

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

February 4, 2020

1. CALL TO ORDER

A regular meeting of the Board of Directors was called to order at 6:01 p.m. by President Duarte.

2. PLEDGE TO THE FLAG

3. ROLL CALL

Boardmembers present at start of meeting:

President Edward R. Duarte, Director Richard M. Halket, and Director Georgan M. Vonheeder-Leopold.

District staff present: Dan McIntyre, General Manager; Carol Atwood, Administrative Services Manager/Treasurer; Judy Zavadil, Engineering Services Manager/District Engineer; Jeff Carson, Operations Manager; Carl P.A. Nelson, Assistant General Counsel; and Nicole Genzale, Executive Services Supervisor/District Secretary.

Vice President Ann Marie Johnson was absent. Director Madelyne A. (Maddi) Misheloff entered the meeting at 6:01 p.m., after the roll call was done.

4. CLOSED SESSION

At 6:02 p.m. the Board went into Closed Session. Assistant General Counsel announced that Mr. Morgan Biggerstaff, new attorney from Bold, Polisner, Maddow, Nelson & Judson, will join the closed sessions as an additional attendee.

4.A. Conference with Labor Negotiators – Pursuant to Government Code Section 54957.6
Agency Designated Representative: Daniel B. McIntyre, General Manager
Unrepresented Employee: Assistant General Manager

4.B. Conference with Labor Negotiators – Pursuant to Government Code Section 54957.6
Agency Designated Representative: Carl P. A. Nelson, Assistant General Counsel
Unrepresented Employee: General Manager

5. REPORT FROM CLOSED SESSION

At 6:17 p.m. the Board came out of Closed Session. President Duarte announced that there was no reportable action.

6. SPECIAL ANNOUNCEMENTS/ACTIVITIES

General Manager McIntyre announced that Santa Clara Valley Water District will host a tour of its potable reuse facility in late March or early April. He requested that Boardmembers contact him if interested in attending.

7. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:19 p.m. No public comment was received.

8. REPORTS

8.A. Reports by Staff

- Event Calendar – General Manager McIntyre reported on the following:
 - o The February 18 and March 17 Board meetings are being reviewed for possible cancellation.
 - o Staff is awaiting confirmation from the DSRSD/City of Pleasanton Liaison Committee representatives to schedule a meeting on either Wednesday, April 29 or Thursday, April 30.

- Correspondence to and from the Board on an Item not on the Agenda

Date	Format	From	To	Subject	Response
1/13/2020	Memorandum	Department of Parks & Recreation	Local Agencies	Eligibility Solicitation Questionnaire for Recreational Infrastructure Revenue Enhancement Grant Program	N/A

8.B. Joint Powers Authority and Committee Reports

Tri-Valley Water Liaison – January 22, 2020

President Duarte invited comments on recent Committee activities. Directors felt the available staff reports adequately covered the matters considered at the Committee meeting.

8.C. Agenda Management (consider order of items) – No changes were made.

9. CONSENT CALENDAR

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

- 9.A. Approve Regular Meeting Minutes of January 7, 2020 – Approved
- 9.B. Approve Special Meeting Minutes of January 7, 2020 – Approved
- 9.C. Accept Regular and Recurring Reports: Warrant List and Treasurer’s Report – Approved
- 9.D. Approve AT Dublin Project Supplemental Water Supply Assessment – Approved – Resolution No. 4-20
- 9.E. Approve Amendment to the Capital Improvement Program (CIP) Ten-Year Plan for Fiscal Years 2020 through 2029 and Two-Year Budget for Fiscal Years 2020 and 2021, and Authorize Execution of Task Order No. 2 with HydroScience Engineers, Inc. for Design Services for the Camp Parks Water Main – Cromwell Avenue, 12th Street, and Mitchell Drive Project (CIP 20-W024) – Approved – Resolution No. 5-20

- 9.F. Approve the Salary Range for the New Operations Compliance Supervisor Job Classification – Approved – Resolution No. 6-20

10. BOARD BUSINESS

- 10.A. Appoint Jan R. Lee as Assistant General Manager and Adopt Personal Services Agreement

President Duarte read the following statement: “Before discussing Agenda Item 10.A, a provision of the Brown Act requires that the Board “orally report a summary of [the] recommendation for final action on the ... salary [and other] compensation ... of a local agency executive,” such as the Assistant General Manager. The recommendation is also summarized in the Summary & Recommendation for Agenda Item 10.A, and further details are available in the proposed Personal Services Agreement, which is included in the Agenda Packet. As is specified in the Summary & Recommendation, if the proposed Personal Services Agreement is approved, the Assistant General Manager will receive a monthly salary of \$18,214 and annual salary of \$218,568, effective March 2, 2020. Thus, the recommendation is to approve the proposed base salary for the Assistant General Manager, effective March 2, 2020.”

