

**MINUTES OF THE SPECIAL MEETING OF THE
BOARD OF DIRECTORS OF
UNION SANITARY DISTRICT/UNION SANITARY DISTRICT FINANCING
AUTHORITY
May 28, 2024**

CALL TO ORDER

President Toy called the meeting to order at 4:00 p.m.

SALUTE TO THE FLAG

President Toy led the salute to the flag.

President Toy observed a moment of silence in memory of Union Sanitary District Director Tom Handley.

ROLL CALL

PRESENT: Jennifer Toy, President
Pat Kite, Secretary
Anjali Lathi, Director
Manny Fernandez, Director

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
Robert Simonich, Fabrication, Maintenance, and Construction Manager
Ric Pipkin, Enhanced Treatment and Site Upgrade Program Manager
Marcus Lee, Treatment and Disposal Services Coach
Curtis Bosick, Capital Improvement Projects Coach
Gus Carrillo, Enhanced Treatment and Site Upgrade Program Assistant Manager
Trieu Nguyen, IT Administrator
Regina McEvoy, Executive Assistant to the General Manager/Board Clerk

**APPROVE MINUTES OF THE UNION SANITARY DISTRICT BOARD MEETING OF
MAY 13, 2024**

It was moved by Director Fernandez, seconded by Secretary Kite, to Approve the Minutes of the Board Meeting of May 13, 2024. Motion carried unanimously.

APRIL 2024 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.

WRITTEN COMMUNICATIONS

There were no written communications.

PUBLIC COMMENT

There was no public comment.

AUTHORIZE THE GENERAL MANAGER TO EXECUTE AN AGREEMENT WITH ACWD AND PAY FEES FOR THE WATER MAIN RELOCATION AND REPLACEMENT FOR THE ENHANCED TREATMENT AND SITE UPGRADE PHASE 1A CAMPUS BUILDING PROJECT

This item was reviewed by the Engineering and Information Technology Committee. Enhanced Treatment and Site Upgrade Program Manager Pipkin stated the Enhanced Treatment and Site Upgrade (ETSU) Phase 1A Campus Building Project includes relocation of the existing ACWD water main and water meters. The relocation is necessary to facilitate construction of new clarifiers in the ETSU Phase 1B Project as well as to provide service to the new ETSU Campus building. Staff recommended the Board authorize the General Manager to execute an agreement with ACWD for a public water system relocation, replacement, and extension, subject to revisions that may be approved by the General Manager in consultation with General Counsel; and, authorize the General Manager to pay ACWD fees in the amount of \$359,156 for the water main relocation and replacement for the Enhanced Treatment and Site Upgrade Phase 1A Campus Building Project.

It was moved by Director Lathi, seconded by Secretary Kite, to Authorize the General Manager to Execute an Agreement with the Alameda County Water District (ACWD) for a Public Water System Relocation, Replacement, and Extension, Subject to Revisions that may be Approved by the General Manager in Consultation with General Counsel; and, Authorize the General Manager to Pay ACWD Fees in the Amount of \$359,156 for the Water Main Relocation and Replacement for the Enhanced Treatment and Site Upgrade Phase 1A Campus Building Project. Motion carried unanimously.

AUTHORIZE THE GENERAL MANAGER TO EXECUTE TWO CONTRACT CHANGE ORDERS WITH ZOVICH REGARDING CONSTRUCTION OF THE NEW ACWD WATER MAIN FOR THE ENHANCED TREATMENT AND SITE UPGRADE PROGRAM PHASE 1A CAMPUS BUILDING PROJECT

This item was reviewed by the Engineering and Information Technology Committee. Enhanced Treatment and Site Upgrade Program Manager Pipkin stated the Project

