

**MINUTES OF THE MEETING OF THE  
BOARD OF DIRECTORS OF  
UNION SANITARY DISTRICT/UNION SANITARY DISTRICT FINANCING  
AUTHORITY  
AUGUST 24, 2020**

**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, August 24, 2020, 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  
Leah Castella, District Counsel  
Mark Carlson, Business Services Manager/CFO  
Sami Ghossain, Technical Services Manager  
Armando Lopez, Treatment and Disposal Services Manager  
James Schofield, Collection Services Manager  
Robert Simonich, Fabrication Construction and Maintenance Manager  
Michael Dunning, Environmental Compliance Team Coach  
May Bautista, Administrative Assistant

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

**APPROVE MINUTES OF THE UNION SANITARY DISTRICT BOARD MEETING OF AUGUST 10, 2020**

It was moved by Vice President Kite, seconded by Director Fernandez, to Approve the Minutes of the Board Meeting of August 10, 2020. 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 AUGUST 13, 2020**

It was moved by Vice President Kite, seconded by Secretary Lathi, to Approve the Minutes of the Special Board Meeting of August 13, 2020. Motion carried with the following vote:

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

## **JULY 2020 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 2020 FOURTH QUARTER MANAGED INVESTMENT PORTFOLIO REPORT**

General Manager Eldredge introduced PFM Asset Management Managing Director Spyke who summarized the Investment Portfolio Report included in the Board meeting packet.

The Board requested an update on the CalPERS next projection. Staff will follow up and provide information to the Board.

## **WRITTEN COMMUNICATIONS**

There were no written communications.

## **PUBLIC COMMENT**

There was no public comment.

## **AUTHORIZE THE GENERAL MANAGER TO EXECUTE AN AGREEMENT AND TASK ORDER NO. 1 WITH TANNER PACIFIC, INC. FOR THE TWIN FORCE MAIN RELOCATION – PHASE 2 PROJECT**

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the developer, Taylor Morrison Homes (TMH), completed Phase 1 of the Twin Force Main Relocation (Project) and is now ready for construction of Phase 2. Back in March 2020, staff prepared a Request for Proposal to provide construction management services for the Project and selected Tanner Pacific, Inc., due to their past construction experience and that they provided construction management services for Phase 1 of the project. The cost of proposed services is \$276,325, which represents 5.4% of the estimated construction cost for Phase 2. TMH is

responsible for reimbursing the District for costs incurred under this task order. TMH selected McGuire & Hester to construct the Project. McGuire & Hester was the contractor that worked on Phase 1. The contractor submitted a schedule that provides for completion in July 2021. This proposed schedule is currently being reviewed by all stakeholders. Tanner Pacific's task order goes through December 2020, which is in line with the approved First Amendment to the Pipeline Relocation Agreement. Should a schedule be approved past the December 15, 2020, date in the First Amendment, an amendment to Task Order No. 1 for Tanner Pacific, Inc. would be needed. Additionally, District staff would also negotiate a second amendment to the Pipeline Relocation Agreement, which would extend the completion date consistent with the approved schedule. Staff recommended the Board authorize the General Manager to execute an Agreement and Task Order No. 1 with Tanner Pacific, Inc. in the amount of \$276,325 to provide the construction management and inspection services for the Twin Force Main Relocation – Phase 2 Project. The project is funded by the developer, Taylor Morrison Homes.

It was moved by Secretary Lathi, seconded by Vice President Kite, to Authorize the General Manager to Execute an Agreement and Task Order No. 1 with Tanner Pacific, Inc. in the Amount of \$276,325 to Provide the Construction Management and Inspection Services for the Twin Force Main Relocation – Phase 2 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 FOR TRACT 7807 – DECOTO VILLAS, LOCATED AT 3853 DECOTO ROAD, IN THE CITY OF FREMONT**

This item was reviewed by the Legal/Community Affairs Committee. Technical Services Manager Ghossain stated the developer, HHH Property Group, LLC, will construct a residential development consisting of 16 townhomes, located on Decoto Road, in the City of Fremont. The roadways of the development do not meet the City of Fremont's street dimensions and structure setback requirements for public streets and were designated as private. HHH Property Group, LLC, constructed new 8-inch sewer mains and has granted the District a sanitary sewer easement that provides for access and maintenance of the new sewer mains within Tract 7807. Staff recommended the Board consider a resolution to accept a sanitary sewer easement for Tract 7807 – Decoto Villas, located at 3853 Decoto Road, in the City of Fremont.

