

**MINUTES OF THE MEETING OF THE  
BOARD OF DIRECTORS OF  
UNION SANITARY DISTRICT/UNION SANITARY DISTRICT FINANCING  
AUTHORITY  
July 12, 2021**

**Consistent with Executive Orders No. N-08-21 from the Executive Department of the State of California, and Alameda County Health Officer Order No. 21-01a, the Monday, July 12, 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 observe the Board Meeting and provide public comment by sending comments to the Board Clerk.**

**CALL TO ORDER**

President Kite 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: Pat Kite, President  
Anjali Lathi, Vice President  
Manny Fernandez, Secretary  
Jennifer Toy, Director  
Tom Handley, 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  
Armando Lopez, Treatment and Disposal Services Manager  
Robert Simonich, Fabrication, Maintenance, and Construction Manager  
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

**APPROVE MINUTES OF THE UNION SANITARY DISTRICT BOARD MEETING OF JUNE 28, 2021**

It was moved by Secretary Fernandez, seconded by Director Handley, to Approve the Minutes of the Board Meeting of June 28, 2021. Motion carried with the following vote:

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

**WRITTEN COMMUNICATIONS**

There were no written communications.

**PUBLIC COMMENT**

There was no public comment.

**CONSIDER ADOPTION OF A RESOLUTION SETTING THE TIME AND PLACE FOR HOLDING REGULAR MEETINGS OF THE UNION SANITARY DISTRICT BOARD OF DIRECTORS**

District Counsel Murphy stated California Government Code section 54954(a) provides that “[e]ach legislative body of a local agency... shall provide, by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by that body, the time and place for holding regular meetings.” The Union Sanitary District Board of Directors traditionally met the second and fourth Monday of each month at 7:00 p.m. in the District’s Administration Building, but modified this schedule during the COVID-19 emergency to meet virtually at 4:00 p.m. Based upon the most recent information received from the State of California regarding the Governor’s executive orders, staff anticipates the Board will begin meeting in-person in October of 2021. The proposed resolution provides that the regular meeting time of the Board of Directors will remain at 4:00 p.m. after meetings return in-person. Pursuant to Board direction, staff will review this item approximately six months after that time to evaluate any unforeseen circumstances and bring back a discussion item for the Board to assess whether or not to keep the meeting time at 4:00 p.m. Staff recommended the Board consider a resolution setting the time and place for holding regular meetings of the Union Sanitary District Board of Directors.

It was moved by Director Handley, seconded by Vice President Lathi, to Adopt Resolution No. 2928, A Resolution of the Board of Directors Setting the Time and Place for Holding Regular Meetings of the Union Sanitary District Board of Directors. Motion carried with the following vote:

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

**####**

**RESOLUTION NO. 2928**

**A RESOLUTION OF THE BOARD OF DIRECTORS SETTING THE TIME AND PLACE FOR HOLDING REGULAR MEETINGS OF THE UNION SANITARY DISTRICT BOARD OF DIRECTORS**

**WHEREAS**, Government Code section 54954(a) provides that “[e]ach legislative body of a local agency ... shall provide, by ordinance, resolution, bylaws, or by whatever other rule is required for the conduct of business by that body, the time and place for holding regular meetings”; and

**WHEREAS**, the Union Sanitary District Board of Directors traditionally met the second and fourth Monday of the month at 7:00 p.m. at the Union Sanitary District Administration Building, but adjusted its schedule during the COVID-19 emergency to meet virtually as allowed by State Executive Order, at 4:00 p.m., pursuant to Resolution No. 2888, adopted on March 23, 2020; and

**WHEREAS**, the Board of Directors desires to adopt this resolution to set the time and place for holding regular meetings at 4:00 p.m., whether or not an emergency is in place, with a review approximately six months after in-person meetings begin again.

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

1. Regular meetings of the Union Sanitary District Board of Directors shall be held on the second and fourth Mondays of each month, at 4 p.m., if not a legal holiday, and if a legal holiday, then on the next business day. Meetings shall be held in the Union Sanitary District Administration Building at 5072 Benson Road, Union City, CA 94587, unless otherwise allowed pursuant to State order.
2. This resolution shall amend, replace and supersede Resolution 2888, and any and all other previous resolutions and actions setting the time and place of regular meetings of the Union Sanitary District Board of Directors.

