

REVISED AGENDA

NOTICE OF REGULAR MEETING

TIME: 6 p.m.

DATE: Tuesday, July 19, 2022

PLACE: Teleconference

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 will be held via Teams Teleconference.

The District Boardroom will be closed to the public.

The public may observe and comment by electronic means as described on Page 3.

See Page 3 of the Agenda Packet for Teams Teleconference Access Information

Agenda revised after publication to revise staff report of Item 7.C.

Our mission is to protect public health and the environment by providing reliable and sustainable water, recycled water, and wastewater services in a safe, efficient, and fiscally responsible manner.

1. CALL TO ORDER
2. PLEDGE TO THE FLAG
3. ROLL CALL – Members: Goel, Halket, Johnson, Rubio, Vonheeder-Leopold
4. SPECIAL ANNOUNCEMENTS/ACTIVITIES
 - 4.A. New Employee Introductions
5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC)

At this time those on the teleconference call are encouraged to address the Board on any item of interest that is within the subject matter jurisdiction of the Board and not already included on tonight’s agenda. Comments should not exceed five minutes. The President of the Board will recognize each speaker, at which time the speaker should introduce him/herself, and then proceed with his/her comment. Written comments of five minutes or less and received by 5 p.m. on the day of the meeting will be read into the meeting record.
6. AGENDA MANAGEMENT (CONSIDER ORDER OF ITEMS)
7. CONSENT CALENDAR

Matters listed under this item are considered routine and will be enacted by one Motion, in the form listed below. There will be no separate discussion of these items unless requested by a Member of the Board or the public prior to the time the Board votes on the Motion to adopt.

 - 7.A. Approve Regular Meeting Minutes of June 21, 2022
Recommended Action: Approve by Motion
 - 7.B. Ratification of an Agreement with the City of Livermore, the City of Pleasanton, and the Zone 7 Water Agency for a Temporary Joint Residential Recycled Water Fill Station
Recommended Action: Approve by Resolution

- 7.C. Authorize the General Manager to Execute Contract with Univar Solutions USA for the Supply and Delivery of Sodium Hypochlorite 12.5%
Recommended Action: Approve by Motion
- 7.D. Authorize the General Manager to Execute Contract with Chemtrade Chemicals US LLC for the Supply and Delivery of Aluminum Sulfate
Recommended Action: Approve by Motion
- 7.E. Authorize the General Manager to Execute Contract with Buckles-Smith for the Process Control System Software and Hardware Support
Recommended Action: Approve by Motion
- 7.F. Authorize the General Manager to Execute Contract with GE Digital LLC for SCADA Software Support
Recommended Action: Approve by Motion

8. BOARD BUSINESS

- 8.A. Public Hearing: Establish Local and Regional Wastewater Service Charges Under Chapter 5.30.020 of the District Code and Rescind Resolution No. 33-17
Recommended Action: Hold Public Hearing and Approve by Resolution
- 8.B. Receive Presentation on District's Water Conservation Status
Recommended Action: Receive Presentation

9. REPORTS

9.A. Boardmember Items

- 9.A.1. Joint Powers Authority and Committee Reports
Special LAVWMA – June 29, 2022
- 9.A.2. Submittal of Written Reports for Day of Service Events Attended by Directors
- 9.A.3. Request New Agenda Item(s) Be Placed on a Future Board or Committee Agenda

9.B. Staff Reports

- 9.B.1. Event Calendar
- 9.B.2. Correspondence to and from the Board

10. ADJOURNMENT

All materials made available or distributed in open session at Board or Board Committee meetings are public information and are available for inspection during business hours by calling the District Secretary at (925) 828-0515. A fee may be charged for copies. District facilities and meetings comply with the Americans with Disabilities Act. If special accommodations are needed, please contact the District Secretary as soon as possible, but at least two days prior to the meeting.

Teams Teleconference Access Information

Dublin San Ramon Services District Regular Board Meeting Tuesday, July 19, 2022

If the public wishes to provide comments during Agenda Item 5 – Public Comment, or on any of the agenda items, please join the meeting using the teleconference instructions below, or email written comments to the Board of Directors at board@dsrsd.com by 5 p.m., Tuesday, July 19, 2022. Written comments, of five minutes or less, will be read into the meeting record during the public comment portion of the agenda or during discussion of the subject of the comment.

To Join by Computer or Device:

1. Click [Join Meeting](#).
2. Select how you want to join the Teams meeting.
3. Click “**Join now**.” You can personalize your video and audio preferences before or after joining.
4. Public participants would wait for the meeting host to admit you.
5. You must unmute yourself when you wish to speak by clicking the microphone icon, which is also used to mute yourself when you finish speaking.

To Join by Phone Only:

1. Dial **(831) 256-7773** USA Toll from any telephone.
2. Enter Conference ID **856 434 868#** when prompted. DO NOT PRESS *.
3. Wait for the meeting host to admit you. If you are unsuccessful in joining, hang up and dial in again.
4. You must unmute yourself when you wish to speak by pressing *6, which is also used to mute yourself when you finish speaking.

Video Teleconference Meeting Instructions and Information:

- Stay muted unless speaking.
- Listen for prompts to know when public comments are solicited.
- You must unmute yourself when you wish to speak during Public Comment or during discussion of a particular agenda item. The meeting host can mute but cannot unmute participants.
- Announce yourself and speak slowly and clearly when commenting.
- Call (925) 875-2214 if you experience any technical difficulties.

Boardmembers and staff will be attending the meeting via teleconference. The Board will convene any Closed Sessions on a separate teleconference line and return to the open teleconference meeting for the next agenda item when the Closed Session is completed. The open teleconference meeting will be muted during this time and will resume for the Closed Session report and meeting adjournment.

The Boardroom is closed to the public.

All votes during the meeting will be taken by roll call vote.

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

June 21, 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; Jason Ching, Acting Engineering Services Director/District Engineer; 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 July 21, 2022, Pursuant to California Government Code Section 54953(e)

Vice President Rubio MOVED to Approve Resolution No. 28-22, 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 June 21, 2022 Through July 21, 2022, Pursuant to the Authorizations Provided for in California Government Code Section 54953(e). Director Goel SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

5. SPECIAL ANNOUNCEMENTS/ACTIVITIES

5.A. New Employee Introductions:

Desiree Molina, Operator-In-Training	Efren Villamore, Operator-In-Training
Leon Lim, Operator-In-Training	David Short, Operator-In-Training
Anthony Hume, Operator-In-Training	Jimmy Perez, Mechanic II

Speaker: Mr. Joshua Horowitz, (Partner, Bartkiewicz, Kronick & Shanahan [BKS]) –

Mr. Horowitz addressed the Board and introduced his firm, BKS, which District General Counsel Mr. Doug Coty will be joining as of July 1, 2022. BKS is looking forward to working with the District upon approval of the agreement for General Counsel services this evening.

6. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:11 p.m.

Speaker: Mr. Mike Grant (Dublin Resident) – Mr. Grant addressed the Board and expressed his continued concern regarding sprinkler overspray at Dolan Park and the inaction by City of Dublin to address this matter. He also urged the Board to advocate to state politicians that homeowners should receive a drought tax break given the surplus of taxes homeowners have paid.

Speaker: Mr. Greg Jones (Dublin Resident) – Mr. Jones addressed the Board and inquired about the joint recycled water fill station. He applauded efforts to do a joint station but had received mixed messaging from Board and staff on its status. He stated residents need a path forward to offset potable use in order to meet the 15% conservation goal.

General Manager McIntyre reported that the joint fill station will move forward if City of Pleasanton's City Council approves the project agreement this evening. The new location is set to be at Zone 7 Water Agency's office grounds on Hopyard Road in Pleasanton. The station is projected to open sometime in August.

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

8. CONSENT CALENDAR

Director Johnson 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.

Director Vonheeder-Leopold stated that her affirmative vote is in approval of Items 8.B through 8.I, and that she abstains from 8.A, because she was absent from the June 7, 2022 Board meeting.

8.A. Approve Regular Meeting Minutes of June 7, 2022 – Approved

8.B. Affirm No Changes to the Employee Recognition Programs Policy – Approved

8.C. Affirm No Changes to the Staff Organization Policy – Approved

8.D. Affirm No Changes to the New/Revised Job Classifications and Salary Policy – Approved

8.E. Affirm No Changes to the Fraud in the Workplace Policy – Approved

8.F. Approve Amendment to the Capital Improvement Program Two-Year Budget and Ten-Year Plan to Increase the Alum Addition Project (CIP 18-P016) Budget, Award Construction Agreement to Pacific Infrastructure Corporation, and Authorize Execution of Task Order No. 5 with HDR Engineering for Construction Management Services – Approved – Resolution No. 29-22

8.G. Approve the Purchase with Platt Electrical Supply for the Supply and Delivery of Miscellaneous Electrical Parts and Authorize the General Manager to Execute the Purchase Order with Platt Electrical Supply for the Supply and Delivery of Miscellaneous Electrical Parts – Approved

- 8.H. Approve Agreement for Legal Services with Bartkiewicz, Kronick & Shanahan for General Counsel Services – Approved – Resolution No. 30-22
- 8.I. Approve Modification to the Unrepresented Senior Management Employees’ Salary and Benefits Resolution No. 7-22, Exhibit B, for Base Salary Increase for the Engineering Services Director – Approved – Resolution No. 31-22

9. BOARD BUSINESS

- 9.A. Receive Report on the Low Income Household Water Assistance Program and Provide Direction

Administrative Services Director Atwood reviewed the item for the Board. The Board asked several follow-up questions pertaining to LIHWAP (Low Income Household Water Assistance Program) customer eligibility, interaction with the District’s Low Income Assistance program, program marketing, staff responsibilities, and overall program impact and administration.

Speaker: Ms. Lara Calvert (Executive Director, Spectrum Community Services, Inc.) – Ms. Calvert provided additional program background and administrative information to the Board throughout the discussion.

Executive Services Supervisor/District Secretary read two written (email) comments received prior to the meeting:

“Dear Directors, I think the water company should take part in this program and help the people who need it. Everything is getting more expensive every day. You are spending more time with your travel reimbursements than with programs to help people. Respectfully, S.K. Singh” (6/21/22)

“Dear Members of the Board: I am submitting this email later than what I would have liked because I only recently learned that this matter had even been agendaized. Several of us had been told the opposite. This is the first break that I have had in my schedule today to write a response. I am very disappointed by the tenor of Ms. Atwood's report and the actions of the utility billing/customer service group. They clearly don't want to give LIHWAP a chance. Many deserving customers have received little relief overall since the pandemic began. Every effort should be made to ensure that they receive this assistance. Although there are other customers with arrearages who may qualify for LIHWAP, Ms. Atwood focuses on LIA participants. She mentions \$6,780 in overdue charges for LIA customers and \$3,464.48 in overdue charges for 14 of these. Other participating water companies with their own low-income programs (like East Bay MUD and Cal Water) realize that LIHWAP is a complementary program that will benefit their customers and the companies themselves. Eligible customers should be able to participate in both programs--particularly while we are still experiencing a public health emergency. Once these customers receive the one-time LIHWAP assistance, that's that. Instead of looking at productive ways of utilizing both programs, however, Ms. Atwood wants people to think LIHWAP will bring mass delinquencies and chaos. If DSRSD doesn't elect to participate in LIHWAP, otherwise eligible district customers will be denied this valuable assistance. Local service providers are supposed to collect information about

these otherwise eligible customers to see if anything can be done to help them after the current program ends (presumably after August 2023). Since DSRSD sent out notices to customers with delinquent accounts a few days ago saying they plan to hold a hearing on July 19th to put their delinquent charges on county property tax rolls, however, waiting another year is not a viable option. DSRSD is not waiting for LIHWAP or the end of the public health emergency. Lara Calvert at Spectrum Community Services and Kristen Hart, the Assistant Deputy Director of CSD's Energy & Environmental Services Division (email address: kristen.hart@csd.ca.gov, phone number:916-562-0803) are well equipped to answer in-depth questions about LIHWAP and any estimated costs to the district. I am sure that Public Affairs will not need to spend as much time on LIHWAP as they do with DSRSD-generated events/programs. When I see the \$8,000-\$11,500 estimated cost in the report, I would like to know the actual hours and pay rates corresponding to this estimate. Is LIHWAP a perfect program? No. No program is perfect. My friends and I wish that LIHWAP had launched much earlier and that all income-qualified applicants would be eligible--whether in arrears or not and whether or not their water companies elect to participate directly. LIHWAP is a very good program and we would like to see every water company opt in. I do hope that the board will direct staff to do just that tonight. Sincerely, Nancy Johnson" (6/21/22)

Director Goel MOVED to Direct Staff to Opt the District in to Participate in the Low Income Household Water Assistance Program (LIHWAP), Submit a Letter of Concern to the California Department of Community Services and Development (CSD) regarding Account Arrearage Requirements, Co-Market the Program with Spectrum Community Services, Inc., and Re-evaluate the Requirements of the District's Low Income Assistance Program. Vice President Rubio SECONDED the MOTION, which CARRIED with THREE AYES and TWO NOES (Halket and Vonheeder-Leopold) per roll call vote.