It was moved by Secretary Lathi, seconded by Director Fernandez, to Adopt Resolution No. 2902 to Accept a Sanitary Sewer Easement for Tract 7807 – Decoto Villas, located at 3853 Decoto Road, in the City of Fremont. Motion carried with the following vote:

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

#####

**RESOLUTION NO. 2902**


**ACCEPT A SANITARY SEWER EASEMENT FOR  
TRACT 7807 – DECOTO VILLAS, LOCATED AT 3853 DECOTO ROAD, IN  
THE CITY OF FREMONT, CALIFORNIA**

RESOLVED by the Board of Directors of UNION SANITARY DISTRICT, that it hereby accepts the Grant of Easement from HHH PROPERTY GROUP, LLC, executed on June 10, 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.

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 August 24, 2020:

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

  
\_\_\_\_\_  
TOM HANDLEY  
President, Board of Directors  
Union Sanitary District

Attest:

  
\_\_\_\_\_  
ANJALI LATHI  
Secretary, Board of Directors  
Union Sanitary District

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**  
**SANITARY SEWER EASEMENT**

REAL PROPERTY SITUATED IN THE CITY OF FREMONT, COUNTY OF ALAMEDA, STATE OF CALIFORNIA, DESCRIBED AS FOLLOWS:

ALL OF PARCEL "A" AS SHOWN ON THE FINAL MAP ENTITLED "FINAL MAP TRACT 7807" RECORDED FEBRUARY 3rd, 2017 AND FILED IN BOOK 345 OF MAPS PAGE 71 ALAMEDA COUNTY RECORDS AND SHOWN ON EXHIBIT "B" ATTACHED.

CONTAINING 10,706 SQFT ±.

ATTACHED HERETO IS A PLAT TO ACCOMPANY LEGAL DESCRIPTION, AND BY THIS REFERENCE MADE A PART HEREOF.

END OF DESCRIPTION



A handwritten signature in black ink, appearing to read "Michael E. Milani", written over a horizontal line.

