

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT/UNION SANITARY DISTRICT FINANCING
AUTHORITY
January 25, 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, January 25, 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
Anjali Lathi, Secretary
Manny Fernandez, Director
Jennifer Toy, Director

ABSENT: Pat Kite, Vice President (arrived at 4:06 p.m.)

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
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

**APPROVE MINUTES OF THE UNION SANITARY DISTRICT BOARD MEETING OF
JANUARY 11, 2021**

It was moved by Director Fernandez, seconded by Director Toy, to Approve the Minutes of the Board Meeting of January 11, 2021. Motion carried with the following vote:

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

DECEMBER 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.

WRITTEN COMMUNICATIONS

There were no written communications.

PUBLIC COMMENT

There was no public comment.

CONSIDER A RESOLUTION TO UPDATE UNION BANK SIGNATORIES

This item was reviewed by the Budget & Finance Committee. Business Services Manager/CFO Carlson stated that whenever the Banking Contract Officer position is updated at a given agency, Union Bank requires the requesting agency “re-document” all affected accounts. When staff presented this item for consideration at the Board meeting held December 14, 2021, the Board asked if all Boardmembers needed to be authorized signatories. Staff presented an item at the January 11, 2021, Board meeting to clarify that while there were no Union Bank requirements as to who should be listed as signatories on the District’s accounts staff recommended all five Boardmembers continue to be listed as check signers. The Board directed staff to appoint the General Manager and the Board President as check signers; staff will update the Board President signature annually following the appointment of Board officers. The forms necessary to acknowledge the Chief Financial Officer as the Banking Contract Officer were included in the Board packet. Staff recommended the Board review, sign, and approve the forms necessary to update Union Bank signatories for the District and acknowledging the Chief Financial Officer as the Banking Contract Officer (BCO).

It was moved by Secretary Lathi, seconded by Director Fernandez, to Approve and Sign the Bank Depositor and Treasury Services Agreement and Public Entity Resolution as Required by Union Bank for the District’s Accounts. Motion carried with the following vote:

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

REVIEW AND CONSIDER APPROVAL OF POLICY NO. 2000, ACCOUNTING STANDARDS

This item was reviewed by the Budget & Finance Committee. Business Services Manager/CFO Carlson stated there were no recommended changes to Policy No. 2000, Accounting Standards. Staff made minor administrative updates and clarifications to the Policy. Policy No. 2000 requires review and approval by the Board of Directors every

three years. Staff recommended the Board review and consider approval of Policy No. 2000, Accounting Standards.

It was moved by Vice President Kite, seconded by Secretary Lathi, to Approve Policy No. 2000, Accounting Standards. Motion carried with the following vote:

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

REVIEW AND CONSIDER APPROVAL OF POLICY NO. 2070, CAPITAL ASSETS POLICY

This item was reviewed by the Budget & Finance Committee. Business Services Manager/CFO Carlson stated there were no recommended changes to Policy No. 2070, Capital Assets Policy, other than minor administrative updates and clarifications. Policy No. 2070 requires review and approval by the Board of Directors every three years. Staff recommended the Board review and consider approval of Policy No. 2070, Capital Assets Policy.

It was moved by Director Toy, seconded by Vice President Kite, to Approve Policy No. 2070, Capital Assets Policy. Motion carried with the following vote:

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

REVIEW AND CONSIDER APPROVAL OF POLICY NO. 2010, INTERNAL CONTROLS

This item was reviewed by the Audit Committee. Business Services Manager/CFO Carlson stated that during the January 11, 2021, Board meeting, the Board recommended Internal Controls Policy No. 2010 be updated to include the following:

- Bank signatories will include all Boardmembers and the General Manager; and
- System generated check signatures will be the Board President and the General Manager.

Policy No. 2010, Internal Controls, was last updated at the December 14, 2021, Board meeting. Staff recommended the Board review and consider approval of Policy No. 2010, Internal Controls.