includes relocation of the existing ACWD water main that runs through the treatment plant site. The relocation is necessary to facilitate construction of new clarifiers in the ETSU Phase 1B Project. USD staff began waterline relocation planning with ACWD staff in August 2021; ACWD staff since finalized plans with USD staff and requested a cost estimate from Zovich for the changes since the final plans differ from what Zovich had included in their original bid. The existing water main is an old brittle pipe material that can be subject to cracking or failure when the ground around the pipe is disturbed. The ETSU program includes several new crossings around the existing pipe. Staff believe there are benefits to USD and ACWD in replacing the entirety of the existing water main to improve reliability and prevent future operational challenges. USD staff negotiated an agreement with ACWD to evenly share the costs of replacing the rest of the existing water main piping on the Plant site. USD staff negotiated with Zovich for additional costs to replace the remainder of the existing water main pipe on-site in proposed Change Order No. 14 in the amount of \$307,514.97 which would include replacement of approximately 230 feet of existing water main pipe. Staff recommended the Board authorize the General Manager to execute contract change orders No. 13 and 14 with Zovich Construction in the amount of \$119,026.26 and \$307,514.97, respectively, for additional costs associated with the ACWD water main replacement and relocation for the Enhanced Treatment and Site Upgrade Program Phase 1A Campus Building Project.

It was moved by Director Fernandez, seconded by Director Lathi, to Authorize the General Manager to Execute Contract Change Orders No. 13 and 14 with Zovich Construction in the Amount of \$119,026.26 and \$307,514.97, Respectively, for Additional Costs Associated with the ACWD Water Main Replacement and Relocation for the Enhanced Treatment and Site Upgrade Program Phase 1A Campus Building Project. Motion carried unanimously.

CONSIDER AND APPROVE A RESOLUTION APPROVING AND AUTHORIZING EXECUTION OF TWO REAL PROPERTY PURCHASE CONTRACTS TO ACQUIRE A FEE PARCEL AND TWO TEMPORARY CONSTRUCTION EASEMENTS FROM ALAMEDA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

This item was reviewed by the Budget & Finance Committee. Enhanced Treatment and Site Upgrade Program Manager Pipkin stated the Enhanced Treatment and Site Upgrade Phase 1B Project will include construction of new secondary clarifiers and effluent facilities and relocation of the existing effluent force main to the East Bay Dischargers Authority. The Project will include extensive work along the eastern property line of the District's Alvarado Wastewater Treatment Plant shared with Flood Control. The point of connection for the relocated effluent pipeline will be located just outside the existing property line of the Plant within an easement on land currently owned by Flood Control. Future operation and maintenance of the effluent force main would be simplified by incorporating the new point of connection into the Plant site which would require purchase of a small parcel in fee title. A temporary construction access easement along the eastern perimeter of the Plant will create access during construction of the new facilities. Staff recommended the Board consider and approve

a resolution approving and authorizing execution of two real property purchase contracts to acquire a fee parcel and two temporary construction easements from Alameda County Flood Control & Water Conservation District for a combined purchase price of \$40,200.

It was moved by Director Lathi, seconded by Director Fernandez, to Adopt Resolution No. 3014 Authorizing Execution of two Real Property Purchase Contracts to Acquire a Fee Parcel and Two Temporary Construction Easements from Alameda County Flood Control & Water Conservation District. Motion carried unanimously.

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RESOLUTION NO. 3014

A RESOLUTION OF THE BOARD OF DIRECTORS APPROVING AND AUTHORIZING EXECUTION OF TWO REAL PROPERTY PURCHASE CONTRACTS TO ACQUIRE A FEE PARCEL AND TWO TEMPORARY CONSTRUCTION EASEMENTS FROM ALAMEDA COUNTY FLOOD CONTROL & WATER CONSERVATION DISTRICT

WHEREAS, the Enhanced Treatment and Site Upgrade (ETSU) Program is the culmination of the District's planning efforts and includes projects recommended for implementation that will be phased to address both immediate drivers (poor sludge settleability, treatment capacity, effluent disposal and aging infrastructure), while preparing for future requirements such as nutrient regulations for discharge in the Bay that are currently being considered by the Regional Water Quality Control Board; and

WHEREAS, the ETSU Phase 1A projects, Aeration Basin Modifications and Campus Building, are currently under construction and the District is preparing to move forward with the Phase 1B project, Secondary Clarifiers and Effluent Facilities; and

WHEREAS, implementation of the Phase 1B project requires the acquisition of certain fee property and two temporary construction easements from Alameda County Flood Control & Water Conservation District ("Flood Control") to accommodate construction access for the installation of new facilities along the eastern edge of the project site and permanent access to the rerouted effluent forcemain pipeline for the existing facility; and

WHEREAS, District and Flood Control staff have negotiated the terms of the acquisitions in two Real Property Purchase Contracts: (1) an agreement for the purchase of an approximately 8,892 square foot fee parcel ("Fee Parcel") for \$28,000.00, and a temporary construction easement for \$7,100.00; and (2) an agreement for the purchase of a temporary construction easement for \$5,100.00, for a combined purchase price \$40,200.00 for the fee parcel and two temporary construction easements; and

WHEREAS, the County Board of Supervisors declared the Fee Parcel as surplus real property and approved the sale at its March 12, 2024, Board meeting.

