

**MINUTES OF THE MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT/UNION SANITARY DISTRICT FINANCING
AUTHORITY
SEPTEMBER 28, 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, September 28, 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
Karen Murphy, 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
Gene Boucher, Human Resources Manager
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

**APPROVE MINUTES OF THE UNION SANITARY DISTRICT BOARD MEETING OF
SEPTEMBER 14, 2020**

It was moved by Vice President Kite, seconded by Director Toy, to Approve the Minutes of the Board Meeting of September 14, 2020. Motion carried with the following vote:

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

APPROVE MINUTES OF THE UNION SANITARY DISTRICT SPECIAL BOARD MEETING OF SEPTEMBER 16, 2020

It was moved by Director Toy, seconded by Vice President Kite, to Approve the Minutes of the Special Board Meeting of September 16, 2020. Motion carried with the following vote:

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

AUGUST 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.

AWARD THE CONSTRUCTION CONTRACT OF THE AERATION BLOWER NO. 11 PROJECT TO WESTERN WATER CONSTRUCTORS, INC.

This item was reviewed by the Engineering and Information Technology Committee. Technical Services Manager Ghossain stated the Project was advertised for bids on August 4, 2020, and the four bids received were opened September 15, 2020. The bid results were summarized in a table included in the Board meeting packet. The Engineer's Estimate for the Project's Total Contract Price was \$3,000,000 and included Bid Alternate A for builder's risk insurance. Staff believe the bids received were lower than the Engineer's Estimate due to a competitive bidding environment. Staff reviewed the apparent low bid submitted by Western Water Constructors, Inc. (Western) and found a minor irregularity with their Site Visit Affidavit. Western had mistakenly indicated they visited the Project site instead of indicating they declined to visit the site. Since a site visit was not mandatory, District's legal counsel determined it could be waived by the District. No bid protests were received and Western has confirmed they will construct the Project as bid. The contractor will have 327 calendar days to complete project construction and estimated substantial completion is scheduled for October 2021. Staff recommended the Board waive a minor irregularity in the apparent low bid and award the construction contract, including Bid Alternate A, for the Aeration Blower No. 11 Project to Western Water Constructors, Inc. in the amount of \$1,652,000.

It was moved by Secretary Lathi, seconded by Director Fernandez, to Waive a Minor Irregularity in the Apparent Low Bid and Award the Construction Contract, Including Bid

Alternate A, for the Aeration Blower No. 11 Project to Western Water Constructors, Inc. in the Amount of \$1,652,000 Motion carried with the following vote:

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

REVIEW AND APPROVE JOB DESCRIPTIONS AND SALARY RANGE FOR ENVIRONMENTAL HEALTH & SAFETY SPECIALIST AND SENIOR HR ANALYST

This item was reviewed by the Personnel Committee. Human Resources Manager Boucher stated that following the departure of the Environmental Health and Safety Program Manager, the District reevaluated the duties assigned to the position. The Environmental Health and Safety Program Manager was responsible for overseeing the District's Safety Program along with Worker's Compensation and budget for the program. The Environmental Health and Safety Specialist will continue to have oversight of the District's safety program and safety related items. The Senior Human Resources Analyst position will replace the Human Resources Analyst II classification and assume the same job functions of the previous position in addition to worker's compensation claims to better align and coordinate leave management for District Employees. The Human Resources Manager will administer the budget and management function over both positions. Creation of the Environmental Health and Safety Specialist and Senior Human Resources Analyst positions will not increase headcount of District staff. Staff recommended the Board approve the newly created job descriptions and salary ranges for the newly created Environmental Health and Safety Specialist and Senior Human Resources Analyst job classifications.

It was moved by Vice President Kite, seconded by Secretary Lathi, to Approve the Environmental Health and Safety Specialist and Senior Human Resources Analyst Job Classifications and Salary Ranges. Motion carried with the following vote:

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

REVIEW AND APPROVE JOB DESCRIPTION, SALARY RANGE, AND SIDE LETTER AGREEMENT BETWEEN THE DISTRICT AND SERVICE EMPLOYEES INTERNATIONAL UNION LOCAL 1021 (SEIU) FOR CONTROL SYSTEMS SPECIALIST

This item was reviewed by the Personnel Committee. Human Resources Manager Boucher stated the creation of the Control Systems Specialist position aligns duties performed by the Instrument Technician/Electrician with control systems, SCADA work that was typically performed by an outside consultant. Creation of this position will allow the District to move an existing employee into the new classification and have them perform the work on SCADA and other control systems rather than having an outside consultant perform the work. The incumbent will continue performing the duties of the Instrument Technician/Electrician position and add the responsibility for the work on

