

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

October 6, 2015

1. CALL TO ORDER

A regular meeting of the Board of Directors was called to order at 6:00 p.m. by President Edward R. Duarte.

2. PLEDGE TO THE FLAG

3. ROLL CALL

Boardmembers present at start of meeting:

President Edward R. Duarte, Vice President D.L. (Pat) Howard, Director Richard M. Halket, and Director Georgean M. Vonheeder-Leopold.

District staff present: Bert Michalczyk, General Manager; Dan McIntyre, Engineering Services Manager; John Archer, Administrative Services Manager/Treasurer; Maurice Atendido, Sr. Electrical Engineer – Supervisory; Carl P.A. Nelson, General Counsel; and Nicole Genzale, Executive Services Supervisor/District Secretary.

4. SPECIAL ANNOUNCEMENTS/ACTIVITIES - None

5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:01p.m.

Speaker: Mr. Peter MacDonald: Mr. MacDonald addressed the Board and stated that he is an attorney representing the Lund family of Pleasanton. He proceeded to essentially read aloud a letter regarding sewer capacity rights the Lund's purchased and now wish to sell. Mr. MacDonald requested that the matter be referred to the appropriate District Board Committee for review.

The Board directed the matter be referred to the Financial Affairs Committee.

6. REPORTS

A. Reports by General Manager and Staff

- Event Calendar – General Manager Michalczyk reported on the following:
 - o Sr. Electrical Engineer - Supervisory Maurice Atendido is sitting in for Operations Manager Gallagher at tonight's meeting.
 - o Engineering Services Manager McIntyre will be speaking at the City of Dublin's City Council meeting this evening.
 - o ACWA will host a meeting and lunch featuring Executive Director Tim Quinn in the District's Boardroom on Tuesday October 20, 2015 at 11:00 a.m. Please inform the Executive Services Supervisor if interested in attending.

- o East Bay Municipal Utility District Boardmember Frank Mellon will host his annual breakfast briefing in Castro Valley at Knudsen’s Ice Creamery on Tuesday October 20 2015 at 7:45 a.m.
 - o The annual Neighborhood Update for residents living near the Wastewater Treatment Plant will be held at the WWTP on Thursday October 22, 2015 at 5:30 p.m. Please inform the Executive Services Supervisor if interested in attending to ensure proper Brown Act noticing.
 - o The ACWA Region 5 Fall Summit will be held in Buellton, CA October 25-26, 2015. Please inform the Executive Services Supervisor if interested in attending
- Correspondence to and from the Board on an Item not on the Agenda

Date	Format	From	To	Subject	Response
9/24/15	Email	Mitch Dion	Board of Directors	Interim General Manager	Pending - Michelle Gallardo
9/26/15	Email	Beverly Lane – East Bay Regional Parks – Ward 6 Board Member	Board of Directors	Book Release – San Ramon Chronicles	None
10/5/15	Email	J. Gordon	Board Mailbox	Board Candidates	10/5/15 – Nicole Genzale – District Secretary
10/6/15	Email	Dawn Benson	District Secretary Nicole Genzale	Withdraw My Application to Fill My Board Seat	10/6/15 – Nicole Genzale – District Secretary <i>Note: Related to Item 9A</i>

- B. Agenda Management (consider order of items) – General Manager Michalczyk advised that Closed Session Item 11.A will not be needed if Consent Calendar Item 8.C is approved.
 - C. Committee Reports - None
7. APPROVAL OF MINUTES – Regular Meeting of *September 15, 2015* and Special Meeting of *September 29, 2015*
- Director Halket MOVED for the approval of the September 15, 2015 Regular meeting minutes and the September 29, 2015 Special meeting minutes. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FOUR AYES
8. CONSENT CALENDAR
- Director Halket MOVED for approval of the items on the Consent Calendar. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FOUR AYES.

- A. Authorize General Manager to Execute an Increase to Purchase Order Amount with Environmental and Occupational Risk Management for Safety Consulting Support Services – Approved
- B. Adopt Revised Ticket Distribution Policy and Rescind Resolution No. 50-10 – Approved – Resolution No. 82-15
- C. Approve Amendment No. 1 to the Personal Services Agreement between the District and John J. Archer as Interim General Manager – Approved – Resolution No. 83-15

9. BOARD BUSINESS

- A. Appoint an Individual to Fill the Board Vacancy Created by the Resignation of Director Dawn L. Benson

General Manager Michalczyk introduced the item and reported that three candidates, Mr. Alan Kilpatrick, Ms. Madelyne Misheloff and Ms. Rosalind Rogoff are present this evening. The fourth candidate, Ms. Dawn Benson, contacted District Secretary Nicole Genzale this morning and advised her that she wished to withdraw her application from the candidate pool. He then gave the Board, staff and candidates an overview of the suggested appointment process.