9.B. Adopt Revised Director Travel and Expenses Policy and Rescind Resolution No. 1-20

General Manager McIntyre reviewed the item for the Board. The Board and staff discussed the proposed parameters for pre- and post-event lodging, and contemplated alternate options based on travel time, mileage ranges, networking opportunities, travel budget caps, officer roles, and other possible circumstances.

Director Johnson MOVED to Adopt the Resolution Revising the Director Travel and Expenses Policy and Rescinding Resolution No. 1-20 with the Amendment to Set the Pre-Approved Lodging Travel Distance to More than 100 Miles. After additional discussion, Director Johnson withdrew her motion.

Vice President Rubio MOVED to Adopt the Resolution Revising the Director Travel and Expenses Policy and Rescinding Resolution No. 1-20 as Presented. The MOTION FAILED due to lack of a SECOND.

The Board directed staff to reconsider pre- and post-lodging options and present the item at a future meeting for reconsideration.

9.C. Receive Presentation on District's Water Conservation Status

Senior Engineer Irene Suroso reviewed the item for the Board and gave a presentation regarding the state update, conservation and drought outreach, water use and conservation target update, and next steps. The presentation was added to the District website as supplemental materials.

The Board and staff discussed aspects of the presentation and encouraged staff to update the District's conservation messaging to add definition to the permitted three times a week waterings (how long each day, how much for different types of vegetation – groundscape versus trees, etc.) and include sprinkler rebate information. The Board noted that the District should model what it wants its customers to do.

- 9.D. Approve Seventh Supplemental Agreement to Agreement for Wastewater Disposal Services Between District and City of Pleasanton Related to the West Dublin Trunk Sewer Line

Management Analyst II Corinne Ferreyra reviewed the item for the Board.

Vice President Rubio MOVED to Approve Resolution No. 32-22, Approving the Seventh Supplemental Agreement to Agreement for Wastewater Disposal Services Between City of Pleasanton and Dublin San Ramon Services District. Director Goel SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

- 9.E. Public Hearing: Adopt Engineer's Report and Direct Levy of Annual Assessments in the Dublin San Ramon Services District Dougherty Valley Standby Charge District 2001-1 for Fiscal Year 2022–2023

President Halket announced the item and declared the Public Hearing open. He asked for the staff presentation. Utility Billing and Customer Services Supervisor Mayette Bailey 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 had no further discussion.

Director Goel MOVED to Adopt Resolution No. 33-22, Adopting Engineer's Report and Directing the Levy of Annual Assessments in the Dublin San Ramon Services District Dougherty Valley Standby Charge District 2001-1 for Fiscal Year 2022–2023. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

- 9.F. Public Hearing: Adopt Annual Dougherty Valley Incremental State Water Project Charge Report and Direct the Levy of the Dougherty Valley Incremental State Water Project Charge for Non-Governmental Parcels on the Contra Costa County Secured Property Tax Roll and for Government Potable Water Customers on Utility Bills

President Halket announced the item and declared the Public Hearing open. He asked for the staff presentation. Utility Billing and Customer Services Supervisor Mayette Bailey 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 possibility of approving the annual levy on a biannual basis for administrative efficiency. Staff confirmed it would look into the legality of implementing a biannual approval schedule.

Director Goel MOVED to Adopt Resolution No. 34-22, Adopting the Annual Dougherty Valley Incremental State Water Project Charge Report and Directing the Levy and Collection of the Dougherty Valley Incremental State Water Project Charge on the Contra Costa County Property Tax Roll for Non-Governmental Parcels and on the Utility Bills for Governmental Customers for Fiscal Year 2022–2023. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES per roll call vote.

10. REPORTS

10.A. Boardmember Items

10.A.1. Joint Powers Authority and Committee Reports – None

10.A.2. 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 May 11, the California Association of Sanitation Agencies (CASA) Board of Directors meeting on May 12, and the CASA Budget Committee meeting on May 31. She summarized the activities and discussions at the meetings.

10.A.3. Request New Agenda Item(s) Be Placed on a Future Board or Committee Agenda – None

President Halket reported that the July 5 Board meeting will be cancelled. He also reported that he will be unable to attend the July 19 Board meeting.

10.B. Staff Reports

10.B.1. Event Calendar – General Manager McIntyre had nothing to report.

10.B.2. Correspondence to and from the Board on an Item not on the Agenda was included in the agenda packet.

11. ADJOURNMENT

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

Submitted by,

Nicole Genzale, CMC

Executive Services Supervisor/District Secretary



TITLE: Ratification of an Agreement with the City of Livermore, the City of Pleasanton, and the Zone 7 Water Agency for a Temporary Joint Residential Recycled Water Fill Station

RECOMMENDATION:

Staff recommends the Board of Directors approve, by Resolution, the following actions:

1. Rescind Resolution No. 11-22, which authorized the General Manger to execute an agreement between Dublin San Ramon Services District, City of Pleasanton, and City of Livermore for a Temporary Joint Residential Recycled Water Fill Station at 5287 Gleason Drive in Dublin.
2. Rescind the April 19, 2022 conditional construction contract award for the 5287 Gleason Drive Temporary Joint Residential Recycled Water Fill Station project (CIP 22-R026).
3. Ratify the General Manager’s execution of the Agreement for a Temporary Joint Residential Recycled Water Fill Station at 5997 Parkside Drive Between Dublin San Ramon Services District, City of Pleasanton, City of Livermore, and Zone 7 Water Agency.

DISCUSSION:

On March 15, 2022, the Board authorized the General Manger to execute an agreement entitled Agreement for a Temporary Joint Residential Recycled Water Fill Station at 5287 Gleason Drive Between Dublin San Ramon Services District, City of Pleasanton, and City of Livermore (“Original Agreement”) to design, construct, and operate a temporary Tri-Valley Residential Fill Station at the District’s vacant Gleason property with the City of Pleasanton and City of Livermore. On the same date, the Pleasanton City Council also approved the Original Agreement, contingent on the annual “season pass” program fee being increased from \$100 to \$150 per residential user. In response, on April 5, 2022, the Board approved a minor amendment to the Original Agreement, which increased the annual “season pass” program fee from \$100 to \$150 per year.

The terms of the Original Agreement were based on an estimated cost to construct the residential fill station of \$1 million. After soliciting bids for the construction of the recycled water fill station at 5287 Gleason Drive, the lowest bid significantly exceeded the estimated construction cost. In response to the higher-than-expected construction cost, on April 19, 2022, the Pleasanton City Council voted to rescind its approval of the Original Agreement and asked the partner agencies to explore other locations for the residential recycled water fill station.

In response to the City of Pleasanton’s request, the partner agencies – City of Livermore, City of Pleasanton, and the District – evaluated numerous alternatives to site the residential recycled water fill station. A parking lot adjacent to the Zone 7 Water Agency (Zone 7) administrative building, located at 5997 Parkside Drive in Pleasanton, was identified as the preferred alternative. The Zone 7 parking lot is adjacent to recycled water distribution infrastructure, centrally located to most residents in the Tri-Valley area, and not heavily used during the proposed operating hours of the fill station. Because the parking lot is partially owned by Zone 7, the City of Livermore, City of Pleasanton, and the District invited Zone 7 as a fourth partner to the consortium of agencies responsible for the design, construction, operation and maintenance of the Tri-Valley Residential Fill Station.

At the May 17, 2022 Board meeting, staff informed the Board that a new agreement (“Agreement”) was being crafted for the Parkside location, and that the Agreement was substantially the same as the Original Agreement that the Board had previously authorized. However, it was not communicated explicitly that Zone 7 was going to be part of the partnership due to property rights.

Originating Department: Engineering Services	Contact: S. Mann/S. Delight	Legal Review: Yes
Financial Review: Not Required	Cost and Funding Source: \$100,000 from Water Operations (Fund 600) for Operation and \$150,000 from Water Replacement (Fund 610) for Construction	
Attachments: <input type="checkbox"/> Ordinance <input type="checkbox"/> Task Order <input type="checkbox"/> Proclamation <input type="checkbox"/> Other (see list on right)	<input type="checkbox"/> None <input checked="" type="checkbox"/> Resolution	

The new Agreement is now a two-year partnership between the District, City of Pleasanton, City of Livermore, and Zone 7, effective on July 13, 2022 (the date the last signature was affixed) through December 31, 2023.

Project costs will be shared equally amongst the District, the City of Pleasanton, and City of Livermore only. Zone 7 will not share in the costs nor in the revenue of the proposed facility and will only be responsible for providing the property needed to construct and operate the residential recycled water fill station.

To be considered valid, the Agreement requires the four parties to execute the Agreement by July 2022. The Agreement was consequently routed for execution by the four partner agencies following the City of Pleasanton's approval of the project at its June 21, 2022 City Council meeting. The Agreement was fully executed by the partner agencies on July 13, 2022 (Exhibit A to Resolution). Staff recommends that the Board ratify the General Manager's execution of the Agreement on behalf of the District. As an administrative clean-up for this project, staff further recommends that the Board, ratify the Agreement with the addition of Zone 7 as the fourth party, rescind previous actions related to the Tri-Valley Residential Fill Station, including rescinding the authorization of the General Manager to execute the former Agreement, and the conditional contract award for the Gleason Drive project.

To minimize traffic impacts in the City of Pleasanton, the residential recycled water fill station will be operated five days per week (Monday – Friday), excluding holidays, from 9:30 a.m. to 3 p.m., between approximately April and October of each year that it remains in operation. "Season passes" will be made available to Tri-Valley residents for \$100 per year and will allow users access to an unlimited supply of recycled water during the annual operating period. Revenue generated from the season pass program will be used to help offset the costs associated with the project.

As the lead agency, the City of Pleasanton has made the preliminary determination that the project is exempt from the California Environmental Quality Act (CEQA) and will file a Notice of Exemption with the Alameda County Clerk in July 2022. As part of the review process, the City of Pleasanton will also notify approximately 475 addresses located within a 1,000-foot radius of the project site.

The temporary residential recycled water fill station is expected to be completed and in operation by late summer 2022. The District's share of the capital costs related to the project are 100% funded by Water Replacement (Fund 610); and operational costs are 100% funded by Water Operations (Fund 600).

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT TO RESCIND RESOLUTION NO. 11-22, TO RESCIND THE CONDITIONAL PROJECT AWARD MADE ON APRIL 19, 2022, AND TO RATIFY AN AGREEMENT WITH THE CITY OF LIVERMORE, THE CITY OF PLEASANTON AND THE ZONE 7 WATER AGENCY FOR A TEMPORARY JOINT RESIDENTIAL RECYCLED WATER FILL STATION AT 5997 PARKSIDE DRIVE IN PLEASANTON, CALIFORNIA

WHEREAS, the State of California continues to experience drought conditions; and

WHEREAS, in September 2021, the Zone 7 Water Agency declared a drought emergency and Stage 2 Water Shortage Emergency which remains in effect and requires mandatory 15% water conservation from all Tri-Valley Water Service suppliers; and

WHEREAS, section 2(e) of the District's Water Recycling policy (P300-20-2) states that the District will provide recycled water to residential customers only in times of mandatory water conservation; and

WHEREAS, on March 15, 2022, the Board authorized the General Manger to execute an agreement with the City of Pleasanton and City of Livermore to design, construct, and operate a temporary residential fill station at the District's property located at 5287 Gleason Drive in Dublin; and

WHEREAS, the lowest, responsive bid for the construction of the proposed residential fill station at the Gleason Drive property was \$1,466,292.91, exceeding the original construction estimate by \$466,292.91; and

WHEREAS, on April 19, 2022, the Board conditionally awarded the project to the lowest, responsive bidder, contingent on both the City of Pleasanton and City of Livermore authorizing and allocating additional funding necessary to cover their respective shares of the project costs; and

WHEREAS, on April 19, 2022, following the District Board action, the Pleasanton City Council voted to rescind its prior approval of the proposed project due to the higher-than-expected cost of construction, and requested partner agencies to investigate siting the temporary residential fill station at an alternative location to reduce the overall project cost; and

WHEREAS, the District has since partnered with the City of Pleasanton, City of Livermore, and the Zone 7 Water Agency to design, construct, and operate a temporary residential fill station at a parking lot adjacent to the Zone 7 Water Agency's administrative building located at 5997 Parkside Drive in Pleasanton; and

WHEREAS, the updated engineer's estimate for the Parkside Drive residential fill station is \$450,000; and

Res. No. _____

WHEREAS, the City of Livermore will provide temporary staffing and recycled water supply, the City of Pleasanton will provide financial oversight and environmental documentation, the Zone 7 Water Agency will provide the property to site the temporary residential fill station, and the District will design, construct, and permit the fill station; and

WHEREAS, the District, City of Pleasanton, and City of Livermore will equally share in the design, construction, maintenance, and operational costs of the temporary residential fill station at the Parkside Drive property; and

WHEREAS, on July 5, 2022, the General Manager, pursuant to his Board delegated authorities, executed the Agreement for a Temporary Joint Residential Recycled Water Fill Station at 5997 Parkside Drive Between Dublin San Ramon Services District, City of Pleasanton, City of Livermore, and Zone 7 Water Agency (attached hereto as Exhibit "A" and incorporated herein by this reference) for the planning, design, construction, operation, and maintenance of a temporary residential recycled water fill station.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT, a public agency located in the Counties of Alameda and Contra Costa, California, as follows:

1. Resolution No. 11-22, adopted by the Board on March 15, 2022, authorizing the General Manger to execute an agreement with City of Pleasanton and City of Livermore for temporary joint recycled water fill station at the District's Gleason Drive property is hereby rescinded in its entirety; and
2. The April 19, 2022, conditional construction contract award for the 5287 Gleason Drive Temporary Joint Residential Recycled Water Fill Station project (CIP 22-R026) is hereby rescinded in its entirety; and
3. The Agreement for a Temporary Joint Residential Recycled Water Fill Station at 5997 Parkside Drive Between Dublin San Ramon Services District, City of Pleasanton, City of Livermore, and Zone 7 Water Agency in a form approved by legal counsel, including any non-substantive revisions, is hereby ratified.

