

AGENDA

NOTICE OF REGULAR MEETING

TIME: 6 p.m.

DATE: Tuesday, March 19, 2024

PLACE: Regular Meeting Place
7051 Dublin Boulevard, Dublin, CA
www.drsrd.com

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
4. SPECIAL ANNOUNCEMENTS/ACTIVITIES
5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC)
At this time those in the audience 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. Speaker cards are available from the District Secretary and should be completed and returned to the Secretary prior to addressing the Board. The President of the Board will recognize each speaker, at which time the speaker should proceed to the lectern, 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. 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 February 20, 2024
Recommended Action: Approve by Motion
 - 7.B. Authorize Amendment to Technical Services Agreement with Duke's Root Control, Inc.
Recommended Action: Authorize by Motion
8. BOARD BUSINESS
 - 8.A. Receive Presentation and Approve Termination of Emergency Action for the LAVWMA Livermore Interceptor Pipeline Emergency and Rescind Resolution Nos. 22-23 and 36-23
Recommended Action: Receive Presentation and Approve by Resolution

Board of Directors

Division 1 ♦ Dinesh Govindarao | Division 2 ♦ Ann Marie Johnson | Division 3 ♦ Richard Halket
Division 4 ♦ Georgean Vonheeder-Leopold | Division 5 ♦ Arun Goel

- 8.B. Receive Presentation and Support the Proposed DSRSD-EBMUD Recycled Water Authority (DERWA) Operations and Maintenance Budget for Fiscal Year 2025
Recommended Action: Receive Presentation and Support by Motion

9. REPORTS

9.A. Boardmember Items

- 9.A.1. Joint Powers Authority and Committee Reports
LAVWMA Board Meeting of February 21, 2024
LAVWMA Special Board Meeting of March 14, 2024
DSRSD/City of Dublin Liaison Committee Meeting of March 7, 2024
- 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

10. CLOSED SESSION

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

11. REPORT FROM CLOSED SESSION

12. 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.

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

February 20, 2024

1. CALL TO ORDER

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

2. PLEDGE TO THE FLAG

3. ROLL CALL

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

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

4. SPECIAL ANNOUNCEMENTS/ACTIVITIES

4.A. New Employee Introductions

Timothy Lewis, Wastewater Treatment Plant Superintendent

5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:02 p.m.

Speaker: Ms. Dawn Benson (Dublin resident, Dublin Historical Society Secretary, Zone 7 Water Agency [Zone 7] Boardmember) – Ms. Benson addressed the Board and extended an invitation to the Shamrock Gala hosted by the Dublin Historical Society on March 15. She also encouraged the District to contact her in her capacity as Dublin’s Zone 7 Board representative if she can be of assistance.

Speaker: Ms. Seema Badar (Dublin resident) – Ms. Badar addressed the Board and stated that she is running for a short-term seat on the Zone 7 Board in this year’s election. She shared her interest in Tri-Valley water management and the areas of focus in her campaign.

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

7. CONSENT CALENDAR

Director Vonheeder-Leopold MOVED for approval of the items on the Consent Calendar.
Director Govindarao SECONDED the MOTION, which CARRIED with FIVE AYES.

7.A. Approve Regular Meeting Minutes of February 6, 2024 – Approved

- 7.B. 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
- 7.C. Authorize the General Manager to Execute the First Amendment to the Interim Agreement Related to the Supply and Sale of Recycled Water with East Bay Municipal Utility District (EBMUD) and DSRSD-EBMUD Recycled Water Authority (DERWA) – Approved
- 7.D. Affirm No Changes to District Election Dates Policy – Approved
- 7.E. Rescind Green Business Policy and Resolution No. 31-07 – Approved – Resolution No. 1-24

8. BOARD BUSINESS

8.A. Adopt New Energy Policy

Engineering Services Director Delight reviewed the item for the Board. President Johnson thanked staff for their efforts in bringing the Energy policy to fruition and noted how this matter contributed to her decision to run for the DSRSD Board.

Director Vonheeder-Leopold MOVED to adopt Resolution No. 2-24, Adopting the Energy Policy. Director Govindarao SECONDED the MOTION, which CARRIED with FIVE AYES.

8.B. Approve Amendment to the Capital Improvement Program Ten-Year Plan and Two-Year Budget for Fiscal Years 2024 and 2025 to Add the Off-Site Solar Facilities Project (CIP 24-A045) and On-Site Solar, Battery Storage and Electric Vehicle Charging Station Project (CIP 24-A046), and Retitle the WWTP Motor Control Center and Distribution Panel “A” Improvements Project (CIP T16-11) to the WWTP Electrical Improvements – Phase 1 Project (CIP 24-P044) and Advance CIP 24-P044 to Fiscal Year 2025

Engineering Services Director Delight reviewed the item for the Board. He acknowledged Senior Engineer Jason Ching and the Carollo Engineer consultants who completed the District’s new Energy Facilities Master Plan (Master Plan) and Energy policy. He confirmed that the 3 projects identified in this item will be the first of the 17 Master Plan projects to initiate. The Two-Year CIP Budget will be amended to appropriate an additional \$500,000 and will not exceed the current fund budgets authorized by the Board.

Vice President Goel requested staff provide additional information regarding the financial and power offsets anticipated from installation of the above solar projects near the LAVWMA facilities. General Manager Lee clarified that the LAVWMA facilities reside on District property, thus the projects cited at those locations will likely be structured to benefit the District.

