

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT/UNION SANITARY DISTRICT FINANCING
AUTHORITY
May 22, 2023**

CALL TO ORDER

President Fernandez called the meeting to order at 4:00 p.m.

SALUTE TO THE FLAG

President Fernandez led the salute to the flag.

ROLL CALL

PRESENT: Manny Fernandez, President
Jennifer Toy, Vice President
Tom Handley, Secretary
Pat Kite, Director
Anjali Lathi, 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
Ric Pipkin, Enhanced Treatment and Site Upgrade Program Manager
Chris Pachmayer, Fabrication, Maintenance, and Construction Coach
Alisa Gordon, Human Resources Manager
Marcus Lee, Treatment and Disposal Services Coach
Shawn Negis, Collection Services Coach
Richard Thow, Customer Service Team Coach
Trieu Nguyen, IT Administrator
Gus Carrillo, Enhanced Treatment and Site Upgrade Program Coordinator
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

VISITORS: Alice Johnson, League of Women Voters
Jack Alcom, Tri-City Voice Newspaper

APPROVE MINUTES OF THE UNION SANITARY DISTRICT BOARD MEETING OF MAY 8, 2023

It was moved by Secretary Handley, seconded by Director Kite, to Approve the Minutes of the Board Meeting of May 8, 2023. Motion carried unanimously.

APPROVE MINUTES OF THE UNION SANITARY DISTRICT SPECIAL BOARD MEETING OF MAY 9, 2023

It was moved by Director Lathi, seconded by Vice President Toy, to Approve the Minutes of the Board Meeting of May 9, 2023. Motion carried unanimously.

APRIL 2023 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.

SELECT BOARDMEMBERS TO REPRESENT UNION SANITARY DISTRICT ON EXTERNAL COMMITTEES FOR FISCAL YEAR 2024

General Manager Eldredge stated Policy No. 3070 calls for the Board to annually select representatives and alternates for the four following External Committees: Alameda County Water District Finance Authority (ACWDFFA), East Bay Dischargers Authority Commission (EBDA), Alameda County Special Districts Association (ACSDA), and Southern Alameda County Geographic Information System Joint Powers Authority (SACGISA). Current Board representatives and alternates for external committees and a table showing Boardmember preferences for external committee assignments were included in the Board meeting packet. Staff recommended the Board select members to serve the Fiscal Year 2024 term as USD representatives to the Alameda County Water District Finance Authority, East Bay Dischargers Authority Commission, Alameda County Chapter of the California Special Districts Association, and the Southern Alameda County Geographic Information System Joint Powers Authority.

It was moved by Secretary Handley, seconded by Director Lathi, to Accept the Following External Committee Assignments for Fiscal Year 2024:

External Committee	Board Representative	1st Alternate	2nd Alternate
ACWDFDA	Jennifer Toy	Manny Fernandez	Tom Handley
EBDA	Anjali Lathi	Tom Handley	Jennifer Toy
ACSDA	Manny Fernandez	Pat Kite	Tom Handley
SACGISA	Tom Handley	Manny Fernandez	Anjali Lathi

Motion carried unanimously.

REVIEW AND CONSIDER APPROVAL OF LAB DIRECTOR POSITION DESCRIPTION AND REVISION TO SALARY RANGE

This item was reviewed by the Personnel Committee. Human Resources Manager Gordon stated, following the recent addition of the Quality Assurance Chemist to the Research and Support Team, the District reviewed the team structure and job descriptions of laboratory staff to ensure continued compliance with new regulations. The Laboratory Director position previously held duties since transitioned to the Quality Assurance Chemist. The Laboratory Director job description has been updated to remove those duties and reflect the role of the Laboratory Director as Technical Manager in the application of National Environmental Laboratories Accreditation Conference (NELAC) Institute (TNI) standards. As the Technical Manager, the Laboratory Director will oversee operations of the Laboratory Information Management System (LIMS), oversee analytical and standard operating procedures, and work with the Quality Assurance Chemist to ensure the lab's quality assurance program will continue to meet appropriate accreditation standards. While the Laboratory Director position was represented by SEIU Local 1021, an agreement was reached between the Union and District to remove the Laboratory Director from Union representation following addition of the Quality Assurance Chemist to the Union. Staff recommended the Board consider and approve the Laboratory Director position description and subsequent salary range.

It was moved by Director Lathi, seconded by Vice President Toy, to Approve the Laboratory Director Position and Subsequent Salary Range. Motion carried unanimously.

CONSENT TO THE SUBCONTRACTOR SUBSTITUTION OF NATIONAL GLASS SYSTEMS WITH ALUMAWALL, INC. AND AAC GLASS INC. AS REQUESTED BY ZOVICH CONSTRUCTION FOR THE ENHANCED TREATMENT AND SITE UPGRADE PROGRAM PHASE 1A CAMPUS BUILDING PROJECT

This item was reviewed by the Engineering and Information Technology Committee. Enhanced Treatment and Site Upgrade Program Manager Pipkin stated the Board awarded the construction contract for the Enhanced Treatment and Site Upgrade Phase 1A Campus Building to Zovich Construction on June 13, 2022. National Glass Systems was the listed subcontractor for Metal Wall and Roof Panels as well as Aluminum Windows and Glazing. Zovich Construction requested National Glass Systems be replaced with Alumawall, Inc. and AAA Glass Inc as the subcontractor for the two aforementioned scopes of work due to National Glass Systems' continued failure to

provide required contract submittals. Public Contract Code (PCC) Section 4107(a) allows a subcontractor to be substituted with the consent of the governing authority in certain circumstances. Zovich requested the District's consent pursuant to PCC 4107(a)(3) due to National Glass Systems' failure to perform its subcontract. Zovich submitted documentation to support the request and indicated National Glass Systems failed to perform under its contract. As required by PCC 4107(a), the District sent a notice via certified mail to National Glass Systems' last known address on April 19, 2023. Pursuant to PCC 4107(a), National Glass Systems had five days to submit written objections. As of May 9, 2023, the District had not received any objection from National Glass Systems. Staff recommended the Board authorize the General Manager to consent to the subcontractor substitution request from Zovich construction for the Enhanced Treatment and Site Upgrade Program Phase 1A Campus Building Project in consultation with General Counsel.