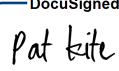
**PASSED, APPROVED, AND ADOPTED this 12th day of July, 2021.**

AYES: Fernandez, Handley, Kite, Lathi, Toy

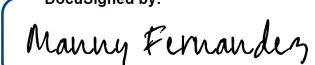
NOES: None

ABSENT: None

ABSTAIN: None

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 PAT KITE  
 President, Board of Directors  
 Union Sanitary District

Attest:

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 MANNY FERNANDEZ  
 Secretary, Board of Directors  
 Union Sanitary District

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**Signer Events**

Pat Kite  
pkite@unionsanitary.ca.gov  
Security Level: Email, Account Authentication (None)

**Signature**

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Manny Fernandez  
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**AUTHORIZE THE GENERAL MANAGER TO EXECUTE AN ENCROACHMENT AGREEMENT WITH TURK ISLAND VENTURES, LLC FOR TRACT 7728 – TURK ISLAND IN THE CITY OF UNION CITY**

This item was reviewed by the Legal/Community Affairs Committee. Technical Services Manager Ghossain stated Turk Island Ventures, LLC, will construct a residential development for Tract 7728, located at the northwest corner of Carmel Way and Westport Way in the City of Union City. The parcel was part of the old Turk Island landfill that has been closed since the early 1970's. Grading work for the development calls for removal of existing landfill material from the portion of the former Turk Island Landfill within the tract and replacing it with clean imported fill. Since a portion of the work will occur within the District's existing force main easement, an encroachment agreement allowing the developer to perform the work within the easement will be required. The agreement will include a construction work plan to allow for replacement of the landfill material over the force mains to be performed while protecting the force mains, additional provisions of the agreement were included in the Board meeting packet. While the term of the agreement will be two years, all excavation and fill placement work within the District's easement will be completed by October 15, 2021. Staff recommended the Board authorize the General Manager to execute an encroachment agreement with Turk Island Ventures, LLC for Tract 7728 – Turk Island located in the City of Union City.

It was moved by Vice President Lathi, seconded by Director Handley, to Authorize the General Manager to Execute an Encroachment Agreement with Turk Island Ventures, LLC for Tract 7728 – Turk Island Located in the City of Union City. Motion carried with the following vote:

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

**AUTHORIZE THE GENERAL MANAGER TO EXECUTE AN AGREEMENT AND TASK ORDER NO. 1 WITH CAROLLO ENGINEERS, INC. FOR THE PLANT MISCELLANEOUS IMPROVEMENTS PROJECT**

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the purpose of the task order is to authorize Carollo to provide final design and bid period services for the Project which will include rehabilitation and repairs at the Alvarado Wastewater Treatment Plant. The list of items to be included in the Project was included in the Board meeting packet. Staff anticipates Carollo should complete the Project's design by Spring 2022 and construction to begin in Summer 2022. Staff recommended the Board authorize the General Manager to execute an agreement and Task Order No. 1 with Carollo Engineers, Inc. in the amount of \$185,034 to provide final design services for the Plant Miscellaneous Improvements Project.

It was moved by Secretary Fernandez, seconded by Director Toy, to Authorize the General Manager to Execute an Agreement and Task Order No. 1 with Carollo Engineers, Inc. in the Amount of \$185,034 to Provide Final Design Services for the Plant Miscellaneous Improvements Project. Motion carried with the following vote:

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

**CONSIDER A MOTION TO CANCEL THE NOVEMBER 22 AND DECEMBER 27, 2021, BOARD OF DIRECTORS MEETINGS**

Board Clerk McEvoy stated the second regularly scheduled Board meeting in November falls on the week of Thanksgiving and the second regularly scheduled Board meeting in December falls on the week between the Christmas and New Year holidays. Staff recommended the Board consider canceling the second Board meeting in November and December.