Res. No. _____

ADOPTED by the Board of Directors of Dublin San Ramon Services District, a public agency in the State of California, Counties of Alameda and Contra Costa, at its regular meeting held on the 19th day of July, 2022, and passed by the following vote:

AYES:

NOES:

ABSENT:

Richard M. Halket, President

ATTEST: _____
Nicole Genzale, District Secretary

**AGREEMENT FOR A TEMPORARY JOINT RESIDENTIAL RECYCLED WATER
FILL STATION AT 5997 PARKSIDE DRIVE BETWEEN DUBLIN SAN RAMON
SERVICES DISTRICT, CITY OF PLEASANTON, CITY OF LIVERMORE, AND ZONE
7 WATER AGENCY**

This Agreement for a Temporary Joint Residential Recycled Water Fill Station at 5997 Parkside Drive Between the Dublin San Ramon Services District (DSRSD), City of Pleasanton, City of Livermore, and Zone 7 Water Agency (Zone 7) (“Agreement”) is made and entered into this 13th day of July, 2022. DSRSD, City of Pleasanton, City of Livermore, and Zone 7 are individually referred to as "Party," and collectively as "Parties."

W I T N E S S E T H

WHEREAS, in July 2020, an update of the DSRSD’s Water Recycling policy was adopted by DSRSD Board of Directors which stated the DSRSD would provide recycled water for off-haul to residential customers only in times of mandatory potable water conservation; and

WHEREAS, the Parties desire to cooperate on the development, construction, and operation of a Temporary Joint Residential Recycled Water Fill Station, to be operational in the summer of 2022, if mandatory restrictions on the use of potable water for irrigation are in effect for the Tri-Valley in 2022; and

WHEREAS, DSRSD has insufficient available recycled water supply to operate a residential recycled water fill station on peak days; and

WHEREAS, the City of Livermore has available recycled water supply, and an interconnection with the City of Pleasanton’s recycled water system; and

WHEREAS, the Temporary Joint Residential Recycled Water Fill Station will be located on Zone 7 property at 5997 Parkside Drive, Pleasanton, California (the “Parkside Property”) as depicted on Exhibit A attached hereto.

NOW, THEREFORE, in consideration of the recitals and mutual obligations herein expressed, the Parties do hereby agree as follows:

I. PURPOSE AND LIMITATIONS

1. The purpose of this Agreement is to set forth the terms, conditions, and responsibilities of the Parties for the planning, design, construction, operation, and maintenance of a **Temporary Joint Residential Recycled Water Fill Station at 5997 Parkside Drive Project** (“Project”).
2. The Parties acknowledge and agree that this Agreement is intended to provide for a Temporary Joint Residential Recycled Water Fill Station to be planned, designed, operated, and maintained during the period of June 1, 2022 through December 31, 2023. Operations of the recycled water fill station would only occur if mandatory restrictions on the use of potable water for irrigation are implemented in the Tri-Valley during that time period. This Agreement is not intended to provide a permanent recycled water fill station for residents due to recycled water supply limitations and the cost and resources required to operate a fill station.
3. No term of this Agreement is intended to imply that a long-term agreement will follow or will bind the Parties as to negotiating any future agreement between them.

If this Agreement is not executed by all four Parties and signed in July 2022, the agreement, and all its terms and conditions, shall be null and void without further action by any party or parties.

II. GOOD FAITH, COOPERATION, CONDITIONS, AND SCHEDULE

1. The Parties commit to diligently and in good faith cooperate towards the beneficial use of the Project, conditioned upon each of the following occurring:
 - a. DSRSD’s development of the design, construction, and permitting of the Project at the Parkside Property; and
 - b. The City of Pleasanton development of customer payment, collection, and revenue disbursement systems and processes, and
 - c. The City of Livermore providing adequate staffing and recycled water supply for the Project, and
 - d. Zone 7 providing the site at the Parkside Property.
2. It is anticipated that Project related improvements to the Parkside Property would begin in or before July 2022 conditioned on water supply availability and drought conditions effecting the Tri-Valley and the imposition of mandatory restrictions on use of potable water for irrigation.

The Parties agree to cooperate and work diligently to complete the Project in order for operations of the fill station to begin by July 2022, subject to the water supply and drought conditions as described herein.

3. No Party is a contractor or employee to or of any other Party. The Project is a temporary joint drought and water supply reliability project, with the Parties jointly sharing the benefits and risks of the Project.

III. TERM

This Agreement is effective as of the date the last signature is affixed and transcribed above and shall extend through and include December 31, 2023, unless extended further pursuant to Section VII.B. of this Agreement.

IV. RESIDENTIAL RECYCLED WATER FILL STATION

A. Site Description

1. For the term of this Agreement, Zone 7 shall make available, at its sole cost and without requiring rent or lease payments from the other Parties, approximately 0.5 acres of the total 1.26 acres of the Parkside Property as the site for the Project.

B. Design

1. DSRSD will provide planning and design services for the Project with the Parties providing review and design assistance.
2. DSRSD will be responsible for obtaining all required permits from City of Pleasanton and any other required permits to construct the Project, including authorization from any State agency as may be required.
3. The Parties shall provide timely review and provide comments and input on the draft design to DSRSD.
4. To the extent reasonably possible while meeting the objectives of the Project, the Project shall be designed to minimize impacts to:
 - a. Traffic conditions within the City of Pleasanton; and
 - b. The City of Livermore's recycled water supply and staffing; and
 - c. The City of Pleasanton's Ken Mercer Sports Park.
5. Each Party will provide available information, including recycled water flows, available metering infrastructure and facilities, and other available information as requested by any Party for use in the planning, design, operations, and maintenance of the Project.

C. Construction

1. DSRSD will be responsible for all recycled water plumbing improvements including but not limited to connection to the Pleasanton recycled water main at

Parkside Drive, all valves, pipes, and hoses, either through an on-call contract, or by soliciting bids at the sole discretion of DSRSD.

2. City of Livermore will be responsible for any modifications needed offsite at its metering equipment with City of Pleasanton.
3. DSRSD will be responsible for any modifications needed offsite at its metering equipment with City of Pleasanton.

D. Recycled Water Supply

1. City of Livermore will provide the total quantity of recycled water supply required for the Project. The quantity of recycled water that will be made available to residential users of the Project is therefore limited by the recycled water supplies to be made available by the City of Livermore.
2. To provide the recycled water supply for the Project, City of Livermore and City of Pleasanton shall cooperate to allow for the City of Livermore to deliver recycled water supplies to augment recycled water service delivered to the east side of Pleasanton on peak days. The delivery of City of Livermore recycled water supplies will therefore reduce City of Pleasanton's demand on the Dublin San Ramon Services District – East Bay Municipal Utility District Recycled Water Agency (DERWA) recycled water program, which shall offset the demand from the operation of the fill station at Parkside Property.
3. The Parties acknowledge and agree that the Project shall not impact any DERWA recycled water supplies or deliveries to DERWA customers and no DERWA recycled water supply will be made available for use by the Project.

E. Metering

1. City of Livermore has a metered flow control valve connection with City of Pleasanton for recycled water supply. The existing recycled water infrastructure can deliver recycled water into City of Pleasanton's Tassajara Reservoir. All of City of Livermore's recycled water sold to the City of Pleasanton runs through a 12" water meter near the intersection of El Charro Rd and Jack London Boulevard. Recycled water supplies delivered by City of Livermore to City of Pleasanton for Project uses will be sold at City of Livermore's standard rates, effective at the time of delivery.
2. The maximum daily recycled water demand of the Project is estimated at 0.4 million gallons per day ("MGD").

F. Staffing

1. City of Livermore will be responsible for hiring and providing temporary employees to operate the recycled water fill station.

2. DSRSD, with the assistance of the City of Livermore, will provide training of the temporary staff hired to operate the recycled water fill station.
3. Only the cost of employees to operate the recycled water fill station will be jointly shared costs. All other staff time provided for the Project will be the responsibility of the party providing it.

G. Cost Sharing

1. Development, construction, operation, and maintenance costs will be funded equally by City of Livermore, City of Pleasanton, and the Dublin San Ramon Services District. Zone 7 shall not be responsible for any portion of these costs or other costs of the Project, except as provided in Section IV.A.1 of this Agreement. The Parties to share the defense costs be limited to the remaining parties and exclude Zone 7. Project development costs (including all planning, design, permitting, and construction costs) are estimated at \$450,000. Annual operating costs, including required staffing, maintenance activities, utility costs, purchase of recycled water supply from Livermore, and all associated labor costs, are estimated at \$300,000.
2. City of Livermore will incur energy costs specifically associated with the production of the additional recycled water required for the Project. Energy costs for the months that the Project was operating and open to residents will be produced and provided by the City of Livermore at the end of each year.
3. Recycled water purchase costs are as follows for City of Livermore: costs \$3.30 per CCF or 748 gallons (2022 cost). Recycled water purchase costs are as follow for DERWA: \$1.39 per CCF or 748 gallons (for 2022). The rates provided may be subject to change during the term of Agreement. The Parties agree to notify each other before changes are made to the recycled water purchase rates; however, the Parties acknowledge and agree that DERWA's rates are set independently by DERWA and are not subject to the control of any Party to this Agreement.
4. The jointly shared costs described herein may be partially reimbursed to DSRSD, Pleasanton and Livermore by Program Fee revenues (described below), subject to availability.

H. Program Fee

1. The Project will have a cost recovery fee program (the "Program Fee") to be paid annually. Residential users of the Project shall be required to sign up for program at an initial annual cost of \$100. Payment of the Program Fee will allow the residential user access to the fill station and recycled water supply for the period during which the Project is in operation during the calendar year in which the fee

was paid (e.g. a “season pass”). The Parties shall meet and confer annually on the amount of the Program Fee.

2. City of Pleasanton will provide financial management services for the Project, including:
 - a. Receiving copies of invoices for all construction, operating and maintenance costs incurred by the Parties;
 - b. Establishing separate project accounts to track the expenditures, revenues, and reimbursements;
 - c. Billing the Parties for their share of the costs incurred;
 - d. Remitting reimbursements to the Party that incurred each expense;
 - e. Billing residential users and collecting the Program Fees appropriately; and
 - f. Distributing Program Fee revenues equitably to the Parties each year by December 31st.

I. California Environmental Quality Act (CEQA)

1. Pleasanton will be the lead agency and prepare and file any required environmental analysis for the Project pursuant to the California Environmental Quality Act (“CEQA”).
2. DSRSD and City of Livermore will cooperate with Pleasanton and assist Pleasanton as requested in the preparation of any CEQA document and shall each act as responsible agencies as required pursuant to CEQA.
3. The Parties agree to work cooperatively to ensure Project compliance with the California Environmental Quality Act (CEQA).
4. Entering into this Agreement does not pre-determine any actions that may be required pursuant to CEQA and each Party, according to its own judgment, may take any additional actions pursuant to federal or state resource protection laws that it determines are required for its continued participation in the Project

V. PROJECT OPERATION

A. Recycled Water Fill Station Operations

1. To minimize traffic impacts in the City of Pleasanton the fill station will only be operated weekdays (Monday – Friday), excluding holidays, and only during non-peak traffic hours. The non-peak hours are established to be between 9:30 A.M. to 3:00 P.M. daily.
2. Any repairs or maintenance needed on site to keep the fill station operational shall be performed on weekdays outside of operational hours unless it is an urgent or emergency matter. Urgent or emergency matters are discussed in Section C.

