

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

September 21, 2021

Pursuant to Governor Newsom’s Executive Orders N-25-20, N-29-20, and N-33-20, and local county health orders issued to address the COVID-19 pandemic, this Board meeting was held via Teams 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 provided on page 4 of the agenda. As required by the Brown Act, all votes were taken by roll call vote due to the attending Directors participating via teleconference.

1. CALL TO ORDER

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

2. PLEDGE TO THE FLAG

3. ROLL CALL

Boardmembers present at start of meeting:

President Ann Marie Johnson, Vice President Richard M. Halket, Director Marisol Rubio, Director Arun Goel, and Director Georgean M. Vonheeder-Leopold.

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

4. SPECIAL ANNOUNCEMENTS/ACTIVITIES

New Employee Introduction:

Michelle McQuiston, Human Resources Analyst I

5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:03 p.m. No public comment was received.

6. 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 Goel SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

7.A. Approve Regular Meeting Minutes of September 7, 2021 – Approved

7.B. Retroactively Approve Director Attendance at San Ramon Chamber of Commerce State of the County Address Luncheon with Supervisor Candace Andersen on July 21, 2021 – Approved

- 7.C. Approve Resolution Supporting the State's Proclamation Declaring October 2-10, 2021 as California's Water Professionals Appreciation Week – Approved – Resolution No. 47-21

8. BOARD BUSINESS

- 8.A. Accept Donation of Two Eagle Scout Projects for the DSRSD Demonstration Garden

Administrative Services Director Atwood reviewed the item for the Board. She presented Eagle Scout Julian Lavaysse's picnic tables project. Eagle Scout Aadityab Punnamraju presented his project of four redwood planter boxes and thanked the Board for the opportunity to complete this project. The Board thanked the members of Boy Scout Troop 905 for their contributions to the DSRSD garden.

Director Rubio MOVED to Accept the Donation of Two Eagle Scout Projects for the DSRSD Demonstration Garden. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

- 8.B. Receive Presentation and Provide Comments on Los Vaqueros Reservoir Expansion Project

Prior to the item review, General Counsel Doug Coty stated, for transparency purposes, that he has worked with Contra Costa Water District (CCWD) regarding the Los Vaqueros Reservoir Expansion project.

Assistant General Manager Lee reviewed the item for the Board and introduced Ms. Marguerite Patil, Assistant General Manager Policy and External Affairs for CCWD, and Dr. Amparo Flores, Manager of Integrated Water Resources for Zone 7 Water Agency (Zone 7). They gave presentations to familiarize the Board with the Los Vaqueros Reservoir facility, the project expansion design, components, cost and schedule, an overview of new and existing facilities, agency partners and creation of a Joint Powers Authority, and Tri-Valley and regional benefits. The presenters confirmed the project is expected to be firmed up in about a year's time and qualifies for funding opportunities such as the WIIN Act (Water Infrastructure Improvements for the Nation Act). The presentations were added as supplemental materials to the agenda on the District website. The Board thanked Ms. Patil and Ms. Flores for their presentations.

- 8.C. Second Reading: Adopt Ordinance Revising District Code Section 1.50.030 Regarding Discontinuation of Service

President Johnson read the title of the ordinance.

Director Rubio MOVED to Waive Reading of the Ordinance. Director Goel SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

President Johnson asked for the staff presentation. Utility Billing and Customer Services Supervisor Kelly Richards reviewed the item for the Board. The Board had no further discussion.

Vice President Halket MOVED to Adopt Ordinance No. 349, Amending District Code Section 1.50.030 of the District Code to Include Revisions Regarding Discontinuation of Services Due to Senate Bill 998. Director Goel SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

- 8.D. Public Hearing: Second Reading and Adoption of Ordinance Revising District Code Chapter 4.10 General Regulations and Protective Measures and Chapter 4.20 Potable Water Use and Protective Measures

President Johnson announced the item and declared the Public Hearing open. She read the title of the ordinance.

Director Vonheeder-Leopold MOVED to Waive Reading of the Ordinance. Director Rubio SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

President Johnson asked for the staff presentation. General Manager McIntyre reviewed the item for the Board.

President Johnson inquired if there were any comments from the public. There was no public comment received. President Johnson declared the Public Hearing closed. The Board had no further discussion.

