

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

**April 21, 2015**

A regular meeting of the Board of Directors was called to order at 6:19 p.m. by President Edward R. Duarte. Boardmembers present: President Edward R. Duarte, Director Richard M. Halket, Director Dawn L. Benson, and Director Georgean M. Vonheeder-Leopold. Vice President D.L. (Pat) Howard was absent. District staff present: Bert Michalczyk, General Manager; Dan McIntyre, Engineering Services Manager; John Archer, Administrative Services Manager/Treasurer; Dan Gallagher, Operations Manager; Carl P.A. Nelson, General Counsel; and Nicole Genzale, Administrative Analyst I.

1. CALL TO ORDER
2. PLEDGE TO THE FLAG
3. ROLL CALL - Members: Benson, Duarte, Halket, Howard, Vonheeder-Leopold
4. SPECIAL ANNOUNCEMENTS/ACTIVITIES

President Duarte announced that a Special Meeting of the Dublin San Ramon Services District Board of Directors was held at 5:00 p.m. today, April 21, 2015; Directors Benson, Halket, Vonheeder-Leopold, and President Duarte attended this Special Meeting. V. P. Howard did not attend the special meeting. Pursuant to Government Code section 54952.3, no Director will receive any compensation or stipend for participating in more than one meeting on this date, as specified in DSRSD policy P100-14-2, Day of Service.

Director Benson announced that she will recuse herself from Closed Session Item 11.B to avoid any appearance of participation in any discussions, decisions, or voting on the potential DSRSD water supply contract with EBMUD and to ensure that she neither influence nor attempt to influence another member of the DSRSD Board regarding any matters pertinent to the contract, consistent with applicable provisions of the Government Code, because she is a salaried employee of EBMUD.

5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:21 p.m.

Speaker: Mr. Robert Hitchner of Nexus eWater Inc. - Mr. Hitchner provided information regarding an in-home greywater recycling solution called eWater Recycling. He stated Nexus is the only company certified to provide this service per recent changes in the California Plumbing Code.

6. REPORTS

- A. Reports by General Manager and Staff

- Event Calendar – General Manager Michalczyk reported on the following:

- The Pleasanton Liaison meeting was held yesterday, April 20, 2015, and went very well. Topics discussed included review of the Capital Improvement Budget, payoff of regional expansion debt, the supplemental agreement for clean water revival and recycled water.
  - The Dublin Liaison, Zone 7 Liaison and DERWA meetings are scheduled for Monday, April 27, 2015 at 1:30 p.m., 4:00 p.m., and 6:00 p.m., respectively. District representatives for each meeting have been confirmed with thanks to the alternates for filling in as needed.
  - The Tri-Valley Water Policy Roundtable No. 4 has been rescheduled and will be held on Wednesday, May 13, 2015 at 5:00 p.m. The meeting will be hosted by the District in its Boardroom. An alternate Committee Member will fill in for Director Vonheeder-Leopold who will be out of town.
  - Today is Engineering Services Manager McIntyre’s birthday. The Board and staff wished Mr. McIntyre a happy birthday.
- Correspondence to and from the Board on an Item not on the Agenda - None
- B. Agenda Management (consider order of items) - No changes were made
- C. Committee Reports
- |                                    |                |
|------------------------------------|----------------|
| LAVWMA                             | April 15, 2015 |
| DSRSD/Pleasanton Liaison Committee | April 20, 2015 |

President Duarte invited comments on recent committee activities. Director Benson reported that the April 20, 2015 DSRSD/Pleasanton Liaison Committee meeting was wonderful. She stated that discussions on the various topics was productive and the relationship with Pleasanton is very encouraging.

7. APPROVAL OF MINUTES – Regular Meeting of *April 7, 2015*

Director Benson MOVED for the approval of the April 7, 2015 minutes. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FOUR AYES, and ONE ABSENT (Howard).

8. CONSENT CALENDAR

Director Benson MOVED for approval of the items on the Consent Calendar. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FOUR AYES, and ONE ABSENT (Howard).

