

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

June 16, 2020

1. CALL TO ORDER

A regular meeting of the Board of Directors was called to order at 6:09 p.m. by President Duarte.

President Duarte announced that pursuant to Governor Newsom’s Executive Orders and local county health orders issued to address the COVID-19 pandemic, this Board meeting is being held via Webex teleconference. The District Boardroom is closed to the public; however, the public may observe and comment by calling in to the teleconference meeting per the instructions on page 3 of the agenda. As required by the Brown Act, all votes taken this evening will be done by a roll call vote due to the attending Directors participating via teleconference.

2. PLEDGE TO THE FLAG

3. ROLL CALL

Boardmembers present at start of meeting:

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

District staff present: Dan McIntyre, General Manager; Jan Lee, Assistant General Manager; Carol Atwood, Administrative Services Manager/Treasurer; Judy Zavadil, Engineering Services Manager/District Engineer; Jeff Carson, Operations Manager; Douglas E. Coty, General Counsel; and Nicole Genzale, Executive Services Supervisor/District Secretary.

4. SPECIAL ANNOUNCEMENTS/ACTIVITIES

New Employee Introduction:

Sukhpreet Mann – Associate Civil Engineer-Subject Matter Expert
Kevin Randeni – Associate Civil Engineer-Subject Matter Expert

5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:14 p.m. No public comment was received.

6. REPORTS

6.A. Reports by Staff

- Event Calendar – General Manager McIntyre reported on the following:
 - o The annual Dublin State of the City Address has been postponed indefinitely.
 - o The District will hold its second Citizens Water Academy session tomorrow night. The first session was held last week and went very well.
- Correspondence to and from the Board on an Item not on the Agenda – None

6.B. Joint Powers Authority and Committee Reports – None

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

7. CONSENT CALENDAR

Director Vonheeder-Leopold MOVED for approval of the items on the Consent Calendar.
Director Halket SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

7.A. Approve Regular Meeting Minutes of June 2, 2020 – Approved

7.B. Accept Regular and Recurring Report: Warrant List – Approved

7.C. Approve Amendment No. 12 to Agreement of February 8, 2002 with Bold, Polisner, Maddow, Nelson & Judson for District General Counsel Services – Approved – Resolution No. 35-20

7.D. Approve a Side Letter of Agreement with the Mid-Management Employee’s Bargaining Unit and Dublin San Ramon Services District – Approved – Resolution No. 36-20

8. BOARD BUSINESS

8.A. Approve Continuation of District's State of Emergency in Response to COVID-19 Pandemic by General Manager and Find that the Need for the District's State of Emergency Still Exists

Assistant General Manager Lee reviewed the item for the Board. She reported there have been no major changes in operations since the report given at the June 2 Board meeting. A few staff have been relocated to the District Office to work in enclosed areas. Recent District Coronavirus Task Force activities include preparation of an Exposure Control Plan, preparations for upcoming staff COVID-19 training, and the development of a Pandemic Action Plan to be added to the District’s Emergency Response Plan. Modest increased costs have been incurred for janitorial services, cleaning supplies, and personal protective equipment. There has been no significant decline in bill payments, and revenues are as expected with only a slight variation.

The Board and staff briefly discussed expected revenue impacts from development and real estate activities, and how they compare to initial revenue projections. General Manager McIntyre noted that capacity reserve fees are expected to drop off slightly, more on the wastewater side than on the water side. He confirmed that this topic will be included in the in-depth financial report staff will present in July.

Director Halket MOVED to Approve Continuation of District's State of Emergency in Response to COVID-19 Pandemic by General Manager and Find that the Need for the District's State of Emergency Still Exists. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

8.B. Hold Public Hearing: Approve Annual Wastewater Service Charges Report and Direct Levy and Collection of Wastewater Services Charges on the Alameda County and Contra Costa County Property Tax Rolls for Fiscal Year 2020–2021

President Duarte announced the item and declared the Public Hearing open.

President Duarte asked for the staff presentation. Financial Services Supervisor Herman Chen reviewed the item for the Board. He noted one protest letter was received (May 4, 2020 – Daniel Watson, Dublin resident) in response to the notification mailed to customers in April. The protest letter was presented to the Board under Board Correspondence at the May 5 Board meeting.

President Duarte inquired if there were any comments from the public.

Speaker: Ms. Vee Chick (San Ramon resident) – Ms. Chick inquired why the change was made from billing users directly to placing a fee on their tax base.

