

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT/UNION SANITARY DISTRICT FINANCING
AUTHORITY
March 23, 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, March 23, 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 Toy 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: Jennifer Toy, President
Tom Handley, Vice President
Anjali Lathi, Director
Manny Fernandez, Director

ABSENT: Pat Kite, Secretary

STAFF: Paul Eldredge, General Manager/District Engineer
Karen Murphy, District Counsel
Sami Ghossain, Technical Services Manager
Armando Lopez, Treatment and Disposal Services Manager
James Schofield, Collection Services Manager
Robert Simonich, Fabrication Construction and Maintenance Manager
Laurie Brenner, Business Services Coach
Michael Dunning, Environmental Compliance Team Coach
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

APPROVE MINUTES OF THE UNION SANITARY DISTRICT SPECIAL BOARD MEETING OF MARCH 5, 2020

It was moved by Director Lathi, seconded by Director Fernandez, to Approve Minutes of the Union Sanitary District Special Board Meeting of March 5, 2020. Motion carried with the following vote:

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

APPROVE MINUTES OF THE UNION SANITARY DISTRICT BOARD MEETING OF MARCH 9, 2020

It was moved by Director Fernandez, seconded by Vice President Handley, to Approve Minutes of the Union Sanitary District Board Meeting of March 9, 2020. Motion carried with the following vote:

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

APPROVE MINUTES OF THE UNION SANITARY DISTRICT MID-YEAR BUDGET AND PUBLIC OUTREACH COMBINED BOARD WORKSHOP OF MARCH 12, 2020

It was moved by Director Lathi, seconded by Director Fernandez, to Approve Minutes of the Union Sanitary District Special Board Meeting of March 12, 2020. Motion carried with the following vote:

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

FEBRUARY 2020 MONTHLY OPERATIONS REPORT

General Manager Eldredge provided an overview of the Odor Report and Work Group Reports included in the Board meeting packet.

Business Services Coach Brenner reviewed the financial reports included in the Board meeting packet.

WRITTEN COMMUNICATIONS

There were no written communications.

PUBLIC COMMENT

There was no public comment.

AWARD THE CONTRACT FOR THE PLANT ODOR CONTROL PILOT STUDY TO DANIEL MECHANICAL, LLC

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the District hired Jacobs Engineering Group, Inc. (Jacobs) for the Odor Control Alternatives Study to evaluate odor control technologies not identified in previous odor control studies. At the Board meeting held September 23, 2019, the Board authorized the General Manager to execute an agreement and Task Order No. 1 with Jacobs to assist staff in review and selection of odor control technologies to pilot test at the Headworks, Primary Clarifiers, and Aeration Basins. Staff issued a Request for Proposals (RFP) to supply odor control pilot test

equipment and provide field services as outlined in the Board meeting packet. Following the RFP process, Daniel Mechanical, LLC was selected as the lowest, responsive, and responsible bidder. The proposal includes the media for the Biofilter, Bio-Trickling Filter, and Carbon Filter, all chemicals, delivery and installation, and relocation from the Aeration Basins areas to the Headworks/Primary Clarifiers area. Staff anticipates delivery and installation of the equipment in May 2020 and completion of the pilot test by Summer 2021. Following completion of the pilot test, Jacobs will finalize the report for the Odor Control Alternatives Study. Staff recommended the Board award the contract for the Plant Odor Control Pilot Study to Daniel Mechanical, LLC in the amount of \$239,900.

It was moved by Vice President Handley, seconded by Director Fernandez, to Award the Contract for the Plant Odor Control Pilot Study to Daniel Mechanical, LLC, in the Amount of \$239,900. Motion carried with the following vote:

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

INFORMATION ITEMS:

Information Regarding Award of Construction Contract for the Plant Paving Project to Dryco Construction Inc.

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the District owns and maintains approximately 800,000 square feet of asphalt concrete paved surfaces spread across seven facilities within the District's service area. In consideration of upcoming projects at the Alvarado Wastewater Treatment Plant (WWTP), staff decided to postpone large-scale pavement repair and replacement work until after completion of the projects. Staff determined it would be best to repair critical sections of the Alvarado WWTP's center roadway that had been identified as poor and in need of immediate attention. Staff also identified a need to improve drainage at the Secondary Digester Sludge Pump Area by installing a curb around the pumps and re-grading the pavement behind the curb to allow the sludge to be contained in a smaller area that would be easier to clean. Following the bid process, staff awarded the construction contract to Dryco. The Notice to Proceed was issued to Dryco on March 3, 2020. Dryco will have 75 days to complete the Project from Notice to Proceed. Staff will provide construction management and inspection services for the Project.