Director Halket MOVED to adopt Resolution No. 7-20, Approving and Authorizing Execution of an Agreement for Personal Services between Jan R. Lee and Dublin San Ramon Services. Director Misheloff SECONDED the MOTION, which CARRIED with FOUR AYES and ONE ABSENT (Johnson).

Ms. Lee was present and introduced herself to the Board. The Board welcomed her to DSRSD.

- 10.B. Approve Continuation of Emergency Action Procurement by General Manager for Repair of the District Office and Find that the Need for the District Office Flooding Emergency Still Exists

Engineering Services Manager Zavadil reviewed the item for the Board. She reported the move back to the District Office is being planned for the first half of March, but timing may be adjusted as needed.

President Duarte commended staff for a job well done while operating in temporary quarters and maintaining business in an abnormal state.

Director Vonheeder-Leopold MOVED to Approve Continuation of Emergency Action Procurement by General Manager for Repair of the District Office and Find that the Need for the District Office Flooding Emergency Still Exists. Director Misheloff SECONDED the MOTION, which CARRIED with FOUR AYES and ONE ABSENT (Johnson).

- 10.C. Adopt Revised Social Media Policy and Rescind Resolution No. 27-12

Communications Specialist Lea Blevins reviewed the item for the Board. The Board agreed the revised policy effectively addressed the District’s current use of social media, and recommended that staff establish clear procedures for handling the media program.

Director Halket MOVED to adopt Resolution No. 8-20, Revising the Social Media Policy and Rescinding Resolution No. 27-12. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FOUR AYES and ONE ABSENT (Johnson).

- 10.D. Rescind No-Net-Demand Service Policy (P600-15-1) and Resolution No. 34-94

Engineering Services Manager Zavadil reviewed the item for the Board.

Director Vonheeder-Leopold MOVED to adopt Resolution No. 9-20, Rescinding the No-Net-Demand Service Policy and Rescinding Resolution No. 34-94. Director Misheloff SECONDED the MOTION, which CARRIED with FOUR AYES and ONE ABSENT (Johnson).

- 10.E. Approve and Adopt Sewer System Management Plan Five-Year Update

Water/Wastewater Systems Operations & Maintenance Supervisor Dan Martin reviewed the item for the Board. Operations Manager Carson also advised that upcoming significant regulatory changes will create more stringent sewer system waste discharge requirements and that the Sewer System Management Plan format will be restructured. The new requirements will be released in a few months.

Director Halket MOVED to adopt Resolution No. 10-20, Approving and Adopting a Sewer System Management Plan (SSMP) Five-Year Update. Director Misheloff SECONDED the MOTION, which CARRIED with FOUR AYES and ONE ABSENT (Johnson).

- 10.F. Approve Amendment to the Capital Improvement Program Ten-Year Plan for Fiscal Years 2020 through 2029 and Two-Year Budget for Fiscal Years 2020 and 2021 to Add the Dublin Boulevard Extension Water Facilities Project (CIP 20-W027) and the Dublin Boulevard Extension Sewer Facilities Project (CIP 20-S028)

Engineering Services Manager Zavadil reviewed the item for the Board. She also explained that by incorporating these two new projects into the Capital Improvement Program, there will be consistency between the District master plans, the CIP, and the upcoming Capacity Reserve Fee study.

The Board and staff discussed the current zoning, and possible future changes to zoning, for the Dublin Boulevard extension area, located between Fallon Road (Dublin) and Doolan Canyon Road (Livermore). Staff confirmed that the water and sewer lines to be built will reflect the District master plans and provide enough leeway to serve future development projects. There are no projects currently approved for this area.

