

**DUBLIN SAN RAMON SERVICES DISTRICT  
MINUTES OF A REGULAR MEETING OF THE BOARD OF DIRECTORS**

**January 20, 2015**

A regular meeting of the Board of Directors was called to order at 6:00 p.m. by President Edward R. Duarte. Boardmembers present: President Edward R. Duarte, Vice President D.L. (Pat) Howard, Director Richard M. Halket, Director Dawn L. Benson, and Director Georgean M. Vonheeder-Leopold. District staff present: Dan Gallagher, Operations Manager; Rhodora Biagtan, Interim Engineering Services Manager; John Archer, Interim Financial Services Manager/Treasurer; Michelle Gallardo, Interim Organizational Services Manager; Carl P.A. Nelson, General Counsel; and Nancy Gamble Hatfield, District Secretary.

1. CALL TO ORDER
2. PLEDGE TO THE FLAG
3. ROLL CALL - Members: Benson, Duarte, Halket, Howard, Vonheeder-Leopold
4. SPECIAL ANNOUNCEMENTS/ACTIVITIES
5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:06 p.m.

Operations Manager Gallagher introduced Meg Herston, the Awards Chair from the San Francisco Bay Section of the California Water Environment Association (CWEA).

Ms. Herston addressed the Board and acknowledged and thanked them for the District's strong support of CWEA. She noted CWEA is a training advocacy certification organization. Ms. Herston presented District Chemist Connie Sanchez with the 2014 Lab Person of the Year award.

President Duarte congratulated Ms. Sanchez on her achievement and hard work and stated how proud the Board was of her accomplishment.

Ms. Sanchez thanked Ms. Herston for the award and for the support from so many outstanding professionals she works with, including her supervisor Mr. Raj Gumber.

6. REPORTS
  - A. Reports by General Manager and Staff
    - Event Calendar – Operations Manager Gallagher reported on the following:
      - o General Manager Michalczyk is absent tonight as he is heading to the CASA conference.
      - o On February 5, 2015 at 5:00 p.m., the Tri-Valley Water Policy Roundtable meeting is scheduled and will be held at the Pleasanton Operations Center on Busch Road. In February, a Special Board meeting/workshop needs to be

scheduled to discuss a long-term alternative water supply evaluation for the District.

- o On Saturday, March 14, 2015 the Dublin St. Patrick's Day Parade will be held and District Directors are encouraged to participate. The District's CCTV truck will be driven through the parade.
- o The District was nominated for awards by WaterReuse and CWEA. Conferences will be held by WaterReuse in Los Angeles March 15-17, 2015 and CWEA in April 28-30, 2015. Staff will be presenting papers at both conferences.

- Correspondence to and from the Board on an Item not on the Agenda - None

B. Agenda Management (consider order of items)

Operations Manager Gallagher noted if the Board wanted to discuss Consent Calendar Item 8.A, the Board could choose to hold Closed Session Item 11.C; otherwise, that Closed Session was not needed this evening. He stated that a revised Attachment 1 to Item 8.B – Establishing the 2015 Process and Schedule for Performance Assessments of Board Appointees – was before the Board. He also commented that Mr. John Archer would join the Board for the Closed Session Item 11.A discussion.

C. Committee Reports – None

7. APPROVAL OF MINUTES – Regular Meeting of *January 6, 2015* and Special Meeting of *January 13, 2015*

Director Vonheeder-Leopold MOVED for the approval of the January 6, 2015 minutes. Director Howard SECONDED the MOTION, which CARRIED with FIVE AYES.

Director Howard MOVED for the approval of the January 13, 2015 minutes. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES.

8. CONSENT CALENDAR

Director Vonheeder-Leopold MOVED for approval of the items on the Consent Calendar including the revised Attachment 1 submitted for Item 8.B. Director Benson SECONDED the MOTION, which CARRIED with FIVE AYES.

