

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

November 16, 2021

To allow the public the option to participate remotely during the COVID-19 pandemic, the public may listen and comment by telephone via Teams during open session as described in the Teleconference Access Information on Page 4 of the Agenda Packet. The Boardroom was open to the public during open session. Due to the COVID-19 pandemic, meeting attendees were required to conduct a self-screening before entering District facilities. Face coverings were required.

1. CALL TO ORDER

A regular meeting of the Board of Directors was called to order at 6:30 p.m. by President Johnson.

President Johnson reported that a special DSRSD Board meeting and a regular DSRSD Financing Corporation meeting were held immediately before this meeting, attended by herself, Vice President Halket, and Directors Rubio, Goel, and Vonheeder-Leopold. In accordance with DSRSD's Day of Service policy, no Director will receive any compensation or stipend for participating in more than one meeting on this date.

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

4. SPECIAL ANNOUNCEMENTS/ACTIVITIES

General Manager McIntyre announced that Engineering Services Director Judy Zavadil is retiring on December 6 and this will be her last DSRSD Board meeting. He and the Board commended and thanked Ms. Zavadil for her 14 years of service and leadership at DSRSD.

5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:32 p.m.

Speaker: Mr. Mike Grant, (Dublin resident) – Mr. Grant stated his concerns about continued development by the City of Dublin and the District's reporting that there is ample water supply to serve the development during a drought. He stated it sends a mixed message to citizens who are being asked to conserve. He urged the District to consider telling the City "no" to its supply demands when there is not enough water.

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 Rubio SECONDED the MOTION, which CARRIED with FIVE AYES.

- 7.A. Approve Regular Meeting Minutes of November 2, 2021 – Approved
- 7.B. Approve a One-Year Extension with Maze & Associates for Professional Auditing Services for Fiscal Year Ending June 2022 – Approved
- 7.C. Tentative Agreement with the Mid-Management Employees’ Bargaining Unit (MEBU) for Successor Memorandum of Understanding (MOU) for the Period December 13, 2021 through December 21, 2025 – Approved – Resolution No. 54-21
- 7.D. Approve Salary Ranges for New Principal Water/Wastewater Systems Engineer, Water/Wastewater Systems Supervisor, and Wastewater Treatment Plant Supervisor Job Classifications, and Revised Water/Wastewater Systems Superintendent Job – Approved – Resolution No. 55-21
- 7.E. 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. 17-21* – Approved – Resolution No. 56-21
- 7.F. Approve Health Insurance Contribution for Calendar Year 2022 for Mid-Management Employees – Approved – Resolution No. 57-21

8. BOARD BUSINESS

- 8.A. Hold Public Hearing: Second Reading to Adopt Ordinance to Revise District Ordinance No. 345 Section 4 (c) Divisions, Receive Presentation and Review Proposed Voting Area Maps Based on 2020 Decennial Census Results, and Select Preferred Divisions Map

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

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

There was no staff presentation. President Johnson inquired if there were any comments from the public regarding the proposed ordinance. There was no public comment received.

Director Vonheeder-Leopold MOVED to Adopt Ordinance No. 352 Amending Ordinance No. 345 Establishing a By-Division System for Electing Directors. Vice President Halket SECONDED the MOTION, which CARRIED with FIVE AYES.

President Johnson asked for the staff presentation regarding the redistricting process. Executive Services Supervisor/District Secretary Genzale reviewed the item for the Board. She explained that this is the second of two public hearings the District will hold

to consider revising Ordinance No. 345 which directs how the District approves its by-division map plans, and to receive public input on its current redistricting process. She reviewed the timeline and activities of the process, which began in October. Four draft map plans were introduced on October 5, and four additional map plans were released on October 26.

She introduced the District's independent demographer, Mr. Michael Wagaman of Wagaman Strategies, who gave a brief presentation regarding this evening's objectives. He reviewed the additional criteria given by the Board at the October 19 meeting and presented the resulting four supplementary draft maps for the Board's consideration: Lilac, Violet, Magenta, and Plum, which were preceded by the Blue, Purple, Green and Red maps presented on October 5.

President Johnson inquired if there were any comments from the public. Executive Services Supervisor/District Secretary Genzale read one written (email) comment received prior to the meeting:

*"Dear President Johnson, Vice President Halket, and Members of the Board
Like most of the public, I like Plan Blue. Plan Green is good as well. I like simple polygons with as few sides as possible. I do not like the various plans that appear to have a "pinkie finger" along the freeway. They look to be cherry picking whereby one ethnicity is underrepresented. That may not be the case, but the map looks "fishy." Dwight Howard, Dublin resident (11/11/21)*

President Johnson declared the Public Hearing closed.