3. The Parties shall jointly confer to adjust hours of operation to meet the high customer demand outside of non-peak hours (subject to the availability of trained staffing), to meet low customer demand during non-peak hours, or if there is insufficient trained staff to safely operate the Project during any hours of operation.
4. The Project will only be operated during periods when mandatory restrictions on the use of potable water for irrigation have been imposed on the Tri-Valley. The Project will not be operated in any non-drought year or any drought period where mandatory water use restrictions have not been imposed.
5. It is anticipated that the Project will be operated only during the months of April through October, or as otherwise determined by the Parties. The Parties shall agree in writing, no later than February 28th of each year during the pendency of this Agreement, if the Project will be operational during the upcoming operating period.

B. Notification and Reporting

1. In order to effectuate the additional sale of recycled water to the City of Pleasanton by the City of Livermore, DSRSD will coordinate with the City of Pleasanton to reduce their deliveries of recycled water and provide notice to the City of Livermore.
2. A minimum of 24-hour advanced notice is required for any operational changes to DSRSD's recycled water system.
3. A separate Standard Operating Procedure ("SOP") will be created by the Parties to establish contacts and procedures for making required changes to any Party's recycled water operations pursuant to this Agreement.

C. Urgent or Emergency Matters

1. In the case of an urgent or emergency situation involving the Project, the Parties agree to promptly communicate and work cooperatively to respond.
2. Any Party may respond to and resolve any urgent or emergency situation that occurs with the Project; however, Pleasanton will be the lead responder to address issues related to recycled water delivered to the Parkside Property.
3. When emergency response assistance is required by any Party related to the Project, mutual assistance or aid may be requested in accordance with any applicable mutual aid or operations agreements.
4. The Parties shall create and maintain an emergency contact list, which shall include names, roles, and emergency contact information for emergency response personnel. If an urgent or emergency condition exists, the responding Party shall attempt to reach their counterpart, by telephone as soon as reasonably possible.

5. No Party to this Agreement, or a third party under contract with a Party, shall be constrained in an urgent or emergency situation from expending funds or performing work on the Project that is in compliance with state and local emergency procurement requirements, in order to prevent or mitigate the loss or impairment of life, health, property or essential public services to its customers at its individual expense and in accordance with its policies and procedures. In such an event, the Party performing, or that has authorized, the work shall notify the other Parties soon as reasonably practical.

VI. REPORTING

On a monthly basis, the Parties will do the following:

- a) DSRSD will prepare and provide a report to City of Livermore and City of Pleasanton on total quantity of recycled water delivered to the recycled water fill station for the prior month;
- b) City of Livermore will provide the number of daily vehicle trips at the station (broken down by city of residence);
- c) City of Pleasanton will provide the number of residential customers and the amount of Program Fee revenues received and provide a report of season passes sold with residency and contact information of the purchaser of the season pass (including the physical address and phone number) to the corresponding jurisdiction.

VII. GENERAL PROVISIONS

A. Termination

The Parties may, at any time, terminate the Agreement immediately or suspend operations, subject to any actions determined necessary to safely terminate or suspend operations and apportion costs as described in paragraphs 3 and 4 of this Section VII.A. Termination pursuant to this paragraph shall be unanimous and be documented in a writing pursuant to Section VII.B. of this Agreement.

No later than 60 days after the issuance by one or more Parties of a Notice of Intention to Terminate pursuant to the preceding paragraph, the Parties shall meet and confer regarding the Project and its continued operation, abandonment, dismantling, or demolition.

In the event the Project is abandoned, dismantled, or demolished, the Parties hereby agree to a co-equal cost-share of all costs incurred as a result. Should Project operations continue, the remaining Parties to the Agreement will negotiate updated cost-sharing consistent with this Agreement.

B. Amendment

No modification or amendment of this Agreement will be valid unless made in writing and signed by the duly authorized representatives of the Parties.

C. Assignment and Successors

No Party will assign any right or interest in this Agreement, or any part thereof, without the written consent of the other Parties, which consent shall be at the sole discretion of the consenting Party or Parties. This Agreement will bind the successors of the Parties in the same manner as if they were expressly named.

D. Dispute Resolution

In the event of a dispute between a Party or Parties over the meaning of this Agreement or any term thereof, each Party will assign an appropriate management executive to meet in good faith with the other Parties to attempt to resolve the matter. Should informal efforts fail to resolve a dispute, the Parties may agree to mediation or arbitration, or pursue other available legal remedies.

E. Compliance With Laws

Each Party will comply with all federal and state laws, local ordinances, regulations, and orders applicable to the work it will perform under this Agreement.

F. Indemnification

The Parties, their officers, employees, staff, and agents shall use ordinary care and reasonable diligence in the exercise of their powers and in the performance of their duties pursuant to this Agreement.

No Party, its officers, directors, or employees shall be responsible for any action taken or omitted by any other Party, or its officers, directors, or employees. To the extent allowed by law, the Parties repudiate the provision for joint and several tort liability provided under Government Code Section 895.2, and agree, pursuant to Government Code Section 895.4, that each Party shall fully indemnify and hold harmless each other Party and its agents, officers, employees, and contractors from and against all claims, damages, losses, judgments, liabilities, expenses, and other costs, including litigation costs and attorney fees, arising out of, resulting from, or in connection with any negligent or wrongful act or omission of such Party in the performance of this Agreement, and the Parties intend that each Party provide indemnity or contribution in proportion to that Party's responsibility for any such claim, damage, loss, judgment, liability, expense or other cost, as determined under principles of comparative negligence.

Subject to and pursuant to the above, the Parties agree to share the costs of any third party-initiated claim or litigation resulting or arising from the Project or its operations.

G. Insurance

Each Party, at its sole cost and expense, shall carry insurance, or self-insure, its activities in connection with this Agreement, and obtain, keep in force and maintain, insurance or equivalent programs of self-insurance, for general liability, workers compensation, property (apparatus and equipment), and business automobile liability adequate to cover its potential liabilities under this Agreement. Each Party is responsible for its own self-insured retentions and deductibles.

H. Notice

All notices required to be given, or which may be given by one Party to the other, will be deemed to have been fully given and fully received: (A) immediately upon personal delivery; (B) three days after the notice is deposited in the United States mail, registered and postage prepaid and addressed to the Party for whom intended; or (C) on the same day as electronic transmission is sent as long as the transmitting Party receives confirmation of the transmission's delivery.

DSRSD: Dan McIntyre, General Manager
Dublin San Ramon Services District
7051 Dublin Boulevard
Dublin, CA 94568
(925) 875-2200
mcintyre@dsrcsd.com

City of Pleasanton: Kathleen Yurchak, Director of Ops & Water Utilities
City of Pleasanton
3333 Busch Road
Pleasanton, CA 94566
(925) 931-5506
kyurchak@cityofpleasantonca.gov

City of Livermore: Scott Lanphier, Director of Public Works
City of Livermore
1052 S. Livermore Ave.
Livermore, CA 94550
(925) 960-8003
smlanphier@cityoflivermore.net

Zone 7: Valerie Pryor, General Manager
Zone 7 Water Agency
100 North Canyons Parkway
Livermore, CA 94551
(925) 454-5000
vpryor@zone7water.com

The Parties may unilaterally modify the name, position, or address for notices pursuant to this Agreement; notification of which will be in writing and provided to each Party.

I. Signatures

The individuals executing this Agreement represent and warrant that they have the legal capacity and authority to do so on behalf of their respective legal entities. This Agreement may be executed in counterpart which when taken together shall be considered one and the same agreement. Facsimile, including email, and electronic signatures shall be binding.

J. Severability

If any term or provision of this Agreement is deemed invalid or unenforceable by a court of competent jurisdiction or by operation of any applicable law, it will not affect the validity of any other provision, which will remain in full force and effect.

K. Governing Law and Venue

This Agreement is governed by and will be interpreted in accordance with the laws of the State of California. Venue shall be in the Superior Court of the County of Alameda.

L. No Third-Party Beneficiaries

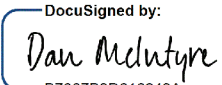
No third-party beneficiaries are intended or created by this Agreement.

M. Complete Agreement

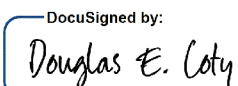
This Agreement represents the entire agreement between the Parties relating to the subject matter hereof.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement as of the day and year of the last signature affixed below and first above written.

DUBLIN SAN RAMON SERVICES DISTRICT

By: 
DocuSigned by:
B7067B3D616243A...
Dan McIntyre
Title:
General Manager


Date: 7/5/2022 | 12:38 PM PDT

Approved as to form: 
DocuSigned by:
896730FD6C0343E...
Douglas E. Coty, General Counsel

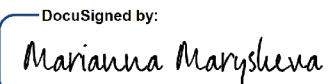
CITY OF PLEASANTON

By: 
DocuSigned by:
3239C91940BF4B6...
Gerry Beaudin
Title:
City Manager


Date: 7/6/2022 | 10:03 AM PDT

Approved as to form: 
DocuSigned by:
4D31B89E96AC4B4...
Daniel G. Sodergren, City Attorney


CITY OF LIVERMORE

By: 
DocuSigned by:
67FF33A39740458...
Marianna Marysheva
Title:
City Manager

Date: 7/11/2022 | 9:40 AM PDT

Approved as to form: 
DocuSigned by:
245F8B35F34C457...
For Jason R. Alcalá, City Attorney

ZONE 7

By: 
DocuSigned by:
722D674BB3FC498...
Valerie Pryor
Title:
General Manager

Date: 7/13/2022 | 8:52 AM PDT


Approved as to form: 
DocuSigned by:
8E0F3619455D46E...
Rebecca Smith, General Counsel

Exhibit A – Project Location Map

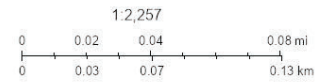
EXHIBIT A

JOINT RESIDENTIAL RECYCLED WATER FILL STATION AT 5997 PARKSIDE DRIVE PROJECT LOCATION MAP

Location Map



5/23/2022, 9:06:19 AM



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TITLE: Authorize the General Manager to Execute Contract with Univar Solutions USA for the Supply and Delivery of Sodium Hypochlorite 12.5%

RECOMMENDATION:

Staff recommends the Board of Directors authorize, by Motion, the General Manager to execute a contract with Univar Solutions USA for the supply and delivery of sodium hypochlorite 12.5% for the fiscal year period July 1, 2022 through June 30, 2023 and approve purchase in the amount of \$438,000.

DISCUSSION:

The District uses sodium hypochlorite 12.5% in wastewater treatment, potable water distribution, and recycled water production applications. The District participates in the annual competitive bid process for several chemicals, including sodium hypochlorite 12.5%, under the Bay Area Chemical Consortium (BACC) program administered by Bay Area Clean Water Agencies (BACWA). Univar Solutions USA was determined to be the lowest responsive bid for the supply and delivery of sodium hypochlorite 12.5% for the period July 1, 2022 through June 30, 2023 per BACC Bid No. 13-2022. The contract cost for the District is \$1.4424 per gallon, and the total estimated amount for the contract period is \$438,000 based on approximate usage requirements. This pricing is approximately double the unit cost paid by the District for sodium hypochlorite last year. The cost for sodium hypochlorite has significantly increased due to supply chain issues and high fuel prices.

As the contract amount exceeds the General Manager’s authority limit of \$175,000, the Board must authorize the General Manager to execute the contract and approve the purchase, as follows:

- \$352,000 Plant operations, Regional Wastewater Operations (Fund 300)
- \$16,000 Field operations, Water Enterprise (Fund 600)
- \$70,000 DERWA operations and maintenance budget
- \$438,000

The anticipated sodium hypochlorite expenses of \$368,000 for Plant operations and Field operations represent an increase of approximately \$184,00,000 over the amount currently included in the District’s FYE 2023 Operating Budget. The cost of \$70,000 for recycled water application is reimbursed to the District by the joint powers authority Dublin San Ramon Services District-East Bay Municipal Utility District Recycled Water Authority (DERWA), and the anticipated expense is already included in the DERWA budget for FYE 2023, which was approved by the DERWA Board on May 16, 2022. The increase in sodium hypochlorite costs will be reflected in the District’s mid-cycle budget adjustment that will be presented to the DSRSD Board at a future Board meeting.