It was moved by Vice President Kite, seconded by Director Toy, to Approve Policy No. 2010, Internal Controls. Motion carried with the following vote:

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

AWARD A CONTRACT FOR LABORATORY SERVICES IN SUPPORT OF ENVIRONMENTAL COMPLIANCE PROGRAMS TO MCCAMPBELL ANALYTICAL INCORPORATED

This item was reviewed by the Budget & Finance Committee. Treatment and Disposal Service Manager Lopez stated McCampbell Analytical Incorporated (MAI) was selected through the Request for Proposals (RFP) process. MAI was selected due to their reasonable projected cost and high ranking within the RFP selection criteria. Staff recommended the Board authorize the General Manager to execute a contract with McCampbell Analytical Incorporated (MAI) for laboratory services in support of Union Sanitary District's Environmental Compliance Programs for twenty-nine months with up to two optional one-year extensions.

It was moved by Director Fernandez, seconded by Director Toy, to Authorize the General Manager to Execute a Contract with McCampbell Analytical Incorporated (MAI) for Laboratory Services in Support of Union Sanitary District's Environmental Compliance Programs for Twenty-Nine Months with up to Two Optional One-Year Extensions. Motion carried with the following vote:

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

AUTHORIZE THE GENERAL MANAGER TO EXECUTE A TERMINATION, SETTLEMENT, AND RELEASE AGREEMENT WITH C. OVERAA & CO. FOR THE ALVARADO INFLUENT VALVE BOX REHABILITATION PROJECT

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Director Ghossain stated the Board awarded the construction contract for the Alvarado Influent Valve Box Rehabilitation Project to C. Overaa & Co. (Overaa) on January 27, 2020. Construction was scheduled to be completed on September 8, 2020; however, in March 2020 the State and County issued a health order to shelter in place in response to the COVID-19 pandemic. The Project's scope includes replacement of three existing main gate valves located at the Alvarado Influent Valve Box and the Headworks Valve Box, and installation of a check valve inside Control Box No. 1 (CB1). The valve replacement and installation work require staff to clean CB1 which would require several employees from each of the three operation groups and contractors working in very close proximity to each other. Due to the nature of the work, the District would not be able to provide safe social distancing protocols during this work. After exploring several non-viable alternatives, the District initiated negotiations with Overaa to terminate the construction contract. Staff reviewed the cost accounting report of project management time submitted by Overaa and found the costs to be fair and reasonable. Additionally, staff received written confirmation from material suppliers that all materials submitted in the termination agreement have been paid by Overaa and will be delivered to the District as specified in the Agreement to be stored at the Plant until the Project can be re-bid. Staff recommended the Board authorize the General Manager to execute a termination, settlement, and release agreement with C. Overaa & Co.

It was moved by Secretary Lathi, seconded by Director Toy, to Authorize the General Manager to Execute a Termination, Settlement, and Release Agreement with C. Overaa & Co. in the Amount of \$93,495 for the Alvarado Influent Valve Box Rehabilitation Project. Motion carried with the following vote:

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

INFORMATION ITEMS:

Solar and Cogeneration Facilities Operational Update

This item was reviewed by the Budget & Finance Committee. Technical Services Manager Ghossain stated the total benefit through December 31, 2020, for the Alvarado Wastewater Treatment Plant Solar Carport, constructed in 2011, was \$663,056 for a 74.5% simple payback. The total benefit to date for the Irvington Pump Station Solar Facility, constructed in 2012, was \$3,199,770 for a 111.9% simple payback. The total benefit to date for the Cogeneration Facility, constructed in 2014, was \$9,336,481 for a 68.3% simple payback.

Cal-Card 2nd Quarter Fiscal Year 2021 Activity Report

General Manager Eldredge provided an overview of the Report included in the Board meeting packet.

Board Expenses for 2nd Quarter of Fiscal Year 2021

General Manager Eldredge provided an overview of Board expenses included in the Board meeting packet.