It was moved by Vice President Toy, seconded by Director Kite, to Authorize the General Manager to Consent to the Subcontractor Substitution Request from Zovich Construction for the Enhanced Treatment and Site Upgrade Program Phase 1A Campus Building Project in Consultation with General Counsel. Motion carried unanimously.

PROPOSED OPERATING AND CIP BUDGET FOR FISCAL YEAR 2024

This item was reviewed by the Budget & Finance Committee. Business Services Manager/CFO Carlson presented the proposed operating and CIP budget for Fiscal Year 2024 and responded to Boardmember questions. The Board directed staff to present the final budget at the June 26, 2023, Board meeting.

INFORMATION ITEMS:

Board of Directors Internal Committee Assignments 2023-2024

Board Clerk McEvoy stated Board Policy No. 3070 states the President of the Board of Directors is responsible for assigning members and alternates for internal committees. Internal committee assignments received from President Fernandez were included in the Board meeting packet.

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 \$68,830,000 million for design and construction of 37 CIP projects in June 2022. 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 2023. 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.

Third Quarterly Report on the Capital Improvement Program for Fiscal Year 2023

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Chau stated third quarter expenditures for Fiscal Year 2023 were presented in graphs included in the Board meeting packet. The graphs depicted actual expenditures versus approved budget for Capacity Fund 90, Renewal and Replacement Fund 80, and projected expenditures for each. Total CIP expenditures up to March 31, 2023, were under projections for the third quarter by approximately \$1.2 million, or 3.1 percent. Based upon current projections, staff anticipate project expenditures will be below budgeted amounts by approximately \$1.8 million, or 2.6 percent, at the end of the fiscal year.

Third Quarterly Report on the Enhanced Treatment and Site Upgrade Program for Fiscal Year 2023

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 (ETSU) Quarterly Program Management Report for the third quarter of Fiscal Year 2023 was included in the Board meeting packet. Part 1 of the report provides an executive summary of the ETSU Program status and the Program Dashboard as shown on the District website.

Report on the East Bay Dischargers Authority Meeting of April 20, 2023

Director Lathi provided an overview of the EBDA meeting summary included in the Board meeting packet.

Check Register

There were no questions regarding the check register.

COMMITTEE MEETING REPORTS:

The Engineering and Information Technology and Legal/Community Affairs committees met. The Budget & Finance and Personnel Committee meetings were canceled, and briefings were held with committee members.

GENERAL MANAGER'S REPORT:

- The Certificates of Merit Award Ceremony will be held in the Boardroom on Thursday, May 25, 2023, at 3:00 pm
- District staff recently received a notification from the National Association of Clean Water Agencies (NACWA) that USD will receive NACWA's Platinum Peak Performance Award for 14 years of 100% compliance with our EBDA National Pollutant Discharge Elimination System (NPDES) permit.
- State Revolving Fund (SRF) staff recommended projects with a score of 14 or higher receive \$50 million each for the next funding cycle; the ETSU project received a score of 13 which was the highest possible score for the project based upon SRF criteria. The District will continue to communicate with SRF staff to request \$50 million for the ETSU Phase 1A Project.
- The Fats, Oils, and Grease (FOG) Advertisement Board Workshop will be held in the Boardroom Tuesday, May 23, 2023, at 4:00 p.m.

- District offices will be closed in observance of Memorial Day on Monday, May 29, 2023.
- General Manager Eldredge will be out of the office June 5 – 9, 2023.

OTHER BUSINESS:


Director Lathi and Secretary Handley stated they attended the recent Alameda County Water District (ACWD) Board meeting which included recognition of Alameda County Science and Engineering Fair winners from USD and ACWD's service area.

ADJOURNMENT:


The meeting was adjourned at 4:41 p.m. to the FOG (Fats, Oils, and Grease) Advertisement Board Workshop to be held in the Boardroom on Tuesday, May 23, 2023, at 4:00 p.m.

The Board will then adjourn to the next Regular Board Meeting to be held in the Boardroom on Monday, June 12, 2023, at 4:00 p.m.


SUBMITTED:

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REGINA McEVOY
BOARD CLERK

ATTEST:

DocuSigned by:

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TOM HANDLEY
SECRETARY

APPROVED:

DocuSigned by:

778EF9EB02EB471...
MANNY FERNANDEZ
PRESIDENT

Adopted this 12th day of June 2023

Certificate Of Completion

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Source Envelope:	
Document Pages: 6	Signatures: 3
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
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

Status: Original	Holder: Regina McEvoy	Location: DocuSign
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Signer Events

Manny Fernandez
 mfernandez@unionsanitary.ca.gov
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Signature

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Electronic Record and Signature Disclosure:

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

DocuSigned by:


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Electronic Record and Signature Disclosure:

Not Offered via DocuSign

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

DocuSigned by:

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 Using IP Address: 66.91.91.52
 Signed using mobile

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Electronic Record and Signature Disclosure:

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Agent Delivery Events	Status	Timestamp
Intermediary Delivery Events	Status	Timestamp
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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Envelope Summary Events	Status	Timestamps
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Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