SCADA and District control systems. The District and SEIU Local 1021 met and conferred over the creation of the new position as the Control System Specialist will be represented by the Union. A side letter was created to modify section 34 of the current Memorandum of Understanding (MOU) to include this position as represented by the Union and allowing the District the right to fill at either the lower level Instrument Technician/Electrician position or the higher classification of Control Systems Specialist should the incumbent leave the District. The creation of the Control Systems Specialist, along with the Environmental Health and Safety Specialist and Senior Human Resources Analyst positions previously considered, will not increase headcount of District staff and will result in an overall cost savings to the District of approximately \$1,800 annually. Staff recommended the Board review and approve the job description and salary range for Control Systems Specialist and Side Letter Agreement between Service Employees International Union, Local 1021 and the District.

It was moved by Director Fernandez, seconded by Director Toy, to Approve the Job Description and Salary Range for Control Systems Specialist and Approve Side Letter Agreement Between Service Employees International Union, Local 1021 and the District. Motion carried with the following vote:

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

DISCUSS AND PROVIDE DIRECTION REGARDING POTENTIAL USE OF VIDEO FOR VIRTUAL BOARD MEETINGS

General Manager Eldredge stated the Board directed staff to prepare an item to allow the Board to discuss potential use of video for virtual Board meetings. The Board discussed the potential use of video for virtual Board meetings and directed staff to put the matter on hold for reconsideration in 2021.

INFORMATION ITEMS:

Status Report on Computer Purchase and Student Loan Program

This item was reviewed by the Budget & Finance Committee. Business Services Manager/CFO Carlson stated the Computer Purchase Loan Program, authorized by the Board in 1989, provides an opportunity for employees to receive an interest free loan for the purchase of approved technology related equipment. The program has been utilized 390 times to purchase computer related equipment totaling \$922,525 with an average purchase of \$2,365. The current terms of the program allow an employee to borrow a maximum of \$3,300 for up to three years and repay the loan through payroll deductions. The Student Loan Program was created in 1995 and has not been utilized since its inception. The Student Loan Program allows for a maximum annual interest free loan of up to \$3,000 for qualifying education expenses. The Board directed staff to provide an update on the programs annually. The Board further directed staff to attempt to identify why the Student Loan Program had not been utilized and provide an update at a future Board meeting.

Annual Report to Union City Fiscal Year 2020

This item was reviewed by the Legislative Committee. Treatment and Disposal Services Manager Lopez stated Union City Use Permit UP-4-95 requires the District submit an annual report to the City Manager’s Office. The purpose of the report is to document existing wastewater treatment plant flow, provide projection of plant flow for the following year, review compliance with effluent discharge limits, and provide a status report on progress made in development of any new treatment facilities outside Union City limits.

COVID-19 Update

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

Check Register

Staff responded to Boardmember questions regarding the check register.

COMMITTEE MEETING REPORTS:

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

GENERAL MANAGER’S REPORT:

General Manager Eldredge stated the following:

- The District’s Cogeneration engines were recently affected by a power brown out that led to a series of issues staff have since been working to address.


OTHER BUSINESS:

There was no other business

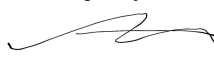
ADJOURNMENT:

The meeting was adjourned at 4:55 p.m. to a Special Meeting Closed Session at 4:00 p.m. on Tuesday, September 29, 2020.

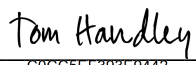
SUBMITTED:

DocuSigned by:

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REGINA McEVOY
BOARD CLERK

ATTEST:

DocuSigned by:

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ANJALI LATHI
SECRETARY

APPROVED:

DocuSigned by:

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TOM HANDLEY
PRESIDENT

Adopted this 12th day of October 2020

Certificate Of Completion

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Subject: USD Requests you please DocuSign: 09282020 Minutes.pdf	
Source Envelope:	
Document Pages: 5	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	Holder: Regina McEvoy	Location: DocuSign
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Signer Events

Tom Handley
 thandley@unionsanitary.ca.gov
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Signature

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 Using IP Address: 107.3.183.199
 Signed using mobile

Timestamp

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Electronic Record and Signature Disclosure:
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 ID: 96cab493-de11-462b-98b8-851bd2f945b4

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

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

DocuSigned by:

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

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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
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Witness Events	Signature	Timestamp
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Notary Events	Signature	Timestamp
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Envelope Summary Events	Status	Timestamps
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Completed	Security Checked	11/6/2020 2:13:55 PM

Payment Events	Status	Timestamps
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Electronic Record and Signature Disclosure