Vice President Goel MOVED to adopt Resolution No. 3-24, Approving an Amendment to the Capital Improvement Program Ten-Year Plan and Two-Year Budget for Fiscal Years

2024 and 2025 to Add the Off-Site Solar Facilities Project (CIP 24-A045) and On-Site Solar, Battery Storage and Electric Vehicle Charging Station Project (CIP 24-A046), Retitle the WWTP Motor Control Center and Distribution Panel "A" Improvements Project (CIP T16-11) to the WWTP Electrical Improvements – Phase 1 Project (CIP 24-P044), and Advance the WWTP Electrical Improvements – Phase 1 Project (CIP 24-P044). Director Govindarao SECONDED the MOTION, which CARRIED with FIVE AYES.

8.C. Public Hearing: Second Reading and Adoption of Ordinance Revising District Code Chapter 7.30, Facility Use Permits

President Johnson announced the item and declared the Public Hearing open. She read the title of the ordinance.

Director Vonheeder-Leopold MOVED to Waive Reading of the Ordinance. Vice President Goel SECONDED the MOTION, which CARRIED with FIVE AYES.

President Johnson asked for the staff presentation. Special Assistant to the General Manager Gallardo reviewed the item for the Board.

President Johnson inquired if there were any comments from the public. There was no public comment received. President Johnson declared the Public Hearing closed. The Board had no further discussion.

Director Govindarao MOVED to adopt Ordinance No. 353, Amending District Code Title 7, Chapter 7.30, Facility Use Permits. Director Halket SECONDED the MOTION, which CARRIED with FOUR AYES and ONE NO (Vonheeder-Leopold).

9. REPORTS

9.A. Boardmember Items

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

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

General Manager Lee reported that a LAVWMA Board meeting will be held tomorrow at 6 p.m.

10. CLOSED SESSION

At 6:24 p.m. the Board went into Closed Session.

10.A. Threat to Public Services or Facilities Pursuant to Government Code Section 54957
Consultation with: Jan Lee, General Manager

11. REPORT FROM CLOSED SESSION

At 7:47 p.m. the Board came out of Closed Session. President Johnson announced that there was no reportable action.

12. ADJOURNMENT

President Johnson adjourned the meeting at 7:47 p.m.

Submitted by,

Nicole Genzale, CMC
Executive Services Supervisor/District Secretary



TITLE: Authorize Amendment to Technical Services Agreement with Duke’s Root Control, Inc.

RECOMMENDATION:

Staff recommends the Board of Directors authorize, by Motion, the General Manager to amend the technical services agreement with Duke’s Root Control, Inc. for chemical root treatment maintenance services on the wastewater collection system to (1) extend the contract to June 30, 2025, and (2) increase the not-to-exceed amount by \$75,000 from \$175,000 to \$250,000.

DISCUSSION:

Chemical root control is an integral piece of the District’s robust collection systems operation and maintenance program. The objective of the chemical root control is to ensure the District’s wastewater lines are flowing freely by minimizing blockages that can be caused by roots in the pipes or manholes. The chemical root treatment kills the roots for a minimum of two years after treatment. The utilization of the chemical root treatment decreases the amount of District labor required for the root cutting program. Pipeline segments with root issues are identified by the District’s Closed Circuit Television Inspection crew and rated per Pipeline Assessment Certification Program standards. Pipeline segments that are identified to have issues with roots are added to the list for future treatment. The pipelines identified in the chemical root control list are treated biannually.

A competitive Request for Proposal process was held in August 2021, and the District selected Duke’s Root Control, Inc. On October 20, 2021, the District executed a three-year technical services agreement with Duke’s Root Control, Inc. under the General Manager’s approval authority of \$175,000. The agreement is set to expire on June 30, 2024, with an option to extend the term by up to one year.

Over the term of the contract, actual costs to date have exceeded the original cost estimate due to an increase in pipelines identified for treatment and higher than anticipated inflation costs. Completing the work in the third year of the contract will bring the cumulative contract total above the General Manager’s approval authority of \$175,000. Therefore, staff recommends an amendment to the technical services agreement to extend the optional fourth year to the contract and increase the not-to-exceed contract amount by \$75,000 from \$175,000 to \$250,000, which will allow the District to complete proactive root control maintenance in fiscal years 2024 and 2025. The addition of the fourth year (FY25) will also complete the four-year cycle and ensure that the District receives a two-year warranty from Duke’s Root Control, Inc. on all pipe segments that the treatment was performed.

Funding for the root control program and proposed amendment to the technical services agreement with Duke’s Root Control, Inc. is included in the approved budgets for fiscal years 2024 and 2025.

Originating Department: Engineering and Technical Services	Contact: D. Ward/S. Delight	Legal Review: Not Required
Financial Review: Not Required	Cost and Funding Source: \$250,000 Local Wastewater Enterprise (Fund 200)	
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)	7 of 20	



TITLE: Receive Presentation and Approve Termination of Emergency Action for the LAVWMA Livermore Interceptor Pipeline Emergency and Rescind Resolution Nos. 22-23 and 36-23

RECOMMENDATION:

Staff recommends the Board of Directors receive a presentation and approve, by Resolution, termination of Emergency Action for the LAVWMA Livermore Interceptor Pipeline Emergency and rescind Resolution Nos. 22-23 and 36-23.