- A. Approve Personal Services Agreements between the District and John J. Archer and Daniel B. McIntyre and Amendment No. 2 to the Personal Services Agreement between the District and Daniel P. Gallagher – Approved - Resolution No. 2-15, Resolution No. 3-15 and Resolution No. 4-15
- B. Establish the 2015 Process and Schedule for Performance Assessments of Board Appointees (General Manager, Legal Counsel, Treasurer and District Secretary) – Approved
- C. Approve Reallocation of City of Dublin Unused Wastewater Capacity for City Use and for Continued Economic Stimulus – Approved – Resolution No. 5-15

- D. Accept the Following Regular and Recurring Reports: District Financial Statements, Warrant List, Upcoming Board Business, Committee Goal Status (CY 2014 Final), and Capital Outlay Budget Adjustment Request – Approved

9. BOARD BUSINESS

- A. Discuss Drought Management Program

Operations Manager Gallagher reported this is a standing agenda item and gives the Board and opportunity to discuss any changes they might want to consider for the Drought Action Plan.

Director Vonheeder-Leopold emphasized that even with the recent rains the drought is obviously not over.

The Board did not direct staff to develop any changes to the program.

- B. Accept Water Supply and Demand and Drought Response Action Plan Status Reports and Find that the Need for the Community Drought Emergency Still Exists

Operations Manager Gallagher referred to the monthly report in the agenda materials prepared by General Manager Michalczyk. Mr. Gallagher mentioned the State Department of Water Resources increased the anticipated water allocation from 10% to 15% last Thursday. Zone 7 has informed the District that their intended water delivery allocation will be provided in the April timeframe. Mr. Gallagher also mentioned that in 2014, as compared to 2013, the District's water Tier 1 was basically flat, Tier 2 usage was 29% less and Tier 3 usage was 79% less. Overall, this was a 27.98% reduction in 2014 from the previous year.

Director Howard MOVED to accept the Water Supply and Demand Report and the Drought Response Action Plan Status Report and find that the need for the Community Drought Emergency Still Exists. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES.

10. BOARDMEMBER ITEMS

Director Howard stated that during his last visit to Lake Tahoe the area was bone dry and void of snowpack.

Director Vonheeder-Leopold reported she attended the Alameda County Special Districts Association (ACSDA) meeting hosted by Castro Valley Sanitary District and held at the Castro Valley Library on Wednesday, January 14, 2015. She recounted some of the information shared by the speakers at that meeting. The 25th Anniversary dinner is scheduled on March 26, 2015. They hope to have Congressman Eric Swalwell speak.

President Duarte commented he also attended the ACSDA meeting on January 15, 2015, along with Director Vonheeder-Leopold and Mr. Michalczyk. He mentioned one of the

speakers, Community Affairs Specialist Sharene Gonzales from ACWD, and shared that she gave a presentation on how the drought has affected their agency.

11. CLOSED SESSION

At 6:21 p.m. the Board went into Closed Session.

General Counsel Nelson reported Mr. John Archer, the District's new Administrative Services Manager as of this evening, would also attend Closed Session 11.A.

- A. Conference with Real Property Negotiator-Pursuant to Government Code Section 54956.8  
Property: Potential Water Supply Contract  
Agency Negotiators: Bert Michalczyk, General Manager  
Dan Gallagher, Operations Manager  
Carl P.A. Nelson, General Counsel  
Robert B. Maddow, Assistant General Counsel  
Negotiating Parties: East Bay Municipal Utility District and Yuba County Water Agency  
Under Negotiation: Price and Terms
- B. Conference with Legal Counsel - Existing Litigation Pursuant to Paragraph (1) of subdivision (d) of Section 54956.9 (Schroen litigation)
- C. Conference with Labor Negotiators – Pursuant to Government Code Section 54957.6  
Agency Negotiators: Bert Michalczyk, General Manager  
Unrepresented Employees: 1. Engineering Services Manager  
2. Administrative Services Manager  
3. Operations Manager  
Additional Attendees: Michelle Gallardo, Interim Organizational Services Manager  
General Counsel Carl P.A. Nelson

12. REPORT FROM CLOSED SESSION

At 6:55 p.m. the Board came out of Closed Session. President Duarte announced that there was no reportable action.

13. ADJOURNMENT

President Duarte adjourned the meeting at 6:56 p.m.

Submitted by,

Nancy Gamble Hatfield  
District Secretary