

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

October 5, 2021

To allow the public the option to participate remotely during the COVID-19 pandemic, the public may listen and comment by telephone via Webex during open session as described in the instructions on page 4 of the agenda.

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; Judy Zavadil, Engineering Services Director/District Engineer; Douglas E. Coty, General Counsel; and Nicole Genzale, Executive Services Supervisor/District Secretary.

4. SPECIAL ANNOUNCEMENTS/ACTIVITIES – None

5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:08 p.m. No public comment was received.

6. AGENDA MANAGEMENT (CONSIDER ORDER OF ITEMS) – General Manager McIntyre stated that should the meeting run long, Item 8.E could be deferred to a future meeting, and also noted that the three Closed Session items could be conducted in the Boardroom or in separate spaces if preferred.

7. CONSENT CALENDAR

Director Rubio MOVED for approval of the items on the Consent Calendar. Director Goel SECONDED the MOTION, which CARRIED with FIVE AYES.

7.A. Approve Regular Meeting Minutes of September 21, 2021– Approved

7.B. Approve Annual Scholarship Donations to Association of California Water Agencies (ACWA) and California Association of Sanitation Agencies (CASA) in Honor of James B. Kohnen – Approved

7.C. Approve Proclamation Supporting October 2021 as Cybersecurity Awareness Month – Approved

8. BOARD BUSINESS

- 8.A. Approve 180-Day Wait Period Exception for Retired Annuitant Levi Fuller as the Water/Wastewater Systems Superintendent under Government Code Sections 7522.56 and 21224

Human Resources and Risk Manager Michelle Gallardo reviewed the item for the Board. The Board and staff reviewed the likely duration of the assignment (approximately 6 months), the possible weekly commitment (30–40 hours), and the appointment’s conformance with CalPERS (California Public Employee Retirement System) requirements. Mr. Fuller will fill the position during the four-to-six-month recruitment process.

Director Vonheeder-Leopold MOVED to approve Resolution No. 49-21, Approving a 180-Day Wait Period Exception for Retired Annuitant Levi Fuller as the Water/Wastewater Systems Superintendent under Government Code Sections 7522.56 and 21224. Director Goel SECONDED the MOTION, which CARRIED with FIVE AYES.

- 8.B. 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

General Manager McIntyre reviewed the item for the Board.

Vice President 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 Rubio SECONDED the MOTION, which CARRIED with FIVE AYES.

- 8.C. Approve Stage 1 Water Shortage Condition Rates

Financial Services Manager Chen reviewed the item for the Board.

The Board and staff discussed the three water shortage condition rate options presented and their associated water reduction goals (Normal = 0%, Stage 1 = 10%, Stage 2 = 20%), and deliberated on those options, as well as the optimal timing for implementation of a shortage rate. For comparison, staff also explained the further two stages should conservation needs become more severe (Stage 3 = 35% and Stage 4 = 50%). Staff explained that the stage rates were established per the District’s 2019 Comprehensive Water Cost of Service Study. Should drought conditions become more dire, the Board will need to create Stage 5 and Stage 6, and other restriction/limitation measures will be enacted. General Manager McIntyre reviewed the conservation positions and actions of Zone 7 Water Agency (the District’s water wholesaler) and the other Tri-Valley agencies, and also gave an overview of the District’s outreach campaign to inform customers of conservation needs and stage rate implementation.

The Board determined it prudent to launch a more aggressive approach and directed staff to implement Option 2 Stage 2 rates, rather than Option 3 Stage 1, as initially

recommended. President Johnson also requested that staff provide the Board with a status on the Stage 2 implementation results in March 2022.

Director Goel MOVED to approve Resolution No. 50-21, for Approving Stage 2 Water Shortage Condition Rates as Authorized by Resolution No. 21-19 Establishing Water Consumption Rates During a Water Shortage Condition. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES.

8.D. Receive Presentation on 2020 Decennial Census Results and Election Redistricting Process and Provide Direction for Proposed Voting Area Maps Based on Census Data Changes

Executive Services Supervisor/District Secretary Nicole Genzale reviewed the item for the Board. She explained that this is one of three meetings the District will hold to receive public input and review adjustments for the District's five election division boundaries (Divisions 1, 2, 3, 4, and 5) based on the 2020 Decennial Census results. She introduced the District's independent demographer, Mr. Michael Wagaman of Wagaman Strategies, and special counsel Ms. Kristen Rogers of Olson Remcho, LLP, who are assisting the District with the redistricting process. Mr. Wagaman proceeded to give a presentation reviewing the redistricting process, census data results, and next steps to readjust the division boundaries per the new census data.

The Board reviewed the data and discussed various approaches to adjust division boundaries. The Board then directed Mr. Wagaman to use the following additional criteria, in addition to the legally required and recommended criteria noted in the staff report, to develop draft map plans for review at the October 19 Board meeting:

- Attempt to use main roadways as possible boundary lines, such as Amador Valley Blvd., Dougherty Road, Dublin Blvd., Tassajara Road, and Interstate 680
- Consider options for handling the county line (Alameda and Contra Costa)
- Explore having both water and collection services in all divisions
- Investigate minimizing changes to current boundaries
- Do not consider incumbent locations as a controlling criterion

Mr. Wagaman stated, in conclusion, that interactive and spreadsheet mapping tools will soon be available for the Board and the public on the District's website to draw proposed map plans for the Board's consideration.

8.E. NOT HELD – Receive Presentation on Biosolids Processing, Regulations, and Trends

The Board directed staff to defer this item to a future Board meeting.

9. REPORTS

9.A. Boardmember Items

- Joint Powers Authority and Committee Reports
 - DERWA – September 27, 2021
 - Special LAVWMA – September 29, 2021
 - DSRSD/City of San Ramon – September 30, 2021

President Johnson invited comments on recent JPA/committee activities. Directors felt the available staff reports adequately covered the many matters considered at the JPA/committee meetings and made a few comments about some of the JPA/committee 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 Dublin State of the City Address on September 22 at the Shannon Community Center. She summarized the activities and discussions at the meeting.

Director Rubio submitted a written report to Executive Services Supervisor/District Secretary Genzale. She reported that she also attended the Dublin State of the City Address on September 22. 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:
 - A DSRSD/Pleasanton Liaison Committee meeting will be held on Thursday, October 21 at 3:30 p.m. via Zoom.
 - A Tri-Valley Water Liaison Committee meeting will be held on Wednesday, October 27 at 4 p.m. hosted in person by City of Livermore.
 - Policy briefings for Directors will be scheduled in the coming weeks.
- Correspondence to and from the Board on an Item not on the Agenda was included in the agenda packet.

10. CLOSED SESSION

The Board did not hold Items 10.A, 10.B., and 10.C and directed staff to defer Item 10.C to a special meeting on Tuesday, October 12, 2021.

10.A. NOT HELD – Conference with Legal Counsel – Anticipated Litigation
Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2):
One Potential Case

10.B. NOT HELD – 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

10.C. NOT HELD – Public Employee Performance Evaluation Pursuant to Government Code
Section 54957
Title: General Manager

11. REPORT FROM CLOSED SESSION – NOT HELD

12. ADJOURNMENT

President Johnson adjourned the meeting at 7:58 p.m.

Submitted by,

Nicole Genzale, CMC
Executive Services Supervisor/District Secretary