



**DUBLIN SAN RAMON SERVICES DISTRICT  
Board of Directors**

**NOTICE OF REGULAR MEETING**

**TIME:** 6:00 p.m.

**DATE:** Tuesday, July 1, 2014

**PLACE:** **Quorum will be present at:**  
Dublin San Ramon Services District Boardroom  
7051 Dublin Boulevard  
Dublin, CA 94568

**PLACE:** **Alternate Teleconference Location:**  
1286 Timber Lane  
South Lake Tahoe, CA 96150

**AGENDA**

(NEXT RESOLUTION NO. 34-14)

(NEXT ORDINANCE NO. 335)

**Our mission is to provide reliable water and wastewater services to the communities we serve in a safe, efficient and environmentally responsible manner.**

**BUSINESS:**

**REFERENCE**

**Recommended      Anticipated**  
**Action                      Time**

1. CALL TO ORDER
2. PLEDGE TO THE FLAG
3. ROLL CALL – Members: Benson, Duarte, Halket, Howard, Vonheeder-Leopold
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. Speakers’ 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.

6. REPORTS
  - A. Reports by General Manager and Staff
    - Event Calendar
    - Correspondence to and from the Board
  - B. Agenda Management (consider order of items)
  - C. Committee Reports
    - Finance

June 9, 2014

**BUSINESS:**

**REFERENCE**

|    |   |                    | <b><u>Recommended Action</u></b> | <b><u>Anticipated Time</u></b> |
|----|---|--------------------|----------------------------------|--------------------------------|
| 7. | <b><u>APPROVAL OF MINUTES</u></b> - Regular Meeting of<br><i>June 3, 2014</i> | District Secretary | Approve by Motion                |                                |
| 8. | <b><u>CONSENT CALENDAR</u></b>  |                    |                                  |                                |

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 of Directors or the public prior to the time the Board votes on the Motion to adopt.

|    |  |                              |                                |  |
|----|--|------------------------------|--------------------------------|--|
| A. | Intention to Levy Annual Assessments in the Dougherty Valley Standby Charge District 2001-1 for Fiscal Year 2014 - 2015  | Financial Services Manager   | Approve by Resolution          |  |
| B. | Approve Budget Adjustment to the Capital Improvement Program (CIP) Two-Year Budget for Fiscal Years Ending 2014 and 2015 to Increase Project Budget for WWTP Pavement Road Improvement (CIP 14-P026) | Engineering Services Manager | Approve by Resolution          |  |
| C. | Approve Proclamation Honoring Nancy Feeley – Retiring President/CEO of Dublin Chamber of Commerce  | General Manager              | Approve Proclamation by Motion |  |
| D. | Upcoming Board Calendar  | General Manager              | Accept by Motion               |  |
| E. | Report of Checks and Electronic Disbursements Made   | Treasurer                    | Accept by Motion               |  |

9. **BOARD BUSINESS**

|    |   |                              |                       |        |
|----|---|------------------------------|-----------------------|--------|
| A. | Discuss Drought Management Program  | General Manager              | Provide Direction     | 5 min  |
| B. | Accept Water Supply and Demand and Drought Response Action Plan Status Reports and Find that the Need for the Community Drought Emergency Still Exists  | General Manager              | Accept by Motion      | 10 min |
| C. | Approve Budget Adjustment to the Capital Improvement Program (CIP) Two-Year Budget for Fiscal Years Ending 2014 and 2015 to Add the Recycled Water Expansion Phase 1 - Distribution to Western Dublin and Alameda County Facilities (CIP 15-R009) and Revise the Water Expansion Fund Limit | Engineering Services Manager | Approve by Resolution | 10 min |

**BUSINESS:**

**REFERENCE**

|     |  |                              | <b><u>Recommended Action</u></b> | <b><u>Anticipated Time</u></b> |
|-----|--|------------------------------|----------------------------------|--------------------------------|
| D.  | Approve Budget Adjustment to the Capital Improvement Program (CIP) Two-Year Budget for Fiscal Years Ending 2014 and 2015 to Add Pipeline Replacement Pilot Project (CIP 15-W010)   | Engineering Services Manager | Approve by Resolution            | 10 min                         |
| E.  | Adopt Revised Policy – Guidelines for Conducting District Business and Rescind Resolution No. 61-09  | General Manager              | Approve Policy by Resolution     | 10 min                         |
| 10. | <b><u>BOARDMEMBER ITEMS</u></b>  |                              |                                  |                                |
|     | • Submittal of Written Reports from Travel and Training Attended by Directors  |                              |                                  |                                |
| 11. | <b><u>CLOSED SESSION</u></b>   |                              |                                  |                                |
| A.  | Conference with Labor Negotiators – Pursuant to Government Code Section 54957.6<br>Agency Negotiator: Bert Michalczyk, General Manager<br>Unrepresented Employees: 1. Interim Engineering Services Manager<br>2. Operations Manager<br>3. Interim Financial Services Manager<br>4. Interim Organizational Services Manager<br>Additional attendees: General Counsel Carl P. A. Nelson<br>Michelle Gallardo, Interim Organizational Services Manager<br>Bruce Lawson, Fox Lawson & Associates |                              |                                  | 30 min                         |
| B.  | Conference with Real Property Negotiator – Pursuant to Government Code Section 54956.8<br>Property: Reservoir 1A, 8208 Rhoda Avenue, Dublin, California<br>Agency Negotiator: Bert Michalczyk, General Manager<br>Rhodora Biagtan, Interim Engineering Services Manager<br>Steve Delight, Interim Planning & Permitting Division Supervisor<br>Negotiating Parties: AT&T<br>Under Negotiation: Price and Terms of Payment<br>Additional Attendees: General Counsel Carl P. A. Nelson         |                              |                                  | 15 min                         |
| 12. | <b><u>REPORT FROM CLOSED SESSION</u></b>   |                              |                                  |                                |
| 13. | <b><u>ADJOURNMENT</u></b>  |                              |                                  |                                |

**BOARD CALENDAR\***

| <u>Committee &amp; Board Meetings</u> | <u>Date</u>   | <u>Time</u> | <u>Location</u> |
|---------------------------------------|---------------|-------------|-----------------|
| Finance                               | July 7, 2014  | 8:30 a.m.   | District Office |
| External Affairs                      | July 8, 2014  | 5:30 p.m.   | District Office |
| Personnel                             | July 8, 2014  | 5:45 p.m.   | District Office |
| Wastewater                            | July 9, 2014  | 8:30 a.m.   | District Office |
| Regular Board Meeting                 | July 15, 2014 | 6:00 p.m.   | District Office |

\*Note: Agendas for regular meetings of District Committees are posted not less than 72 hours prior to each Committee meeting at the District Administrative Offices, 7051 Dublin Boulevard, Dublin, California

**All materials made available or distributed in open session at Board or Board Committee meetings are public information and are available for inspection at the front desk of the District Office at 7051 Dublin Blvd., Dublin, during business hours, or 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.**

## **PUBLIC HEARING**

### **NOTICE OF INTENTION TO LEVY ANNUAL ASSESSMENTS IN THE DUBLIN SAN RAMON SERVICES DISTRICT DOUGHERTY VALLEY STANDBY CHARGE DISTRICT 2001-1 FOR FISCAL YEAR 2014-2015**

THE BOARD OF DIRECTORS OF THE DUBLIN SAN RAMON SERVICES DISTRICT hereby gives notice that:

1. On June 19, 2001, by its Resolution No. 20-01, the Board under Article XIII D of the California Constitution and the Uniform Standby Charge Procedures Act, Sections 54984 *et seq.*, of the California Government Code (together, the "Act") established the District's Dougherty Valley Standby Charge District 2001-1 (the "Assessment District") and authorized the levy of assessments for standby charges (the "Assessments") in the Assessment District to pay for certain water supply costs and charges.

2. Under the Act, the Board, by a Resolution adopted July 1, 2014, will express its intention to levy the Assessments for the fiscal year 2014-2015 (the "Next Fiscal Year") after a public hearing to be held before the Board, in its regular meeting place, District Office, Board Chambers, 7051 Dublin Boulevard, Dublin, California on July 15, 2014, at 6:00 p.m. At the hearing, the Board will consider the Engineer's Report concerning the proposed Assessments for the Next Fiscal Year, hear all persons interested in the Assessments, consider all objections to the Assessments, if any, and take final action on the levy of the Assessments for the Next Fiscal Year.

3. To get additional information about the Assessment District, contact: Dublin San Ramon Services District, Accountant, 7051 Dublin Boulevard, Dublin, CA 94568, Telephone: (925) 875-2276. The Engineer's Report and other written material about the Assessment District may be reviewed at the District's office during regular business hours.

Dated as of June 19, 2014.

Nancy Gamble Hatfield  
District Secretary  
Dublin San Ramon Services District

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

**June 3, 2014**

A regular meeting of the Board of Directors was called to order at 6:00 p.m. by President Georgan M. Vonheeder-Leopold. Boardmembers present: President Georgan M. Vonheeder-Leopold, Vice President Edward R. Duarte, Director D.L. (Pat) Howard, Director Richard M. Halket, and Director Dawn L. Benson. District staff present: Bert Michalczyk, General Manager; Rhodora Biagtan, Interim Engineering Services Manager; John Archer, Interim Financial Services Manager/Treasurer; Dan Gallagher, Operations Manager; Michelle Gallardo, Interim Organizational Services Manager; Carl P.A. Nelson, General Counsel; and Nancy Gamble Hatfield, District Secretary.

1. CALL TO ORDER
2. PLEDGE TO THE FLAG
3. ROLL CALL - Members: Benson, Duarte, Halket, Howard, Vonheeder-Leopold
4. SPECIAL ANNOUNCEMENTS/ACTIVITIES
  - Comprehensive Annual Financial Report (CAFR) Award - General Manager Michalczyk presented Financial Services Manager Archer with the CAFR Award from the Government Finance Officers Association of California. Mr. Michalczyk credited Mr. Archer and his staff for the preparation of and information provided in the financial reports for FYE 2013. President Vonheeder-Leopold expressed her satisfaction with the fact the District is continuing to receive this award.
  - Special District Leadership Foundation Transparency Certificate for Excellence – Ms. Megan Hemming, Program Manager, from the Special District Leadership Foundation presented the District with the prestigious “District Transparency Certificate of Excellence,” which is in recognition of the District’s completion of all program requirements designed to promote transparency in operations and governance to the public and other stakeholders. President Vonheeder-Leopold thanked Ms. Hemming for the award and thanked staff for the work it took to achieve this recognition.
5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:07 p.m.
6. REPORTS
  - A. Reports by General Manager and Staff
    - Event Calendar – General Manager Michalczyk reported on the following:
      - o On June 19, 2014 at 6:00 p.m. at the Val Vista Picnic Area there will be a Re-dedication of the Val Vista Community Park and Neighborhood Meeting with

**DRAFT**

a free barbeque sponsored by the District and the City of Pleasanton. Attendees can learn about the newly installed recycled water system and view the District’s newly planted landscape. Depending on the number of Directors attending, the event may be a noticed meeting under the Brown Act.

- o Operations Manager Gallagher gave an informative update on the Bay Area Chemical Consortium that is in the fifth year of bidding chemicals together.