The Board discussed the eight draft map plans. The Boardmembers agreed that the final map plan should hold to the county line so all divisions are bound within one county. The Board agreed upon certain proposed plan characteristics to bring together, and then adjusted the boundary between Divisions 4 and 5 to balance the population and keep communities of interest intact, resulting in a new (ninth) draft plan.

Mr. Wagaman and Special Counsel Kristen Rogers, from Olson Remcho, reviewed the new draft map for conformance with legal requirements and advised that it conformed to Elections Code Section 22001, and can be heard and approved by resolution at a public hearing at the December 7 Board meeting.

Vice President Halket MOVED to Direct Staff to Present the New Draft Map Plan Created at Tonight's Board Meeting at the December 7 Board Meeting for Adoption by Resolution. Director Goel SECONDED the MOTION, which CARRIED with FIVE AYES.

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

Assistant General Manager Lee reviewed the item for the Board. She advised that the criteria to terminate the District's emergency would be the termination of both the State and Alameda County declared emergencies.

Director Rubio 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 Goel SECONDED the MOTION, which CARRIED with FIVE AYES.

8.C. Approve the Health Insurance Contribution for Calendar Year 2022 for Board of Directors

Director Vonheeder-Leopold stated, "I am recusing myself from any participation in any discussions, decisions, or voting on the Health Insurance Contribution for Calendar Year 2022 for Board of Directors, Item 8.C., to ensure that I neither influence nor attempt to influence another member of the DSRSD Board regarding any matters pertinent to the item, consistent with applicable provisions of the Government Code, because I receive health benefits as a retired Boardmember of Dublin San Ramon Services District."

Director Vonheeder-Leopold departed from the Board meeting at approximately 7:40 p.m. before Item 8.C. She returned to the meeting at approximately 7:45 p.m. after the conclusion of discussion of Item 8.C.

Human Resources Analyst II Samantha Koehler reviewed the item for the Board. She explained that the current contribution levels will remain in place until a resolution is approved and applied by CalPERS (California Public Employees' Retirement System); the effective date will be the first of the second month after receipt. The Board agreed to defer determination of its health contributions until all District bargaining unit contracts are in place.

Director Halket MOVED to Defer the Item to Approve the Health Insurance Contribution for Calendar Year 2022 for Board of Directors to a Future Meeting. Director Goel SECONDED the MOTION, which CARRIED with FOUR AYES and ONE ABSENT (Vonheeder-Leopold).

8.D. Receive Presentation on District's Water Conservation Status

Senior Engineer Irene Suroso reviewed the item for the Board and gave a complimentary presentation which will be added to the website as supplementary materials. The Board and staff discussed various aspects of the presentation including leveraging smart technology to enhance conservation efforts and explore water loss mitigation opportunities, and how annual rainfall and snowfall could impact the current drought conditions. The Board expressed it was pleased with the current conservation level achieved and thanked Ms. Suroso for the "on-point" presentation.

9. REPORTS

9.A. Boardmember Items

- Joint Powers Authority and Committee Reports – None
- Submittal of Written Reports for Day of Service Events Attended by Directors – None
- Request New Agenda Item(s) Be Placed on a Future Board or Committee Agenda

Director Vonheeder-Leopold requested an item be scheduled for an upcoming meeting regarding the District's legal obligations to provide service. Director Goel echoed her request and requested the District's demand to Zone 7 Water Agency be included as an aspect of the report. General Manager McIntyre confirmed an item will be brought forth as requested early next year.

9.B. Staff Reports

- Event Calendar – General Manager McIntyre had nothing to report
- Correspondence to and from the Board on an Item not on the Agenda – None

The Board took a short recess at 8:16 p.m. and reconvened at 8:21 p.m. for Item 10.

10. CLOSED SESSION

At 8:21 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. IFPTE Local 21/Professional Employees
Additional Attendees:	Douglas E. Coty, General Counsel

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

Agency Negotiators:	Dan McIntyre, General Manager
Employee Organizations:	1. Senior Managers 2. Unrepresented Employees
Additional Attendees:	Douglas E. Coty, General Counsel

11. REPORT FROM CLOSED SESSION

At 8:30 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 8:30 p.m.

Submitted by,

Nicole Genzale, CMC
Executive Services Supervisor/District Secretary