Originating Department: Operations	Contact: J. Carson	Legal Review: Not Required
Financial Review: Not Required	Cost and Funding Source: \$438,000 with 80% Regional Wastewater Operations (Fund 300), 4% Water Enterprise (Fund 600), and 16% DERWA Operations and Maintenance Budget	
Attachments: <input checked="" type="checkbox"/> None <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Task Order <input type="checkbox"/> Proclamation <input type="checkbox"/> Other (see list on right)	29 of 53	



TITLE: Authorize the General Manager to Execute Contract with Chemtrade Chemicals US LLC for the Supply and Delivery of Aluminum Sulfate

RECOMMENDATION:

Staff recommends the Board of Directors authorize, by Motion, the General Manager to execute a contract with Chemtrade Chemicals US LLC for the supply and delivery of aluminum sulfate for the fiscal year period July 1, 2022 through June 30, 2023 and approve purchase in the amount of \$295,000.

DISCUSSION:

The District participates in the annual competitive bid process for several chemicals, including aluminum sulfate, under the Bay Area Chemical Consortium (BACC) program administered by Bay Area Clean Water Agencies (BACWA). Chemtrade Chemicals US LLC was determined to be the lowest responsive bid for the supply and delivery of aluminum sulfate for the period July 1, 2022 through June 30, 2023 per BACC Bid No. 01-2022. The contract cost for the District is \$0.8668 per gallon, and the total estimated amount for the contract period is \$295,000 based on estimated usage requirements. Aluminum sulfate is a chemical used in recycled water production, and the cost is reimbursed to the District by the joint powers authority Dublin San Ramon Services District-East Bay Municipal Utility District Recycled Water Authority (DERWA). The anticipated expense is already within the approved budget for fiscal year 2022/2023 for DERWA.

As the contract amount exceeds the General Manager’s authority limit of \$175,000, the Board must authorize the General Manager to execute the contract and approve the purchase.

Originating Department: Operations	Contact: J. Carson	Legal Review: Not Required
Financial Review: Not Required	Cost and Funding Source: \$295,000 from DERWA Operations and Maintenance Budget	
Attachments: <input checked="" type="checkbox"/> None <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Task Order <input type="checkbox"/> Proclamation <input type="checkbox"/> Other (see list on right)		



TITLE: Authorize the General Manager to Execute Contract with Buckles-Smith for the Process Control System Software and Hardware Support

RECOMMENDATION:

Staff recommends the Board of Directors authorize, by Motion, the General Manager to execute the Integrated Service Agreement with Buckles-Smith for software and hardware support of the wastewater treatment plant, recycled water treatment plant, and field operations remote sites process control systems for a four-year term starting July 1, 2022 and ending June 30, 2026 for a total amount of \$431,923.

DISCUSSION:

The wastewater treatment plant, recycled water treatment plant, and field operations remote sites process control systems are supported by the Allen-Bradley line of programmable logic controllers and associated programming software since the early 2000's. Rockwell Automation is the manufacturer of the Allen-Bradley products, and Buckles-Smith is the exclusive product distributor and service provider for annual software and hardware support in Northern California. Buckles-Smith has changed the terms of its license and software support contract to a four-year period, instead of annual renewals. The total amount of the four-year term contract starting July 1, 2022 and ending June 30, 2026 is \$431,923. The cost allocated to the operation of the recycled water treatment plant is reimbursed to the District by the joint powers authority Dublin San Ramon Services District-East Bay Municipal Utility District Recycled Water Authority (DERWA). The anticipated expense for the first year of the contract in the amount of \$116,418.30 is already within the approved operating budgets for fiscal year 2022/2023.

As the total contract amount exceeds the General Manager's authority limit of \$175,000, the Board must authorize the General Manager to execute the contract and approve the purchase.

Originating Department: Operations	Contact: M. Atendido/J. Carson	Legal Review: Not Required
Financial Review: Not Required	Cost and Funding Source: \$431,923 with 40% Regional Wastewater Operations (Fund 300), 7% Water Enterprise (Fund 600), and 53% DERWA Operations and Maintenance Budget	
Attachments: <input checked="" type="checkbox"/> None <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Task Order <input type="checkbox"/> Proclamation <input type="checkbox"/> Other (see list on right)	31 of 53	



TITLE: Authorize the General Manager to Execute Contract with GE Digital LLC for SCADA Software Support

RECOMMENDATION:

Staff recommends the Board of Directors authorize, by Motion, the General Manager to execute the GE iFix Acceleration Plan Premier Support Services Contract with GE Digital LLC for license and software support of the supervisory control and data acquisition (SCADA) system for a four-year term starting July 1, 2022 and ending June 30, 2026 for a total amount of \$264,350.

DISCUSSION:

The District’s SCADA system has been in operation since the early 1990’s and it runs on GE iFix SCADA software. The software requires an annual license and software support that can only be provided by GE Digital LLC as it owns proprietary rights to the GE iFix SCADA software. GE Digital LLC has changed the terms of its license and software support contract to a four-year period, instead of annual renewals. The total amount of the four-year term contract starting July 1, 2022 and ending June 30, 2026 is \$264,350. The District’s SCADA system also supports operations related to recycled water production and treated wastewater disposal, and the cost is allocated with its two joint powers authority agencies Dublin San Ramon Services District-East Bay Municipal Utility District Recycled Water Authority (DERWA) and Livermore-Amador Valley Water Management Agency (LAVWMA), respectively. The anticipated expense for the first year of the contract in the amount of \$64,144.13 is already within the approved budgets for fiscal year 2022/2023.

As the total contract amount exceeds the General Manager’s authority limit of \$175,000, the Board must authorize the General Manager to execute the contract and approve the purchase.

Originating Department: Operations	Contact: M. Atendido/J. Carson	Legal Review: Not Required
Financial Review: Not Required	Cost and Funding Source: \$264,350 with 1% Local Wastewater Operations (Fund 200), 27% Regional Wastewater Operations (Fund 300), 37% Water Enterprise (Fund 600), 1% Administrative Cost Center (Fund 900), 26% DERWA Operations and Maintenance Budget, and 8% LAVWMA Operations and Maintenance Budget	
Attachments: <input checked="" type="checkbox"/> None <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Task Order <input type="checkbox"/> Proclamation <input type="checkbox"/> Other (see list on right)	32 of 53	



TITLE: Public Hearing: Establish Local and Regional Wastewater Service Charges Under Chapter 5.30.020 of the District Code and Rescind Resolution No. 33-17

RECOMMENDATION:

Staff recommends the Board of Directors: (1) hold a public hearing to consider proposed local and regional wastewater rates, and (2) establish, by Resolution, local and regional wastewater rates under Chapter 5.30.020 of the District Code and rescind Resolution No. 33-17.

SUMMARY:

The District’s last local and regional wastewater rate study was performed in 2017 for a five-year period. This year, staff recommended at the May 17 Board meeting to continue the assumptions in the 2017 study, collect more information during the next eight months, and complete a new study in early spring 2023 for fiscal year ending (FYE) 2024 (with a July 1, 2023 effective date). The Board authorized the continuation of the 2017 study with a proposed rate adjustment of 2.00%, with a public hearing on FYE 2023 wastewater rates for July 19, 2022. If adopted, the wastewater rate adjustments are proposed to be effective September 1, 2022.

DISCUSSION:

At the May 17 Board meeting, staff requested a postponement of the currently planned five-year rate study in order to further collect and analyze additional data to confirm impacts associated with the ongoing pandemic. To address a gap between the last year of the 2017 studies (FYE 2022) and first year of the 2023 studies (FYE 2024), staff proposed to extend long-term projections and recommendations from the 2017 studies for an additional year. For FYE 2023, the 2017 Regional Sewer Rate Study assumed a rate adjustment of 2.00% and the 2017 Local Wastewater Rate Study assumed a rate adjustment of 2.50%. Staff recommended 2.00% rate adjustments for both wastewater rates for consistency, which is also more conservative compared to the current June year-over-year consumer price index (CPI) of 9.1%. Both of these studies are available on the District website.

Proposition 218, passed by California voters in 1996, amended the State of California Constitution and placed requirements on how various governmental charges can be increased. For water and sewer utilities, Proposition 218 requires that the local agency proposing any increase to a rate or charge to set a public hearing to receive public comment, and to mail a public notice of the public hearing to all affected property owners at least 45 days prior to the public hearing date. Many elements of the public notice are mandated by Proposition 218, and subsequent implementing legislation. Among the mandated requirements are notifications that property owners may file a formal written protest to any increased rate or charge. If a “majority protest” (as defined by Proposition 218) is received from affected property owners, then the agency may not impose the proposed increase to rates or fees.

A Proposition 218 Notice (Attachment 1) was mailed to all property owners in the District’s wastewater service area. In accordance with Proposition 218, District property owners are allowed an opportunity to address the Board during the public hearing. However, only valid written protests that are timely received will be counted as formal protests of the proposed rates. Protests will be tabulated in accordance with the Proposition 218 Receipt, Tabulation and Validation of Written Protests policy (P100-19-5). As of the deadline for agenda preparation, a total of four apparent protests have been received; comments made in those protests are summarized in Summary of Comments Made in Protest Letters Related to July 19, 2022 Local & Regional Wastewater Rate Proposal (Attachment 3). Protests will continue to be accepted in accordance with the above policy; any protests received after the deadline will be reported at the Board

Originating Department: Administrative Services	Contact: H. Chen/C. Atwood	Legal Review: Yes
Financial Review: Yes	Cost and Funding Source: N/A	
Attachments: <input type="checkbox"/> None <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Task Order <input type="checkbox"/> Proclamation <input checked="" type="checkbox"/> Other (see list on right)	Attachment 1 – Proposition 218 Notification Attachment 2 – Newspaper Notice of Public Hearing Attachment 3 – Summary of Comments Made in Protest Letters	33 of 53

meeting. Notices (Attachment 2) for the public hearing were also published in local newspapers via the Bay Area News Group (Valley Times, Tri-Valley Times, and San Joaquin/Tri-Valley Herald) on July 5 and July 12, 2022.

The below table summarizes the proposed rate adjustments for FYE 2023:

Customer Class	Billing Unit	Local Wastewater	
		Current	Proposed
Residential			
Single-family home or townhouse	Annual	\$135.84	\$138.54
Condominium	Annual	102.00	103.92
Duplex	Annual	271.68	277.08
Apartments and Accessory Dwelling Units	Bimonthly	14.78	15.08
Commercial			
Low: ≤ 300 mg/L	ccf	1.21	1.23
Medium: > 300 mg/L and ≤ 600mg/L	ccf	1.21	1.23
High: >600 mg/L	ccf	1.20	1.22
Institutional			
Schools (submetered)	ccf	1.20	1.22
Schools (not submetered)	ccf	1.20	1.22
Other Institutions	ccf	1.20	1.22
Industrial			
Low: ≤ 1,000 mg/L	ccf	1.20	1.22
Medium: > 1,000 mg/L and ≤ 1,500mg/L	ccf	1.20	1.22
High: >1,500 mg/L	ccf	1.20	1.22

Customer Class	Billing Unit	Regional Wastewater	
		Current	Proposed
Residential			
Single-family home or townhouse	Annual	\$350.16	\$357.18
Condominium	Annual	232.98	237.66
Duplex	Annual	700.32	714.36
Apartments and Accessory Dwelling Units	Bimonthly	32.48	33.14
Commercial			
Low: ≤ 300 mg/L	ccf	2.65	2.70
Medium: > 300 mg/L and ≤ 600mg/L	ccf	5.32	5.43
High: >600 mg/L	ccf	7.43	7.58
Institutional			
Schools (submetered)	ccf	2.65	2.70
Schools (not submetered)	ccf	2.03	2.07
Other Institutions	ccf	2.65	2.70
Industrial			
Low: ≤ 1,000 mg/L	ccf	9.12	9.30
Medium: > 1,000 mg/L and ≤ 1,500mg/L	ccf	11.46	11.69
High: >1,500 mg/L	ccf	13.81	14.09
Septic Haulers	gallon	0.067	0.069

NOTICE OF WASTEWATER RATE INCREASE

This notice serves to inform our customers that on July 19, 2022, at 6:00 p.m., a public hearing will be held to consider adoption of the proposed increase to the Local and Regional Wastewater rates. The proposed increase will be effective September 1, 2022.