DISCUSSION:

From late 2022 through March of 2023, a series of severe winter storms characterized as “atmospheric rivers” struck California bringing damaging winds and historic precipitation. On February 9, 2023, District staff discovered that these storms had left a portion of LAVWMA’s Livermore Interceptor Pipeline and its associated manhole exposed in the Arroyo Mocho Creek, and caused significant erosion in the nearby creek bed and banks. The LAVWMA Livermore Interceptor Pipeline serves the sole benefit of the City of Livermore, and as such, all costs (100 percent) associated with the repair of the pipeline will be allocated to the City of Livermore.

The District’s Board of Directors approved Resolution No. 22-23 and Resolution No. 36-23 on June 20, 2023, and September 5, 2023, respectively, confirming the District State of Emergency declared by the General Manager on June 12, 2023, and authorizing emergency action procurement for the repair of the LAVWMA Livermore Interceptor Pipeline. Per Public Contract Code Section 22050, the Board has reviewed the need to continue the emergency action and approved continuing the emergency action by a four-fifths vote at every regularly scheduled Board meeting since the initial approval of the emergency action. Also per the Public Contract Code Section 22050, the Board shall terminate the emergency action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids.

The project was substantially completed on February 16, 2024, and the LAVWMA Livermore Interceptor Pipeline is currently in operation. Outstanding issues include final punch-list items, site restoration and cleanup, and other miscellaneous project closeout items. Final completion of the project is expected by the end of March 2024.

Staff does not anticipate the need for any additional emergency action procurement for the project. Therefore, staff recommends the Board terminate the Emergency Action related to the LAVWMA Livermore Interceptor Pipeline Emergency. LAVWMA is anticipated to terminate its related Emergency Action at its regularly scheduled meeting in May 2024.

Originating Department: Engineering and Technical Services	Contact: K. Castro/S. Delight	Legal Review: Not Required
Financial Review: Not Required	Cost and Funding Source: \$7,000,000 to be reimbursed by LAVWMA (100% allocated to City of Livermore)	
Attachments: <input type="checkbox"/> None <input type="checkbox"/> Ordinance <input type="checkbox"/> Other (see list on right)	<input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Task Order <input type="checkbox"/> Proclamation	8 of 20

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT TERMINATING THE LAVWMA LIVERMORE INTERCEPTOR PIPELINE EMERGENCY AND RESCINDING RESOLUTION NOS. 22-23 AND 36-23

WHEREAS, on February 9, 2023, the Livermore-Amador Valley Water Management Agency (“LAVWMA”) and the Dublin San Ramon Services District (“DSRSD”) discovered that recent severe winter storms, which brought strong winds and abnormally high precipitation, had left a portion of LAVWMA’s Livermore Interceptor Pipeline and its associated manhole exposed in the Arroyo Mocho Creek and caused significant erosion in the nearby creek bed and banks; and

WHEREAS, on May 17, 2023, LAVWMA approved Resolution No. 23-04, declaring an emergency pursuant to Public Contract Code Section 22050 and authorizing emergency work for the repair of the exposed pipeline; and

WHEREAS, pursuant to the Agreement for Maintenance of LAVWMA Facilities dated January 15, 1980, and Amendment No. 1 to the Agreement for Maintenance of LAVWMA Facilities dated June 4, 2021, DSRSD provides all required operation and maintenance tasks for LAVWMA facilities; and

WHEREAS, on June 12, 2023, the General Manager, acting in the capacity of DSRSD’s Emergency Manager, made an Emergency Declaration to facilitate and ensure that DSRSD is able to comply with its contractual obligations to LAVWMA which are described herein, which action was confirmed by the Board of Directors by adoption of Resolution No. 22-23; and

WHEREAS, the Board of Directors adopted Resolution Nos. 22-23 and 36-23 on June 20, 2023 and September 5, 2023, respectively, confirming the District State of Emergency declared by the General Manager on June 12, 2023 and authorizing emergency action procurement for the repair of the LAVWMA Livermore Interceptor Pipeline; and

WHEREAS, the restoration of the LAVWMA Livermore interceptor pipeline was substantially completed on February 16, 2024; and

WHEREAS, per Public Contract Code Section 22050, the Board shall terminate the emergency action at the earliest possible date that conditions warrant.

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, that the LAVWMA Livermore interceptor pipeline emergency is hereby terminated and Resolution Nos. 22-23 and 36-23, attached as Exhibit “A,” are hereby rescinded.

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 March, 2024, and passed by the following vote:

AYES:

NOES:

ABSENT:

Ann Marie Johnson, President

ATTEST: _____
Nicole Genzale, District Secretary

RESOLUTION NO. 22-23RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT CONFIRMING EMERGENCY DECLARATION AND APPROVING EMERGENCY ACTION PROCUREMENT BY THE GENERAL MANAGER FOR REPAIR OF THE LAVWMA LIVERMORE INTERCEPTOR PIPELINE

WHEREAS, on February 9, 2023, the Livermore-Amador Valley Water Management Agency (“LAVWMA”) and the Dublin San Ramon Services District (“DSRSD”) discovered that recent severe winter storms, which brought strong winds and abnormally high precipitation, had left a portion of LAVWMA’s Livermore Interceptor Pipeline and its associated manhole exposed in the Arroyo Mocho Creek and caused significant erosion in the nearby creek bed and banks; and

