

**MINUTES OF THE MEETING OF THE  
BOARD OF DIRECTORS OF  
UNION SANITARY DISTRICT/UNION SANITARY DISTRICT FINANCING  
AUTHORITY  
September 26, 2022**

This meeting was held pursuant to Government Code Section 54953 (as amended by AB 361), which authorizes teleconferenced meetings under the Brown Act during a proclaimed state of emergency. The Governor of California proclaimed a State of Emergency related to COVID-19 on March 4, 2020. Consistent with Government Code Section 54953, this 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 observe the Board Meeting and provide public comment by sending comments to the Board Clerk.

**CALL TO ORDER**

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

ABSENT: Pat Kite, Director

STAFF: Paul Eldredge, General Manager/District Engineer  
Karen Murphy, District Counsel  
Mark Carlson, Business Services Manager/CFO  
Armando Lopez, Treatment and Disposal Services Manager  
Jose Rodrigues, Collection Services Manager  
Raymond Chau, Technical Services Manager  
Marcus Lee, Treatment & Disposal Services Coach  
Allan Briggs, Interim Customer Service Team Coach  
Chris Pachmayer, FMC Electrical & Technology Coach  
Gus Carrillo, Enhanced Treatment and Site Upgrade Assistant Engineer  
Ric Pipkin, Enhanced Treatment and Site Upgrade Program Manager  
Alisa Gordon, Human Resources Manager  
Trieu Nguyen, IT Administrator  
Sharon Anderson, Administrative Specialist  
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

**APPROVE MINUTES OF THE UNION SANITARY DISTRICT BOARD MEETING OF SEPTEMBER 12, 2022**

It was moved by Vice President Fernandez, seconded by Secretary Toy, to Approve the Minutes of the Board Meeting of September 12, 2022. Motion carried with the following vote:

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

**AUGUST 2022 MONTHLY OPERATIONS REPORT**

This item was reviewed by the Budget & Finance and Legal/Community Affairs Committees. General Manager Eldredge provided an overview of the Monthly Report, and Business Services Manager/CFO Carlson provided an overview of the financial reports.

**WRITTEN COMMUNICATIONS**

There were no written communications.

**PUBLIC COMMENT**

There was no public comment.

**CONSIDER A RESOLUTION TO ACCEPT THE CONSTRUCTION OF THE FISCAL YEAR 2021 CAST IRON/PIPE LINING PROJECT FROM SOUTHWEST PIPELINE & TRENCHLESS CORP.**

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Chau stated that the Board awarded the construction contract for the Project to Southwest on November 9, 2020, in the amount of \$307,015. Staff issued the Notice to Proceed to Southwest on December 16, 2020, with a scheduled completion date of March 15, 2021. The Project experienced delays due to unforeseen circumstances. The Project was completed on September 1, 2022. Staff recommended the Board consider a resolution to accept the construction of the FY21 Cast Iron/Pipe Lining Project (Project) from Southwest Pipeline & Trenchless Corp. (Southwest) and authorize recordation of a Notice of Completion.

It was moved by Director Handley, seconded by Vice President Fernandez, to Approve Resolution 2984 to Accept the Construction of the FY21 Cast Iron/Pipe Lining Project (Project) from Southwest Pipeline & Trenchless Corp. (Southwest) and Authorize Recordation of a Notice of Completion. Motion carried with the following vote:

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

####

**RESOLUTION NO. 2984**

**ACCEPT CONSTRUCTION OF THE FY21 CAST IRON/PIPE LINING PROJECT  
LOCATED IN THE CITY OF FREMONT, CALIFORNIA AND  
CITY OF UNION CITY, CALIFORNIA FROM SOUTHWEST PIPELINE &  
TRENCHLESS CORP.**

RESOLVED, by the Board of Directors of the UNION SANITARY DISTRICT that it hereby accepts the FY21 Cast Iron/Pipe Lining Project from Southwest Pipeline & Trenchless Corp., effective September 26, 2022.

FURTHER RESOLVED: That the Board of Directors of the UNION SANITARY DISTRICT authorize the General Manager/District Engineer, or his designee, to execute and record a "Notice of Completion" for the Project.

On motion duly made and seconded, this resolution was adopted by the following vote on September 26, 2022:

AYES: Fernandez, Handley, Lathi, Toy

NOES: None

ABSENT: Kite

ABSTAIN: None

DocuSigned by:



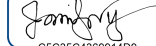
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**ANJALI LATHI**

President, Board of Directors  
Union Sanitary District

Attest:

DocuSigned by:



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**JENNIFER TOY**

Secretary, Board of Directors  
Union Sanitary District

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Certificate Pages: 5

Initials: 0

Sharon Anderson

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Envelopeld Stamping: Enabled

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sharona@unionsanitary.ca.gov

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Holder: Sharon Anderson

Location: DocuSign

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sharona@unionsanitary.ca.gov

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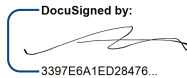
Anjali Lathi

alathi@unionsanitary.ca.gov

Union Sanitary District

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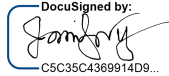
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Jennifer Toy

jtoy@unionsanitary.ca.gov

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## **REVIEW AND CONSIDER APPROVAL OF UNCLASSIFIED PUBLICLY AVAILABLE PAY SCHEDULE**

This item was reviewed by the Personnel Committee. Human Resources Manager Gordon stated details of salary changes were outlined in the Board meeting packet. Staff recommended the Board approve the Publicly Available Pay Schedule for Unclassified Employees effective September 1, 2022.