- Correspondence to and from the Board

| <b>Date</b> | <b>Format</b> | <b>From</b>   | <b>To</b>                                | <b>Subject</b>  |
|-------------|---------------|---|--|---|
| 5/22/14     | USPS          | Mrs. Brown Fallon<br>Middle School<br>Science, Connor<br>Vergara, Kavin Kasi,<br>Konrad Keihl | Dublin San Ramon<br>Water District Board | Alameda County<br>Science and<br>Engineering Fair -<br>Excellence in<br>Water Research<br>Award |
| 5/29/14     | Email         | Marlene Massetti  | Mr. Michalczyk and<br>Board of Directors | Water Shortages   |
| 5/14/14     | USPS          | Marc Hannigan,<br>Vice President,<br>Adams Pools<br>Solution                                  | Ms. Georgean M.<br>Vonheeder-Leopold     | Oppose Regulation<br>Concerning Filling<br>Swimming Pools<br>and Spas                           |

B. Agenda Management (consider order of items) – No changes were made.

President Vonheeder-Leopold reported that the General Manager advised her that information regarding a proposal for a 15% drought surcharge to be considered by the Board of Directors of the Zone 7 Water Agency first came to the District’s attention after posting of the agenda and that action is required before the next Board meeting. She stated that a motion is required to add the item to the agenda to be able to discuss the matter and be prepared for Zone 7’s Board meeting tomorrow night.

Director Benson **MOVED** to add an item to the agenda to discuss the proposal for a 15% drought surcharge to be considered by the Zone 7 Water Agency Board of Directors tomorrow night since immediate action is necessary because the new information came to the attention of the District after posting of the Agenda. V.P. Duarte **SECONDED** the **MOTION**, which **CARRIED** with **FIVE AYES**.

President Vonheeder-Leopold announced this item would be added as Item 9.D to the Board Business portion of the Agenda.

General Manager Michalczyk stated that the Board’s action was in accordance with Government Code Section 54954.2(b)(2).

C. Committee Reports

Special External Affairs  
Special Personnel

May 28, 2014  
May 28, 2014

President Vonheeder-Leopold invited comments on recent committee activities. Directors felt the available staff reports adequately covered the many matters considered at committee meetings and made a few comments about some of the committee activities.

7. APPROVAL OF MINUTES – Regular Meeting of *May 20, 2014*

Director Howard MOVED for the approval of the May 20, 2014 minutes. Director Halket SECONDED the MOTION, which CARRIED with FOUR AYES, and ONE ABSTENTION (Vonheeder-Leopold).

8. CONSENT CALENDAR

Director Benson MOVED for approval of the items on the Consent Calendar. V.P. Duarte SECONDED the MOTION, which CARRIED with FIVE AYES.

- A. Authorize Consolidation of District Election with November 4, 2014 Statewide General Election – Approved – Resolution No. 32-14
- B. Upcoming Board Calendar – Approved
- C. Report of Checks and Electronic Disbursements Made – Approved

| <b>Date Range</b>     | <b>Amount</b>  |
|-----------------------|----------------|
| 04/28/14 – 05/26/2014 | \$5,709,599.12 |

9. BOARD BUSINESS

A. Discuss Drought Management Program

General Manager Michalczyk explained that as requested by the Board a drought discussion item will be placed on each Board agenda as a standing item. This will allow anyone in the audience to address the Board at each meeting regarding concerns and questions they may have about the drought and the District's response. Doing so also will allow the Board to respond at that time instead of having to defer a matter until an upcoming agenda due to Brown Act requirements.

President Vonheeder-Leopold, who was absent at the last meeting, agreed this was an excellent idea.

Hearing no public comment, President Vonheeder-Leopold closed the item for discussion.



- B. Accept Water Supply and Demand and Drought Response Action Plan Status Reports and Find that the Need for the Community Drought Emergency Still Exists

General Manager Michalczyk reviewed that previously he has given the Board reports on water supply during the rainy season. Now that the water supply season is completed, he stated his reports will shift to a focus on water demand management. He stated he will address the five key points requested by the Board at every meeting and will provide an update on the various actions contained in the Drought Response Action Plan.

Mr. Michalczyk went on to report there has not been any significant changes in the water supply with the exception that the State announced that Zone 7 will receive 20% of its 5% allocation prior to September 1.

With regard to water demand, the District is exceeding its allocations from Zone 7. Additionally, the District is not achieving 25% reduction in use as compared to 2013. However, the situation seems to be improving in that for the week ending June 1, 2014 the results were the best they have been in 2014 to date. This seems to suggest that improvements in water savings are slowly occurring as the public is becoming more aware. Mr. Michalczyk emphasized the importance of curtailing outdoor water use so targets can be met.

No operational issues related to the drought have occurred since the Board's emergency declaration.

On a policy level, last week, for the first time since 1976 the State Water Resources Control Board issued several thousand orders to diverters around the State to cease further diversions from rivers. In particular, they have ordered water diverters in the Delta watershed (north of Bakersfield up to Shasta) to halt diversions. The most recent appropriators will have to curtail their deliveries before the more senior ones. Last week the State extended the comment period on the Bay Delta Conservation Plan (BDCP) for a few more months and issued the first public draft of the Implementation Agreement which identifies how water agencies pay for the BDCP improvements.

In response to the Drought Response Action Plan, the District has received 30 exemption requests for water use limitations with 12 approved, 3 denied, and 15 in progress. These requests will be processed within 5 to 10 working days. The first written warning was issued last week. Rebates requests are also starting to come in for spa and pool covers and lawn conversions.

Mr. Michalczyk concluded his remarks stating his recommendation that at this time the Board should not rescind or revise its May 5, 2014 emergency drought declaration.

Operations Manager Gallagher referred the Board's attention to the red and white printed "Water Use Limitation Violation" door hangers that will be hung on doors as necessary to notify a customer of a violation of the District ordinance prohibiting the use of water exceeding 640 gallons per day, irrigating too long or on too many days, washing vehicles, etc.

The Board and staff discussed associated drought management activities and considerations related to the drought, including customer service call volume, Tier 3 rates that became effective June 1, 2014, the Aquahawk Customer Portal system accessible on the website, Dublin High School baseball field recycled water conversion, and attending the Farmer's Market to disseminate drought information.

V.P. Duarte MOVED to: (a) accept the Water Supply and Demand Report and the Drought Response Action Plan Status Report; and, (b) find that there still exists a need for continuing the Community Drought Emergency which the Board declared on May 5, 2014. Director Benson SECONDED the MOTION, which CARRIED with FIVE AYES.

- C. Approve Out of Area Service Agreement for DSRSD Services for Nielsen Property West of Dublin

Engineering Services Manager Biagtan addressed the Board and presented for consideration an Out of Area Service Agreement for District Services with the Nielsen family. The subject property is outside of the District's service area boundary west of Dublin. Mr. Robert Nielsen, the authorized owner representative for the Nielsen property has requested sanitary sewer service for its operations for health and safety reasons. He has also gone through Alameda County for land use entitlements and permits.

Ms. Biagtan acknowledged Mr. Nielsen and his representative John Doyle seated in the audience. She explained the plan is to construct three buildings to support their agricultural needs outside of the District's service area but within the agency's sphere of influence. This agreement will also formalize an informal arrangement dating back to the 1980s when the District agreed to install a water meter for a water trough on Mr. Nielsen's property.

She stated that the agreement is effective only upon LAFCo approval which will be considered by LAFCo on July 10, 2014.

Director Halket MOVED to adopt Resolution No. 33-14, approving and authorizing Execution of Out of Area Service Agreement for DSRSD to Nielsen Property West of Dublin with Robert J. Nielsen, Jr., Thomas Nielsen, and the N. Dublin Family Partnership. Director Benson SECONDED the MOTION, which CARRIED with FIVE AYES.

ADDED: ITEM 9.D – Proposed Zone 7 Water Agency Board Fifteen Percent Drought Surcharge

General Manager Michalczyk briefed the Board on the Zone 7 Finance Committee meeting held yesterday June 2, 2014 and key points of the proposed Zone 7 drought surcharge to be presented to the Zone 7 board tomorrow evening June 4, 2014. Mr. Michalczyk, along with Financial Services Manager Archer and Director Halket, attended the Zone 7 Finance Committee meeting at which their staff presented three options for a drought surcharge: 0%, 15% and 25%. The Zone 7 Finance Committee voted 2-1 to not support the staff recommendation to their board for a 15% drought surcharge. Additionally, the three Finance Committee members voted to not support their proposed budget for board consideration. The Zone 7 Finance Committee members are Angela Ramirez-Holmes, Sarah Palmer, and Sandy Figuers.

Mr. Michalczyk requested the District Board endorse the following position for the District to take in the event a Zone 7 drought surcharge is considered further:

|   |  |
|---|--|
| <p>1. Nature of the Surcharge</p>             | <ul style="list-style-type: none"> <li>a. Surcharge to be expressed as a dollar/acre foot value rather than a percentage so to allow “pass through” in accordance with District Code and Section 53756 of Proposition 218 Implementation Act.</li> <li>b. Surcharge needs to be effective on date that allows District to give ratepayers legally required 30 day notification before effective—earliest possible date is 8/1/14.</li> <li>c. Surcharge needs to have clear sunset language.</li> </ul>  |
| <p>2. Calculation of the Surcharge Amount</p> | <p>The guiding principle is a surcharge should result in a “revenue neutral” amount after drought related expenses are accounted for.</p> <ul style="list-style-type: none"> <li>a. Increased maintenance costs for standby generators need to be what Zone 7 expects to actually spend, not the “upset limit” of the contract (identified at \$700,000).</li> <li>b. Increased water costs (\$2,600,000 identified), either:             <ul style="list-style-type: none"> <li>i. Don’t include in surcharge until water transfer legally binding and deliveries actually occur during curtailment months;</li> <li>ii. If included in surcharge and water transfer does not occur, then at end of CY 2014 funds collected are used by Zone 7 to replenish Drought Contingency fund for future years; or</li> <li>iii. If included in surcharge and water transfer does not occur, then at end of CY 2014 the funds collected are returned to Retailers for crediting</li> </ul> </li> </ul> |

|  |  |
|--|--|
|  | <p>ratepayers.<br/>                 c. CIP charges (\$3,300,000 identified) – total capital cost of any CIP projects implemented for drought relief should not be fully repaid by current ratepayers but spread over life of the projects.</p>   |
| <p>3. Process for Adopting the Surcharge</p> | <p>Retailer/Zone 7 Water Supply Contracts allow for only one annual rate adjustment that is proposed in September, approved in October, and effective in January. A surcharge requires Retailer concurrence by one of the following forms below. All forms are acceptable provided terms above met with preference for simplest and easiest.</p> <ul style="list-style-type: none"> <li>• An administrative exchange of letters between chief executives</li> <li>• A side letter agreement to Water Supply Contract</li> <li>• An amendment to Water Supply Contract</li> </ul> |

As Mr. Michalczyk presented the several key points, the Board asked questions and shared their thoughts and opinions.

V.P. Duarte added that another condition must be that the surcharge apply to all Retailers on the same terms.

The Board reached conceptual agreement on the District’s position as above and directed that it be conveyed to the Zone 7 Board meeting tomorrow night if a drought surcharge is being considered. Mr. Michalczyk and Interim Financial Services Manager Archer planned to attend the meeting.

10. BOARDMEMBER ITEMS

Director Howard reported he was quite satisfied with his new swimming pool cover and that he is using one-eighth the amount of water he was previously using.

V.P. Duarte reported in light of the drought he was very surprised that not a single citizen attended the May 22, 2014 town hall meeting held in the Dougherty Valley. The meeting date preceded the Memorial Day weekend and some “Back to School Nights.” The City of San Ramon handled the publicity for the event that may be held again at a future date.