- A. Approve Travel to National Pretreatment & Pollution Prevention Training in Greenville, South Carolina for Senior Environmental Compliance Inspector – Approved
- B. Approve Amendment to District’s Conflict of Interest Code – Approved – Resolution No. 22-15

- C. Accept the Following Regular and Recurring Reports: District Financial Statements, Warrant List and Upcoming Board Business, Administrative Operating Budget Adjustment (“No Net Change”), and Capital Outlay Budget Adjustment Request – Approved

9. BOARD BUSINESS

- A. Discuss Drought Management Program

General Manager Michalczyk stated his report will address both standing Items 9.A and 9.B. Item 9.A allows for public input to the Board related to the District’s current Drought Management Plan; it also enables the Board to give District staff appropriate guidance. Item 9.B summarizes the District’s performance under its adopted Drought Management Plan and allows the Board to decide whether or not to continue the existing state of community drought emergency.

Mr. Michalczyk reported the community is continuing to perform well regarding water conservation. He explained that due to new State Water Resources Control Board (SWRCB) regulations for drought management and the Governor’s Executive Order, the District’s State of Emergency will very likely need to be extended beyond June 30, 2015. Revisions will need to be made to the Drought Management Plan and enabling ordinances conform to new regulations and prohibitions. The Board will review proposed changes to the District’s Drought Management Plan at its May 5, 2015 regular meeting. It will formally consider any changes at the May 19, 2015 regular meeting.

No members of the public addressed the Board on this topic.

The Board discussed the topic. Board did not direct staff to develop any changes to the program and was agreeable to the proposed course of action.

- 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

Director Vonheeder-Leopold 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 Benson SECONDED the MOTION, which CARRIED with FOUR AYES and ONE ABSENT (Howard).

- C. Review Strategic Work Plan for FYE 2016 and FYE 2017

General Manager Michalczyk introduced the proposed Strategic Plan Work Plan, which is the final component of the Strategic Plan update that the Board has been evaluating. He reviewed the work plan items spreadsheet which organizes items

by the Plan element they support, and emphasized the individual items with requests for additional budgetary resources. The goal is to present a finalized work plan at the May 19, 2015 Board meeting.

No members of the public addressed the Board on this topic.

The Board discussed the item and was agreeable to the proposed Strategic Work Plan as presented.

#### 10. BOARDMEMBER ITEMS

Director Vonheeder-Leopold reported on the following:

- She attended a City of Dublin joint commission meeting of the Parks & Recreation and Heritage & Cultural Arts divisions yesterday, April 20, 2015, at which opening Emerald Glen Aquatic Complex during a drought was discussed.
- She attended the Alameda County Special District Executive Committee meeting on April 8, 2015. She submitted a written report for this meeting.
- She shared information for Shower Smart (water usage reduction product) she received from City of Dublin Mayor Haubert.
- She received a letter from the Government Finance Officers Association. The District's fiscal report qualified for a certificate in excellence in governmental finance. She praised the finance staff on a remarkable job done this past year.
- She received a letter from City of Pleasanton regarding pooling water allocations. General Manager Michalczyk explained Pleasanton sent a letter to the State Board of Allocation indicating interest in pooling water allocations with Tri-Valley agencies. He advised exercising caution when considering a pooled program as there can be disadvantages to the District's ratepayers.

#### 11. CLOSED SESSION

At 7:08 p.m. the Board went into Closed Session. General Manager Michalczyk announced that Financial Services Manager Archer would attend Item 11.A. General Counsel Nelson announced that Engineering Services Manager McIntyre would attend Item 11.B.

- A. Conference with Real Property Negotiator – Pursuant to Government Code Section 54956.8  
Property: 7035 Commerce Circle, Pleasanton California  
Agency Negotiator: Bert Michalczyk, General Manager  
Dan Gallagher, Operations Manager  
Dan McIntyre, Engineering Services Manager

Judy Zavadil, Principal Engineer - Supervisory  
Carl P.A. Nelson, General Counsel

Negotiating Parties: Nearon Enterprises  
Under Negotiation: Terms and Conditions

At 7:49 p.m. Director Benson came out upon the conclusion of Closed Session Item 11.A; the rest of the Board continued with Closed Session Item 11.B.

- B. 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  
John Archer, Administrative Services 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

12. REPORT FROM CLOSED SESSION

At 8:12 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 8:13 p.m.

Submitted by,  
Nicole Genzale  
Administrative Analyst I

For: Nancy G. Hatfield  
District Secretary