Mr. Chen clarified that water charges have always been charged on the customer bill and wastewater charges have always been charged on the tax roll, thus this evening's action does not change the process, but it simply formalizes it via a public hearing. General Manager McIntyre further clarified that these charges are not subject to the Proposition 218 process, but rather is subject to a separate public hearing and protest process per the District Code (Health and Safety Code Section 5473) in order to be placed on the tax roll.

President Duarte declared the Public Hearing closed. The Board had no further discussion.

Vice President Johnson MOVED to adopt Resolution No. 37-20, Authorizing Annual Wastewater Service Charges Report and Direct Levy and Collection of Wastewater Services Charges on the Alameda County and Contra Costa County Property Tax Rolls for Fiscal Year 2020–2021. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

8.C. Approve Mid-Cycle Budget Adjustments for Fiscal Years Ending 2020 and 2021

Financial Services Supervisor Chen reviewed the item for the Board.

The Board and staff discussed proceeding with planned operating and capital budget expenditures, as well as proposed expenditures included in the mid-cycle budget adjustments. They discussed the importance of prudence in light of current economic conditions, as well as prioritization of regular equipment and facilities maintenance and proceeding with necessary capital projects. The Board acknowledged its responsibility to carry forward with prudent plans and projects, and to consider operations cutbacks if cost savings become necessary. Vice President Johnson requested that staff present cost-saving ideas and provide a lookahead to the 2022 budget year in the financial review that staff will provide next month.

Director Howard MOVED to adopt Resolution No. 38-20, Approving Budget Adjustments for Fiscal Years Ending 2020 and 2021. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

8.D. Receive Update on Primary Sedimentation Expansion and Improvement Project (CIP 17-P004)

Associate Engineer-Supervisory Jackie Yee reviewed the item for the Board.

The Board and staff discussed aspects of the presentation pertaining to construction activities and materials, expected operational efficiencies, expected deliverables from the contractor, and the three possible change orders that could arise for additional work as the project progresses. The Board acknowledged the complex and labor-intensive nature of this type of rehabilitation project and noted it will save on operational costs in the future. Staff will provide additional information regarding the conduit materials in the next General Manager report.

8.E. Adopt Revised Water Recycling Policy and Rescind Resolution No. 37-10

Engineering Services Manager Zavadil reviewed the item for the Board.

The Board and staff discussed the proposed policy and various areas to potentially expand or modify it, such as indicating priority of resources and potential customer supply curtailment.

The Board determined it would like more time to consider the revised policy. The Board took no action on the item and directed staff to bring it back to the July 7 Board meeting.

9. BOARDMEMBER ITEMS

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

Director Vonheeder-Leopold submitted written reports to Executive Services Supervisor/District Secretary Genzale. She reported that she attended the Alameda County California Special Districts Association (CSDA) Chapter Executive Committee teleconference meeting on Wednesday, June 10, and the California Association of Sanitation Agencies Board teleconference meeting Thursday, June 11. She summarized the activities and discussions at the meetings and encouraged staff to consider submitting support letters to CSDA regarding recently proposed legislation related to the COVID-19 emergency. General Manager McIntyre stated staff would gather the necessary information to do so.

Vice President Johnson requested that staff provide her and President Duarte, as the representatives of the City of San Ramon and Central Contra Costa Sanitary District Liaison Committee, a construction update of the DERWA Supplemental Supply project (wastewater diversion from Central Contra Costa Sanitary District) in case they receive inquiries from neighboring residents. She also requested staff provide more information about the District potentially performing wastewater sampling for COVID-19. General Manager McIntyre stated staff would provide this information as requested.

Director Howard reported that he contacted Supervisor Haggerty and the mayors of the Tri-Valley cities regarding his disagreement with Alameda County's Health Director having purview over the Tri-Valley area. He stated he is interested in working with the Tri-Valley agencies to potentially form a new special district, using DSRSD's latent health services

powers, to establish a local health director, similar to the program in City of Berkeley. General Manager McIntyre stated staff would research this and share its findings with the Board.

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

10. CLOSED SESSION

At 7:50 p.m. the Board went into Closed Session.

10.A. Conference with Real Property Negotiators Pursuant to Government Code Section 54956.8

Property:	Recycled Water Supply
Agency Negotiators:	Dan McIntyre, General Manager Jan Lee, Assistant General Manager
Negotiating Parties:	East Bay Municipal Utility District
Under Negotiation:	Terms of Agreement

11. REPORT FROM CLOSED SESSION

At 8:29 p.m. the Board came out of Closed Session. President Duarte announced that there was no reportable action.

12. ADJOURNMENT

President Duarte adjourned the meeting at 8:29 p.m.

Submitted by,

Nicole Genzale, CMC
Executive Services Supervisor/District Secretary