

AGENDA

NOTICE OF REGULAR MEETING

TIME: 6 p.m.

DATE: Tuesday, September 6, 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

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. DECLARATION OF TELECONFERENCE MEETINGS
 - 4.A. Authorize Remote Teleconference Meetings until October 6, 2022, Pursuant to California Government Code Section 54953 (e)
Recommended Action: Authorize by Resolution
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 received by 3 p.m. on the day of the meeting will be provided to the Board.
6. REPORTS
 - 6.A. Boardmember Items
 - 6.A.1. Joint Powers Authority and Committee Reports
LAVWMA – August 17, 2022
 - 6.A.2. Submittal of Written Reports for Day of Service Events Attended by Directors

7. CLOSED SESSION

The Board will convene its closed session on a separate teleconference line and return to the open teleconference call for Item 8 when the closed session is completed.

7.A. Public Employee Performance Evaluation Pursuant to Government Code Section 54957
Title: General Manager

8. REPORT FROM CLOSED SESSION

9. 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, September 6, 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 3 p.m., Tuesday, September 6, 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 **464 392 61#** 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.



TITLE: Authorize Remote Teleconference Meetings until October 6, 2022, Pursuant to California Government Code Section 54953(e)

RECOMMENDATION:

Staff recommends the Board of Directors authorize, by Resolution, conducting open and public meetings via remote teleconference pursuant to California Government Code Section 54953(e) from September 6, 2022, through October 6, 2022.

DISCUSSION:

On March 4, 2020, Governor Gavin Newsom proclaimed a State of Emergency to exist in California due to the threat of COVID-19, which prompted the Governor to issue Executive Order N-29-20 permitting local governments to meet remotely without following all the teleconferencing requirements contained in the Ralph M. Brown Act. With the expiration of Executive Order N-29-20 on September 30, 2021, the Governor signed Assembly Bill 361 adding Government Code Section 54953(e) to make provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code Section 54953(b)(3), subject to the existence of certain conditions. Under the new law, agencies can conduct virtual meetings where the Governor has proclaimed a State of Emergency and the Board of Directors has declared the need to meet remotely to protect the health and safety of attendees.

Staff is recommending that the Board approve the attached resolution which would authorize the Board to conduct meetings remotely for a 30-day period from September 6 through October 6, 2022. The Board’s adoption of the resolution would allow, but not require, virtual meetings to be conducted for the next 30 days.

Originating Department: Office of the General Manager	Contact: J. Lee	Legal Review: Yes
Financial Review: Not Required	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 type="checkbox"/> Other (see list on right)		

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT 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 SEPTEMBER 6, 2022 THROUGH OCTOBER 6, 2022, PURSUANT TO THE AUTHORIZATIONS PROVIDED FOR IN CALIFORNIA GOVERNMENT CODE SECTION 54953(E)

WHEREAS, the Dublin San Ramon Services District (the “District”) is committed to preserving and nurturing public access and participation in meetings of the Board of Directors; and

WHEREAS, all meetings of the District’s legislative bodies are open and public, as required by the Ralph M. Brown Act (California Government Code Sections 54950–54963), so that any member of the public may attend, participate, and watch the District’s legislative bodies conduct their business; and

WHEREAS, on March 4, 2020, Governor Newsom did declare a State of Emergency, which continues in effect, to make additional resources available, formalize emergency actions already underway across multiple state agencies and departments, and help the State respond to the spread of the novel coronavirus disease 2019 (“COVID-19”); and

WHEREAS, Government Code Section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body subject to the existence of certain conditions and findings; and

WHEREAS, while the District believes District work-related activities may be conducted safely in person through imposition of various safety protocols, including wearing of appropriate and approved face coverings, sanitizing of equipment, social distancing (which continues to be recommended by the Centers for Disease Control for certain persons), minimizing in-person contacts between staff and public, daily self-symptom checks, and contact tracing of possible virus exposure, Board meetings present a unique challenge due to their being open to the public generally, with limited space in the Boardroom, limited ability to enforce self-symptom checks, and limited ability to provide contact tracing for potentially exposed individual attendees.

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:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Res. No. _____

Section 2. Findings. The Board hereby finds that the Governor of the State of California has proclaimed a State of Emergency, effective as of its issuance date of March 4, 2020, due to COVID-19. The State of Emergency, as declared by the Governor and District, and as specifically related to the highly transmissible nature of COVID-19 and its variants, has caused, and will continue to cause, conditions of concern to the safety of certain persons within the District, including those who are not fully vaccinated and older and immunocompromised individuals which conditions are likely to be beyond the control of the services, personnel, equipment, and facilities of the District which directly impacts the ability for the District Board of Directors, staff, and members of the public, to meet safely in person.

Section 3. Remote Teleconference Meetings. The General Manager, or designee, are hereby authorized to take all actions necessary to carry out the intent and purpose of this Resolution including, providing for each of the District's legislative bodies to continue to conduct their meetings without compliance with Government Code Section 54953(b)(3), as authorized by Section 54953(e), and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in Section 54953(e)(2).

Section 4. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) October 6, 2022, or (ii) such time the Board of Directors adopts a subsequent resolution in accordance with Government Code Section 54953(e)(3) to extend the time during which the legislative bodies of the District may, in its discretion, continue to teleconference without compliance with Section 54953(b)(3).

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 6th day of September, 2022, and passed by the following vote:

AYES:

NOES:

ABSENT:

Richard M. Halket, President

ATTEST: _____
Nicole Genzale, District Secretary