

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

January 18, 2022

Pursuant to the authorizations provided by Government Code Section 54953(e), and local county health orders issued to address the COVID-19 pandemic, the Board meeting was held via Teams Teleconference. The District Boardroom was closed to the public. The public could observe and comment by electronic means as described on Page 4. 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 Halket.

2. PLEDGE TO THE FLAG

3. ROLL CALL

Boardmembers present at start of meeting:

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

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

4. DECLARATION OF TELECONFERENCE MEETINGS

4.A. Authorize Remote Teleconference Meetings until February 17, 2022, Pursuant to California Government Code Section 54953(e) 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.

Vice President Rubio MOVED to Approve Resolution No. 1-22, Finding that there is a Proclaimed State of Emergency by Governor Newsom Due to COVID-19, and Authorizing Remote Teleconference Meetings of the Board of Directors of Dublin San Ramon Services District for the Period of January 18, 2022, Through February 17, 2022, Pursuant to the Authorizations Provided for in California Government Code Section 54953(E), and 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.

5. SPECIAL ANNOUNCEMENTS/ACTIVITIES – None

6. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:06 p.m.Speakers – Stationary Engineers, Local 39 Representatives and DSRSD Staff members:

Mr. Matt Frediani, Local 39 East Bay Representative

Mr. Charlie Solt, Local 39 Director of Public Employees

Ms. Sara Tom, Administrative Assistant II – Development & Construction Services Division

Ms. Megan Bucci, Administrative Assistant II – Field Operations Division

Mr. Antimo Vieira, Mechanic II – Mechanical Maintenance Division

Mr. Todd Millison, Senior Process Wastewater Treatment Plant Operator – Plant Operations Division

Ms. Florence Khaw, Environmental Compliance Inspector II (Clean Water) – Planning & Asset Management Division

Mr. John Bagakis, Mechanic II (Crane Certified) – Mechanical Maintenance Division

The speakers addressed the Board regarding the current unsuccessful labor contract negotiations with the District. They each shared their career and personal backgrounds, and provided the following reasons the membership declined the District's current contract proposal: comparable salary data is outdated, paid medical benefits are lacking, position comparisons are incorrect and overgeneralized, positions have been eliminated, positions have been consolidated increasing staff workload, several position are not receiving cost of living increases, wages are non-competitive and beneath the inflation rate, and recognition is lacking for the continued risk of working during the COVID-19 pandemic. The speakers noted that burnout, lack of appreciation, and not attracting top talent has greatly contributed to the high staff turnover in recent years. The District's desire to be recognized as an innovative, top-tier employer will suffer due to paying staff in the middle. The Local 39 representatives requested the Board resolve the current state of impasse by granting District negotiators authority to increase its offer for staff compensation and benefits.

7. AGENDA MANAGEMENT (CONSIDER ORDER OF ITEMS) – No changes were made.8. CONSENT CALENDAR

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

8.A. Approve Regular Meeting Minutes of December 21, 2021 – Approved

8.B. Accept the Annual Report on Rate Stabilization Fund Reserves and Approve Transfer from the Regional Wastewater Operations Fund (Fund 300) to the Regional Wastewater Rate Stabilization Fund (Fund 305) – Approved

8.C. Approve Designation of Voting Representatives to the Contra Costa Special Districts Association (CCSDA) – Approved

8.D. Adopt Revised Day of Service Policy, Renamed the Director Compensable Activities Policy, and Rescind Resolution No. 36-19 – Approved – Resolution No. 2-22

- 8.E. Approve Amendment to the Capital Improvement Program Ten-Year Plan and Two-Year Budget for Fiscal Years 2022 and 2023 to Add the FOF Roof Replacement Project (CIP 22-A030) – Approved – Resolution No. 3-22
- 8.F. Approve Salary Range for New Senior Human Resources Analyst Classification – Approved – Resolution No. 4-22
- 8.G. 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. 69-21 - Approved – Resolution No. 5-22

9. BOARD BUSINESS

- 9.A. Approve Amendment to the Capital Improvement Program Ten Year-Plan and Two-Year Budget for Fiscal Years 2022 and 2023 to Combine the WWTP Energy Master Plan (CIP 22-P009), WWTP Electrical System Master Plan (CIP 18-P002) and Field Operations and District Facilities Energy Plan (CIP T22-19) Projects, Retitle WWTP Energy Master Plan to Energy Facilities Master Plan Project (CIP 22-P009), and Authorize Execution of Task Order No. 6 with Carollo Engineers, Inc. for Engineering Services for the Energy Facilities Master Plan Project (CIP 22-P009)

Interim Senior Engineer Jason Ching reviewed the item for the Board. The Board and staff discussed the anticipated timeline and estimated cost should the three projects be combined, and confirmed that an energy policy will be created as part of the project. The Board expressed its expectancy that the project timeline should accelerate and cost savings should be realized given a consolidated scope of work.

Vice President Rubio MOVED to Approve Resolution No. 6-22, Approving an Amendment to the Capital Improvement Program (CIP) Ten-Year Plan and Two-Year Budget for Fiscal Years 2022 and 2023 to Delete WWTP Electrical System Master Plan Project (CIP 18-P002), Delete Field Operations and District Facilities Energy Plan Project (CIP T22-19), Adjust the Funding Allocation and Increase the WWTP Energy Master Plan Project (CIP 22-P009), and Retitle to the Energy Facilities Master Plan Project (CIP 22-P009), and to Authorize Execution of Task Order No. 6 with Carollo Engineers, Inc. for Engineering Services for the Energy Facilities Master Plan Project (CIP 22-P009). Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

- 9.B. Receive Presentation on the District's December Water Conservation Status

Senior Engineer Irene Suroso reviewed the item for the Board underscoring that the District's customers are meeting targeted conservation levels. She also provided a complementary presentation to the staff report which included a weather/climate update, state reservoir conditions update, and illustration of improving drought conditions across the state. The presentation was added to the website as supplementary materials. She explained that the recent increase in outdoor commercial and correctional usage stems from businesses opening back up during the pandemic and that staff will monitor this usage as the hotter months approach.

- 9.C. Discuss and Approve Board Committees and Joint Powers Authority Assignments for Calendar Year 2022

President Halket reviewed the item for the Board.

Director Vonheeder-Leopold MOVED to Approve Board Committees and Joint Powers Authority Assignments for Calendar Year 2022. Director Goel SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

10. REPORTS

10.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 – None

10.B. Staff Reports

- Event Calendar – General Manager McIntyre reported on the following:
 - Staff will contact the Boardmembers to schedule individual policy briefings.
- Correspondence to and from the Board on an Item not on the Agenda was included in the agenda packet.

11. CLOSED SESSION

At 7:08 p.m. the Board went into Closed Session. The Board took Item 11.C first, then Item 11.A, but did not hold Item 11.B.

- 11.A. Public Employee Performance Evaluation Pursuant to Government Code Section 54957
Title: District General Counsel

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

- 11.C. 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: Stationary Engineers, Local 39

Additional Attendees: Douglas E. Coty, General Counsel

Dania Torres Wong, Sloan Sakai Yeung Wong, LLP

12. REPORT FROM CLOSED SESSION

At 8:05 p.m. the Board came out of Closed Session. President Halket announced that there was no reportable action.

13. ADJOURNMENT

President Halket adjourned the meeting at 8:05 p.m.

Submitted by,

Nicole Genzale, CMC
Executive Services Supervisor/District Secretary