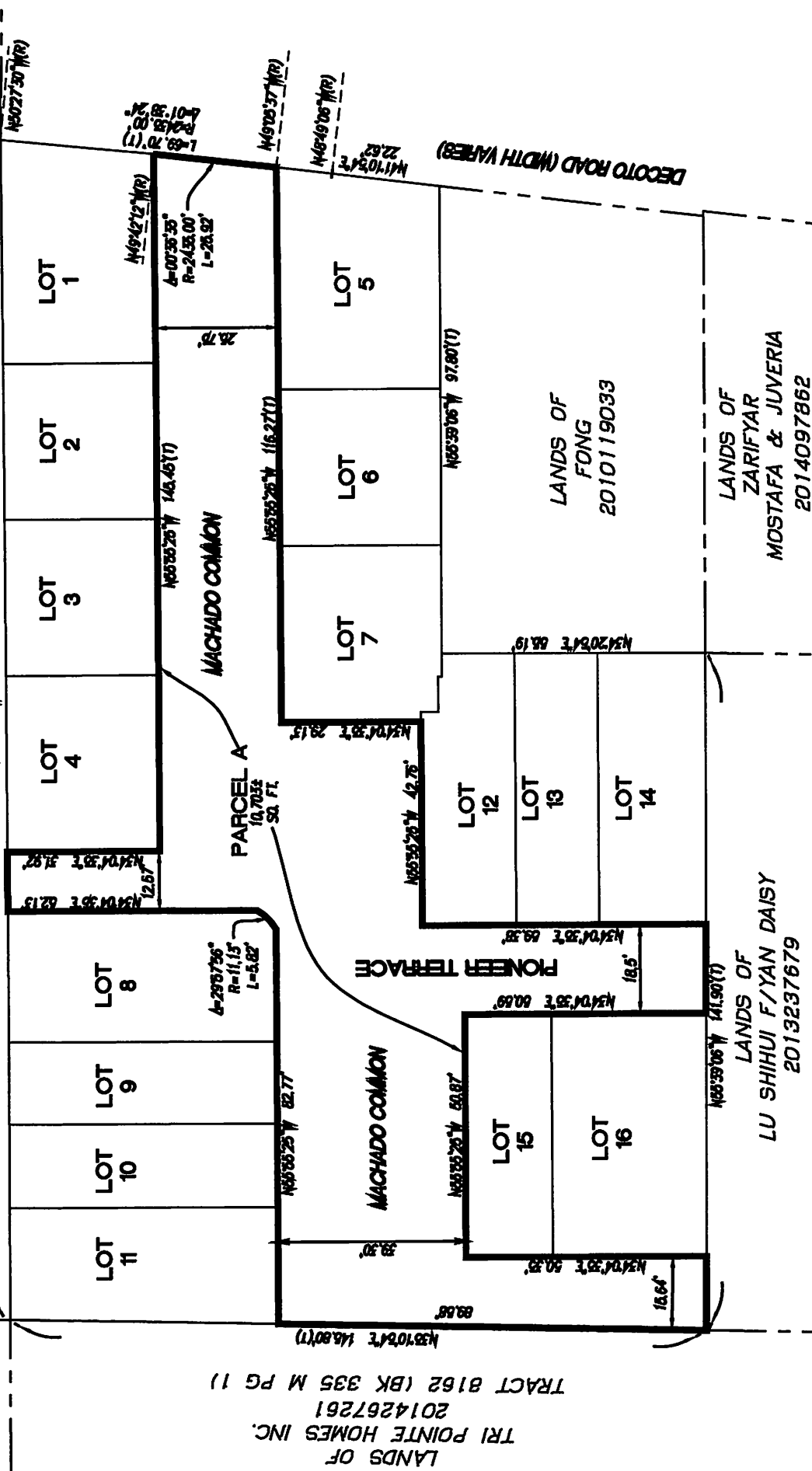
FOR MILANI & ASSOCIATES  
MICHAEL E. MILANI  
L.S. 5311 EXP: 12/31/2019

LANDS OF  
ST. VINCENT DE PAUL  
DEED DOCUMENT NO.  
AX154263

REMAINDER PARCEL  
TRACT 6759 (BK 220 M PG11)



LANDS OF  
TRI POINTE HOMES INC.  
2014267261  
TRACT 8162 (BK 335 M PG 1)



# EXHIBIT "B"

UNION SANITARY DISTRICT EASEMENT  
PARCEL A OF TRACT 7807  
CITY OF FREMONT-ALAMEDA COUNTY-CALIFORNIA

Planners - Engineers - Surveyors  
2855 Stanwell Drive, Suite 105  
Concord CA 94520  
Phone: (925) 674-9082  
Fax: (925) 674-9279



Original map may be found at USD, 5072 Benson Road, Union City, CA 94587

## **INFORMATION ITEMS:**

### **Old Alameda Creek Proposed Discharge Permit Update**

This item was reviewed by the Legal/Community Affairs Committee. Treatment and Disposal Services Manager Lopez stated the East Bay Regional Park District (EBRPD) owns and operates the Hayward Marsh. EBRPD has indicated they would like to repurpose the Hayward Marsh and discontinue discharging treated water. After evaluating multiple solutions, staff is seeking approval from the Regional Water Quality Control Board (RWQCB) to further utilize Old Alameda Creek (OAC) to discharge intermittently during wet weather. This option was selected as the solution that would best fit the District's needs after evaluating several other options. The challenge with the existing permit is that it is very restrictive and due to these restrictions, the outfall was last used in the late 1990's. The results of the efforts in working with RWQCB led to the creation of a newly structured OAC draft permit. The draft permit was made possible due to the District's commitment to improve the quality of its effluent with the completion of the Enhanced Treatment and Site Upgrade (ETSU) program. This will allow more frequent discharge to the OAC when the contractual East Bay Dischargers Authority (EBDA) limit of 42.9 MDG is met. The District is required to periodically update the RWQCB on the ETSU program's progress. Upon completion of the ETSU program, the District will have the opportunity to discharge the OAC when flows are greater than 36 MGD. This is a 5-year permit term and District staff felt it was important to memorialize the terms and conditions since the ETSU program will take longer to complete. The permit renewal application (Report of Waste Discharge) was submitted to the San Francisco Regional Water Quality Control Board (Regional Board) and the Regional Board issued the Tentative Order for review and public comment on August 3, 2020. Comments from the public or other interested parties will be accepted until September 3, 2020 at 5:00 p.m. All comments will be made public. If no significant comments are made or language changes requested, the tentative order will be brought before the Regional Board for adoption on October 14, 2020.