Director Halket noted his place of business is only a few minutes from the Zone 7 office so he may plan to attend future meetings. He did attend yesterday’s Zone 7 Finance Committee meeting.

V.P. Duarte commented that he attended his granddaughter’s graduation from Linfield College in Oregon. His granddaughter earned a 4.0 grade point average her last two semesters, interned at a winery and received an offer as an assistant marketing position in Linfield. He was very pleased about her accomplishments!

Director Benson commented she attended the Dublin High School ribbon cutting for the new Performing Arts and Education Center on June 2, 2014. Director Benson asked if the Board planned to give recognition to retiring Dublin Chamber President/CEO Nancy Feeley.

General Manager Michalczyk told the Board staff was preparing a proclamation for Ms. Feeley. He also mentioned there were no time urgent board business matters for the June 17, 2014 meeting; however, the July 1, 2014 Board meeting is necessary and the proclamation could be adopted retroactively for Ms. Feeley. Her retirement celebration is scheduled for Wednesday, June 25, 2014 from 4:30 – 6:30 p.m. at Dublin Ranch Golf Course.

President Vonheeder-Leopold reported she and Mr. Gallagher attended the recent Alameda County Board of Supervisors meeting to receive a proclamation for declaring the month of May as Water Awareness Month in Alameda County. She also commented the Dublin library is 100 years old. The opening of the library exhibit is in the little school house until July 31, 2014.

11. CLOSED SESSION

At 7:11 p.m. the Board went into Closed Session.

A. Conference with Labor Negotiators – Pursuant to Government Code Section 54957.6

Agency Negotiator: Bert Michalczyk, General Manager

Unrepresented Employees: 1. Interim Engineering Services Manager

2. Operations Manager

3. Interim Financial Services Manager

4. Interim Organizational Services Manager

Additional attendees: General Counsel Carl P. A. Nelson

Michelle Gallardo, Interim Organizational Services Manager

12. REPORT FROM CLOSED SESSION

At 7:25 p.m. the Board came out of Closed Session.

13. ADJOURNMENT

President Vonheeder-Leopold adjourned the meeting at 7:26 p.m.

Submitted by,

Nancy Gamble Hatfield  
District Secretary



|  |   |  |
|--|---|--|
| Reference<br>Financial Services Manager  | Type of Action<br>Approve Intention to Levy Assessments in the Dougherty Valley | Board Meeting of<br>July 1, 2014               |
| Subject<br>Intention to Levy Annual Assessments in the Dougherty Valley Standby Charge District 2001-1 for Fiscal Year 2014-2015 |   |  |
| <input type="checkbox"/> Motion  | <input type="checkbox"/> Minute Order   | <input checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Ordinance   | <input type="checkbox"/> Informational  | <input type="checkbox"/> Other                 |
| REPORT:  | <input type="checkbox"/> Verbal   | <input type="checkbox"/> Presentation          |
|  | <input checked="" type="checkbox"/> Staff                                       | J. Archer                                      |
|  |   | <input type="checkbox"/> Board Member          |

**Recommendation:**

The Financial Services Manager recommends the Board of Directors adopt, by Resolution, the intention to levy assessments in the Dougherty Valley and direct staff to schedule a public hearing on this matter on July 15, 2014.

**Summary:**

Each year, an updated Engineer’s Report is prepared that shows a projection of the costs expected to be incurred in the upcoming fiscal year and the allocation of those costs based upon equivalent dwelling units (“EDU’s”). The Board first adopts a resolution of intention to levy annual assessments, followed by a public hearing at the next Board meeting. After the public hearing, the Board adopts the Engineer’s Report and directs the levy of the assessment. These assessments are then placed on the Contra Costa County tax roll.

This action is the first action that must be taken by the Board each year in order to levy assessments.

Each year, Zone 7 provides estimated costs associated with the State Department of Water Resources (DWR) specifically tied to providing water service to Dougherty Valley. In Fiscal Year 2013/14, the DWR charges to Zone 7 were \$17.8 million; Dougherty Valley’s share was \$1,299,710. For Fiscal Year 2014/15, Zone 7 has estimated that Dougherty Valley’s share of DWR costs will be approximately the same at \$1.3 million.

The annual assessment for Dougherty Valley Standby Charge District FY2013/14 was \$170.75 per EDU; which is the maximum allowed per EDU. Based on Zone 7’s estimates, the FY2014/15 annual assessment will remain at the maximum allowed of \$170.75 per EDU.

| Committee Review                                 |   |                                     | Legal Review   | Staff Review                       |                        |             |
|--|---|-------------------------------------|--|------------------------------------|------------------------|-------------|
| COMMITTEE<br>---                                 | DATE<br>-----                                       | RECOMMENDATION<br>---               | Not Required   | ORIGINATOR<br>J. Archer            | DEPARTMENT<br>Fin Serv | REVIEWED BY |
| <b>ATTACHMENTS</b> <input type="checkbox"/> None |   |                                     |  |                                    |                        |             |
| <input checked="" type="checkbox"/> Resolution   | <input type="checkbox"/> Minute Order               | <input type="checkbox"/> Task Order | <input type="checkbox"/> Staff Report                              | <input type="checkbox"/> Ordinance |                        |             |
| <input checked="" type="checkbox"/> Cost<br>\$0  | <input type="checkbox"/> Funding Source<br>A.<br>B. |                                     | Attachments to S&R<br>1. Preliminary Engineer's Report<br>2.<br>3. |                                    |                        |             |

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT OF INTENTION TO LEVY ANNUAL ASSESSMENTS IN THE DUBLIN SAN RAMON SERVICES DISTRICT DOUGHERTY VALLEY STANDBY CHARGE DISTRICT 2001-1 FOR FISCAL YEAR 2014-2015

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**RESOLVED** by the Board of Directors (the “Board”) of the Dublin San Ramon Services District (the “District”), County of Contra Costa (the “County”), State of California, as follows:

**WHEREAS**, on May 1, 2001 this Board adopted Resolution No. 14-01, A Resolution Initiating Proceedings for the Levy of Standby Charges, and in it directed the preparation and filing of a report in writing (the “Engineer’s Report”), all in accordance with and pursuant to Article XIII D of the California Constitution and the Uniform Standby Charge Procedures Act, Sections 54984 et seq., of the California Government Code (together, the “Act”) in and for the District’s proposed Dougherty Valley Standby Charge District 2001-1 (the “Assessment District”);

**WHEREAS**, on June 19, 2001, after a duly-noticed and held public hearing, by Resolution No. 20-01, this Board approved the establishment of the Assessment District and approved the Engineer’s Report with respect thereto and authorized the levy of assessments for standby charges (the “Assessments”) in the Assessment District to pay for certain water supply costs in amounts not to exceed those provided in the Engineer’s Report;

**WHEREAS**, under the Act, this Board is authorized to levy assessments each year for the Assessment District and by this resolution expresses its intention to do so for the fiscal year 2014-2015 (the “Next Fiscal Year”).

**NOW THEREFORE, BE IT ORDERED** that:

**1. Engineer’s Report.** The District Engineer is hereby designated as the Engineer of Work for the District. The Engineer of Work has caused to be prepared a report, under the Act (the “Engineer’s Report”) and has filed the Engineer’s Report with the District Secretary. The Report has been duly considered by this Board with the aid of District Staff, and is hereby deemed sufficient and preliminarily approved and shall stand as the Engineer’s Report for all subsequent proceedings for the District. Reference is hereby made to the Engineer’s Report for a full and detailed description of the budget for the Assessment District for the Next Fiscal Year and the proposed assessments upon the described, assessable lots and parcels of land within the Assessment District.

**2. Public Hearing.** Under the Act, this Board hereby orders that a public hearing shall be held before this Board, in the regular meeting place thereof, District Office, Board Chambers, 7051 Dublin Boulevard, Dublin, California on July 15, 2014, at 6:00 p.m. At the public hearing, the Board will hear all persons interested in the Assessments, consider all objections to the Assessments, if any, and

Res. No. \_\_\_\_\_

then take final action on the levy of the Assessments. The public hearing may be continued from time to time as determined by the Board, without further published or written notice.

**3. Published Notice.** Notice of the public hearing is given by publishing a notice substantially in the form of Exhibit A hereto attached once a week for two successive weeks in a newspaper circulated in the District and published once a week or oftener, with at least five days intervening between the respective publication dates, not counting such publication dates, with the first publication at least 14 days before the date of the public hearing.

**4. Information.** To get additional information about the Assessment District, contact: Dublin San Ramon Services District, Accountant, 7051 Dublin Boulevard, Dublin, CA 94568, Telephone: (925) 875-2276. The Engineer's Report and other written material about the Assessment District may be reviewed at the District's office during regular business hours.

**PASSED AND ADOPTED** this 1st day of July, 2014 by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Georgan M. Vonheeder-Leopold, President

ATTEST: \_\_\_\_\_  
Nancy G. Hatfield, District Secretary



**PUBLIC HEARING  
EXHIBIT A**

**NOTICE OF INTENTION TO LEVY ANNUAL ASSESSMENTS IN THE DUBLIN SAN  
RAMON SERVICES DISTRICT DOUGHERTY VALLEY STANDBY CHARGE  
DISTRICT 2001-1 FOR FISCAL YEAR 2014-2015**

THE BOARD OF DIRECTORS OF THE DUBLIN SAN RAMON SERVICES DISTRICT hereby gives notice that:

1. On June 19, 2001, by its Resolution No. 20-01, the Board under Article XIII D of the California Constitution and the Uniform Standby Charge Procedures Act, Sections 54984 *et seq.*, of the California Government Code (together, the "Act") established the District's Dougherty Valley Standby Charge District 2001-1 (the "Assessment District") and authorized the levy of assessments for standby charges (the "Assessments") in the Assessment District to pay for certain water supply costs and charges.

2. Under the Act, the Board, by a Resolution adopted July 1, 2014, will express its intention to levy the Assessments for the fiscal year 2014-2015 (the "Next Fiscal Year") after a public hearing to be held before the Board, in its regular meeting place, District Office, Board Chambers, 7051 Dublin Boulevard, Dublin, California on July 15, 2014, at 6:00 p.m. At the hearing, the Board will consider the Engineer's Report concerning the proposed Assessments for the Next Fiscal Year, hear all persons interested in the Assessments, consider all objections to the Assessments, if any, and take final action on the levy of the Assessments for the Next Fiscal Year.

3. To get additional information about the Assessment District, contact: Dublin San Ramon Services District, Accountant, 7051 Dublin Boulevard, Dublin, CA 94568, Telephone: (925) 875-2276. The Engineer's Report and other written material about the Assessment District may be reviewed at the District's office during regular business hours.