Director Vonheeder-Leopold MOVED to Adopt Ordinance No. 350, Amending Sections 4.10.010, 4.10.020, 4.10.030, 4.20.010 of the District Code and Adding Sections 4.20.030, 4.20.040, 4.20.050, 4.20.060 to the District Code to Update Water Emergency and Water Shortage Emergency Provisions. Director Goel SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

- 8.E. Receive Presentation and Approve Declaration of a Stage 2 Water Shortage Emergency

Assistant General Manager Lee reviewed the item for the Board and gave a presentation providing overviews of 2021 water supply conditions, 2022 water supply projections, the District's Water Shortage Contingency Plan, Stage 2 Water Use Regulations, a comparison of potable water consumption in 2021 versus 2020, and DSRSD and Zone 7 Water Agency (Zone 7) conservation messaging. On September 1, 2021, Zone 7 declared a Stage 2 Water Shortage Emergency requiring 15% conservation from its retailers. The presentation was added as supplemental materials to the agenda on the District website.

The Board and staff discussed the proposed timing of irrigation restrictions, ongoing weather unpredictability, activation of enforcement measures, and the importance of working closely with the Tri-Valley agencies during the drought emergency. Staff reported the Tri-Valley agencies are actively collaborating on rebate programming and public outreach/messaging, and the General Managers have formed a steering committee to align messaging efforts. Director Goel suggested staff incorporate Smart Irrigation programming information into the rebate program outreach to educate residents on how to utilize advanced features for optimal water conservation.

Director Vonheeder-Leopold MOVED to Approve Resolution No. 48-21, Declaring Stage 2 Water Shortage Emergency and Approving Water Use Regulations. Director Goel SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

- 8.F. Receive Update on District's Emergency Response to COVID-19 and Provide Direction on Resuming In-Person Board Meetings, and 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 explained Assembly Bill 361 (Rivas) was signed into law yesterday which allows agencies to continue virtual meetings if certain unsafe conditions exist during a state-declared emergency. Ms. Lee reported the DSRSD Boardroom is ready for basic in-person meeting operations should the Board find Board meetings should resume in person. There are currently no emergency health orders governing facility capacity or social distancing, however, staff would recommend distancing measures in addition to enforcing the current mask mandate. The Board may determine to return to virtual meetings at any time under AB 361 should pandemic conditions or safety concerns change.

The Board directed staff to return to in-person Board meetings starting October 5 and acknowledged its support for the District staff who have been working on-site for some time. General Counsel Coty confirmed that standard Brown Act procedures would be fully reinstated for in-person and teleconference meeting operations. The Board and staff also discussed possible strategies to shorten Board meetings for attendee comfort, such as taking breaks, carrying items over, and shortening meeting agendas.

Director Johnson MOVED to Direct Staff to Resume In-Person Board Meetings and 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 Goel SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

9. REPORTS

9.A. Boardmember Items

- Joint Powers Authority and Committee Reports
Special LAVWMA – September 8, 2021

President Johnson invited comments on recent JPA activities. Directors felt the available staff reports adequately covered the matters considered at the JPA meetings and made a few comments about some of the JPA activities.

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

Director Vonheeder-Leopold submitted a written report to Executive Services Supervisor/District Secretary Genzale. She reported that she attended the California Association of Sanitation Agencies Board of Directors meeting on September 18. She summarized the activities and discussions at the meeting.

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

9.B. Staff Reports

- Event Calendar – General Manager McIntyre reported on the following:
 - The State of Dublin Mayor’s Address is tomorrow (September 22). Some Directors and staff are registered to attend.
- Correspondence to and from the Board on an Item not on the Agenda – None

10. CLOSED SESSION

At 7:27 p.m. the Board went into Closed Session.

10.A. Conference with Labor Negotiators Pursuant to Government Code Section 54957.6

- Agency Negotiators: Dan McIntyre, General Manager
Jan Lee, Assistant General Manager
Carol Atwood, Administrative Services Director
Michelle Gallardo, Human Resources and Risk Manager
- Employee Organizations: 1. Stationary Engineers, Local 39
2. Mid-Management Employees Bargaining Unit
3. Professional Employees Bargaining Unit
- Additional Attendees: Douglas E. Coty, General Counsel
Dania Torres Wong, Sloan Sakai Yeung & Wong LLP

10.B. Public Employee Performance Evaluation Pursuant to Government Code Section 54957
Title: General Manager

11. REPORT FROM CLOSED SESSION

At 8:24 p.m. the Board came out of Closed Session. President Johnson announced that there was no reportable action.

12. ADJOURNMENT

President Johnson adjourned the meeting at 8:24 p.m.

Submitted by,

Nicole Genzale, CMC
Executive Services Supervisor/District Secretary