WHEREAS, the failure of the pipeline presents a substantial risk to public health and safety; and

WHEREAS, on May 17, 2023, LAVWMA approved Resolution No. 23-04, declaring an emergency pursuant to Public Contract Code Section 22050 and authorizing emergency work for the repair of the exposed pipeline; and

WHEREAS, pursuant to the Agreement for Maintenance of LAVWMA Facilities dated January 15, 1980, and Amendment No. 1 to the Agreement for Maintenance of LAVWMA Facilities dated June 4, 2021, DSRSD provides all required operation and maintenance tasks for LAVWMA facilities; and

WHEREAS, pursuant to the Amended and Restated Joint Exercise of Powers Agreement dated September 10, 1997, the interceptor pipeline carrying effluent from the Livermore treatment plant to the joint use facilities is a sole use facility and is allocated 100 percent to Livermore; and

WHEREAS, the District’s Emergency Response Plan policy (P300-20-3) designates the General Manager as DSRSD’s Emergency Manager, charged with managing all emergency operations and making decisions to allocate resources and expend funds as necessary to meet the needs of the emergency; and

WHEREAS, on June 12, 2023, the General Manager, acting in the capacity of DSRSD’s Emergency Manager, made an Emergency Declaration, attached hereto and incorporated herein as Exhibit “A” to facilitate and ensure that DSRSD is able to comply with its contractual obligations to LAVWMA which are described herein; and

WHEREAS, as DSRSD’s Emergency Manager, in accordance with Public Contract Code Section 22050 and District Code Section 7.40.090, the General Manager may let contracts for any amount without giving notice for bids for repair or replacement of a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes; and

WHEREAS, the General Manager has authorized emergency procurement actions which will allow DSRSD, on LAVWMA's behalf, to order any action to repair or replace the affected pipeline, take any directly related and immediate action required by the emergency, and to procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts; and

WHEREAS, District Code Section 7.40.090 also requires that any emergency action taken by the General Manager be reviewed by the Board of Directors at its next regularly scheduled meeting, but in no event later than 14 days after the emergency action.

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 Board of Directors confirms the District State of Emergency declared by the General Manager on June 12, 2023.
2. The emergency action procurement by the General Manager to restore core business operations, as stated above, is hereby approved.
3. The General Manager is authorized to enter into contracts for continuing actions to repair the exposed LAVWMA pipeline crossing under DSRSD emergency procedures and policies.
4. The General Manager is directed to report the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids at least at every regularly scheduled meeting until the District State of Emergency is terminated.

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 20th day of June, 2023, and passed by the following vote:

AYES: 5 – Directors Dinesh Govindarao, Arun Goel, Richard M. Halket, Ann Marie Johnson, Georgean M. Vonheeder-Leopold

NOES: 0

ABSENT: 0

ATTEST:


Nicole Genzale, District Secretary


Georgean M. Vonheeder-Leopold, President

Emergency Declaration
Dublin San Ramon Services District
LAVWMA Livermore Interceptor Repair
June 12, 2023

WHEREAS, from late 2022 through March of 2023, a series of severe winter storms characterized as atmospheric rivers struck California bringing damaging winds and historic precipitation; and

WHEREAS, Governor Newsom proclaimed a State of Emergency in Alameda and Contra Costa counties, among others, as a result of these winter storms due to their threat to critical infrastructure and declared that because of their magnitude, the necessary repairs and remedial actions are beyond the control of the services, personnel, equipment, and facilities of any single local government agency to appropriately respond; and

WHEREAS, the Governor therefore suspended applicable provisions of the Government Code and the Public Contracting Code, including but not limited to travel, advertising, and competitive bidding requirements, to the extent necessary to address the effects of these storms; and

WHEREAS, on February 9, 2023, LAVWMA and the Dublin San Ramon Services District (“DSRSD”) discovered that these recent winter storms, which had brought strong winds and above normal precipitation, had left a portion of LAVWMA’s pipeline and its associated manhole exposed in the Arroyo Mocho Creek, along with significant erosion in the creek bed and banks near the exposed pipeline; and

WHEREAS, the possibility of the pipeline to fail potentially causing discharge of wastewater or interruption of service could impact the creek and environmentally sensitive areas nearby, present a substantial risk to public health and safety, and subject LAVWMA to significant fines for unpermitted discharges; and

WHEREAS, on May 17, 2023, the Livermore-Amador Valley Water Management Agency approved a resolution declaring an emergency pursuant to Public Contract Code Section 220250 and Authorizing Emergency Work for the repair of the portion of the exposed pipeline; and

WHEREAS, pursuant to the Agreement for Maintenance of LAVWMA Facilities dated January 15, 1980, and Amendment No. 1 to the Agreement for Maintenance of LAVWMA Facilities dated June 4, 2021, the Dublin San Ramon Services Districts (District) provides all required operation and maintenance tasks for the LAVWMA facilities; and

WHEREAS, in response to the unexpected pipeline exposure, DSRSD implemented temporary measures to protect the pipeline, including the placement of rip rap to prevent further bank erosion, and engaged Carollo Engineers (“Carollo”) to assess the condition of the pipeline and to identify permanent repair options; and