Dated as of \_\_\_\_\_, 20\_\_

Nancy Gamble Hatfield  
District Secretary,  
Dublin San Ramon Services District



**Dublin San Ramon Services District**

**Dougherty Valley Standby Charge District 2001-1**

**Engineer's Report Fiscal Year 2014/15**

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**Main Office**

32605 Temecula Parkway, Suite 100  
Temecula, CA 92592  
Toll free: 800.676.7516 Fax: 951.296.1998

**Regional Office**

870 Market Street, Suite 1223  
San Francisco, CA 94102  
Toll free: 800.434.8349 Fax: 415.391.8439

## DUBLIN SAN RAMON SERVICES DISTRICT

**7051 Dublin Boulevard  
Dublin, California 94568  
Phone - (925) 828-0515  
Fax - (925) 829-1180**

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### **DISTRICT BOARD**

Georgan M. Vonheeder-Leopold, President

Edward (Ed) R. Duarte, Vice President

D.L. (Pat) Howard, Director

Richard M. Halket, Director

Dawn L. Benson, Director

### **DISTRICT STAFF**

Rhodora Biagtan, PE, Interim Engineering Services Manger

John Archer, Interim Financial Services Manager

### **NBS**

Pablo Perez, Client Services Director

Trevor Speer, Project Manager

Jason Roth, Consultant

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## **1. ENGINEER'S LETTER**

**WHEREAS**, on May 1, 2001, the Board of Directors (the "Board") of the Dublin San Ramon Services District (the "District"), County of Contra Costa, State of California, under the Uniform Standby Charge Procedures Act, being Chapter 12.4 (commencing with Section 54984) of Part 1, Division 2 of Title 5 of the California Government Code (the "Act"), adopted its Resolution to Initiate Proceedings to Fix Standby Charges (the "Resolution to Initiate") for the fixing of Standby Charges to pay certain costs of the District incurred or to be incurred by the District as of certain agreements between the District and Alameda County Flood Control and Water Conservation District, Zone 7 to serve California State Water Project to the Dougherty Valley; and

**WHEREAS**, the Board desires to fix a maximum Standby Charge for each Equivalent Dwelling Unit (EDU) of the Dougherty Valley Service area; and

**WHEREAS**, the District's cost obligation to Zone 7 includes the annual payments to Zone 7 for 6,080 acre feet of State Water Project water for Zone 7 and annual payments to Zone 7 for 43,000 acre feet of water storage in Semitropic Water Storage Directory ("Semitropic"); and

**WHEREAS**, the Board desires to collect the money necessary to make required Zone 7 payments under provisions of the Act; and

**WHEREAS**, the Resolution to Initiate directed the undersigned to make and file a report presenting those materials specified in Section 54984.3 of the Act, to which Resolution to Initiate reference is hereby made for further particulars; and

**WHEREAS**, the Act provides that any Standby Charges imposed thereunder are deemed to be assessments and this Report presents such Standby Charges as and denominates them as "Assessments";

**NOW, THEREFORE**, the following Assessment is made to cover the annual costs of the charges and the costs and expenses incidental thereto:

**SUMMARY OF ASSESSMENT**

| <b>Description</b>            | <b>As Originally Approved</b> | <b>As Confirmed by the Board</b> |
|-------------------------------|-------------------------------|----------------------------------|
| <b>Charges</b>                |                               |                                  |
| State Water Project           | \$1,311,950.00                | \$1,311,950.00                   |
| Semitropic Water Storage      | 0.00                          | 0.00                             |
| <i>Subtotal</i>               | \$1,311,950.00                | \$1,311,950.00                   |
|                               |                               |                                  |
| <b>Administration</b>         |                               |                                  |
| Total Administration Costs    | \$285,509.50                  | \$285,509.50                     |
|                               |                               |                                  |
| <b>Carryover Contribution</b> | (\$0.00)                      | (\$0.00)                         |
|                               |                               |                                  |
| <b>Total Costs</b>            | <b>\$1,597,459.50</b>         | <b>\$1,597,459.50</b>            |
| Maximum Assessment            | \$1,530,211.31                | \$1,530,211.31                   |
| Rounding Adjustment           | (55.01)                       | (55.01)                          |
| <b>Total Assessment</b>       | <b>\$1,530,156.30</b>         | <b>\$1,530,156.30</b>            |

I, the undersigned, do hereby assess and apportion the total assessment of the total cost of the acquisitions, work and improvements upon the several lots, pieces or parcels or portions of lots or subdivisions of land liable therefore and benefited thereby, and hereinafter numbered to correspond with the numbers upon the attached assessment diagram, upon each, severally and respectively, in accordance with the benefits to be received by such subdivisions, respectively, from the Assessments, and more particularly set forth in the list hereto attached and by reference made a part hereof.

The Assessment is made upon the several subdivisions of land within the Dougherty Valley Standby Charge District 2001-1 (the "Standby Charge District") in proportion to the estimated benefits to be received by the subdivisions, respectively, from the Assessments. An Assessment Diagram for the Standby Charge District has been submitted to the District Secretary in the format required under the provisions of the Act. The lines and dimensions shown on maps of the County Assessor of the County of Contra Costa for the current year are incorporated by reference herein and made part of this Report.

Each subdivision of land assessed is described in the Assessment Roll by reference to its parcel number as shown on the Assessor's Maps of the County of Contra Costa for Fiscal Year 2014/15 and includes all of such parcel excepting those portions thereof within existing public roads or right of way to be acquired in these proceedings for public road purposes. For a more particular description of said property, reference is hereby made to the deeds and maps on file and of record in the office of the County Recorder of the County of Contra Costa.

The assessment has been levied in accordance with the assessment methodology adopted and approved by the Board at the time of the Standby Charge District formation.

Dated: \_\_\_\_\_, 2014

By: \_\_\_\_\_

## 2. ESTIMATE OF COSTS

The cost of servicing, maintaining, repairing, and replacing the actual improvements as described in the plans and specifications are summarized as follows.

### 2.1. Dougherty Valley Standby Charge District 2001-1 Budget

The budget for the Standby Charge District is outlined in the following table. The total annual assessment per EDU is described in Section 3.1.

| <b>Engineer's Cost Estimate</b>                          |                       |
|--|-----------------------|
| Description  | Budget                |
| <b>Charges</b>   |                       |
| State Water Project Costs (Zone 7)                       | \$1,311,950.00        |
| <b>Administrative Charges &amp; Fees</b>                 |                       |
| Engineer's Report  | 10,000.00             |
| District Administration Charge (15%), (1)                | 196,792.50            |
| Notice, Recording, Miscellaneous Contingencies (1%), (2) | 13,119.50             |
| Contingency (5%), (3)                                    | 65,597.50             |
| <i>Subtotal</i>  | \$285,509.50          |
| <b>Total Cost</b>  | <b>\$1,597,459.50</b> |
| <b>Less: Carryover Contribution (estimated)</b>          | <b>(\$0.00)</b>       |
| <b>Maximum Assessment for Fiscal Year 2014/15</b>        | <b>\$1,530,211.31</b> |
| Rounding Adjustment                                      | (55.01)               |
| <b>Total Levy for Fiscal Year 2014/15</b>                | <b>\$1,530,156.30</b> |
| <b>Assessable EDU for Fiscal Year 2014/15</b>            | <b>8,961.706</b>      |
| <b>Assessment Per EDU for Fiscal Year 2014/15</b>        | <b>\$170.75</b>       |
| Maximum Assessment Per EDU, Per Original Formation, (4)  | \$170.75              |

(1) Annual Administration Charge – 15% of combined Water and Storage Charges.

(2) Contingencies – 1% of combined Water and Storage Charges.

(3) Contingencies – 5% of combined Water and Storage Charges.

(4) \$170.75 is the maximum allowable rate per EDU.

### **3. ASSESSMENTS**

The actual assessment and the amount of the Assessment for Fiscal Year 2014/15 apportioned to each parcel as shown on the latest equalized roll at the County Assessor's office are listed in Section 5 of this Report. The description of each lot or parcel is part of the records of the County Assessor of the County of Contra Costa and such records are, by reference, made part of this Report.

#### **3.1. Method of Apportionment**

---

The Assessments are apportioned according to the special benefits received by the lots, pieces, and parcels of land within the Standby Charge District. The proportionate benefit derived by each parcel is determined in relationship to the entirety of the Standby Charges. No assessment has been apportioned on any parcel that exceeds the reasonable cost of the proportional benefit conferred on that parcel.

Under this Report the Assessments for the Standby Charge District are apportioned in accordance with the foregoing and using the following criteria.

The Assessments for each parcel of land were apportioned based on the number of projected EDUs for build-out within that parcel.

For this purpose, a single family detached dwelling unit is equal to 1.0 EDU, a multi-family attached dwelling unit is equal to .40 EDU, and each acre of commercial land is equal to 4.0 EDU.

With respect to Windemere Ranch, the number of EDUs per parcel were originally determined at the time of district formation from the approved tentative subdivision maps for Phase 1, and for future phases, the number of EDUs per parcel were estimated by evenly distributing the remaining approved dwelling units within the project per the Dougherty Valley Specific Plan over the developable acreage within each parcel because the zoning is the same. No EDUs were assigned to parks, schools or open space areas. For this Report, the estimate of EDUs per parcel was updated based on current development for parcels that were subdivided.

With respect to Gale Ranch, the number of EDUs per parcel was originally determined at the time of district formation from the approved tentative subdivision map for Phase 2, and the tentative subdivision map dated May 27, 2001, submitted to the Contra Costa County for review for Phase 3. For the remaining areas of Gale Ranch (Phase 4), the number of EDUs was estimated based on the total approved dwelling units and non-residential land uses per the Dougherty Valley Specific Plan. No EDUs were assigned to parks, schools, or open space areas. For this Report, there have been no subdivisions or changes to the assumptions.

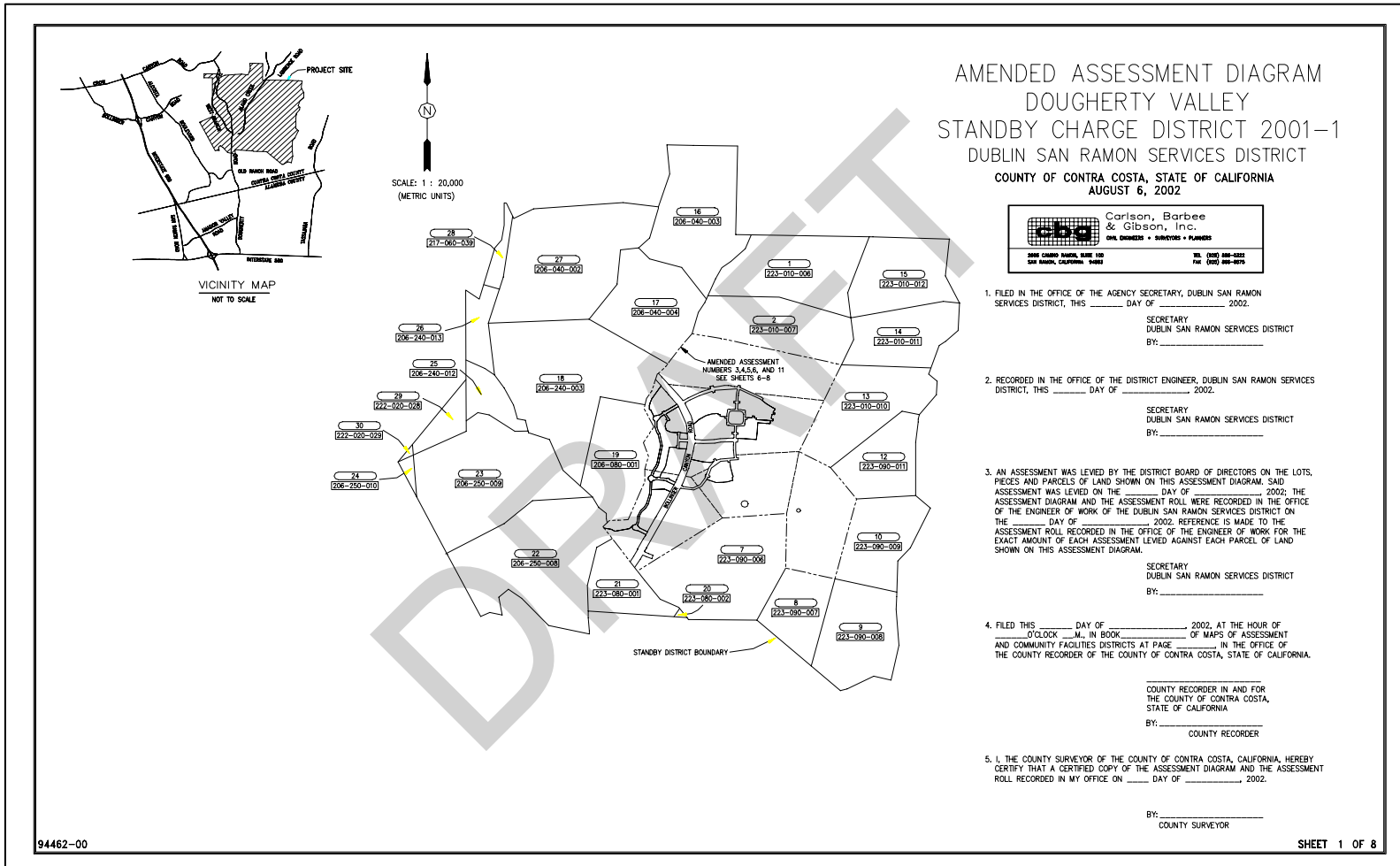
(Note: Phase 1 of Gale Ranch is not included in the Standby Charge District)



