

**MINUTES OF THE MEETING OF THE  
BOARD OF DIRECTORS OF  
UNION SANITARY DISTRICT/UNION SANITARY DISTRICT FINANCING  
AUTHORITY  
June 26, 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  
Pat Kite, Director  
Anjali Lathi, Director

ABSENT: Tom Handley, Secretary

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  
Michael Dunning, Environmental Compliance Coach  
Curtis Bosick, Capital Improvements Projects Coach  
Trieu Nguyen, IT Administrator  
Gus Carrillo, Enhanced Treatment and Site Upgrade Program Coordinator  
Michelle Powell, Communications and Intergovernmental Relations Coordinator  
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

VISITORS: Monique Spyke, PFM Asset Management  
Alice Johnson, League of Women Voters

**APPROVE MINUTES OF THE UNION SANITARY DISTRICT BOARD MEETING OF  
JUNE 12, 2023**

It was moved by Director Kite, seconded by Director Lathi, to Approve the Minutes of the Board Meeting of June 12, 2023. Motion carried with the following vote:

AYES: Fernandez, Kite, Lathi, Toy  
NOES: None

ABSTAIN: None  
ABSENT: Handley

**MAY 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.

**FISCAL YEAR 2023 3<sup>RD</sup> QUARTER MANAGED INVESTMENT PORTFOLIO REPORT FROM PFM**

This item was reviewed by the Budget & Finance Committee. Business Services Manager/CFO Carlson introduced PFM Managing Director Spyke who provided an overview of the Fiscal Year 2023 3<sup>rd</sup> Quarter Managed Investment Portfolio Report.

**WRITTEN COMMUNICATIONS**

There were no written communications.

**PUBLIC COMMENT**

There was no public comment.

**PUBLIC HEARING TO CONSIDER COLLECTION OF SEWER SERVICE CHARGES ON THE TAX ROLLS FOR FISCAL YEAR 2024 AND ADOPTION OF A RESOLUTION ELECTING TO COLLECT SEWER SERVICE CHARGES ON THE TAX ROLLS**

This item was reviewed by the Budget & Finance Committee. Business Services Manager/CFO Carlson stated the Board must hold a public hearing annually to consider and authorize collection of sewer services charges on the tax rolls. The report setting forth sewer service charges to be assessed on each parcel in the District for the 2024 Fiscal Year was prepared by staff and was available for public inspection at the District office. The public hearing notice was published in the Argus newspaper June 16 and June 23, 2023, and was also published in the Tri-City Voice newspaper on June 13 and June 20, 2023. Business Services Manager/CFO Carlson recommended the Board conduct a public hearing to receive written and oral comments on the proposal to collect sewer service charges via the property tax rolls and consider adoption of a resolution electing to collect sewer service charges on the tax rolls.

President Fernandez opened the public hearing at 4:15 p.m.

At 4:17 p.m., Board Clerk McEvoy stated no comments nor protests had been received. President Fernandez closed the public hearing.

It was moved by Director Kite, seconded by Vice President Toy, to Adopt Resolution No. 2996 Electing to Collect Sewer Service Charges on the Tax Rolls for Fiscal Year 2024. Motion carried with the following vote:

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

ABSENT: Handley

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## **RESOLUTION NO. 2996**

### **RESOLUTION OF THE UNION SANITARY DISTRICT BOARD OF DIRECTORS ELECTING TO COLLECT SEWER SERVICE CHARGES ON TAX ROLLS FOR FISCAL YEAR 2024**

WHEREAS, the Union Sanitary District (“District”) has duly adopted Ordinance No. 31.40 which sets the sewer service charges for fiscal years 2021 through 2025; and

WHEREAS, California Health & Safety Code section 5473 provides that the District may elect to have such sewer service charges collected on the County property tax rolls; and

WHEREAS, the District Board of Directors directed the preparation of a written report on Sewer Service Charges for Collection on Tax Rolls for Fiscal Year 2024 (the “Report”); and

WHEREAS, the Board appointed the time and place of hearing for protests to the Report and notice was given in the manner provided by law as it appears by the Affidavits of Publication on file in the office of the Board Clerk; and

WHEREAS, the District Board of Directors, at its regular meeting of June 26, 2023, held a hearing, where the Board heard and considered all objections or protests, and protests from a majority of owners of separate parcels was not received.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. All recitals above are true and incorporated by reference herein.
2. The Board finds that objections to and protests against the Report were not made by the owners of a majority of the separate parcels of property within the District against which sewer service charges for the services and facilities provided by the District were fixed.
3. The Board further finds that all objections to and protests have been heard by this Board and that any objections and protests are hereby overruled.
4. The Report is hereby adopted, and sewer service charges based upon these rates and the sewer service charges for fiscal year 2024 shall be collected on the tax roll of the County of Alameda in the manner provided by law.
5. The Board Clerk is hereby directed to file with the County Auditor of Alameda County a certified copy of the Report and this Resolution stating that the Report has been adopted by the District Board of Directors.
6. The Auditor Controller of the County of Alameda shall, upon receipt of a copy of the Report showing the amounts of the charges based upon adopted rates, enter the amounts of the charges against the respective lots or parcels as they appear on the current assessment roll for fiscal year 2024.