The proposed increase to the rates is based on the assumptions in the 2017 Cost-of-Service Study (Study), which assumes a 2% inflation rate adjustment. The development of the rates in the 2017 Study is based on the need to adequately fund necessary replacement and rehabilitation of various parts of the system as they age and to focus on preventative maintenance to maintain the wastewater system to cover the cost of treatment and disposal. For more information on the Study, visit www.dsrdsd.com/your-account/rates-fees

The proposed rates are detailed below:

Customer Class	Billing Unit	Local Wastewater	
		Current	Proposed
Residential			
Single-family home or townhouse	Annual	\$135.84	\$138.54
Condominium	Annual	102.00	103.92
Duplex	Annual	271.68	277.08
Apartments and Accessory Dwelling Units	Bimonthly	14.78	15.08
Commercial			
Low: ≤ 300 mg/L	ccf	1.21	1.23
Medium: > 300 mg/L and ≤ 600mg/L	ccf	1.21	1.23
High: > 600 mg/L	ccf	1.20	1.22
Institutional			
Schools (submetered)	ccf	1.20	1.22
Schools (not submetered)	ccf	1.20	1.22
Other Institutions	ccf	1.20	1.22
Industrial			
Low: ≤ 1,000 mg/L	ccf	1.20	1.22
Medium: > 1,000 mg/L and ≤ 1,500mg/L	ccf	1.20	1.22
High: > 1,500 mg/L	ccf	1.20	1.22

Customer Class	Billing Unit	Regional Wastewater	
		Current	Proposed
Residential			
Single-family home or townhouse	Annual	\$350.16	\$357.18
Condominium	Annual	232.98	237.66
Duplex	Annual	700.32	714.36
Apartments and Accessory Dwelling Units	Bimonthly	32.48	33.14
Commercial			
Low: ≤ 300 mg/L	ccf	2.65	2.70
Medium: > 300 mg/L and ≤ 600mg/L	ccf	5.32	5.43
High: > 600 mg/L	ccf	7.43	7.58
Institutional			
Schools (submetered)	ccf	2.65	2.70
Schools (not submetered)	ccf	2.03	2.07
Other Institutions	ccf	2.65	2.70
Industrial			
Low: ≤ 1,000 mg/L	ccf	9.12	9.30
Medium: > 1,000 mg/L and ≤ 1,500mg/L	ccf	11.46	11.69
High: > 1,500 mg/L	ccf	13.81	14.09
Septic Haulers	gallon	0.067	0.069

Senate Bill 323

Per Senate Bill 323, there is a 120-day statute of limitations for challenging any new, increased, or extended fee or charge.

How Do I Protest?

The District welcomes input from the community on the proposed changes to rates and service charges at any time, including and during the public hearing. However, in accordance with Proposition 218, only valid written protests received by the pertinent deadline below will be counted as formal protests. Protests submitted by mail, fax, or email must be received by 5:00 p.m. on July 19, 2022. Hand-delivered protests must be received before the close of the public hearing on July 19, 2022.

Any record property owner or tenant-customer of a parcel receiving wastewater service may submit a written protest, but only one protest will be counted per parcel served by the District. The written protest must identify the affected property by assessor's parcel number, street address or DSRSD account number; identify the record property owner or tenant-customer; clearly state that the transmittal is a protest to the proposed rate and charge; identify what proposed rate and charge is being protested; and bear the original signature of the record property owner or tenant-customer. In the case of electronically delivered documents, a scanned signature will be accepted, subject to verification. Mail or deliver protests to: District Secretary Nicole Genzale, Dublin San Ramon Services District, 7051 Dublin Boulevard, Dublin, CA 94568. Please note on the envelope: "Protest of Proposed Wastewater Rates." Or, email protests as a PDF document attached to Board@dsrdsd.com. Please note in the subject line: "Protest of Proposed Wastewater Rates."

HOW CAN I LEARN MORE?

- **For additional information,** visit: www.dsrdsd.com/wastewater-rates
- **Questions:** Contact DSRSD Administrative Services Director Carol Atwood, (925) 875-2270, atwood@dsrdsd.com
- **Attend the public hearing:** July 19, 2022, at 6:00 p.m. in the District Office Boardroom, 7051 Dublin Blvd, Dublin, CA 94568



**Dublin San Ramon
Services District**
Water, wastewater, recycled water

7051 Dublin Blvd,
Dublin, CA 94568-3018
www.dsrdsd.com

Notice of Sewer Rate Public Hearing



DUBLIN SAN RAMON SERVICES DISTRICT
Board of Directors
NOTICE OF PUBLIC HEARING

DATE: Tuesday, July 19, 2022

TIME: 6 P.M.

PLACE: Teleconference

NOTICE IS HEREBY GIVEN that the Board of Directors of Dublin San Ramon Services District, at its July 19, 2022, regular meeting, to be held via teleconference at 6 p.m. will hold a Public Hearing, to consider the adoption, by Resolution, of the proposed increase to the Local and Regional Wastewater rates for the purpose of wastewater collection, disposal, and treatment. To access the virtual meeting, the teleconference access information will be available in the agenda packet on the District's website at www.drsrd.com/about-us/board-meetings-agendas-minutes-videos.

The wastewater service charges are detailed below:

Customer Class	Billing Unit	Local & Regional Wastewater	
		Current	Proposed
Residential			
Single-family home or townhouse	Annual	\$486.00	\$495.72
Condominium	Annual	334.98	341.58
Duplex	Annual	972.00	991.44
Apartments and Accessory Dwelling Units ⁽¹⁾	Bimonthly	47.26	48.22
Per dwelling unit			
Commercial			
Low: ≤ 300 mg/L	ccf	3.86	3.93
Medium: > 300 mg/L and ≤ 600mg/L	ccf	6.53	6.66
High: >600 mg/L	ccf	8.63	8.80
Institutional			
Schools (submetered)	ccf	3.86	3.92
Schools (not submetered)	ccf	3.24	3.29
Other Institutions	ccf	3.85	3.92
Industrial			
Low: ≤ 1,000 mg/L	ccf	10.32	10.52
Medium: > 1,000 mg/L and ≤ 1,500mg/L	ccf	12.66	12.91
High: >1,500 mg/L	ccf	15.01	15.31
Septic Haulers	gallon	0.067	0.069

NOTICE IS FURTHER GIVEN that a copy of the 2017 Local and Regional Wastewater Service Charge Report, and a copy of the proposed Resolution, have since on or before July 19, 2022, been on file in the office of the District Secretary and remain available for review between 8 a.m. and 5 p.m., Monday through Friday, during regular business hours, by calling the District Secretary at (925) 828-0515 at the District Office, 7051 Dublin Blvd., Dublin, CA 94568. The report is also available on the Rates and Fees webpage on the District's website at www.drsrd.com.

By: Nicole Genzale, CMC
District Secretary

SUMMARY OF COMMENTS MADE IN PROTEST LETTERS RELATED TO JULY 19, 2022 LOCAL & REGIONAL WASTEWATER RATE PROPOSAL

No.	Date Received	Apparent Protest?	Summary of Comments Made
RECEIVED BEFORE AGENDA PREPARATION DEADLINE (SUMMARIZED IN STAFF REPORT FOR WASTEWATER RATES)			
1	May 29, 2022	Yes	<ul style="list-style-type: none"> • It is too much to live like this, everything goes up, Please keep low. Do not want rates.
2	June 5, 2022	Yes	<ul style="list-style-type: none"> • Do not want the cost to raise in 2022 for Dublin San Ramon Services District. (Submitted for self and homeowner)
3	June 12, 2022	Yes	<ul style="list-style-type: none"> • I would like to protest this proposed rate hike in waste-water rates. • Post-pandemic, the public at large is reeling under high inflation which was not observed in the past. To make matters worse, the markets are going downhill. This, I am sure, will translate into companies tightening their strings and its basically the salaried that will get squeezed. • Secondly, I expect these rate hikes will also translate to higher costs as local businesses transfer this burden to the customers - again impacting the salaried. • My recommendation is for the government to be sensitive to these aspects and not raise their rates at this time.
4	July 12, 2022	Yes	<ul style="list-style-type: none"> • Please consider to keep the existing rate for at least another year for the interest of the community.

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT ESTABLISHING LOCAL AND REGIONAL WASTEWATER RATES UNDER CHAPTER 5.30.020 OF THE DISTRICT CODE AND RESCINDING RESOLUTION NO. 33-17

WHEREAS, Chapter 5.30.020 of the District Code of Regulations allows the Board of Directors to establish user charges by resolution; and

WHEREAS, the current Local and Regional Wastewater Service Charges were adopted on June 20, 2017, by Resolution No. 33-17; and

WHEREAS, on May 17, 2022, the Board was provided justification regarding extending the *2017 Regional Sewer Rate Study* and *2017 Local Wastewater Rate Study* for an additional year to develop proposed fiscal year ending 2023 wastewater service charges; and

WHEREAS, the public has received notification of the proposed rate adjustment and the public hearing in accordance with Proposition 218; and

WHEREAS, the Board reviewed the protests and determined that a majority protest does not exist; and

WHEREAS, the rates, as adopted by this resolution, supersede those previously established in Resolution No. 33-17.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT, a public agency located in the Counties of Alameda and Contra Costa, California as follows:

1. The Local and Regional Wastewater Rates as shown in the attached Exhibit "A" are hereby established effective September 1, 2022.
2. Resolution No. 33-17, attached as Exhibit "B," is rescinded effective September 1, 2022.

ADOPTED by the Board of Directors of the Dublin San Ramon Services District, a public agency in the State of California, Counties of Alameda and Contra Costa, at its regular meeting held on the 19th day of July, 2022, and passed by the following vote:

AYES:

NOES:

ABSENT:

Richard M. Halket, President

ATTEST: _____
Nicole Genzale, District Secretary

Customer Class	Billing Unit	Local Wastewater	
		Current	Proposed
Residential			
Single-family home or townhouse	Annual	\$135.84	\$138.54
Condominium	Annual	102.00	103.92
Duplex	Annual	271.68	277.08
Apartments and Accessory Dwelling Units	Bimonthly	14.78	15.08
Commercial			
Low: ≤ 300 mg/L	ccf	1.21	1.23
Medium: > 300 mg/L and ≤ 600 mg/L	ccf	1.21	1.23
High: >600 mg/L	ccf	1.20	1.22
Institutional			
Schools (submetered)	ccf	1.20	1.22
Schools (not submetered)	ccf	1.20	1.22
Other Institutions	ccf	1.20	1.22
Industrial			
Low: $\leq 1,000$ mg/L	ccf	1.20	1.22
Medium: $> 1,000$ mg/L and $\leq 1,500$ mg/L	ccf	1.20	1.22
High: $>1,500$ mg/L	ccf	1.20	1.22

Customer Class	Billing Unit	Regional Wastewater	
		Current	Proposed
Residential			
Single-family home or townhouse	Annual	\$350.16	\$357.18
Condominium	Annual	232.98	237.66
Duplex	Annual	700.32	714.36
Apartments and Accessory Dwelling Units	Bimonthly	32.48	33.14
Commercial			
Low: ≤ 300 mg/L	ccf	2.65	2.70
Medium: > 300 mg/L and ≤ 600 mg/L	ccf	5.32	5.43
High: >600 mg/L	ccf	7.43	7.58
Institutional			
Schools (submetered)	ccf	2.65	2.70
Schools (not submetered)	ccf	2.03	2.07
Other Institutions	ccf	2.65	2.70
Industrial			
Low: $\leq 1,000$ mg/L	ccf	9.12	9.30
Medium: $> 1,000$ mg/L and $\leq 1,500$ mg/L	ccf	11.46	11.69
High: $>1,500$ mg/L	ccf	13.81	14.09
Septic Haulers	gallon	0.067	0.069

RESOLUTION NO. 33-17

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT ESTABLISHING LOCAL AND REGIONAL WASTEWATER RATES UNDER SECTION 5.30.020 (SERVICE AND DEMAND CHARGES) OF THE DISTRICT CODE AND RESCINDING RESOLUTION NO. 31-10.

WHEREAS, Section 5.30.020 of the District Code of Regulations allows the Board of Directors to establish user charges by resolution, and

WHEREAS, the current Local and Regional Wastewater Service Charges were adopted on July 20, 2010 by Resolution No. 31-10, and

WHEREAS, cost of service studies were completed to determine the rates needed for the Local and Regional Wastewater Enterprise, and

WHEREAS, on April 18, 2017, the Board was provided a comprehensive overview of the rate study process and assumptions, a financial review of the Wastewater Enterprises and a presentation of rate allocations to review and provided guidance on the adoption thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT, a public agency located in the Counties of Alameda and Contra Costa, California as follows:

1. The Consumer Price Index — All urban Consumers for the San Francisco-Oakland-San Jose, California area (CPI), provides an appropriate and accurate measure of the increases in operating costs of the sort used to calculate the amount of the District's user charges, and the Board therefore adopts said Consumer Price Index as the index for measuring increases in the cost of such costs for the purpose of future automatic adjustments to the District's user charges.
2. The Local and Regional Wastewater Rates as shown in the attached Exhibit A are hereby established effective July 1, 2017.
3. Unless otherwise acted upon by the Board, the amount of the Local Wastewater Rates will be adjusted automatically effective July 1 of each year as shown in the attached Exhibit A, commencing with FYE 2018 and ending with FYE 2022, unless further authorized pursuant to the procedures specified in section 6 of article XIID of the California Constitution and Government Code section 53755.
4. Unless otherwise acted upon by the Board, the amount of the Regional Wastewater Rates will be automatically adjusted effective July 1 of each year by the CPI as defined above and as described in the sentence that follows. The General Manager is authorized and directed to increase the Regional Wastewater Rates by the percentage by which the most recent CPI available as of the last day of February for that calendar year has increased in relation to the most recent corresponding CPI available the last day of February of the preceding calendar year. Examples of how a 2% CPI would affect the Regional Wastewater Rates is shown in the attached Exhibit A. These automatic increases shall apply to FYE 2019, FYE 2020, FYE 2021 and FYE 2022, unless further authorized pursuant to the procedures specified in section 6 of article XIID of the California Constitution and Government Code section 53755.