Director Misheloff MOVED to adopt Resolution No. 11-20, Approving an Amendment to the Capital Improvement Program Ten-Year Plan for Fiscal Years 2020 through 2029 and Two-Year Budget for Fiscal Years 2020 and 2021 to Add the Dublin Boulevard Extension Water Facilities Project (CIP 20-W027) and the Dublin Boulevard Extension Sewer Facilities Project (CIP 20-S028). Director Halket SECONDED the MOTION, which CARRIED with FOUR AYES and ONE ABSENT (Johnson).

- 10.G. Authorize Execution of Amendment No. 4 to the Individual Agreement for Personal Services between Daniel B. McIntyre and Dublin San Ramon Services District

President Duarte read the following statement: "Before discussing Agenda Item 10.G, a provision of the Brown Act requires that the Board "orally report a summary of [the] recommendation for final action on the ... salary [and other] compensation ... of a local agency

executive,” such as the General Manager. The recommendation is also summarized in the Summary & Recommendation for Agenda Item 10.G, and further details are available in the proposed Amendment to the Personal Services Agreement, which is included in the Agenda Packet. As is specified in the Summary & Recommendation, the recommendation is to provide an option for the General Manager to elect to sell back employee leave bank (ELB) leave of up to 160 hours in calendar year 2021, but to make no adjustment to his monthly base salary in calendar year 2020.”

Assistant General Counsel Nelson reviewed the item for the Board.

Director Halket MOVED to adopt Resolution No. 12-20, Approving and Authorizing Execution of Amendment No. 4 to the Agreement for Personal Services between Daniel B. McIntyre and Dublin San Ramon Services District. Director Misheloff SECONDED the MOTION, which CARRIED with FOUR AYES and ONE ABSENT (Johnson).

- 10.H. Adopt Pay Schedule in Accordance with California Code of Regulations, Title 2, Section 570.5, Requirement for a Publicly Available Pay Schedule and Rescind Resolution No. 44-19

President Duarte read the following statement: “In 2016, the Legislature added a provision to the Brown Act that requires that prior to taking final action on a salary schedule that includes local agency executives, which as defined includes the District’s General Manager and the District’s Assistant General Manager, “[t]he legislative body shall orally report a summary of [the] recommendation for ... final action on ... salary schedules... of a local agency executive. The salary schedule that is before the Board in Item 10.H. includes the salary of the Assistant General Manager, and the salary of the General Manager. The Board approved the Personal Services Agreement for the Assistant General Manager as Item 10.A earlier this evening following an oral report, and approved Amendment No. 4 to the General Manager’s Personal Services Agreement as Item 10.G earlier this evening following an oral report.”

Director Vonheeder-Leopold MOVED to adopt Resolution No. 13-20, Adopting a Pay Schedule in Accordance with California Code of Regulations, Title 2, Section 570.5, and Rescinding Resolution No. 44-19. Director Misheloff SECONDED the MOTION, which CARRIED with FOUR AYES and ONE ABSENT (Johnson).

11. BOARDMEMBER ITEMS

- Submittal of Written Reports for Day of Service Events Attended by Directors

Director Vonheeder-Leopold submitted two written reports to Executive Services Supervisor/ District Secretary Genzale. She reported that she attended the Alameda County Special Districts Association chapter meeting Wednesday, January 8 at the Alameda County Mosquito Abatement District in Hayward, and the California Association of Sanitation Agencies Winter Conference January 21–23 in Indian Wells. She summarized the activities and discussions at the meetings.

Director Misheloff submitted a written report to Executive Services Supervisor/ District Secretary Genzale. She reported that she attended the Tri-Valley Water Liaison Committee Wednesday, January 22 hosted by City of Pleasanton. She summarized the activities and discussions at the meeting.

Director Halket expressed his regrets for missing the upcoming Annual Employee Recognition Event to be held later this month and wished the staff well that evening.

President Duarte submitted a written report to Executive Services Supervisor/District Secretary Genzale. He reported that he attended the Contra Costa Special Districts Association chapter meeting Monday, January 27 at the Central Contra Costa Sanitary District in Martinez. He summarized the activities and discussions at the meeting.

- Request New Agenda Item(s) Be Placed on a Future Board or Committee Agenda – None

12. ADJOURNMENT

President Duarte adjourned the meeting at 7:11 p.m.

Submitted by,

Nicole Genzale, CMC
Executive Services Supervisor/District Secretary