt Resolution No. 2919, Authorizing the Preparation and Submission of an Environmental Protection Agency Water Infrastructure Finance and Innovation Act Application for the Enhanced Treatment and Site Upgrade (ETSU) Phase 1 Projects. Motion carried with the following vote:

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

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UNION SANITARY DISTRICT

RESOLUTION NO. 2919

**A RESOLUTION OF THE UNION SANITARY DISTRICT
AUTHORIZING THE PREPARATION AND SUBMISSION
OF AN ENVIRONMENTAL PROTECTION AGENCY
WATER INFRASTRUCTURE FINANCE AND INNOVATION
ACT APPLICATION FOR THE ETSU PHASE 1 PROJECTS**

WHEREAS, the Union Sanitary District (the "District") is a sanitary district duly organized and existing under and by virtue of the laws of the State of California; and

WHEREAS, the District previously submitted a letter of interest (the "Letter of Interest") to the United States Environmental Protection Agency ("EPA") expressing the District's interest in participating in EPA's Water Infrastructure Finance and Innovation Act ("WIFIA") loan program (the "WIFIA Program") for the purpose of receiving a loan to be made by EPA to assist in financing the design and construction of the Enhance Treatment and Site Upgrade ("ETSU") Phase 1 Projects consisting of infrastructure improvements to the Alvarado Wastewater Treatment Plant (the "Project"); and

WHEREAS, on January 12, 2021, in response to the Letter of Interest, EPA formally invited the District to submit an application to EPA for a loan pursuant to the WIFIA Program; and

WHEREAS, the District has determined to submit an application to EPA for a loan in an amount up to \$188,758,204 (the "WIFIA Loan") which will be used to partially fund the design and construction of the Project (the "WIFIA Loan Application").

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE UNION SANITARY DISTRICT AS FOLLOWS:

SECTION 1. The General Manager (the "Authorized Officer") or his or her designee is hereby authorized and directed to prepare and submit on behalf of the District the WIFIA Loan Application.

SECTION 2. In connection with the submission of the WIFIA Loan Application, the Authorized Officer or his or her designee is hereby authorized and directed to submit a \$100,000 non-refundable application fee payable to EPA.

SECTION 3. The Authorized Officer or his or her designee and any other proper officer of the District, acting singly, is authorized and directed to do any and all things and to execute and deliver any and all documents and certificates which he may deem necessary or advisable for the submission of the WIFIA Loan Application and the transactions contemplated by this Resolution, and such actions previously taken by such officers are hereby ratified, confirmed and approved.

On motion duly made and seconded, the foregoing resolution was passed and adopted by the Board of Directors of the Union Sanitary District on March 8, 2021, by the following vote:

AYES: Fernandez, Handley, Kite, Lathi, Toy

NOES: None

ABSENT: None

ABSTAIN: None

Attest:

DocuSigned by:



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ANJALI LATHI
Secretary, Board of Directors
Union Sanitary District

DocuSigned by:



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TOM HANDLEY
President, Board of Directors
Union Sanitary District

Certificate Of Completion

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Certificate Pages: 5	Initials: 0
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Envelopeld 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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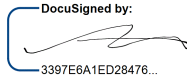
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Anjali Lathi
alathi@unionsanitary.ca.gov
Security Level: Email, Account Authentication (None)

DocuSigned by:

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Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
Certified Delivery Events	Status	Timestamp
Carbon Copy Events	Status	Timestamp
Witness Events	Signature	Timestamp
Notary Events	Signature	Timestamp
Envelope Summary Events	Status	Timestamps
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Envelope Summary Events	Status	Timestamps
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Completed	Security Checked	3/15/2021 1:21:58 PM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure

BOARD FEEDBACK FOLLOWING ENHANCED TREATMENT AND SITE UPGRADE (ETSU) PHASE 1 UPDATE BOARD WORKSHOP

General Manager Eldredge provided an overview of Board feedback received following the ETSU Phase 1 Update Board Workshop and responded to Boardmember questions.

The Board requested the new Boardroom have a high ceiling, and that a movable dais and voting system be evaluated.

The Board expressed a preference for a dais designed with a raised portion for the Board and a lower portion attached for the General Manager, District Counsel, and Board Clerk that would be angled so the Board would have a direct line of sight to staff.

INFORMATION ITEMS:

Information Technology Software & Hardware Agreement Summary

Fabrication, Maintenance, and Construction Manager Simonich presented the IT Software & Hardware Agreement Summary included in the Board meeting packet and responded to Boardmember questions.

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:

- The East Bay Dischargers Authority will present information regarding its Pipeline Project at the Union City Council meeting to be held Tuesday, March 9, 2021, at 7:00 p.m.
- The Mid-Year Budget and Capacity Fee Discussion Combined Board Workshop will be conducted virtually Tuesday, March 9, 2021, at 4:00 p.m.
- The California 2022 Primary Election has been moved from March to June due to census data delays.


OTHER BUSINESS:

There was no other business.


ADJOURNMENT:

The meeting was adjourned at 4:50 p.m. to a Combined Board Workshop to be held virtually at 4:00 p.m. on Tuesday, March 9, 2021.


SUBMITTED:

DocuSigned by:

E550CBBC143D4D7
REGINA McEVOY
BOARD CLERK

ATTEST:

DocuSigned by:

3307E6A1ED28476...
ANJALI LATHI
SECRETARY

APPROVED:

DocuSigned by:

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TOM HANDLEY
PRESIDENT

Adopted this 22nd day of March 2021

Certificate Of Completion

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Envelopeld Stamping: Enabled	Regina McEvoy
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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
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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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Certified Delivery Events	Status	Timestamp

Carbon Copy Events	Status	Timestamp
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