WHEREAS, based on Carollo’s Pipeline Condition Assessment, dated May 12, 2023, the pipeline is currently in constant exposure to creek elements, debris, and water, which are factors that could lead to accelerated corrosion and wear on the external parts of the pipe, or pressure and impacts from the waterway that could lead to failure of the pipeline and result in the discharge of wastewater; and

WHEREAS, DSRSD, which will procure services related to this repair under the terms of its Purchasing Guidelines, is subject to the Uniform Public Construction Cost Accounting Act (Public Contract Code section 22000 et seq.), which generally requires a competitive bidding process for public projects in excess of \$60,000, except in cases of emergency, as set forth in Public Contract Code section 22035; and

WHEREAS, on May 1, 2012, the DSRSD Board of Directors approved Resolution No. 14-12, amending the adopted Emergency Response Plan (ERP) policy, and designates the DSRSD General Manager to serve as the District’s Emergency Manager, and authorizes the Emergency Manager to proclaim a State of Emergency; and

WHEREAS, Public Contract Code section 22050(b) authorizes the Board of Directors to delegate to the DSRSD General Manager the authority to order any action to “repair or replace a public facility, take any directly related and immediate action required by [the] emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.”

DECLARATION OF EMERGENCY:

In order for the Dublin San Ramon Services District to comply with its contractual obligations to LAVWMA for the operation and maintenance of its facilities, effective immediately, I am declaring a State of Emergency to ensure adequate staffing and resources for the repair and maintenance the exposed pipeline crossing, and adjacent to, the Arroyo Mocho Creek, which thereby allows DSRSD, on LAVWMA's behalf, to order any action to repair or replace the affected pipeline, take any directly related and immediate action required by the emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

Daniel McIntyre

BY: Daniel McIntyre (Jun 12, 2023 16:00 PDT)

DATE: _____

Daniel McIntyre
General Manager

Nicole Genzale

ATTEST: Nicole Genzale (Jun 12, 2023 16:16 PDT)

Nicole Genzale
DSRSD District Secretary

RESOLUTION NO. 36-23

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT CONFIRMING EMERGENCY DECLARATION AND APPROVING EMERGENCY ACTION PROCUREMENT BY THE GENERAL MANAGER FOR REPAIR OF THE LAVWMA LIVERMORE INTERCEPTOR PIPELINE

WHEREAS, on February 9, 2023, the Livermore-Amador Valley Water Management Agency ("LAVWMA") and the Dublin San Ramon Services District ("DSRSD") discovered that recent severe winter storms, which brought strong winds and abnormally high precipitation, had left a portion of LAVWMA's Livermore Interceptor Pipeline and its associated manhole exposed in the Arroyo Mocho Creek and caused significant erosion in the nearby creek bed and banks; and

WHEREAS, the failure of the pipeline presents a substantial risk to public health and safety; and

WHEREAS, on May 17, 2023, LAVWMA approved Resolution No. 23-04, declaring an emergency pursuant to Public Contract Code Section 22050 and authorizing emergency work for the repair of the exposed pipeline; and

WHEREAS, pursuant to the Agreement for Maintenance of LAVWMA Facilities dated January 15, 1980, and Amendment No. 1 to the Agreement for Maintenance of LAVWMA Facilities dated June 4, 2021, DSRSD provides all required operation and maintenance tasks for LAVWMA facilities; and

WHEREAS, pursuant to the Amended and Restated Joint Exercise of Powers Agreement dated September 10, 1997, the interceptor pipeline carrying effluent from the Livermore treatment plant to the joint use facilities is a sole use facility and is allocated 100 percent to Livermore; and

WHEREAS, the District's Emergency Response Plan policy (P300-20-3) designates the General Manager as DSRSD's Emergency Manager, charged with managing all emergency operations and making decisions to allocate resources and expend funds as necessary to meet the needs of the emergency; and

WHEREAS, on June 12, 2023, the General Manager, acting in the capacity of DSRSD's Emergency Manager, made an Emergency Declaration to facilitate and ensure that DSRSD is able to comply with its contractual obligations to LAVWMA which are described herein, which action was confirmed by the Board of Directors by adoption of Resolution No. 22-23; and

WHEREAS, as DSRSD's Emergency Manager, in accordance with Public Contract Code Section 22050 and District Code Section 7.40.090, the General Manager may let contracts for any amount without giving notice for bids for repair or replacement of a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes; and

WHEREAS, the General Manager has authorized emergency procurement actions which will allow DSRSD, on LAVWMA's behalf, to order any action to repair or replace the affected pipeline, take any directly related and immediate action required by the emergency, and to procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts; and

WHEREAS, District Code Section 7.40.090 also requires that any emergency action taken by the General Manager be reviewed by the Board of Directors at its next regularly scheduled meeting, but in no event later than 14 days after the emergency action.

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:

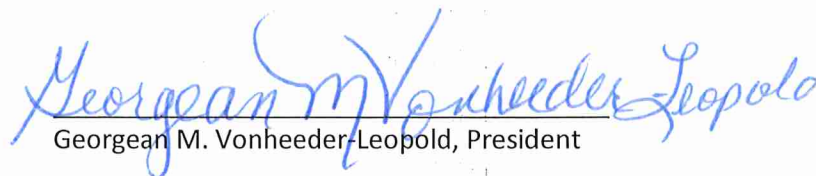
1. The Board of Directors confirms the District State of Emergency declared by the General Manager on June 12, 2023, and as confirmed by the Board at each regular meeting since that date.
2. The emergency action procurements by the General Manager to restore core business operations, as stated above, is hereby re-approved and re-authorized.
3. The General Manager is authorized to enter into contracts for continuing actions to repair the exposed LAVWMA pipeline crossing under DSRSD emergency procedures and policies, and all such contracts entered into to date are hereby ratified and approved.
4. The General Manager is directed to report the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids at least at every regularly scheduled meeting until the District State of Emergency is terminated.