## **4. ASSESSMENT BOUNDARY MAP**

An Assessment Diagram for the Standby Charge District has been submitted to the Secretary of the Board in the format required under the provisions of the Act. The lines and dimensions shown on maps of the County Assessor of the County of Contra Costa for the current year are incorporated by reference herein and made part of this Report. A reduced copy is attached.

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## **5. ASSESSMENT ROLL**

The entire list of parcels on the assessment roll may be reviewed at the District's office during regular business hours at 7051 Dublin Boulevard, Dublin, CA 94568.

The following pages show the assessment roll for Fiscal Year 2014/15.

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|   |   |  |
|---|---|--|
| Reference<br>Engineering Services Manager   | Type of Action<br>Approve Budget Adjustment | Board Meeting of<br>July 1, 2014               |
| Subject<br>Approve Budget Adjustment to the Capital Improvement Program (CIP) Two-Year Budget for Fiscal Years Ending 2014 and 2015 to Increase Project Budget for WWTP Pavement Road Improvement (CIP 14-P026) |   |  |
| <input type="checkbox"/> Motion   | <input type="checkbox"/> Minute Order       | <input checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Ordinance  | <input type="checkbox"/> Informational      | <input type="checkbox"/> Other                 |
| REPORT:   | <input type="checkbox"/> Verbal             | <input type="checkbox"/> Presentation          |
|   | <input checked="" type="checkbox"/> Staff   | R. Biagtan                                     |
|   |   | <input type="checkbox"/> Board Member          |

**Recommendation:**

The Engineering Services Manager recommends the Board of Directors approve, by Resolution, a budget adjustment to the Capital Improvement Program Two-Year Budget for Fiscal Years Ending 2014 and 2015 to increase the total project budget for WWTP Pavement Road Improvement Project (CIP 14-P026) by \$99,000, from \$21,000 to \$120,000.

**Summary:**

On June 4, 2013, the Board adopted a Two-Year Capital Improvement Program (CIP) Budget for Fiscal years Ending 2014 and 2015.

The WWTP Pavement Road Improvement Project (CIP 14-P026) was created out of the Access Road Improvement Program (CIP 00-A002) for \$21,000 for road widening and repairs at the Wastewater Treatment Plant (WWTP) around the hypochlorite tanks and primaries as recommended by the 2013 Suggestion of the Year. The Operations Manager has identified additional areas that are in need of pavement expansion and repairs. Staff requests the project budget be increased by an additional \$99,000 to realize administrative and construction cost savings by completing all required WWTP pavement work at the same time.

The requested project budget increase will address additional areas at the WWTP in need of attention, including repairing several areas of pavement failure from the entry gate to Building A and sealing the entire WWTP to prolong the life of the pavement. The increase will also pave an area near the aeration basins which will allow parking to be moved from an area that is frequently used by large delivery trucks to turn around. The pavement expansion will provide safer turnarounds for delivery trucks without risking damage to WWTP facilities and will prolong the roadway infrastructure around the WWTP.

Staff recommends increasing the budget for the WWTP Pavement Road Improvement Project by \$99,000 from \$21,000 to \$120,000 for the purpose of completing all necessary maintenance on WWTP roadway infrastructure. This increase is within the General Manager’s authority. However, due to the 371% increase to the original project budget, this item is being presented to the Board. There is currently \$99,000 available in the Access Road Improvement “Program” (CIP-00-A002). This increase will not affect the overall Fund Expenditure Limit budget, it will only transfer funds already set aside in the Access Road Improvement Program (CIP-00-A002) to the WWTP Pavement Road Improvement Project (CIP 14-P026).

| Committee Review                                 |   |                                     | Legal Review   | Staff Review                       |                           |                    |
|--|---|-------------------------------------|--|------------------------------------|---------------------------|--------------------|
| COMMITTEE<br>Finance                             | DATE<br>6/9/14  | RECOMMENDATION<br>Approve           | Not Required   | ORIGINATOR<br>J. Zavadil           | DEPARTMENT<br>Engineering | REVIEWED BY<br>RNB |
| <b>ATTACHMENTS</b> <input type="checkbox"/> None |   |                                     |  |                                    |                           |                    |
| <input checked="" type="checkbox"/> Resolution   | <input type="checkbox"/> Minute Order   | <input type="checkbox"/> Task Order | <input type="checkbox"/> Staff Report                | <input type="checkbox"/> Ordinance |                           |                    |
| <input checked="" type="checkbox"/> Cost<br>\$0  | <input checked="" type="checkbox"/> Funding Source<br>A. Regional Sewer Replacement Fund<br>(310)<br>B. |                                     | Attachments to S&R<br>1. WWTP Aerial Map<br>2.<br>3. |                                    |                           |                    |

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT APPROVING A BUDGET ADJUSTMENT TO THE CAPITAL IMPROVEMENT PROGRAM TWO-YEAR BUDGET FOR FISCAL YEARS ENDING 2014 AND 2015 TO INCREASE PROJECT BUDGET FOR WWTP PAVEMENT ROAD IMPROVEMENT PROJECT (CIP 14-P026) AND TRANSFER OF FUNDS FROM THE PROGRAM BUDGET TO THE PROJECT

---

WHEREAS, the Board of Directors accepted the District's Capital Improvement Program ("CIP") 10-Year Plan for Fiscal Years Ending 2014 through 2023 ("CIP 10-Year Plan") on February 19, 2013 to serve as a budgetary planning document providing direction and guidance, in accordance with District policies, for the replacement and improvement of existing District facilities and the construction of new facilities; and

WHEREAS, the Board of Directors adopted the current CIP Two-Year Budget for Fiscal Years Ending 2014 and 2015 ("CIP Budget") on June 4, 2013 authorizing Fund Expenditure Limits for FYE 2014 and 2015 to meet the District's capital infrastructure needs; and

WHEREAS, District staff recommends revising the CIP Budget by increasing the total project budget for WWTP Pavement Road Improvement Project (CIP 14-P026) by \$99,000 from \$21,000 to \$120,000; and

WHEREAS, the CIP Budget includes funds of \$99,000 approved for the Access Road Improvement Program (CIP 00-A002) in FYE 2014 and staff recommends transferring the funds from the Access Road Improvement Program (CIP 00-A002) to the WWTP Pavement Road Improvement Project (CIP 14-P026).

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;

Res. No. \_\_\_\_\_

1. The revised project budget of \$120,000 for WWTP Pavement Road Improvement Project (CIP 14-P026) is hereby approved and incorporated into the CIP Budget in accordance with the project description sheet attached as Exhibit A.

2. The transfer of \$99,000 from the FYE 2014 Access Road Improvement Program (CIP 00-A002) to the WWTP Pavement Road Improvement Project (CIP 14-P026) is hereby approved.

3. The project budget increase and transfer from the FYE 2014 Access Road Improvement Program (CIP 00-A002) to the WWTP Pavement Road Improvement Project (CIP 14-P026) are effective June 30, 2014.

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 1st day of July 2014, and passed by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Georgean M. Vonheeder-Leopold, President

ATTEST:

\_\_\_\_\_  
Nancy G. Hatfield, District Secretary

|                                     |                                       |  |
|-------------------------------------|---------------------------------------|--|
| <i>CIP Budget<br/>FYE 14 and 15</i> | <b>WWTP Pavement Road Improvement</b> |  |
| <i>New</i>                          | <b>CIP #: 14-P026</b>                 | <b>Regional Sewer Replacement Fund (310)</b> |

**Project Manager:** Jackie Yee

**Project Sponsor:** Dan Gallagher

**PURPOSE AND DESCRIPTION**

This project will address the road widening and repairs needed at the wastewater treatment plant (WWTP) around the hypochlorite tanks and primaries as recommended by the 2013 Suggestion of the Year. The width of the road to the hypochlorite area is too narrow and causes trucks to run over the curb and gravel area. The trucks could also get stuck during wet weather. The pavement road improvement will provide a safer and more efficient loading area.

This project will also include additional areas identified that are in need of pavement expansion and repairs such as several areas of pavement failure from the entry gate to Building A and sealing the entire WWTP to prolong the life of the pavement. It will also pave an area near the aeration basins which will allow parking to be moved from an area that is frequently used by large delivery trucks to turn around. The pavement expansion will provide safer turnarounds for delivery trucks without risking damage to WWTP facilities and will prolong the roadway infrastructure around the WWTP. This project will also include FSL and DLD access roads that are in need of repair and/or regarding.

**IMPACT ANALYSIS**

- Operating Impact: Increase safety and efficiency.
- Environmental: Categorical Exemption [CEQA Guideline 15302].
- Public Info.: None.
- Scheduling: Complete in FYE 2014.
- Permits: None.
- Reference: Staff recommendation.
- Strategic Plan Element: Goal 2.7 Optimize operation of existing infrastructure.