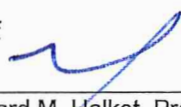
5. The General Manager shall post the new Local and Regional Wastewater Rates on the District's website by March 31 of each year and customers shall receive notification thereof in accordance with section 53756 of the Government Code.
6. Resolution No. 31-10 is rescinded effective July 1, 2017, and is included as Exhibit B to this document.

ADOPTED by the Board of Directors of the Dublin San Ramon Services District, a public agency in the State of California, Counties of Alameda and Contra Costa, at its regular meeting held on the 20th day of June 2017, and passed by the following vote:

AYES: 4 - Directors D.L. (Pat) Howard, Georgean M. Vonheeder-Leopold,
Edward R. Duarte, Richard M. Halket

NOES: 0

ABSENT: 1 - Director Madelyne A. Misheloff



Richard M. Halket, President

ATTEST: 

Nicole Genzale, District Secretary

TITLE: Receive Presentation on District's Water Conservation Status

RECOMMENDATION:

Staff recommends the Board of Directors receive a presentation on the District's water conservation status.

SUMMARY:

This report highlights recent activities and actions in response to the Stage 2 Water Shortage Emergency declaration. The District's water consumption in June 2022 was 6% lower than the 2020 baseline. The cumulative District's potable water reduction since the Board adopted the emergency declaration (from September 2021 to June 2022) is 6%.

DISCUSSION:

In response to Governor Newsom's March 28 Executive Order calling for water conservation directives to address California's new normal of climate extremes, the State Water Resources Control Board (SWRCB) adopted an emergency regulation that prohibits the irrigation of nonfunctional turf with potable water in the commercial, industrial, and institutional (CII) sector on May 24. The emergency regulation went into effect on June 10.

The SWRCB also asks urban water suppliers to submit their monthly required usage data to the SWRCB on the 3rd business day of the following month or sooner. However, suppliers are not required to submit the monthly water usage data until the 28th of the month – an adopted emergency regulation by the SWRCB during the last drought years of 2014–2017 to help water managers, policymakers, researchers, and Californians alike track statewide and local water use, and, when needed, take quick action to respond to changing water supply and climatic conditions. Between 2015 to 2017, when mandatory water conservation was in place, California's water use dropped by 22.5%. By 2020, Californians had already reduced water use by 16% since 2013.

With the heat and dry conditions increasing in the summer months, DSRSD continues implementing water demand reduction measures to meet the District's Stage 2 Water Shortage Emergency regulations adopted by the Board on September 21, 2021, calling for a 15% demand reduction Districtwide. These water demand reductions are consistent with the District's Water Shortage Contingency Plan (WSCP) and regulations on water use per District Code Chapter 4.20 as amended by Ordinance No. 350.

Staff continues working on delivering conservation messages Districtwide. Staff most recently presented the District's conservation status to the Board of Directors on June 21, 2022. Below is a summary of the conservation program efforts since the last update.

District Water Conservation Messaging and Program from June to July 1

- Delivered Pipeline eNewsletter to approximately 13,000 customers. June's eNewsletter featured an article on the outdoor water use rules, and July's eNewsletter featured an article on best home irrigation practices
- Went live on Pleasanton Weekly website ad in June
- Published quarter-page print ads on Thursdays, Fridays, and Sundays for six weeks that started on June 5 in East Bay Times
- Delivered an oversized postcard on AquaHawk registration and drought rules on June 24
- Developed drought talking points and FAQs for staff to communicate to customers
- Researched digital marketing opportunities with Alpha Media (KKIQ parent company) and a digital landing page for District's campaign with East Bay Times

Originating Department: Engineering Services	Contact: I. Suroso/S. Delight	Legal Review: Not Required
Financial Review: Not Required	Cost and Funding Source: N/A	
Attachments: <input type="checkbox"/> None <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Task Order <input type="checkbox"/> Proclamation <input checked="" type="checkbox"/> Other (see list on right)	Attachment 1 – June 2022 Water Use Report	
		43 of 53

- Delivered bill insert on outdoor irrigation/HOA rules going out in June water bills
- Posted on a paid/boosted post or shared a post on social media for the following topics:
 - District’s conservation update and DSRSD newsletter post with outdoor water use rules
 - Zone 7 Water Agency (Zone 7), City of Dublin, and Alameda County Clean Water Program posts on drought and car washes
- Promoted water conservation devices available at the DSRSD Customer Services counter, which led to more than 100 requests for giveaways (sink aerators, showerheads, hose nozzles, toilet dye tablets, shower bags)
- Coordinated joint news release on June 21 with the Cities of Livermore and Pleasanton, Zone 7, and California Water Service on nonfunctional turf irrigation ban with articles featured in Pleasanton Weekly/DanvilleSanRamon.com and Dublin Patch
- Finalized the June water use report for residential customers to be delivered in the first week of July (see Attachment 1 – June 2022 Water Use Report)
- District’s Assistant General Manager provided a conservation update at the City of San Ramon’s City Council Meeting on June 28
- Posted two additional drought banners at Dougherty Dog Park and Fallon Road

Rebates Program

Staff continues to receive rebate applications for Weather-Based Irrigation Controllers (Smart Controllers) and High-Efficiency Washers. In June, 6 applications were approved for the Smart Controller rebate and 12 for the High-Efficiency Washer rebate.

District Potable Water Use and Conservation Target

Figure 1 presents the monthly water usage in 2022 compared to 2020. District’s average potable water use in June 2022 is 6% lower than in June 2020, which shows an increase in conservation. District’s June water saving is aligned with the preliminary overall statewide water saving of 7.7%, and it is heading in the right direction.

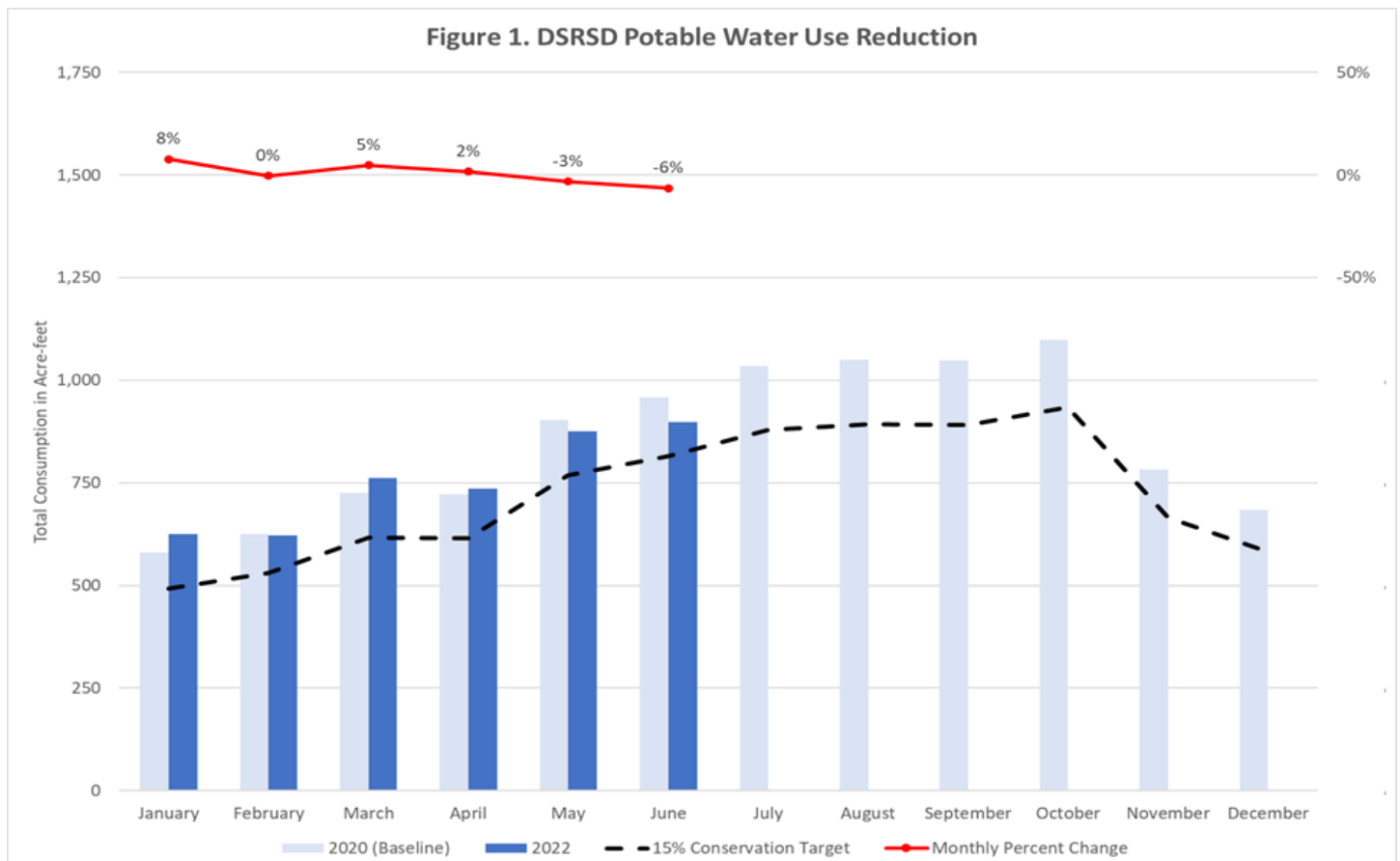
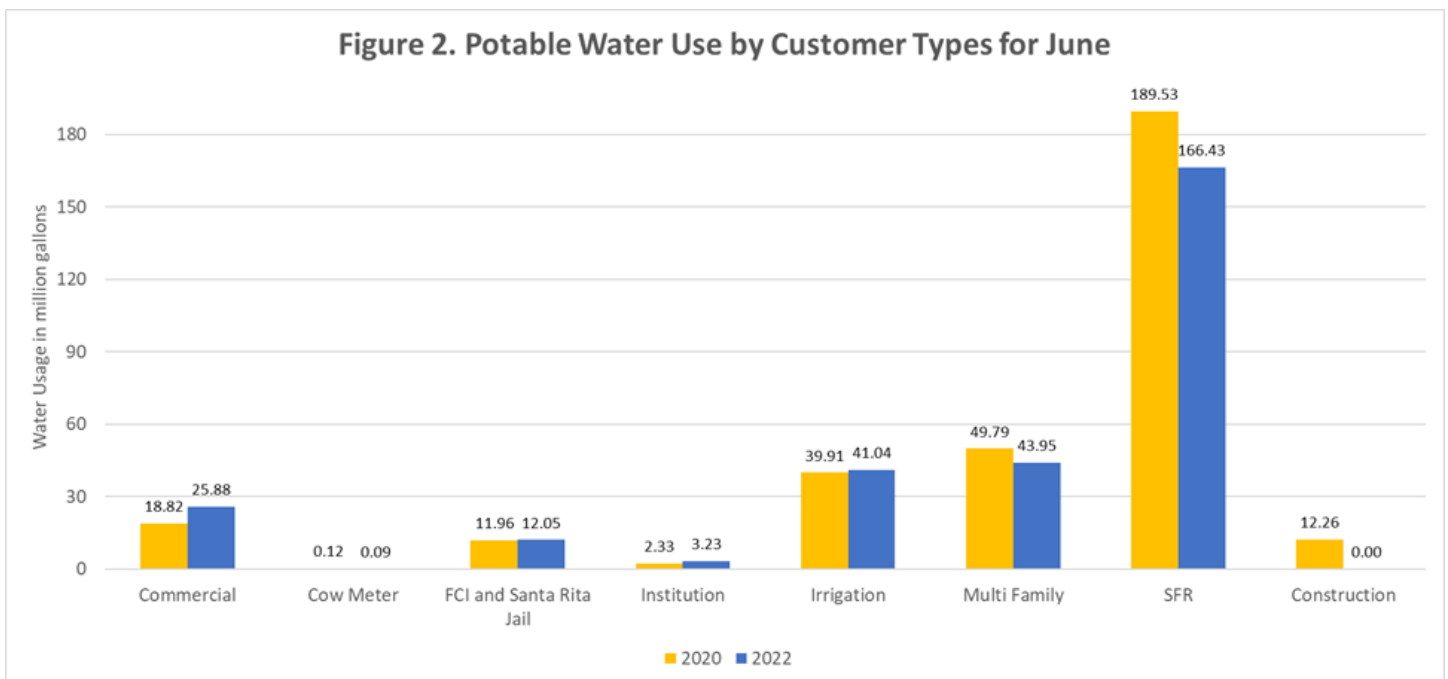


Figure 2 presents the June 2022 potable water use by customer types. The Single Family Residential (SFR) category made up about 57% of potable water demand and had a conservation level of about 12% for June. The commercial and institutional categories (including the Federal Corrections Installation and Santa Rita Jail) had higher water demands in June 2022 compared to the 2020 baseline. The water usage for these customer types is mainly for domestic use. Almost all outdoor water use for these customer types is separated and categorized as dedicated irrigation. During the start of the pandemic, the shelter-in-place restriction reduced the number of commercial or institutional facilities to be opened in 2020. Therefore, the water usage in 2020 for these categories was much lower than in 2022 when the shelter-in-place restriction was lifted. Compared to June 2019 (the pre-pandemic year), water usage for commercial and institutional categories was 42.37 MG, which is 3% higher than June 2022 water usage at 41.17 MG.