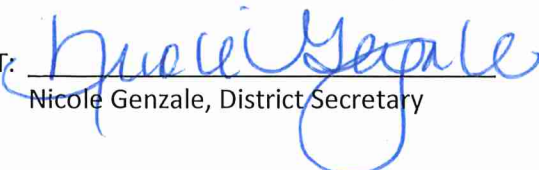
ADOPTED by a four-fifths vote of the Board of Directors of Dublin San Ramon Services District, a public agency in the State of California, Counties of Alameda and Contra Costa, at its regular meeting held on the 5th day of September, 2023, and passed by the following vote:

AYES: 5 – Directors Dinesh Govindarao, Arun Goel, Richard M. Halket, Ann Marie Johnson, Georgan M. Vonheeder-Leopold

NOES: 0

ABSENT: 0


Georgan M. Vonheeder-Leopold, President

ATTEST: 
Nicole Genzale, District Secretary



TITLE: Receive Presentation and Support the Proposed DSRSD-EBMUD Recycled Water Authority (DERWA) Operations and Maintenance Budget for Fiscal Year 2025

RECOMMENDATION:

Staff recommends the Board of Directors receive a presentation and support, by Motion, the proposed Dublin San Ramon Services District (DSRSD)-East Bay Municipal Utility District (EBMUD) Recycled Water Authority (DERWA) Operations and Maintenance budget for Fiscal Year (FY) 2025.

SUMMARY:

In 1995, DSRSD and EBMUD formed DERWA, a Joint Powers Authority (JPA), to provide recycled water to DSRSD and EBMUD customers in the San Ramon Valley. DSRSD operates and maintains the DERWA water recycling plant and transmission system and prepares the associated biennial operations and maintenance (O&M) budget. On March 24, 2022, DSRSD submitted a proposed O&M budget for FY 2024 and FY 2025 to the DERWA Authority Manager. Costs for materials have generally increased at the rate anticipated when the two-year budget was prepared. However, staff proposes funding the additional replacement of several mechanical and electrical assets, totaling \$111,000 as part of a proactive replacement program. In addition, actual personnel expenses have been refined, and comprise a \$59,000 increase over the original labor estimate. These increases are offset slightly by a \$20,000 reduction in other miscellaneous costs. As a result, staff proposes increasing the proposed DERWA O&M budget for FY 2025 by \$150,000 from \$6,160,000 to \$6,310,000, an increase of approximately two percent. The FY 2025 DERWA O&M budget will be included as part of the overall DERWA annual budget that will be considered by the DERWA Board of Directors on April 22, 2024.

BACKGROUND:

In 1995, DSRSD and EBMUD executed an agreement to form DERWA, a Joint Powers Authority (JPA), for the purpose of implementing a program to provide recycled water to DSRSD and EBMUD customers in the San Ramon Valley. The DERWA program further treats secondary effluent from the DSRSD Regional Wastewater Treatment Plant (WWTP) to produce disinfected tertiary recycled water suitable for irrigation and other approved uses. In 2003 and 2005, agreements were executed to implement the DERWA program, and deliveries of recycled water began in 2006. In 2014, the City of Pleasanton (Pleasanton) joined the recycled water program and entered into an agreement with DERWA for recycled water treatment and delivery services. Based on current demand projections, DSRSD receives 54 percent of DERWA recycled water deliveries, while EBMUD and Pleasanton receive 27 percent and 19 percent respectively.

DSRSD is responsible for the operation and maintenance of the DERWA recycled water facilities. Article 3B of the Operations Agreement requires that DSRSD prepare a biennial operation and maintenance budget that must be submitted to the DERWA Authority Manager for review and inclusion in the annual DERWA budget for the DERWA Board’s consideration.

DISCUSSION:

DSRSD prepares a two-year DERWA O&M Budget for consistency with DSRSD’s two-year budget cycle. However, DERWA adopts its budget one fiscal year at a time, per the 1995 DERWA Joint Powers Authority Agreement. The proposed budget includes funding for operations and maintenance of the Jeffrey G. Hansen Water Recycling Plant, transmission pump stations, and recycled water supply pipeline.

Originating Department: Operations	Contact: C. Ferreyra/D. Gill	Legal Review: Not Required
Financial Review: Yes	Cost and Funding Source: DERWA Operating Funds	
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 – Proposed DERWA O&M Budget for FY 2025	
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The proposed FY 2025 DERWA O&M budget includes a 10 percent overall increase (\$585,000) from the current adopted budget for FY 2024 (\$5,725,000). The significant increase is largely due to three factors:

1. **Energy** - DERWA's FY 2024 energy budget is \$1.52 million. Based on data related to projected rate increases from Pacific Gas & Electric (PG&E), DSRSD staff is including a 15 percent increase in energy costs for FY 2025 (an increase of \$230,000) in the proposed DERWA Operating Budget.
2. **Labor** - DERWA's FY 2024 labor budget is \$1.47 million, distributed approximately 70/30 between treatment and transmission expenses. The proposed FY 2025 labor budget is \$1.58 million, a \$117,000 increase (eight percent) from the current fiscal year. Labor expenses in FY 2024 were based on 7,085 total billable hours. The FY 2025 proposed total billable labor hours has been increased to 7,090.