**FINANCIAL OVERVIEW**

|                      | Proposed Budget |                     |                | Actual + Estimated Cash Flow |                         |                         |                    |                  |                        |
|----------------------|-----------------|---------------------|----------------|------------------------------|-------------------------|-------------------------|--------------------|------------------|------------------------|
|                      | Adopted Budget  | Proposed Adjustment | Revised Budget | Actual Thru FYE 2013         | Actual FYE 2014 to Date | Est. Remaining FYE 2014 | Estimated FYE 2015 | Estimated Future | Total Projected Budget |
| Planning             | 0               | 0                   | 0              | 0                            | 0                       | 0                       | 0                  | 0                | 0                      |
| Design               | 0               | 0                   | 0              | 0                            | 0                       | 0                       | 0                  | 0                | 0                      |
| Construction         | 18,000          | 97,000              | 115,000        | 0                            | 34,650                  | 80,350                  | 0                  | 0                | 115,000                |
| Const Mgmt           | 3,000           | 2,000               | 5,000          | 0                            | 0                       | 5,000                   | 0                  | 0                | 5,000                  |
| Admin Mgmt           | 0               | 0                   | 0              | 0                            | 0                       | 0                       | 0                  | 0                | 0                      |
| Staff Time           | 0               | 0                   | 0              | 0                            | 0                       | 0                       | 0                  | 0                | 0                      |
| <b>Subtotal</b>      | <b>21,000</b>   | <b>99,000</b>       | <b>120,000</b> | <b>0</b>                     | <b>34,650</b>           | <b>85,350</b>           | <b>0</b>           | <b>0</b>         | <b>120,000</b>         |
| <i>Other Funding</i> | <i>0</i>        | <i>0</i>            | <i>0</i>       | <i>0</i>                     | <i>0</i>                | <i>0</i>                | <i>0</i>           | <i>0</i>         | <i>0</i>               |
| <b>Net Impact</b>    | <b>21,000</b>   | <b>99,000</b>       | <b>120,000</b> | <b>0</b>                     | <b>34,650</b>           | <b>85,350</b>           | <b>0</b>           | <b>0</b>         | <b>120,000</b>         |

**Fund Split Basis:**

|     |      |        |        |         |        |        |         |
|-----|------|--------|--------|---------|--------|--------|---------|
| 310 | 100% | 21,000 | 99,000 | 120,000 | 34,650 | 85,350 | 120,000 |
|-----|------|--------|--------|---------|--------|--------|---------|

**NOTES:**

Created from Access Road Improvement Program (00-A002) March 2014  
 Request increase of \$99,000 for Board approval 7/1/2014



Stoneridge dr

Install AC curb on the east side of roadway from access gate to front of EALS building (690 LF)

48,700 SF Crack and Slurry Seal, Rubber Tire rolling, Striping white paint (660LF)  
Base Failure repairs (5,210 SF)

EALS Bldg.

WWTP

18,500 SF Crack and Slurry Seal, Rubber tire rolling, no striping

23,100 SF Crack and Slurry Seal, Rubber Tire rolling, Striping white paint (6,640 LF)

Slurry Seal exist parking area (56,000 SF), Striping white paint (1,060 LF)

Area of 332'x10'  
Reconstruct Pavement  
Two layers of geogrid (one at bottom and mid-height of AB)  
AB at 15" deep  
AC at 3.5" deep  
Replace AC curb (332 LF)





|  |   |  |
|--|---|--|
| Reference<br>General Manager   | Type of Action<br>Approve Proclamation    | Board Meeting of<br>July 1, 2014       |
| Subject<br>Approve Proclamation Honoring Nancy Feeley - Retiring President/CEO of Dublin Chamber of Commerce |   |  |
| <input checked="" type="checkbox"/> Motion   | <input type="checkbox"/> Minute Order     | <input type="checkbox"/> Resolution    |
| <input type="checkbox"/> Verbal  | <input type="checkbox"/> Presentation     | <input type="checkbox"/> Ordinance     |
| REPORT:  | <input checked="" type="checkbox"/> Staff | <input type="checkbox"/> Informational |
|  | B. Michalczyk                             | <input type="checkbox"/> Other         |
|  |   | <input type="checkbox"/> Board Member  |

**Recommendation:**

The General Manager recommends the Board of Directors approve, by Motion, the attached Proclamation honoring Nancy Feeley, retiring President and CEO of Dublin Chamber of Commerce.

**Summary:**

Nancy Feeley was hired by the Dublin Chamber of Commerce in 1974 and has served the Chamber and City of Dublin for nearly 40 years. She helped promote the drive to incorporate the City of Dublin which became a city in 1984 and has given her assistance to many City Committees and backed many City improvements. She has admirably advocated and provided leadership for businesses in the City of Dublin and formed meaningful partnerships and relationships.

Nancy Feeley has done an excellent job serving as the Dublin Chamber of Commerce Chief Executive Officer and President. She has brought innovation, creativity and unwavering commitment to her work for the Chamber of Commerce. The General Manager recommends accepting the attached proclamation to mark the occasion and congratulate Nancy Feeley.

At the June 3, 2014 Board meeting the Board agreed to present a proclamation to Dublin Chamber President Nancy Feeley at her Farewell Reception on June 25, 2014. Since the Board meeting of June 17, 2014 was cancelled and the Board could not approve the Proclamation in time to be presented, the Board agreed to retroactively consider the proclamation at the July 1, 2014 Board meeting.

| Committee Review                                   |   |   | Legal Review                          | Staff Review                       |                         |             |
|--|---|---|---------------------------------------|------------------------------------|-------------------------|-------------|
| COMMITTEE<br>---                                   | DATE<br>---   | RECOMMENDATION<br>---                             | Not Required                          | ORIGINATOR<br>B. Michalczyk        | DEPARTMENT<br>Executive | REVIEWED BY |
| <b>ATTACHMENTS</b> <input type="checkbox"/> None   |   |   |                                       |                                    |                         |             |
| <input type="checkbox"/> Resolution                | <input type="checkbox"/> Minute Order               | <input type="checkbox"/> Task Order               | <input type="checkbox"/> Staff Report | <input type="checkbox"/> Ordinance |                         |             |
| <input checked="" type="checkbox"/> Cost<br>\$0.00 | <input type="checkbox"/> Funding Source<br>A.<br>B. | Attachments to S&R<br>1. Proclamation<br>2.<br>3. |                                       |                                    |                         |             |

PROCLAMATION

Honoring  
Nancy Feeley

WHEREAS, Nancy Feeley worked at Dublin San Ramon Services District, when it was known as Valley Community Services District, while she went to school from 1966 until 1974; and

WHEREAS, Nancy Feeley was hired by the Dublin Chamber of Commerce in 1974 and has served the Chamber and City of Dublin for nearly 40 years; and

WHEREAS, Nancy Feeley has done an excellent job serving as the Dublin Chamber of Commerce Chief Executive Officer and President; and

WHEREAS, Nancy Feeley helped promote the drive to incorporate the City of Dublin which became a city in 1984; and

WHEREAS, Nancy Feeley has given her assistance to many City Committees and backed many City improvements; and

WHEREAS, Nancy Feeley has admirably advocated and provided leadership for businesses in the City of Dublin and formed meaningful partnerships and relationships; and

WHEREAS, Nancy Feeley worked to help form Dublin Partners in Education; and

WHEREAS, Nancy Feeley has been an avid proponent of the residents and businesses thriving and being successful in the City of Dublin; and

WHEREAS, Nancy Feeley has brought innovation, creativity and unwavering commitment to her work for the Dublin Chamber of Commerce; and

WHEREAS, Nancy Feeley never forgot her roots with DSRSD and sought to involve DSRSD in a very active way in the Dublin Chamber of Commerce; and


WHEREAS, Nancy Feeley has done all of the above serving her community selflessly and thoughtfully sacrificing her spare time and giving her energies to the Chamber.

THEREFORE BE IT PROCLAIMED that the Board of Directors of Dublin San Ramon Services District, a public agency in the State of California, Counties of Alameda and Contra Costa, recognizes and commends

Nancy Feeley

for her excellent leadership, valuable contributions, and for her exemplary public service career and wishes her many enjoyable, gratifying years spent with her family and friends participating in the activities she loves best.

Adopted this 1st day of July 2014

  
Georgean M. Vonheeder-Leopold, President

  
Edward R. Duarte, Vice President

  
Richard M. Halket, Director

  
D.L. (Pat) Howard, Director

  
Dawn L. Benson, Director

  
Nancy G. Hatfield, District Secretary



|  |  |                                       |
|--|--|---------------------------------------|
| Reference<br>General Manager               | Type of Action<br>Accept Report        | Board Meeting of<br>July 1, 2014      |
| Subject<br>Upcoming Board Calendar         |  |                                       |
| <input checked="" type="checkbox"/> Motion | <input type="checkbox"/> Minute Order  | <input type="checkbox"/> Resolution   |
| <input type="checkbox"/> Ordinance         | <input type="checkbox"/> Informational | <input type="checkbox"/> Other        |
| REPORT:                                    | <input type="checkbox"/> Verbal        | <input type="checkbox"/> Presentation |
| <input checked="" type="checkbox"/> Staff  | B. Michalczyk                          | <input type="checkbox"/> Board Member |

**Recommendation:**

The General Manager recommends that the Board of Directors accept, by Motion, the attached upcoming Board calendar.

**Summary:**

The attached Board calendar presents items anticipated by staff to be presented to the Board at the next two Board meetings. This report represents the most current information available to staff as of the preparation of this agenda. Items that are listed may be deferred or eliminated for various reasons including but not limited to staff work not being fully complete, the need for further management, Committee and/or legal review, needed material or information not being received by the District in a timely fashion, etc. Furthermore, matters not listed may be placed on the Board agenda.

This report should be used only as a general guide of what business the District Board will be considering in the near future. The District Secretary should be contacted to confirm the contents of specific agendas. Agendas will be finalized in accordance with the requirements of the Brown Act (generally 72 hours for regular meetings and 24 hours for special meetings).

| Committee Review                                 |   |  | Legal Review                          | Staff Review                       |                         |             |
|--|---|--|---------------------------------------|------------------------------------|-------------------------|-------------|
| COMMITTEE<br>---                                 | DATE<br>---   | RECOMMENDATION<br>---  | Not Required                          | ORIGINATOR<br>BLM                  | DEPARTMENT<br>Executive | REVIEWED BY |
| <b>ATTACHMENTS</b> <input type="checkbox"/> None |   |  |                                       |                                    |                         |             |
| <input type="checkbox"/> Resolution              | <input type="checkbox"/> Minute Order               | <input type="checkbox"/> Task Order                          | <input type="checkbox"/> Staff Report | <input type="checkbox"/> Ordinance |                         |             |
| <input checked="" type="checkbox"/> Cost<br>\$0  | <input type="checkbox"/> Funding Source<br>A.<br>B. | Attachments to S&R<br>1. Upcoming Board Calendar<br>2.<br>3. |                                       |                                    |                         |             |

# TENTATIVE BOARD ITEMS

6/25/2014 2:39:23 PM

| Board Mtg | Agenda Item   | Water | WWC | Finance  | Personnel | Ext. Aff. |
|-----------|---|-------|-----|----------|-----------|-----------|
| 7/15/2014 | Conf w/Real Prop Neg Pursuant to GC Sect 54956.8 Property: 7035 Commerce Cir, Pleasanton, Ca, Parcel No. 941131101600 Agency Neg: B. Michalczyk, GM, Neg Parties: Cornish & Carey, Newmark, Knight, Frank |       |     |          |           |           |
|           | Drought Related Customer Issues and Concerns  |       |     |          |           |           |
|           | Approve Agreement for Trustworthy Electronic Content Management System with _____.  |       |     |          |           |           |
|           | Tri-Valley Intergovernmental Reciprocal Services Agreement  |       |     |          |           |           |
|           | Public Hearing - Adopt Dougherty Valley Standby Assessment District 2001-1 Tax Levy Charge for Fiscal Year 2014-15  |       |     |          |           |           |
|           | Water Expansion Fund Management Policy Year End Analysis  |       |     | 7/7/2014 |           |           |
|           | CSDA Statewide Election   |       |     |          | 7/8/2014  |           |
|           | Closed Session Public Employee Performance Review FYE 2015 Review General Counsel   |       |     |          | 7/8/2014  |           |
|           | Policy - Records Retention Schedule Policy  |       |     |          |           | 7/8/2014  |
| 8/5/2014  | Accept Water Supply and Demand and Drought Response Action Plan Status Reports and Find that the Need for the Community Drought Emergency Still Exists  |       |     |          |           |           |
|           | Presentation on Desalination by Lawrence Livermore Lab  |       |     |          |           |           |
|           | Drought Related Customer Issues and Concerns  |       |     |          |           |           |
|           | Approve Health Insurance Contribution for 2015  |       |     |          |           |           |
|           | Annual Reporting of Employee Expense Reimbursements Over \$100 and Status of Outstanding Receivables  |       |     |          |           |           |



|   |   |  |
|---|---|--|
| Reference<br>Treasurer  | Type of Action<br>Accept Report           | Board Meeting of<br>July 1, 2014       |
| Subject<br>Report of Checks and Electronic Disbursements Made |   |  |
| <input checked="" type="checkbox"/> Motion                    | <input type="checkbox"/> Minute Order     | <input type="checkbox"/> Resolution    |
| <input type="checkbox"/> Verbal                               | <input type="checkbox"/> Presentation     | <input type="checkbox"/> Ordinance     |
| REPORT:   | <input checked="" type="checkbox"/> Staff | <input type="checkbox"/> Informational |
|   | J. Archer                                 | <input type="checkbox"/> Other         |
|   |   | <input type="checkbox"/> Board Member  |