It was moved by Director Handley, seconded by Director Toy, to Cancel the November 22, 2021, and December 27, 2021, Board Meetings and Direct Staff to Schedule Special Board Meetings for November 15, 2021, and December 20, 2021, if Needed. Motion carried with the following vote:

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

**RECEIVE INFORMATION AND PROVIDE DIRECTION REGARDING THE DRAFT DISTRICT RE-OFFICING PLAN AND TELECOMMUTING POLICY**

General Manager Eldredge presented the draft District re-officing plan and telecommuting policy concept. Staff recommended the Board provide direction regarding the draft re-officing plan and telecommuting policy concept.

The Board directed staff to proceed with the re-officing plan and bring back for discussion the telecommuting policy at the November 2021 Board meeting.

**PROVIDE DIRECTION REGARDING BOARD LEGISLATIVE REPORT CONTENT AND FREQUENCY**

This item was reviewed by the Legislative Committee. Communications and Intergovernmental Relations Coordinator Powell stated the Board directed staff in 2015 to provide periodic reports on legislation and other information that may impact or be of interest to the District. At a later date, the Board directed staff to separate the periodic reports into two documents to be presented at separate meetings, one report highlighted regional issues and the other highlighted state and national issues of interest. The Board had previously stated the content and frequency of legislative reports could be revisited if impacts to staff time warranted re-evaluation. Many additional projects and activities have been taken on by staff while the content of regional news updates expanded and legislative activity at the state and national level increased. Legislative reports have become lengthy, and the time dedicated to developing them has increased. Staff suggested legislative reports return to the original consolidated format and be presented

to the Board twice a year. Staff requested the Board provide direction regarding future Board legislative report content and frequency.

The Board directed staff to present legislative reports to the Board twice a year.

**RECEIVE INFORMATION AND PROVIDE DIRECTION REGARDING THE DISTRICT'S PROCEDURE FOR VOTING TO ELECT REPRESENTATIVES TO THE CALIFORNIA SPECIAL DISTRICTS ASSOCIATION BOARD OF DIRECTORS BAY AREA NETWORK**

General Manager Eldredge stated the Board of Directors for the Bay Area Network of the California Special Districts Association (CSDA) periodically conducts elections for members of its Board. CSDA Bay Area Network elections are conducted electronically via email to the District's designated staff representative; General Manager Eldredge is the designated staff representative for the District. Staff requested the Board provide direction regarding the procedure for voting to elect representatives to the California Special Districts Association Board of Directors for the Bay Area Network.

The Board directed staff to have the General Manager consult the Board representative to the Alameda County Special Districts Association before voting for a CSDA Bay Area Network Board Member.

**INFORMATION ITEMS:**

**COVID-19 Update**

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

**Check Register**

Staff responded to Boardmember questions regarding the check register.

**COMMITTEE MEETING REPORTS:**

The Legislative and Engineering and Information Technology Committees met. The Legal/Community Affairs Committee meeting was canceled, and a briefing was held with Committee members.

**GENERAL MANAGER'S REPORT:**

General Manager Eldredge stated the following:

- General Manager Eldredge and Business Services Manager/CFO Carlson will present to credit rating agencies Fitch Ratings and S&P Global Ratings this week.
- The Enhanced Treatment and Site Upgrade Update Board Workshop will be held virtually at 4:00 p.m. on Thursday, July 15, 2021.

**OTHER BUSINESS:**

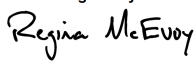
There was no other business.



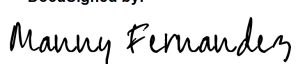
**ADJOURNMENT:**

The meeting was adjourned at 5:00 p.m. to the next Regular Board Meeting to be held virtually at 4:00 p.m. on Monday, July 12, 2021.


**SUBMITTED:**

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REGINA McEVOY  
BOARD CLERK

**ATTEST:**

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MANNY FERNANDEZ  
SECRETARY

**APPROVED:**

DocuSigned by:  
  
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PAT KITE  
PRESIDENT

Adopted this 26<sup>th</sup> day of July 2021

**Certificate Of Completion**

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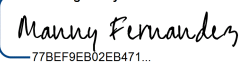
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Manny Fernandez  
mfernandez@unionsanitary.ca.gov  
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Regina McEvoy  
reginam@unionsanitary.ca.gov  
Assistant to GM  
Union Sanitary District  
Security Level: Email, Account Authentication (None)

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