I hereby certify that the foregoing Resolution was duly and regularly adopted and passed by at least a two-thirds vote of the Board of Directors of the UNION SANITARY DISTRICT, Alameda County, California, at a meeting thereof held on the 26th day of June 2023.

AYES: Fernandez, Kite, Lathi, Toy

NOES: None

ABSENT: Handley

ABSTAIN: None

DocuSigned by:

*Manny Fernandez*

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Manny Fernandez  
President, Board of Directors  
Union Sanitary District

Attest:

DocuSigned by:

*Tom Handley*

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Tom Handley  
Secretary, Board of Directors  
Union Sanitary District

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Envelope Stamping: Enabled	Regina McEvoy
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	Union City, CA 94587
	Reginam@unionsanitary.ca.gov
	IP Address: 50.227.238.26


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**Signer Events**

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 mfernandez@unionsanitary.ca.gov  
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Tom Handley  
 thandley@unionsanitary.ca.gov  
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**CONSIDER APPROVING PROPOSED OPERATING AND CIP BUDGET FOR FISCAL YEAR 2024**

This item was reviewed by the Budget & Finance Committee. Business Services Manager/CFO Carlson stated the Proposed Operating and CIP Budget for Fiscal Year 2024 was included in the Board meeting packet. The proposed budget reflects the Board's input and revisions made after the Budget Workshop held April 27, 2023, and the Board meeting held May 22, 2023. Staff recommended the Board approve the Proposed Operating and CIP Budget for Fiscal Year 2024.

It was moved by Director Lathi, seconded by Vice President Toy, to Approve the Operating and CIP Budget for Fiscal Year 2024. Motion carried with the following vote:

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

**CONSIDER A RESOLUTION TO ACCEPT CONSTRUCTION OF THE FORCE MAIN CORROSION REPAIRS PROJECT – PHASE 3 FROM POWER ENGINEERING CONSTRUCTION CO.**

This item was reviewed by the Engineering and Information Technology Committee. Capital Improvements Projects Coach Bosick stated the Board awarded the construction contract to Power Engineering on April 11, 2022; the Notice to Proceed was issued May 2, 2022. Power Engineering substantially completed the Project November 29, 2022; wet weather delays resulted in final Project completion in May 2023. Staff recommended the Board consider a resolution to accept construction of the Force Main Corrosion Repairs Project – Phase 3 from Power Engineering Construction Co. and authorize recordation of a Notice of Completion.

It was moved by Director Lathi, seconded by Vice President Toy, to Adopt Resolution No. 2997 Accepting Construction of the Force Main Corrosion Repairs Project – Phase 3 Located in the City of Fremont and City of Newark, California from Power Engineering Construction Co., and Authorize Recordation of a Notice of Completion. Motion carried with the following vote:

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

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**RESOLUTION NO. 2997**

**ACCEPT CONSTRUCTION OF THE FORCE MAIN CORROSION REPAIRS PROJECT – PHASE 3 LOCATED IN THE CITY OF FREMONT AND CITY OF NEWARK, CALIFORNIA FROM POWER ENGINEERING CONSTRUCTION CO.**

RESOLVED, by the Board of Directors of the UNION SANITARY DISTRICT that it hereby accepts the Force Main Corrosion Repairs Project – Phase 3 from Power Engineering Construction Co., effective June 26, 2023.

FURTHER RESOLVED: That the Board of Directors of the UNION SANITARY DISTRICT authorize the General Manager/District Engineer, or his designee, to execute and record a “Notice of Completion” for the Project.

