

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

October 3, 2023

1. CALL TO ORDER

A regular meeting of the Board of Directors was called to order at 6 p.m. by President Vonheeder-Leopold.

2. PLEDGE TO THE FLAG

3. ROLL CALL

Boardmembers present at start of meeting: President Georgean M. Vonheeder-Leopold, Director Arun Goel, Director Dinesh Govindarao, and Director Richard M. Halket.

Vice President Ann Marie Johnson was absent.

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

4. SPECIAL ANNOUNCEMENTS/ACTIVITIES

4.A. New Employee Introductions

Alberto Hernandez, Finance Supervisor – Revenue and Billing
Dan Gill, Operations Director

5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:08 p.m. No public comment was received.

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

7. CONSENT CALENDAR

Director Govindarao MOVED for approval of the items on the Consent Calendar. Director Halket SECONDED the MOTION, which CARRIED with FOUR AYES, and ONE ABSENT (Johnson).

7.A. Approve Regular Meeting Minutes of September 19, 2023 – Approved

7.B. Approve Special Meeting Minutes of September 26, 2023 – Approved

7.C. Approve Continuation of Emergency Action Procurement by General Manager for Repair of the LAVWMA Livermore Interceptor Pipeline and Find that the Need for the LAVWMA Livermore Interceptor Pipeline Emergency Still Exists – Approved

8. BOARD BUSINESS

8.A. Receive Presentation on Future Regulations to Reduce Nutrient Discharges to San Francisco Bay

Assistant General Manager Lee reviewed the item for the Board and introduced Ms. Jackie Zipkin, General Manager of the East Bay Dischargers Authority (EBDA) and Vice Chair of Bay Area Clean Water Agencies (BACWA), who gave a presentation (handed out to the Board) that was added to the website as supplementary materials providing an overview of the following:

- Background on nutrients in the Bay
- 2022 Algal Bloom – What happened and what does it mean?
- Next steps for managing nutrients in the Bay – update on Watershed Permit negotiations

The Board and staff discussed various aspects of the presentation including the impacts of the 2022 algal bloom event, discharge levels and nutrient loads conveyed by the 37 regional wastewater facilities, regional improvements and projects, and negotiation of the 2024 Watershed Permit regulations (such as bay-wide load cap requirements, protection for EBDA and LAVWMA [Livermore-Amador Valley Water Management Agency] member agencies already taking action, collective and individual agency accountability, and non-compliance). The permit drafting is underway, and adoption is anticipated in June 2024. The Board thanked Ms. Zipkin for the informative presentation.

8.B. Review and Discuss a Customer’s Request for a One-time Exception to the Utility Billing Leak Adjustments Policy

Administrative Services Director Atwood reviewed the item for the Board. The Board and staff discussed the customer’s request and the three options by which the Board could handle the outstanding account balance. The Board contemplated the options with consideration to the unusual circumstances presented by the customer’s Power of Attorney, Ms. Rose Allen, at the September 19 Board meeting, District policy-setting, financial impacts, and burden of administration. General Counsel Coty affirmed that the three options presented are within the Board’s authority per the District Code and are compliant with California law. The Board directed staff to proceed with Option #2, to forgive the outstanding balance, based on the uniqueness of the circumstances leading to the request and with receipt of the following supporting documentation:

- Power of Attorney
- Medical diagnosis
- Plumber’s repair bill and confirmation of a good state of repair
- Cleanup repair bills
- Photographs of before and after the repair work
- Receipt of good faith payment made by Ms. Allen

Director Halket MOVED to Approve Option #2 to Approve a One-time Exception to the Utility Billing Leak Adjustments Policy and Forgive up to the Total Outstanding Balance of \$3,568.15 in Response to the Customer’s Request for a One-time Exception to the Utility Billing Leak Adjustments Policy. President Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FOUR AYES and ONE ABSENT (Johnson).

9. REPORTS

9.A. Boardmember Items

9.A.1. Joint Powers Authority and Committee Reports
DERWA Board Meeting of September 25, 2023

President Vonheeder-Leopold invited and made comments on recent JPA activities. Directors felt the available staff reports adequately covered the many matters considered at the JPA meetings.

9.A.2. Submittal of Written Reports for Day of Service Events Attended by Directors – None

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

9.B. Staff Reports

Assistant General Manager Lee reported on the following:

- A DSRSD/Central Contra Costa Sanitary District Liaison Committee meeting will be held on Wednesday, October 11, at 4:30 p.m. in Martinez.

General Counsel Coty reported on the following:

- Governor Newsom has petitioned the state Supreme Court to remove the “Taxpayer Protection and Government Accountability Act,” a statewide initiative measure, from the November 2024 ballot. DSRSD stated its opposition to the proposed measure with the Board’s adoption of Resolution No. 55-22 on October 18, 2022.

10. CLOSED SESSION

At 7:03 p.m. the Board went into Closed Session.

10.A. Public Employee Appointment Pursuant to Government Code Section 54957
Title: General Manager

11. REPORT FROM CLOSED SESSION

At 8:18 p.m. the Board came out of Closed Session. President Vonheeder-Leopold announced that there was no reportable action.

12. ADJOURNMENT

President Vonheeder-Leopold adjourned the meeting at 8:18 p.m.

Submitted by,

Nicole Genzale, CMC
Executive Services Supervisor/District Secretary