### **Certificates of Merit to Union Sanitary District's Class I Permitted Industries**

This item was reviewed by the Legal/Community Affairs Committee. Environmental Compliance Coach Dunning stated the Certificates of Merit presentation is an annual event held to recognize industries that have exceeded the requirements of their wastewater discharge permits during the prior calendar year. Due to the Alameda County Shelter-in-Place Order, the District will be mailing Certificate of Merit awards to the 27 Significant Industrial Users with Class I Wastewater Discharge Permits.

The District's advertisement honoring award recipients will be printed in the August 25, 2020, issue of the Tri-City Voice and the August 28, 2020, issue of The Argus newspapers.

### **COVID-19 Update**

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

### **Check Register**

Staff responded to Boardmember questions regarding the check register.

**COMMITTEE MEETING REPORTS:**

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

**GENERAL MANAGER'S REPORT:**

General Manager Eldredge stated he had nothing further to report.


**OTHER BUSINESS:**

Secretary Lathi stated she attended the California Association of Sanitation Agencies (CASA) Virtual Annual Conference. The meeting included a presentation from East Bay Municipal Utility District (EBMUD) and they indicated that their employees are on a 2-week rotation work schedule. Assembly Member Richard Bloom received the Legislator of the Year Award. He became aware of the wipes issue through the advocacy of CASA and there is a bill that he's currently working on that would require manufactures to label wipe products with a "Do No Flush" graphic by year 2022.


**ADJOURNMENT:**

The meeting was adjourned at 4:43 p.m. to the General Manager's Check-in Board Workshop at 4:00 p.m. on Thursday, August 27, 2020.


SUBMITTED:

DocuSigned by:  
  
A14B84FD06A0421  
MAY BAUTISTA  
ADMINISTRATIVE ASSISTANT

ATTEST:

DocuSigned by:  
  
3397E6AED26476  
ANJALI LATHI  
SECRETARY

APPROVED:

DocuSigned by:  
  
C0CC9EF393E9422  
TOM HANDLEY  
PRESIDENT

Adopted this 14<sup>th</sup> day of September 2020



## Certificate Of Completion

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Status: Completed

Subject: Please DocuSign: 08242020 Minutes.pdf, 5 08272020 Special Meeting Minutes.pdf

Source Envelope:

Document Pages: 9

Signatures: 6

Envelope Originator:

Certificate Pages: 5

Initials: 0

Regina McEvoy

AutoNav: Enabled

5072 Benson Road

Envelopeld Stamping: Enabled

Union City, CA 94587

Time Zone: (UTC-08:00) Pacific Time (US & Canada)

Reginam@unionsanitary.ca.gov

IP Address: 50.227.238.26

## Record Tracking

Status: Original

Holder: Regina McEvoy

Location: DocuSign

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Reginam@unionsanitary.ca.gov

## Signer Events

Tom Handley

thandley@unionsanitary.ca.gov

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## Signature

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Signature Adoption: Pre-selected Style

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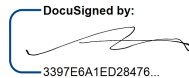
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Anjali Lathi

alathi@unionsanitary.ca.gov

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May Bautista

mayb@unionsanitary.ca.gov

Administrative Specialist 1

Union Sanitary District

Security Level: Email, Account Authentication (None)

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Signature Adoption: Pre-selected Style

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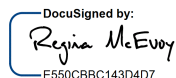
Regina McEvoy

Reginam@unionsanitary.ca.gov

Assistant to GM

Union Sanitary District

Security Level: Email, Account Authentication (None)

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## Signature

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<b>Electronic Record and Signature Disclosure</b>		