**Recommendation:**

The Treasurer recommends the Board of Directors accept, by Motion, the report showing checks and electronic disbursements made since the last Board agenda

**Summary:**

Payments shown have been made in accordance with Board established policies for processing payments and are summarized below:

|                   |                       |
|-------------------|-----------------------|
| Date Range        | 05/27/14 – 06/23/2014 |
| Total Amount Paid | \$ 3,975,554.26       |

| Committee Review   |   |  | Legal Review                          | Staff Review                       |                        |             |
|--|---|--|---------------------------------------|------------------------------------|------------------------|-------------|
| COMMITTEE<br>---   | DATE<br>---   | RECOMMENDATION<br>---  | Not Required                          | ORIGINATOR<br>J. Archer            | DEPARTMENT<br>Fin Serv | REVIEWED BY |
| <b>ATTACHMENTS</b> <input type="checkbox"/> None           |   |  |                                       |                                    |                        |             |
| <input type="checkbox"/> Resolution                        | <input type="checkbox"/> Minute Order               | <input type="checkbox"/> Task Order                                    | <input type="checkbox"/> Staff Report | <input type="checkbox"/> Ordinance |                        |             |
| <input checked="" type="checkbox"/> Cost<br>As shown above | <input type="checkbox"/> Funding Source<br>A.<br>B. | Attachments to S&R<br>1. Check History Description Listing<br>2.<br>3. |                                       |                                    |                        |             |

## Check History Description Listing

Dublin San Ramon Services District

From: 5/27/2014 To: 6/23/2014

Bank code: apbank

| Date       | Check # | Vendor                              | Description  | Amount Paid                  | Check Total |
|------------|---------|-------------------------------------|--|------------------------------|-------------|
| 05/27/2014 | 5272014 | 03718 HR SIMPLIFIED                 | 2014 POS   | 772.85                       | 772.85      |
| 05/28/2014 | 52814   | 06456 CIGNA GROUP INSURANCE         | 05/14 - EE LIFE & DISABILITY INSURANCE P   | 9,018.26                     | 9,018.26    |
| 05/29/2014 | 81653   | 01013 BARRETT BUSINESS SERVICES     | M. ATKINSON: W/E 5/4/14<br>R. LAM: W/E 5/4/14<br>M. MULLER: W/E 5/4/14   | 1,442.40<br>614.40<br>357.12 | 2,413.92    |
| 05/29/2014 | 81654   | 00085 RHODORA BIAGTAN               | BIAGTAN REIMB EXP FOR DISTRICT VEHICLE<br>BIAGTAN REIMB EXP FOR VARIOUS MEETINGS 0<br>BIAGTAN REIMB EXP AT 5/19 CSDA MEETING | 72.87<br>60.44<br>23.12      | 156.43      |
| 05/29/2014 | 81655   | 06114 EID, INC.                     | VENDOR NEGOTIATIONS AND PROJECT INITIATI   | 7,800.00                     | 7,800.00    |
| 05/29/2014 | 81656   | 04691 INC. EQUIFAX INFORMATION SV   | EQUIFAX  | 446.50                       | 446.50      |
| 05/29/2014 | 81657   | 00319 FISHER SCIENTIFIC             | FILTER .45UM 250ML   | 95.44                        | 95.44       |
| 05/29/2014 | 81658   | 04424 GRAYBAR ELECTRIC COMPANY      | WIRE & STRUT FOR KAESER PLANT AIR COMPRE<br>FUSETRON DUAL ELEMENT FUSE CLASS RK5   | 369.14<br>212.12             | 581.26      |
| 05/29/2014 | 81659   | 00439 IUOE LOCAL 39                 | LOCAL 39 UNION DUES: PAYMENT   | 4,239.67                     | 4,239.67    |
| 05/29/2014 | 81660   | 00473 KEMIRA WATER SOLUTIONS INC    | FERROUS CHLORIDE ON 05/05/14   | 5,767.19                     | 5,767.19    |
| 05/29/2014 | 81661   | 00485 KOFF & ASSOCIATES INC.        | CLASSIFICATION STUDY (CUST SVC - L. OLIV   | 1,050.00                     | 1,050.00    |
| 05/29/2014 | 81662   | 01416 MANCO                         | REPLT FLOW METER FOR MIXED LIQUOR  | 6,340.88                     | 6,340.88    |
| 05/29/2014 | 81663   | 04594 MCCAMPBELL ANALYTICAL INC     | Used SAG Media   | 150.00                       | 150.00      |
| 05/29/2014 | 81664   | 01171 MCGUIRE & HESTER              | 12-P004 PP#4 WWTP FENCING & SECURITY<br>620C520 PUMP STATION 4B RELEASE RETENTIO   | 127,775.00<br>78,629.89      | 206,404.89  |
| 05/29/2014 | 81665   | 04973 NATERCIA SAUCEDA              | CASE ID FL364781: PAYMENT  | 944.76                       | 944.76      |
| 05/29/2014 | 81666   | 05905 CAMNGA THACH-DALLABETTA       | THACH MEMBERSHIP REIMBURSEMENT AWWA  | 101.00                       | 101.00      |
| 05/29/2014 | 81667   | 05127 VISION SERVICE PLAN - CA (VSF | JUNE 2014 - VISION   | 2,348.11                     | 2,348.11    |

Bank code: apbank

| Date       | Check # | Vendor                           | Description   | Amount Paid                            | Check Total |
|------------|---------|----------------------------------|---|--|-------------|
| 05/29/2014 | 81668   | 00937 W.W. GRAINGER, INC.        | DERWA: PUMP FOR TURBIDITY TEST @ SAND FI<br>REPLT CONDENSATE PUMP FOR BLDG T SERVER   | 183.94<br>72.89                        | 256.83      |
| 05/29/2014 | 81669   | 01719 A & M PRINTING, INC.       | POSTAGE - DROUGHT LETTER #3   | 309.19                                 | 309.19      |
| 05/29/2014 | 81670   | 00622 AT&T                       | TELE SVCS & USAGE THRU 05/12/2014<br>WWTP TO PS300 DV THRU 05/12/2014<br>SCADA FOD TO DO THRU 05/12/2014<br>DO T-1 TO FOD THRU 05/12/2014 | 2,115.93<br>252.95<br>186.33<br>186.33 | 2,741.54    |
| 05/29/2014 | 81671   | 00079 BAY AREA AIR QUALITY MGMT. | PLANT 1371 - 2015 ANNUAL PERMIT RENEWAL   | 10,585.00                              | 10,585.00   |
| 05/29/2014 | 81672   | 01085 CALPERS LONG-TERM CARE PR  | LONG-TERM CARE: PAYMENT   | 98.26                                  | 98.26       |
| 05/29/2014 | 81673   | 00118 CALTEST ANALYTICAL LAB     | LAWWMA: SLSS MERCURY TRACE LEVEL ANALYSI  | 180.50                                 | 180.50      |
| 05/29/2014 | 81674   | 04574 CALTROL, INC.              | COOLING WATER SOLENOID VALVE FOR NEW COM  | 238.89                                 | 238.89      |
| 05/29/2014 | 81675   | 00133 CCCSD (CSDA CONTRA COSTA C | CCSDA - 2014 ONE YEAR DUES RENEWAL (2014  | 50.00                                  | 50.00       |
| 05/29/2014 | 81676   | 00148 CHEVRON & TEXACO CARD SVC  | DO GASOLINE PURCHASE 04/23/14 - 05/23/14  | 416.20                                 | 416.20      |
| 05/29/2014 | 81677   | 00153 CITY CLERKS ASSOC. OF CA   | CCAC- BUSINESS MEETING-HATFIELD- JUNE 13  | 40.00                                  | 40.00       |
| 05/29/2014 | 81678   | 00157 CITY OF PLEASANTON         | RECYCLED WATER SIGNS  | 1,853.00                               | 1,853.00    |
| 05/29/2014 | 81679   | 00157 CITY OF PLEASANTON         | WWTP: POTABLE WATER APR '14<br>DERWA: POTABLE WATER APR '14<br>LAWWMA: POTABLE WATER APR '14  | 230.13<br>139.25<br>130.10             | 499.48      |
| 05/29/2014 | 81680   | 04820 COASTAL IGNITION & CONTROL | COGEN PARTS - SPARK PLUG LEADS (QTY 6)  | 625.34                                 | 625.34      |
| 05/29/2014 | 81681   | 00212 CUMMINS PACIFIC LLC.       | DREDGE ENGINE REPLACEMENT   | 39,968.47                              | 39,968.47   |
| 05/29/2014 | 81682   | 00222 DATCO SERVICES CORP.       | APR/MAY/JUN 2014 - MONTHLY CHARGES  | 336.70                                 | 336.70      |
| 05/29/2014 | 81683   | 00241 DGS OFS SVC REVOLVING FUNI | NATURAL GAS SERVICE AT THE WWTP - APRIL   | 31,662.97                              | 31,662.97   |
| 05/29/2014 | 81684   | 06592 DRAKE CONTROLS             | 22CI276 MSLC WOODWARD PRODUCT TRAINING  | 14,767.62                              | 14,767.62   |