As shown in Figure 2, water usage for outdoor irrigation continues to be higher than the 2020 baseline. Staff mailed out a non-compliance letter on June 30 to 138 potable water irrigation customers who violated the three-day watering limitation. The letter requested customers to change their irrigation system schedules to 3 non-consecutive days per week, from 9 p.m. to 6 a.m., and directed customers to make a correction and comply within 15 business days from the date of the non-compliance letter. Customers are also notified of additional enforcement measures if the corrections are not made, including notice of violations and penalty fees ranging from \$250 to \$1,000.



Next Steps

Staff will review the water usage of the 138 irrigation customers who received non-compliance letters to verify if they have made any modifications and comply with the District’s outdoor water limitation rule. Staff will also continue enhancing the outreach efforts:

- Continue collaborating with Tri-Valley partner agencies on conservation campaigns, including a shared Wheels bus ad campaign with Pleasanton and Livermore
- Continue collaborating with East Bay Municipal Utility District on a shared digital kiosk ad for City Center in San Ramon
- Start a digital marketing campaign with Alpha Media for graphic and video ads for phones, computers, and connected TV services (two-month campaign targeting DSRSD service area)
- Update drought alert on the District website to include “Cycle and Soak” for irrigation method



7051 Dublin Blvd.
Dublin, CA 94568
(925) 828-8524
CustomerService@dsrsd.com

Create an Online Account

Dublin San Ramon Services District offers a FREE customer portal to monitor your water use, set alerts, and receive notifications via text message, e-mail, or phone call.
Register at the following URL:

<https://dsrsd.aquahawk.us>

Service Address:

Report Period: 01/01/2022 - 06/30/2022

Dublin San Ramon Services District's goal is to reduce water use by 15% from water used in 2020. Your 2022 target reflects this goal.

Year-to-Date

Accumulated Use: 69,164 gallons
Conservation Target: 72,473 gallons
(The "Year-to-Date" values show the total use from Jan 1, 2022, through Jun 30, 2022)

You used 3,308 gallons less than your Year-to-Date 2022 target.



June 2022 Use: 11,407 gallons
June Conservation Target: 14,980 gallons



Water Savings Rebates & Programs

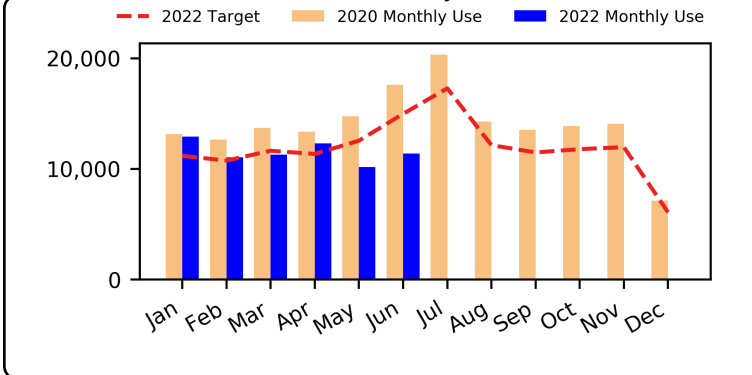
DSRSD offers several programs to reduce your water usage.

www.dsrsd.com/rebates

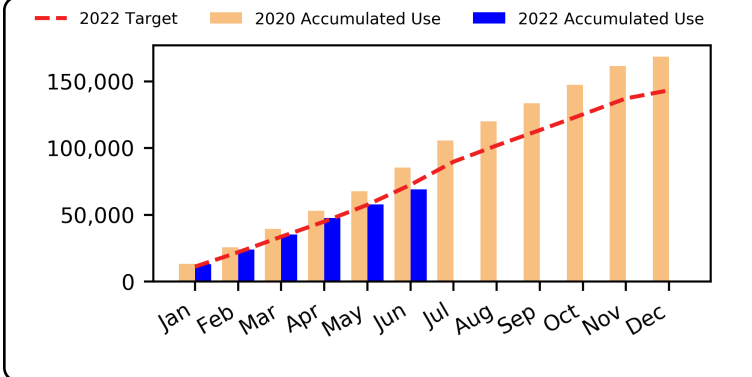
Rebates: Save water and money

Water Use Report

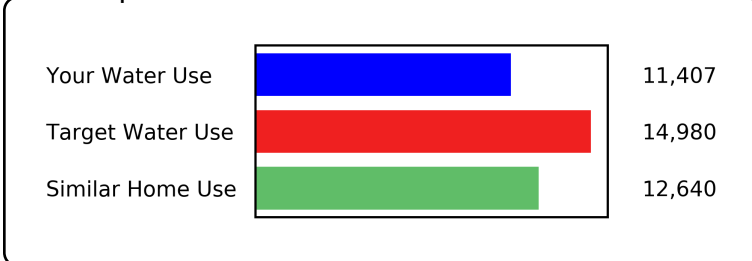
Prior and Current Year Monthly Use




Prior and Current Year Accumulated Use



Comparison to Similar Home Use in June



 **Create an Online Account**

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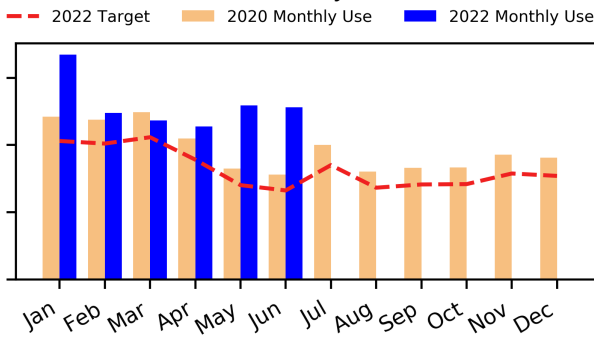
Register at the following URL:

<https://dsrcsd.aquahawk.us>

Service Address:

Water Use Report

Prior and Current Year Monthly Use



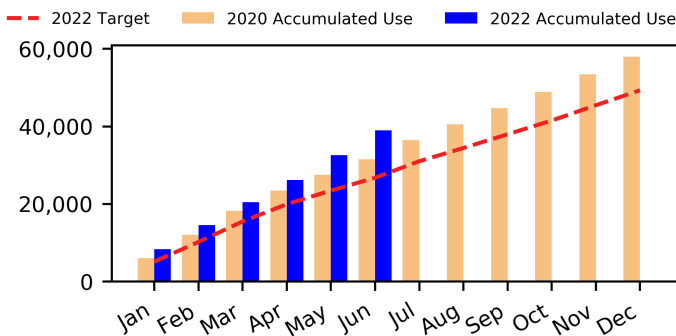
Report Period: 01/01/2022 - 06/30/2022

Dublin San Ramon Services District's goal is to reduce water use by 15% from water used in 2020. Your 2022 target reflects this goal.

Year-to-Date

Accumulated Use: 39,040 gallons
Conservation Target: 26,775 gallons
(The "Year-to-Date" values show the total use from Jan 1, 2022, through Jun 30, 2022)

Prior and Current Year Accumulated Use

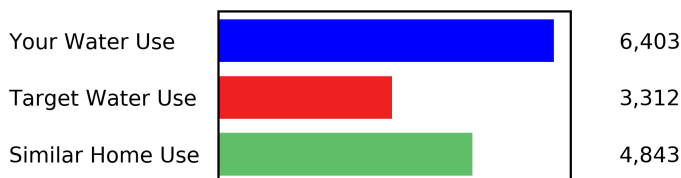


You used 12,265 gallons more than your Year-to-Date 2022 target.



June 2022 Use: 6,403 gallons
June Conservation Target: 3,312 gallons

Comparison to Similar Home Use in June



Water Savings Rebates & Programs

DSRSD offers several programs to reduce your water usage.

www.dsrcsd.com/rebates

Rebates: Save water and money

Veronica Gonzales

From: Greg Jones <[REDACTED]>
Sent: Tuesday, June 21, 2022 8:57 PM
To: Board Mailbox
Subject: FW: ?recycled water in mid July

[EXTERNAL – check for red flags]

President Hasket and distinguished board of directors,

I wish to thank the board for enlightening me on the subject topic during tonight's 6/21 public comment.

I have been attempting to follow the progress given the limited public visibility on the progress by reading minutes, proposals, and district websites. It was encouraging to hear Dan McIntyre's progress in working with the other city municipalities. I encourage him and others to keep websites updated on progress.

However, I find it disturbing that DSRSDs own customer service messaging on this same topic is inconsistent with what I heard tonight. Unlike Director Vonheeder-Leopold's remark later in the meeting about increasing PUBLIC education and awareness of the districts actions, you may find that it is just as important to align your INTERNAL staff communications on the true board's position.

I urge you to read the statement from DSRSD customer service below – it sure sounds like it simply wont happen (regardless of how Pleasanton City council votes tonight).

Respectfully,
Greg Jones

From: *Customer Service Mailbox <CustomerServiceMai@dsrsd.com>
Sent: Monday, June 13, 2022 2:29 PM
To: gejones <[REDACTED]>
Subject: RE: ?recycled water in mid July

Good morning,

The Board of Directors has discussed the Residential Water Fill Station, but for many reasons the station does not plan to re-open, primarily because of the drought we don't have enough water available/in use to even recycle. Currently, there have been no updates regarding this matter. If that service eventually does become available, the information will be provided on our website right away.

Thank you,

Utility Billing & Customer Service
925-828-8524
Dublin San Ramon Services District

From: gejones <[REDACTED]>
Sent: Monday, June 13, 2022 2:23 PM
To: *Customer Service Mailbox <CustomerServiceMai@drrsd.com>
Subject: ?recycled water in mid July

[EXTERNAL – check for red flags]

I'm gathering from the minutes of the may 17 board meeting that staff is looking for a site to reopen/resume a scaled back recycled water fill station. Sounds like mid July is the target date, but have not heard much else.

I applaud this effort. Will you please include me on any future public messaging/rollout of this popular program?

-Greg

From: [Dan McIntyre](#)
To: [REDACTED]
Subject: RE: Link to DSRSD Board Meeting
Date: Thursday, June 23, 2022 11:29:56 AM

Good morning Mr. Grant – I have passed along your recent comments and observations about irrigation at Dolan Park to appropriate City of Dublin staff. Thank you for advising us about the overspray onto sidewalks.

Dan McIntyre | General Manager
Dublin San Ramon Services District
mcintyre@dsrsd.com
(925) 875-2200

From: [REDACTED]
Sent: Wednesday, June 22, 2022 11:26 AM
To: Dan McIntyre <mcintyre@dsrsd.com>; Board Mailbox <board@dsrsd.com>
Subject: Re: Link to DSRSD Board Meeting

[EXTERNAL – check for red flags]

Dan I watched you on the Dublin City council meeting last night. I must ask this question, why or better yet did you bring the issues up about watering the sidewalks in Dolan Park. The city is by far abusing this program of the so called Free Water. I'm not saying you are but it appears that DSRS maybe going easy on the city management for these violations. The city needs to lead and they are very good at all talk and no action.

I'm also requesting that the DSRS visit the parks around Dublin more than one time a year.

Mike Grant
Guns Unlimited Firearms Training

“Amateurs practice until they get right; Professionals train until they can't do it wrong.

On Tuesday, June 21, 2022, 5:53 PM, Dan McIntyre <mcintyre@dsrsd.com> wrote:

Hi Mr. Grant – You should be getting a link to the DSRSD Board meeting from my staff person, Vivian Chiu, shortly.

Dan McIntyre | General Manager

Dublin San Ramon Services District

mcintyre@dsrsd.com

(925) 875-2200

Veronica Gonzales

From: MIKE GRANT <[REDACTED]>
Sent: Thursday, June 23, 2022 6:23 AM
To: Board Mailbox
Subject: The side walk watering still continues in Dolan park.

[EXTERNAL – check for red flags]





Mike Grant
Guns Unlimited
Dublin Ca.

"Amateurs practice until they get it right; Professionals train until they can't do it wrong."