On motion duly made and seconded, this resolution was adopted by the following vote on June 26, 2023:

AYES: Fernandez, Kite, Lathi, Toy

NOES: None

ABSENT: Handley

ABSTAIN: None

DocuSigned by:  
*Manny Fernandez*  
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Manny Fernandez  
President, Board of Directors  
Union Sanitary District

Attest:

DocuSigned by:  
*Tom Handley*  
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Tom Handley  
Secretary, Board of Directors  
Union Sanitary District

**Certificate Of Completion**

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Tom Handley  
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**AUTHORIZE THE GENERAL MANAGER TO EXECUTE CONTRACT CHANGE ORDER NO. 1 WITH WASTEWATER SOLIDS MANAGEMENT FOR THE CLEANING OF PRIMARY DIGESTER NO. 6 CONTRACT**

This item was reviewed by the Engineering and Information Technology Committee. Treatment and Disposal Services Manager Lopez stated District staff's efforts to dewater Primary Digester No. 6 did not remove the anticipated amount of sludge and debris detailed in the bid proposal. Since Digester No. 6 was last cleaned in 2006, it accumulated more debris than expected. The original contracted amount of sludge and debris was estimated by staff to be 170,000 gallons. Staff now estimate an additional 100,000 gallons will need to be removed. The contract scope for the Change Order for the Cleaning of Primary Digester No. 6 will include dewatering the additional approximately 100,000 gallons of primary digested sludge as well as hauling and disposal of dewatered sludge, grit, sand, and rags. Staff recommended the Board authorize the General Manager to execute Contract Change Order No. 1 with Wastewater Solids Management in the amount of \$100,000 for the cleaning of Primary Digester No. 6.

It was moved by Director Lathi, seconded by Vice President Toy, to Authorize the General Manager to Execute Contract Change Order No. 1 with Wastewater Solids Management in the Amount of \$100,000 for the Cleaning of Primary Digester No. 6. Motion carried with the following vote:

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

**DISCUSS AND PROVIDE DIRECTION ON THE DISTRICT'S STRATEGIC COMMUNICATION PLAN**

Communications and Intergovernmental Relations Coordinator Powell stated the District's Strategic Communication Plan was approved by the Board March 13, 2017. The plan includes communication tools and potential activities to support the District's goal of increasing opportunities for public awareness of USD's value as a member of the Tri-City community and recognition of the USD brand. The Board recently requested staff revisit the Plan at a Board meeting. Staff requested the Board discuss the District's Strategic Communication Plan and provide direction.

The Board directed staff to schedule a future Board Workshop to review the District's Strategic Communication Plan.

**INFORMATION ITEMS:**

**Residential FOG (Fats, Oils, and Grease) Outreach**

This item was reviewed by the Legal/Community Affairs Committee. Environmental Compliance Coach Dunning stated the Board recently inquired about how locations are determined for Environmental Compliance outreach to residents. Each year, Collection Services provides a report showing sewer mains selected for more frequent cleaning. Environmental Compliance (EC) staff review the annual reports and determine areas

impacted specifically by FOG. EC staff review past outreach locations and sort the data to develop a workplan for each summer. For multi-family housing complexes, the EC Outreach Representative will contact the homeowner associations or apartment management to determine the number of units and to notify them of the plan to provide information on FOG. EC contacted over 650 residents throughout the District over the past year. The EC team supports Collection Services by requiring commercial restaurants and food service facilities install appropriate grease removal equipment. EC staff also reach out to Tri-City residents regarding proper disposal of FOG.

**Check Register**

Staff responded to Boardmember questions regarding the check register.

**COMMITTEE MEETING REPORTS:**

The Investment Portfolio Ad Hoc, Budget & Finance, and Legal/Community Affairs committees met. The Engineering and Information Technology Committee meeting was canceled, and briefings were held with committee members.

**GENERAL MANAGER'S REPORT:**

- District offices will be closed Tuesday, July 4, 2023, in observance of Independence Day.
- Board meetings in July will be held the 17<sup>th</sup> and 31<sup>st</sup>.
- Staff will video the interior of Digester No. 6 once it has been emptied and will share the video with the Board.
- Staff will make arrangements for Directors to tour the 2<sup>nd</sup> floor of the Campus building.


**OTHER BUSINESS:**

There was no other business.

**ADJOURNMENT:**


The meeting was adjourned at 4:48 p.m. to the Special Board Meeting to be held in the Boardroom on Monday, July 17, 2023, at 4:00 p.m.

**SUBMITTED:**

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REGINA McEVOY  
BOARD CLERK

**ATTEST:**

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TOM HANDLEY  
SECRETARY

**APPROVED:**

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MANNY FERNANDEZ  
PRESIDENT

Adopted this 17<sup>th</sup> day of July 2023

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 Security Level: Email, Account Authentication (None)

**Signature**

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Regina McEvoy  
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 Assistant to GM  
 Union Sanitary District  
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Tom Handley  
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