

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

**February 15, 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 3. 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: 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. SPECIAL ANNOUNCEMENTS/ACTIVITIES – Assistant General Manager Lee reported that the March 1 Board meeting will likely be cancelled due to a light agenda.

5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:02 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. Vice President Rubio SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

7.A. Approve Regular Meeting Minutes of February 1, 2022 – Approved

7.B. Accept Regular and Recurring Report: Quarterly Financial Report – Approved

7.C. Approve Letter of Agreement between Stationary Engineers, Local 39 and the Dublin San Ramon Services District – Approved – Resolution No. 8-22

**8. BOARD BUSINESS**

- 8.A. Hold Public Hearing: Adopt Resolution Establishing Miscellaneous Fees and Charges and Rescind Resolution No. 30-20

President Halket announced the item and declared the Public Hearing open. He asked for the staff presentation. Financial Analyst Mubeen Qadar reviewed the item for the Board.

President Halket inquired if there were any comments from the public. There was no public comment received. President Halket declared the Public Hearing closed.

The Board and staff discussed the public noticing requirements regarding the item. Staff confirmed the Bay Area News Group printed the required public hearing notice on February 5 and 10 (in a publication of wide distribution within the District's service area); the agenda materials were also published on February 10.

Director Goel MOVED to adopt Resolution No. 9-22, Establishing Fees and Charges Under District Code Sections 1.100.010, 1.30.010 (B), 1.40.040, 1.50.010, 1.50.070, 2.30.050, 3.70.070 (A) & (B), 3.70.060, 4.30.070, 4.40.040 (A) & (B), 4.40.050, 4.40.070, 4.40.080 (A), 4.40.080 (C), 4.40.090 (A) & (B), and 5.30.090, and Rescinding Resolution No. 30-20. Vice President Rubio SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

- 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

Assistant General Manager Lee reviewed the item for the Board. The Board and staff discussed the possible continuation of virtual Board meetings in March, or returning to in-person meetings, due to the State's mask mandate expiring today. The Board determined it would like to proceed with caution and hold virtual meetings in the next month to see what transpires as a result of the lifted restriction in the coming weeks.

Director Johnson 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, and to Recommend that Staff Prepare for Holding Virtual Board Meetings in March 2022. Vice President Rubio SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

- 8.C. Authorize the General Manager to Increase Contract Total for McGuire and Hester and West Valley Construction Company, Inc. for the On-Call Water System and Sewer System Repairs (FYE 2020-2022)

Engineering Services Director Delight reviewed the item for the Board. He showed photographs of recent emergency infrastructure repair efforts, which have contributed to the increased in expenditures from the on-call repair work contract budget. The photographs were added to the website as supplementary materials. Staff explained

that in addition to a higher volume of unexpected repairs, the rising costs of materials as well as COVID safety protocols have contributed to the increased expenditures.

Director Goel MOVED to Authorize the General Manager to Increase Contract Total for McGuire and Hester and West Valley Construction Company, Inc. for the On-Call Water System and Sewer System Repairs (FYE 2020-2022). Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

## 9. REPORTS

### 9.A. Boardmember Items

- Joint Powers Authority and Committee Reports  
DSRSD/City of Dublin – February 2, 2022  
DERWA – February 7, 2022

President Halket 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 written reports to Executive Services Supervisor/District Secretary Genzale. She reported that she attended the Alameda County Special Districts Association Executive Committee meeting on February 9 and the California Association of Sanitation Agencies Board of Directors meeting on February 10. She summarized the activities and discussions at the meetings.

Vice President Rubio submitted a written report to Executive Services Supervisor/District Secretary Genzale. She reported that she attended a Legislative Roundtable with Assemblymember Rebecca Bauer-Kahan on February 3. She summarized the activities and discussions at the meeting.

Director Goel reported that he will be absent from the April 5 Board meeting. He also reported that a LAVWMA Board meeting will be held tomorrow night.

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

### 9.B. Staff Reports

- Event Calendar – Assistant General Manager Lee had nothing to report.
- Correspondence to and from the Board on an Item not on the Agenda

President Halket reported that he observed the puddling of recycled water at Dolan Par as reported to the Board, via email, by Dublin resident Mr. Mike Grant. He requested staff send Mr. Grant a status regarding his concern and forward the issue

to City of Dublin to address its faulty sprinkler system if staff has not already done so.

10. CLOSED SESSION

At 6:47 p.m. the Board went into Closed Session.

10.A. Conference with Legal Counsel – Existing Litigation Pursuant to Government Code Section 54956.9(d)(1)

Name of Case: DSRSD v. Verizon/Golden State Utility Co v. Republic Telecom, Case No. C20-01852

11. REPORT FROM CLOSED SESSION

At 7:05 p.m. the Board came out of Closed Session. President Halket reported that the Board has authorized payment of a settlement in the amount of \$250,000, as well as associated mediation costs estimated to be \$6,000 – \$9,000, in a total amount not to exceed \$259,000.

12. ADJOURNMENT

President Halket adjourned the meeting at 7:06 p.m.

Submitted by,

Nicole Genzale, CMC  
Executive Services Supervisor/District Secretary