Report on the East Bay Dischargers Authority Meeting of December 17, 2020

Director Toy provided an overview of the EBDA meeting minutes included in the Board packet.

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

GENERAL MANAGER'S REPORT:

General Manager Eldredge stated the following:

- The District was invited to apply for low-cost financing from the Water Infrastructure Finance and Innovation Act (WIFIA) program for the Enhanced

Treatment and Site Upgrade (ETSU) Phase 1 Projects. USD's ETSU Phase 1 program is one of 55 projects in 20 states invited to apply for funding.

- Fitch Ratings issued a press release stating they had affirmed Union Sanitary District's 'AA' rating with a 'Stable' outlook.
- The Capacity Fee Study Board Workshop will be held virtually at 4:00 p.m. on Wednesday, January 27, 2021.


OTHER BUSINESS:

There was no other business.


ADJOURNMENT:

The meeting was adjourned at 4:32 p.m. to a Board Workshop to be held virtually at 4:00 p.m. on Wednesday, January 27, 2021.


SUBMITTED:

DocuSigned by:

E550CBBC143D4D7...
REGINA McEVOY
BOARD CLERK

ATTEST:

DocuSigned by:

3397E6A1ED28476...
ANJALI LATHI
SECRETARY

APPROVED:

DocuSigned by:

C0CC5EF393E9442...
TOM HANDLEY
PRESIDENT

Adopted this 8th day of February 2021

Certificate Of Completion

Envelope Id: BCBD153B80BB429C8A3910E821970A00	Status: Completed
Subject: USD Requests you Please DocuSign: 01252021 Minutes.pdf	
Source Envelope:	
Document Pages: 6	Signatures: 3
Certificate Pages: 5	Initials: 0
AutoNav: Enabled	Envelope Originator:
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

Status: Original 2/18/2021 2:58:36 PM	Holder: Regina McEvoy Reginam@unionsanitary.ca.gov	Location: DocuSign
--	---	--------------------

Signer Events

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

Signature

DocuSigned by:

C0CC5EF393E9442...

Signature Adoption: Pre-selected Style
Using IP Address: 107.3.183.199

Timestamp

Sent: 2/18/2021 2:59:36 PM
Viewed: 2/18/2021 3:05:23 PM
Signed: 2/18/2021 3:05:28 PM

Electronic Record and Signature Disclosure:
Accepted: 10/29/2020 3:22:28 PM
ID: 96cab493-de11-462b-98b8-851bd2f945b4

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

DocuSigned by:

3397E6A1ED28476...

Signature Adoption: Drawn on Device
Using IP Address: 107.196.101.34
Signed using mobile

Sent: 2/18/2021 3:05:29 PM
Viewed: 2/19/2021 4:42:04 PM
Signed: 2/19/2021 4:42:20 PM

Electronic Record and Signature Disclosure:
Accepted: 10/30/2020 11:15:31 PM
ID: f001f527-25b1-4fc8-8a4a-7e058dfbba25

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

DocuSigned by:

E550CBBC143D4D7...

Signature Adoption: Pre-selected Style
Using IP Address: 50.227.238.26

Sent: 2/19/2021 4:42:21 PM
Viewed: 2/22/2021 8:12:25 AM
Signed: 2/22/2021 8:12:30 AM

Electronic Record and Signature Disclosure:
Not Offered via DocuSign

In Person Signer Events

Signature

Timestamp

Editor Delivery Events

Status

Timestamp

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
--------------------------------	---------------	-------------------

Envelope Sent	Hashed/Encrypted	2/18/2021 2:59:36 PM
Certified Delivered	Security Checked	2/22/2021 8:12:25 AM
Signing Complete	Security Checked	2/22/2021 8:12:30 AM
Completed	Security Checked	2/22/2021 8:12:30 AM

Payment Events	Status	Timestamps
-----------------------	---------------	-------------------

Electronic Record and Signature Disclosure