The FY 2025 increase reflects the current fully burdened labor rates, as well as some reallocation of labor hours among positions. Specifically, staff proposes the inclusion of laboratory staff hours (105 hours per year) to reflect the time spent performing sampling and analysis not captured in lab analysis fees for salt management and compliance testing. This was offset, in part, by a reduction in Mechanical Maintenance Division hours, based on historical actual labor expenses. Staff has also decreased the hourly assumption of the Electrician I and redistributed hours to the Electrician II to troubleshoot and monitor the more complex tasks associated with the treatment plant electrical system, and allocated 90 hours to the newly created Instrumentation, Controls, and Electrical Supervisor position.

3. **Asset Replacement** - Staff has identified several mechanical and electrical assets which require replacement and were not included in the FY 2025 original budget proposal. Those assets include airlift assemblies, sand pump liners, and hydrocyclones, which are all part of the sand filtration treatment process. These assets total \$74,000. In addition, staff proposes including \$15,000 for ballast replacements and \$20,00 for cable harness replacements. These are electrical components of the ultraviolet disinfection treatment process and will allow staff to replace a small percentage each year, and maintain a reasonable inventory for unanticipated repairs. Previously, the replacement cable harnesses were funded through the capital budget due to the fact that they were installed all at one time and therefore needed to be replaced at the same time. This made it so the cost and time to perform the replacement was significant. The new replacement strategy will allow the components to be replaced in a scheduled and proactive manner.

Demand Projections and FY 2024 Year-to-Date Expenditures

The proposed FY 2025 DERWA O&M budget is based on conservative demand projections. However, recycled water demand varies based on weather and customer behavior. This has been apparent in recent years when DERWA demands reached their maximum in 2021, followed by two years of decline due to wet weather. It is anticipated that demands in the current fiscal year will be lower than were projected when developing the FY 2024 DERWA O&M budget. Lower demands typically translate to lower expenditures because both energy and filter backwash treatment expenses, which comprise nearly half of the budget, fluctuate with recycled water production. DSRSD has expended 60 percent of the FY 2024 DERWA O&M budget to date. Given that there are four months remaining in this budget period, staff anticipates the FY 2024 actual expenditures to be less than the FY 2024 budget.

Next Steps

The DERWA Board of Directors is responsible for approval of the overall DERWA budget and will review and consider adoption of the budget at DERWA's regular Board meeting on April 22, 2024.

PROPOSED DERWA O&M BUDGET FOR FISCAL YEAR 2025

Summary:		<u>Total</u>	<u>Treatment</u>	<u>Distribution</u>
	LABOR	\$1,584,000	\$1,169,000	\$415,000
	MATERIALS & SUPPLIES	\$4,443,000	\$4,212,700	\$230,300
	CONTRACTUAL SERVICES	\$243,000	\$195,000	\$48,000
	CCCSD Supplemental Supply Treatment Cost	\$40,000	\$40,000	\$0
		\$6,310,000	\$5,616,700	\$693,300
Projected Demand:		<u>Total</u>		
	Days of operation	365		
	Annual acre feet	5,260		
	Annual million gallons	1,714		
Projected Unit Cost:		<u>Total</u>	<u>Treatment</u>	<u>Distribution</u>
	Cost/AF	\$1,200	\$1,068	\$132
	Cost/MG	\$3,681	\$3,277	\$404

Detailed Breakdown:

<u>LABOR</u>	<u>Hours</u>	<u>Est. Rate</u>	<u>Labor</u>	<u>Treatment</u>	<u>Distribution</u>
DIVISION 51 - Field Operations					
W/WW Systems Operator II	350	\$188	\$65,874		\$65,874
Sr. W/WW Systems Operator	120	\$212	\$25,468		\$25,468
W/WW Systems Supervisor	40	\$255	\$10,188		\$10,188
W/WW Systems Superintendent	20	\$306	\$6,113		\$6,113
Subtotal	530		\$107,642	\$0	\$107,642
DIVISION 52 - Plant Operations					
WWTP Operator II	300	\$200	\$60,129	\$60,129	
Sr. WWTP Operator	2,900	\$220	\$639,334	\$639,334	
Sr. Process WWTP Operator	300	\$243	\$72,912	\$72,912	
WWTP Supervisor	80	\$255	\$20,376	\$20,376	
Subtotal	3,580		\$792,751	\$792,751	\$0
DIVISION 53 - Mechanical Maintenance					
Sr. Mechanic	360	\$242	\$87,167	\$65,375	\$21,792
Mechanic II	810	\$220	\$178,265	\$57,045	\$121,220
Mechanical Supervisor	85	\$288	\$24,520	\$7,846	\$16,674
Subtotal	1,255		\$289,952	\$130,266	\$159,685
DIVISION 54 - Instrumentation, Controls & Electrical (ICE)					
Sr. Instrumentation/Controls Tech	90	\$239	\$21,494	\$10,747	\$10,747
Instrumentation/Controls Tech II	590	\$217	\$128,095	\$64,047	\$64,047
Senior Electrician	90	\$221	\$19,923	\$9,962	\$9,962
Electrician II	550	\$201	\$110,688	\$83,016	\$27,672
ICE Supervisor	90	\$287	\$25,792	\$19,344	\$6,448
Principal Electrical Engineer	90	\$336	\$30,226	\$15,113	\$15,113
Subtotal	1,500		\$336,217	\$202,229	\$133,989
DIVISION 55 - Laboratory & Technical Services					
Sr. EC Inspector	55	\$221	\$12,148	\$12,148	
Lab & EC Manager	25	\$293	\$7,324	\$7,324	
Lab Technician	25	\$180	\$4,493	\$4,493	
Subtotal	105		\$23,965	\$23,965	\$0
DIVISION 40 - Engineering Administration					
Senior Civil Engineer	20	\$307	\$6,134	\$3,681	\$2,454
Associate Engineer	100	\$273	\$27,288	\$16,373	\$10,915
Subtotal	120		\$33,422	\$20,053	\$13,369
Total Billable Labor	7,090		\$1,584,000	\$1,169,000	\$415,000