President Duarte welcomed the candidates and requested District Secretary Genzale draw the candidates’ names at random to determine the order for seating and presentations. The candidates were seated in the following order: 1) Rosalind Rogoff; 2) Madelyne Misheloff; and 3) Alan Kilpatrick.

Each applicant was given three minutes to present his or her qualifications to the Board of Directors. At the conclusion of the presentations, President Duarte opened the question and answer period and each Director posed questions for the candidates to answer. At the conclusion, the Board agreed that it was time to conduct Round 1 of the straw vote. District Secretary Genzale announced the votes cast by each Director:

ROUND 1	Dir. Vonheeder-Leopold	Dir. Halket	V.P. Howard	Pres. Duarte	VOTES RECEIVED
Madelyne Misheloff	1		1	1	3
Alan Kilpatrick		1			1
Rosalind Rogoff					0
VOTES CAST	1	1	1	1	4
					Check OK

Director Halket MOVED to adopt Resolution No. 84-15, appointing Madelyne A. Misheloff to fill the Vacancy on the District Board of Directors created by the recent Resignation of Director Dawn L. Benson. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FOUR AYES.

District Secretary Genzale administered the Oath of Office to Ms. Madelyne. A Misheloff.

President Duarte thanked all the candidates for their interest in supporting the District and their community.

B. Review and Discuss Drought Management Program for Remainder of State of Drought Emergency

General Manager Michalczyk reported that this is a standing agenda item intended for discussion by the Board, staff and the public on the District's Drought Management Program. However, this evening, this item also addresses certain programmatic items that the Board had directed staff to revise: water shortage rate stage, suspension of wise water user credit, and suspension of enforcement of filling certain spas. After conducting a programmatic review, staff has also proposed the following additional items for the Board to consider for revision: uses of potable water for certain construction purposes and pipeline testing, topping off existing pools and spas, pool and spa covers, and rebates for artificial turf.

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

The Board came to a consensus on all item revisions presented by staff and directed staff to present the revised Drought Management Program for Board action at the October 20, 2015 Board meeting.

C. Approve Correspondence to Zone 7 Water Agency Regarding Water Rate Adjustments

Administrative Services Manager Archer reviewed that Zone 7 Water Agency is in the process of considering water rate adjustments which would be effective January 1, 2016. Based on key concerns, such as establishment of a drought surcharge without a sunset date, setting alternative rate structures for retailers, annual rate setting, impact of infrastructure projects on rates, and public outreach, it is recommended that the Board President be authorized and directed to send a letter to the Zone 7 President outlining the District's concerns. The Zone will be considering revised rates at the October 21, 2015 Board meeting.

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

The Board agreed that formally conveying the District's concerns and input regarding the Zone's water rate adjustment process is critical, and that the proposed letter will deliver the District's message as desired.

Director Vonheeder-Leopold MOVED the Board President be authorized and directed to sign a letter to Zone 7 regarding the revised water rates that Zone 7 is currently considering and he is authorized to make non-substantive changes in consultation with the General Manager. Director Misheloff SECONDED the MOTION, which CARRIED with FIVE AYES.

10. BOARDMEMBER ITEMS

President Duarte and Director Halket each reported that they will be unable to attend the November 3, 2015 Board meeting.

V.P. Howard requested the District's recycled water fill station program be reviewed at a Technical Affairs Committee. Mr. Michalczyk confirmed staff will schedule a meeting for such review in the near future.

Director Vonheeder-Leopold submitted a written report to Executive Services Supervisor Genzale. She stated that she attended the California Association of Sanitation Agencies (CASA) Board meeting and retreat in September, as well as the California Special Districts Association (CSDA) annual conference last week. She summarized the activities and discussions at the meetings.

11. CLOSED SESSION

- A. NOT HELD - Conference with Labor Negotiators – Pursuant to Government Code Section 54957.6
Agency Negotiators: Michelle Gallardo, Human Resources Supervisor
Carl P. A. Nelson, General Counsel
Unrepresented Employee: Interim General Manager

12. REPORT FROM CLOSED SESSION - None

13. ADJOURNMENT

President Duarte adjourned the meeting at 7:34 p.m.

Submitted by,

Nicole Genzale
Executive Services Supervisor