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

1. The Real Property Purchase Contracts authorizing the acquisition of the Fee Parcel and two temporary construction easements for a combined purchase price of \$40,200.00 are hereby approved. The General Manager or ETSU Program Manager are hereby authorized to execute the Real Property Purchase Contracts in the forms attached to the staff report, subject to minor revisions or amendments that may be approved by the General Manager in consultation with the General Counsel.

2. The General Manager, ETSU Program Manager or their designee, in consultation with the General Counsel, is hereby authorized to take any and all actions and execute any and all documents, including accepting interests in real property, necessary to effectuate the terms and conditions of the Real Property Purchase Contracts.

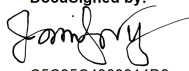
On motion duly made and seconded, this resolution was adopted by the following vote on May 28, 2024:

AYES: Fernandez, Kite, Lathi, Toy

NOES: None

ABSENT: None

ABSTAIN: None

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JENNIFER TOY
President, Board of Directors
Union Sanitary District

Attest:

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PAT KITE
Secretary, Board of Directors
Union Sanitary District

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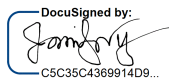
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 jtoy@unionsanitary.ca.gov
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Pat Kite
 pkite@unionsanitary.ca.gov
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PROPOSED OPERATING AND CIP BUDGET FOR FISCAL YEAR 2025

This item was reviewed by the Budget & Finance Committee. Business Services Manager/CFO Carlson presented the proposed operating and CIP budget for Fiscal Year 2025 and responded to Boardmember questions. The Board directed staff to present the final budget at the June 24, 2024, Board meeting.

INFORMATION ITEMS:

Report on the East Bay Dischargers Authority Meeting of April 18, 2024

Director Lathi provided an overview of the EBDA meeting summary included in the Board meeting packet.

Check Register

There were no questions regarding the check register.

COMMITTEE MEETING REPORTS:

The Budget & Finance Committee met. The Engineering and Information Technology and Legal/Community Affairs Committees were changed to briefings.

GENERAL MANAGER'S REPORT:

- General Manager Eldredge provided an update on the 3rd watershed permit and stated the San Francisco Bay Water Board will likely reschedule consideration of the permit from its June 12, 2024, to a later date due to the volume of comments received. Staff will provide updates to the Board via email as they are received.
- General Manager Eldredge stated the District has been participating in the WastewaterScan program in partnership with Verily and Stanford University. The District has been collecting samples from each drainage basin and the samples have been sent for testing to detect a variety of infectious diseases. The program will be winding down due to lack of funding and resources.
- A Special Board Meeting will be held in the Boardroom on Wednesday, May 29, 2024, at 4:00 p.m.

OTHER BUSINESS:


Director Fernandez stated he attended the Southern Alameda County Geographic Information System Authority meeting on May 22, 2024.

ADJOURNMENT:


The meeting was adjourned at 4:25 p.m. in honor of Union Sanitary District Director Tom Handley to a Special Meeting to be held in the Boardroom on Wednesday, May 29, 2024, at 4:00 p.m.

The Board will then adjourn to the next Regular Meeting to be held in the Boardroom on Monday, June 10, 2024, at 4:00 p.m.

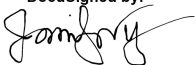
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REGINA McEVOY
BOARD CLERK

ATTEST:

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PAT KITE
SECRETARY

APPROVED:

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JENNIFER TOY
PRESIDENT

Adopted this 10th day of June 2024

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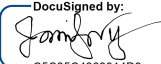
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 pkite@unionsanitary.ca.gov
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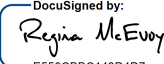
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Regina McEvoy
 reginam@unionsanitary.ca.gov
 Assistant to GM
 Union Sanitary District
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