Status of the 2020 NPDES Permit Reissuance for Wet Weather Discharge

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the Board previously authorized execution of Task Order No. 2 with Woodard & Curran, Inc. to provide further assistance with the permit renewal process for the District's National Pollution Discharge Elimination System (NPDES) Permit for the wet weather discharge into Old Alameda Creek. The State Water Resources Control Board (SWRCB) Water Quality Control Plan for the San Francisco Bay Basin has a prohibition against shallow water discharge. The Old Alameda Creek is a shallow water discharge which means the District must meet an approved exemption category. The SWRCB indicated improved water quality could suffice to meet equivalent protection exemption criteria. District staff will request inclusion of revised permit conditions in the 2020 NPDES Permit Reissuance for wet weather discharge to Old Alameda Creek to provide a pathway to increased discharge to Old Alameda Creek once

the District's water quality improves. The schedule for the NPDES Permit for wet weather discharge to Old Alameda Creek was included in the Board meeting packet.

Publication of Britech Electropolishing, Inc., Confluent Medical Technologies, Inc., and Raxium Inc. as Significant Violators in 2019

This item was reviewed by the Legal/Community Affairs Committee. Environmental Compliance Team Coach Dunning stated the District is required to publish the names of all dischargers to the District's wastewater treatment plant that were in Significant Noncompliance (SNC) with EPA Pretreatment Regulations and/or the District's Sewer Ordinance No. 36.04. During the SNC evaluation period covering January through June of 2019, the following dischargers to the District's wastewater treatment plant had a significant violation: Britech Electropolishing, Inc., Confluent Medical Technologies, Inc., and Raxium Inc. The details of the significant violations were included in the Board meeting packet and will be published in the Argus and Tri-City Voice during the fourth week of March 2020.

Report on the East Bay Dischargers Authority Meeting of February 20, 2020

Vice President Handley provided an overview of the EBDA meeting minutes included in the Board meeting packet.

Check Register

Staff responded to Boardmember questions regarding the Check Register.

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

District Counsel Murphy stated the Board of Directors has taken various actions over the years to set the time and place of regular meetings of the Board of Directors. In recent years, the Union Sanitary District Board of Directors has met the second and fourth Monday of the month at 7:00 p.m. in the Union Sanitary District Administration Building. The proposed resolution would confirm the current meeting time and place for regular meetings, as well as allow for an adjustment in the meeting time in the event of a declared emergency to ensure the health and safety of employees and residents. Regular meetings would still take place on the second and fourth Mondays of each month, but could be moved to an earlier time in the day to ensure the ability of necessary staff to attend meetings while maintaining critical District operations.

It was moved by Vice President Handley, seconded by Director Fernandez, to Adopt Resolution No. 2888 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, Lathi, Toy
NOES: None
ABSTAIN: None
ABSENT: Kite

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RESOLUTION NO. 2888

**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 has traditionally met the second and fourth Monday of the month at 7:00 p.m. at the Union Sanitary District Administration Building; and

WHEREAS, the Board of Directors desires to adopt this resolution confirming the meeting time and place for regular meetings, as well as allow for an adjustment in the event of a declared emergency.

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 7 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.
2. In the event of an emergency, as declared by the federal, state or local government, the District General Manager may adjust the time of a regular meeting to earlier in the day to ensure the health and safety of employees and residents and continuity of District operations.
3. This resolution shall amend, replace and supersede any and all 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 23rd day of March, 2020.

AYES: Fernandez, Handley, Lathi, Toy

NOES: None

ABSTAIN: None

ABSENT: Kite



JENNIFER TOY
President, Board of Directors
Union Sanitary District

Attest:



PAT KITE
Secretary, Board of Directors
Union Sanitary District

COMMITTEE MEETING REPORTS:

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

GENERAL MANAGER'S REPORT:

General Manager Eldredge reported the following:

- a. COVID-19 Update
 - o General Manager Eldredge provided an update regarding the District's response to the COVID-19 pandemic which included schedule changes, minimal staffing, and social distancing.

OTHER BUSINESS:

There was no other business.

ADJOURNMENT:

The meeting was adjourned at 4:53 p.m. to the next Regular Meeting at 4:00 p.m. in the Boardroom on Monday, April 13, 2020.

SUBMITTED:


REGINA McEVOY
BOARD CLERK

ATTEST:


PAT KITE
SECRETARY

APPROVED:


JENNIFER TOY
PRESIDENT

Adopted this 13th day of April 2020