Notes:

1. Projected demand based on a three-year average (2021-2023).

Budget details on Materials & Supplies and Contractual Services continued on next page.

PROPOSED DERWA O&M BUDGET FOR FISCAL YEAR 2025

MATERIALS & SUPPLIES	Total	Treatment	Distribution
Operations Supplies			
Aluminum Sulfate	\$275,000	\$275,000	\$0
Citric Acid	\$8,000	\$6,000	\$2,000
Polymer	\$150,000	\$150,000	\$0
Sodium Hypochlorite	\$115,000	\$115,000	\$0
Sand	\$10,000	\$10,000	\$0
Particle counter/data probe	\$20,000	\$20,000	\$0
Quartz sleeves	\$10,000	\$10,000	\$0
SF cell rehabilitation	\$60,000	\$60,000	\$0
SFUV wipers/sensors	\$73,000	\$73,000	\$0
SFUV Lamps and associated parts	\$120,000	\$120,000	\$0
SF UVI probe sensors with housings (5 units for spare)	\$13,000	\$13,000	\$0
Backwash Waste	\$1,470,000	\$1,470,000	\$0
Electricity (PG&E)	\$1,750,000	\$1,540,000	\$210,000
Water (Pleasanton bills)	\$1,000	\$1,000	\$0
Miscellaneous supplies	\$10,000	\$9,000	\$1,000
Subtotal	\$4,085,000	\$3,872,000	\$213,000
Mechanical Supplies			
SF airlift assembly replacement (10 units)	\$18,000	\$18,000	\$0
Compressor parts	\$7,500	\$5,000	\$2,500
Gauges/valves	\$20,000	\$20,000	\$0
HVAC maintenance	\$8,000	\$8,000	\$0
Metering pumps	\$14,000	\$14,000	\$0
Pump repair parts	\$31,500	\$25,200	\$6,300
Sand pump liners (6 units)	\$36,000	\$36,000	\$0
Hydro-cyclones (6 units)	\$20,000	\$20,000	\$0
Subtotal	\$155,000	\$146,200	\$8,800
Electrical Supplies			
21 KV equipment	\$2,000	\$2,000	\$0
Analyzer and instruments spare parts	\$3,000	\$3,000	\$0
Major Project Parts	\$6,000	\$4,500	\$1,500
Metering parts	\$8,000	\$8,000	\$0
Miscellaneous supplies	\$10,500	\$7,500	\$3,000
Motor/VFD repairs and parts	\$13,500	\$9,500	\$4,000
SFUV ballast replacements	\$15,000	\$15,000	\$0
Cable Harnesses	\$20,000	\$20,000	\$0
Subtotal	\$78,000	\$69,500	\$8,500
Laboratory Services/Analysis			
Compliance testing	\$75,000	\$75,000	\$0
Salt Mgmt. Plan sampling/analysis	\$20,000	\$20,000	\$0
Operational support testing	\$30,000	\$30,000	\$0
Subtotal	\$125,000	\$125,000	\$0
Total Materials & Supplies	\$4,443,000	\$4,212,700	\$230,300
CONTRACTUAL SERVICES			
21 KV transformer testing, annual	\$8,000	\$7,400	\$600
480V annual maintenance service	\$20,000	\$20,000	\$0
Cathodic protection survey/AC mitigation study, annual	\$10,000	\$0	\$10,000
Miscellaneous services	\$10,000	\$10,000	\$0
Professional Services, as needed	\$40,000	\$30,000	\$10,000
PLC support, annual	\$30,000	\$30,000	\$0
UV system preventative maintenance service, annual	\$30,000	\$30,000	\$0
Sub-surface repairs, as needed	\$20,000	\$0	\$20,000
SCADA software support, annual	\$25,000	\$17,600	\$7,400
SFUV system inspection	\$50,000	\$50,000	\$0
Total Contractual Services	\$243,000	\$195,000	\$48,000
CCCSD SUPPLEMENTAL SUPPLY			
Secondary Treatment Cost	\$40,000	\$40,000	\$0
TOTAL O&M BUDGET (LABOR, MATERIALS & SERVICES)	\$6,310,000	\$5,616,700	\$693,300