It was moved by Secretary Toy, seconded by Director Handley, to Approve the Publicly Available Pay Schedule for Unclassified Employees effective September 1, 2022. Motion carried with the following vote:

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

## **CONSIDER CONFIRMING AND DECLARING THE NEED TO CONTINUE THE EMERGENCY ACTION TO REPAIR TWO SEWER LINES IN THE CITY OF FREMONT DAMAGED BY FIBER OPTIC LINE INSTALLATION**

This item was reviewed by the Engineering and Information Technology Committee. Collection Services Manager Rodrigues stated that on September 12, 2022, the Board adopted Resolution No. 2982 declaring an emergency and authorizing the expenditure of funds to allow staff to proceed with the expeditious repair of two sewer lines in the City of Fremont. Pursuant to Public Contract Code section 22050, the Board is required to review the status of emergency action at each subsequent meeting until the emergency action is terminated and authorize continuation of the emergency action by a four-fifths vote. Staff recommended the Board adopt a motion by a four-fifths vote declaring a continuance of emergency and authorizing continued repair of the two sewer lines in the City of Fremont.

It was moved by Vice President Fernandez, seconded by Secretary Toy, to Adopt a Motion by a Four-Fifths Vote Declaring a Continuance of Emergency and Authorizing Continued Repair of Two Sewer Lines in the City of Fremont Damaged by Fiber Optic Line Installation. Motion carried with the following vote:

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

## **INFORMATION ITEMS:**

### **Status of Priority 1 Capital Improvement Program Projects**

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Chau stated the Board approved the Capital Improvement Program (CIP) budget of \$43.19 million for design and construction of 31 CIP projects in June 2021. The Projects were ranked Priority 1, 2, or 3 based upon criteria prepared by staff and approved by the Executive Team. There were 18 projects ranked as Priority 1

for Fiscal Year 2022. The status of Priority 1 CIP Projects is reviewed by the Executive Team at the end of each quarter and a copy of the status report was included in the Board meeting packet.

#### **Fourth Quarterly Report on the Capital Improvement Program for Fiscal Year 2022**

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Chau stated fourth quarter expenditures for Fiscal Year 2022 were presented in graphs included in the Board meeting packet. The graphs depicted actual expenditures versus approved budget for Capacity Fund 90, the Renewal and Replacement Fund 80, and for both funds combined. Total CIP expenditures for the fiscal year were 62.3% of the total budgeted amount. However, when taking the Enhanced Treatment and Site Upgrade Campus project schedule into consideration, the percentage of the CIP budget spent increases to 78%. Other notable projects that had variances from projected expenditures were presented in a table included in the Board meeting packet.

#### **Fourth Quarterly Report on the Enhanced Treatment and Site Upgrade Program for Fiscal Year 2022**

This item was reviewed by the Engineering and Information Technology Committee. Enhanced Treatment and Site Upgrade Program Manager Pipkin stated the Enhanced Treatment and Site Upgrade Quarterly Program Management Report for the fourth quarter of Fiscal Year 2022 was included in the Board meeting packet. The report provides an executive summary of the ETSU Program status and the Program Dashboard as currently shown on the District Website.

#### **COVID-19 Update**

General Manager Eldredge provided an update regarding COVID-19 impacts on District operations and coordination efforts.

#### **Check Register**

There were no questions regarding the check register.

#### **COMMITTEE MEETING REPORTS:**

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

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

- General Manager Eldredge provided an update on the SRF Loan application for the ETSU program. The State Water Resources Board will hold a public hearing on Monday, October 3, 2022.
- A future Board Workshop will be scheduled to discuss additional funding opportunities for the ETSU program.
- The General Managers Annual Evaluation Board Closed Session will be held Thursday, October 13, 2022.
- Environmental Compliance Team staff participated in the 2022 Newark Days Celebration.

- Collection Services repaired the area surrounding two USD manholes located in front of Pacifica Senior Living in Union City. The repair eliminated potential hazards and improved the overall aesthetics of the area surrounding the manholes.

**OTHER BUSINESS:**

There was no other business.


**ADJOURNMENT:**

The meeting was adjourned at 4:39 p.m. to the next Regular Board Meeting to be held virtually on Monday, October 10, 2022, at 4:00 p.m.

SUBMITTED:

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SHARON ANDERSON  
ADMINISTRATIVE SPECIALIST

ATTEST:

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JENNIFER TOY  
SECRETARY

APPROVED:

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ANJALI LATHI  
PRESIDENT

Adopted this 10<sup>th</sup> day of October 2022



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Anjali Lathi

alathi@unionsanitary.ca.gov

Union Sanitary District

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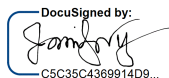
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Jennifer Toy

jtoy@unionsanitary.ca.gov

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