## Check History Description Listing

Dublin San Ramon Services District

From: 5/27/2014 To: 6/23/2014

Bank code: apbank

| Date       | Check # | Vendor                            | Description                              | Amount Paid | Check Total |
|------------|---------|-----------------------------------|--|-------------|-------------|
| 05/29/2014 | 81685   | 00300 ENVIRONMENTAL SCIENCE ASS   | RESTORATION MONITORING - MARCH/APRIL 201 | 4,081.60    | 4,081.60    |
| 05/29/2014 | 81686   | 02656 FASTENAL COMPANY            | 2"X1" M35 CUTTER                         | 210.86      | 210.86      |
| 05/29/2014 | 81687   | 00313 FASTSIGNS                   | PLASTIC SIGNS/STAKES - RECYCLED WATER (S | 3,997.83    | 3,997.83    |
| 05/29/2014 | 81688   | 00314 FEDEX                       | WWTP: OVERNIGHT DELIVERY CHARGES MAY '14 | 14.01       | 14.01       |
| 05/29/2014 | 81689   | 02914 STATE OF CALIFORNIA FRANCHI | FRANCHISE TAX BOARD: PAYMENT             | 70.00       | 70.00       |
| 05/29/2014 | 81690   | 00352 GOLDEN STATE FLOW MEASURE   | 120 1" METERS                            | 23,657.80   |             |
|            |         |                                   | 144 SEN-9101 METERS, 4 2" METERS         | 15,398.15   | 39,055.95   |
| 05/29/2014 | 81691   | 03810 HALOGEN SOFTWARE, INC.      | ADMINISTRATOR TRAINING - S. GRASHUIS     | 950.00      | 950.00      |
| 05/29/2014 | 81692   | 02353 KELLY-MOORE PAINT CO., INC. | Drought/Recycled Water: PAINTS FOR       | 50.58       | 50.58       |
| 05/29/2014 | 81693   | 06612 LA JOLLA EQUESTRIAN CENTER  | REFUND METER #63946797                   | 878.05      | 878.05      |
| 05/29/2014 | 81694   | 00509 LIEBERT CASSIDY WHITMORE    | EMPLOYMENT RELATED LEGAL SERVICES        | 4,248.00    |             |
|            |         |                                   | EMPLOYMENT RELATED LEGAL SERVICES        | 2,928.00    |             |
|            |         |                                   | GENERAL LEGAL FEES 04/14                 | 2,329.10    |             |
|            |         |                                   | EMPLOYMENT RELATED LEGAL SERVICES        | 1,080.00    | 10,585.10   |
| 05/29/2014 | 81695   | 03958 LIVERMORE AUTO GROUP        | #92 BRAKE PARTS                          | 380.80      | 380.80      |
| 05/29/2014 | 81696   | 05897 MERIT RESOURCE GROUP        | A. MCCAFFERY: W/E 5/4/14                 | 1,140.00    | 1,140.00    |
| 05/29/2014 | 81697   | 00545 BERT MICHALCZYK             | MICHALCZYK REIMB TRAVEL EXP THRU 05/30/1 | 820.57      | 820.57      |
| 05/29/2014 | 81698   | 04031 MORGAN BONANNO DEVELOPM     | 14-P026 PAVING WORK                      | 1,150.00    | 1,150.00    |
| 05/29/2014 | 81699   | 04796 NAPA AUTO PARTS             | DREDGE COOLANT                           | 33.42       |             |
|            |         |                                   | DREDGE COOLANT                           | 22.19       | 55.61       |
| 05/29/2014 | 81700   | 02109 ONE HOUR DELIVERY SERVICE,  | ONE HOUR DELIVERY - BOD MAIL DELIVERY 5/ | 120.00      | 120.00      |
| 05/29/2014 | 81701   | 00620 P G & E                     | PUMP STATION 20B ELEC - APRIL 2014       | 10,476.04   | 10,476.04   |
| 05/29/2014 | 81702   | 01882 POLLARD WATER.COM - EAST    | NEPTUNE POLYMASTER - MANUAL ITEM #CNEPM6 | 8,241.70    | 8,241.70    |



## Check History Description Listing

Dublin San Ramon Services District

From: 5/27/2014 To: 6/23/2014

Bank code: apbank

| Date       | Check # | Vendor                           | Description  | Amount Paid                | Check Total |
|------------|---------|----------------------------------|--|----------------------------|-------------|
| 05/29/2014 | 81703   | 04105 R&B COMPANY                | METER PARTS  | 139.78                     | 139.78      |
| 05/29/2014 | 81704   | 00699 REDWOOD COAST PETROLEUM    | BULK OIL DELIVERY TO WWTP ON 5/5/14<br>GASOLINE DELIVERY TO THE WWTP ON 5/6/14             | 5,877.31<br>2,284.15       | 8,161.46    |
| 05/29/2014 | 81705   | 02466 RICOH AMERICAS CORP        | COPIER LEASES MAIL RMS, HR/FIN JUNE 14   | 1,778.28                   | 1,778.28    |
| 05/29/2014 | 81706   | 02939 ROYAL WHOLESALE ELECTRIC   | DERWA: (2) LOGIC MODULES FOR SV/UV SYSTE   | 1,629.88                   | 1,629.88    |
| 05/29/2014 | 81707   | 05841 SABAH INTERNATIONAL, INC.  | REPAIR OF DO FIRE ALARM SYSTEM WATER FLO   | 1,241.60                   | 1,241.60    |
| 05/29/2014 | 81708   | 00756 SECURITY ETC.              | FIRE ALARM & SECURITY MONITORING Q4 DIST   | 252.00                     | 252.00      |
| 05/29/2014 | 81709   | 02125 SEEVER & SONS TIRE         | TIRES FOR GOLF CART  | 129.94                     | 129.94      |
| 05/29/2014 | 81710   | 02470 SHRED-IT                   | SHREDDING SERVICES MAY 2014  | 84.53                      | 84.53       |
| 05/29/2014 | 81711   | 00786 SNAP-ON INDUSTRIAL         | DBL OE ANGLE WRCH 2 X 2  | 95.99                      | 95.99       |
| 05/29/2014 | 81712   | 00872 TRANSCAT                   | VOLT METER FOR SCADA TECH  | 343.31                     | 343.31      |
| 05/29/2014 | 81713   | 06129 DIRECTORATE RESOURCE MGM   | APR-JUN 14 EMERGENCY SVCS (FOD)  | 1,613.50                   | 1,613.50    |
| 05/29/2014 | 81714   | 00556 UNITED WAY OF THE BAY AREA | UNITED WAY: PAYMENT  | 233.93                     | 233.93      |
| 05/29/2014 | 81715   | 05026 UNIVAR USA INC.            | SODIUM HYPOCHLORITE FOR THE WWTP ON 05/0   | 2,313.07                   | 2,313.07    |
| 05/29/2014 | 81716   | 00920 VASCO ROAD LANDFILL        | UNLOADING OF WWTP SOLIDS/GRIT 5/6/14 & 5   | 557.37                     | 557.37      |
| 05/29/2014 | 81717   | 00933 VWR INTERNATIONAL, INC.    | 200.8 STANDARD<br>LAVWMA: POTASIUUM IODIDE FOR CHLORINE ANA<br>TIMER, BUFFER BOD, POLYSEED | 189.93<br>409.32<br>364.71 | 963.96      |
| 05/29/2014 | 81718   | 02918 WALNUT CREEK FORD          | #62 BRAKE PARTS  | 283.02                     | 283.02      |
| 05/29/2014 | 81719   | 03149 WHITE CAP CONST SUPPLY     | MISC PARTS FOR REPAIRS-FOR EMERGENCY INT<br>LIFTING SLINGS<br>MISC WRENCH SETS             | 346.67<br>337.33<br>217.64 | 901.64      |
| 05/29/2014 | 81720   | 00966 WHITLEY BURCHETT & ASSOCIA | 14-P021 COGENERATION ECONOMIC MODEL APRI   | 3,712.50                   | 3,712.50    |

Bank code: apbank

| Date       | Check #   | Vendor                             | Description                              | Amount Paid | Check Total |
|------------|-----------|------------------------------------|--|-------------|-------------|
| 05/29/2014 | 81721     | 05814 YORKE ENGINEERING LLC        | APR 2014: PROF SERVICES AIR PERMITTING/  | 480.25      | 480.25      |
| 05/29/2014 | 81722     | 00987 ZONE 7 WATER AGENCY          | O&M FOR DOUGHERTY VALLEY 1/5/14 - 3/29/1 | 3,108.76    | 3,108.76    |
| 06/02/2014 | 1348      | 00494 PERS                         | RETIREMENT: PAYMENT                      | 45,353.93   | 45,353.93   |
| 06/02/2014 | 7950      | 05511 CALIFORNIA STATE             | CHILD SUPPORT GARNISHMENT: PAYMENT       | 380.30      | 380.30      |
| 06/02/2014 | 6022014   | 03718 HR SIMPLIFIED                | 2014 POS                                 | 148.72      | 148.72      |
| 06/02/2014 | 9323132   | 00591 NEOPOST USA INC.             | POSTAGE ADVANCE 06/02/2014               | 1,000.00    | 1,000.00    |
| 06/02/2014 | 60220142  | 03718 HR SIMPLIFIED                | 2014 FSA/DCA; 2013 FSA                   | 4,847.48    | 4,847.48    |
| 06/02/2014 | 607060214 | 01098 NATIONWIDE RETIREMENT SOLI   | NATIONAL DEFERRED COMPENSATION: PAYMENT  | 45,754.71   | 45,754.71   |
| 06/02/2014 | 608060214 | 01098 NATIONWIDE RETIREMENT SOLI   | NATIONAL DEFERRED COMPENSATION: PAYMENT  | 65.00       | 65.00       |
| 06/03/2014 | 401118222 | 00558 IRS - PAYROLL TAXES          | FEDERAL WITHHOLDING TAXES: PAYMENT       | 126,160.98  | 126,160.98  |
| 06/03/2014 | 408937056 | 00559 EDD - PAYROLL                | CALIFORNIA STATE TAXES: PAYMENT          | 10.00       | 10.00       |
| 06/03/2014 | 421009128 | 00558 IRS - PAYROLL TAXES          | FEDERAL WITHHOLDING TAXES: PAYMENT       | 525.21      | 525.21      |
| 06/03/2014 | 433360056 | 00559 EDD - PAYROLL                | CALIFORNIA STATE TAXES: PAYMENT          | 22,225.98   | 22,225.98   |
| 06/05/2014 | 81723     | 00031 ALLIED PACKING & SUPPLY INC. | CHESTERTON MECHANICAL SEAL REPAIR &      | 1,226.17    | 1,226.17    |
| 06/05/2014 | 81724     | 01013 BARRETT BUSINESS SERVICES    | M. ATKINSON: W/E 5/11/14                 | 1,442.40    |             |
|            |           |                                    | R. LAM: W/E 5/11/14                      | 614.40      |             |
|            |           |                                    | N. POON: W/E 5/4/14                      | 409.60      |             |
|            |           |                                    | N. POON: W/E 5/11/14                     | 409.60      |             |
|            |           |                                    | M. MULLER: W/E 5/11/14                   | 299.52      | 3,175.52    |
| 06/05/2014 | 81725     | 05359 BURKE, WILLIAMS & SORENSEN   | GENERAL COUNSEL SVCS - APRIL 2014        | 2,851.30    | 2,851.30    |
| 06/05/2014 | 81726     | 03614 CAROLLO ENGINEERS            | 620C520 TO OC-9 4/1/14-4/30/14           | 3,269.75    | 3,269.75    |
| 06/05/2014 | 81727     | 01494 DOC BAILEY CONST EQUIP INC   | E04 GROVE CRANE INSPECTION               | 525.00      | 525.00      |
| 06/05/2014 | 81728     | 04424 GRAYBAR ELECTRIC COMPANY     | ELE PARTS FOR INSTALLATION OF NEW PANEL  | 158.66      |             |

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|            |         |                                  | MATLS FOR IRRIGATION CONTROLLER REPLT @  | 63.79       |             |
|            |         |                                  | WIRE NUTS TO REPLENISH TRUCK STOCK       | 56.07       | 278.52      |
| 06/05/2014 | 81729   | 00386 HDR ENGINEERING INC.       | TO NO 3 ENGINEERING SERVICES 3/30/14-5/3 | 9,741.85    |             |
|            |         |                                  | 06-6101 ENGINEERING SERVICES 3/30/14-5/3 | 4,542.20    |             |
|            |         |                                  | 12-P003 ENGINEERING SERVICES 3/30/14-5/3 | 2,184.18    |             |
|            |         |                                  | 12-W010 ENGINEERING SERVICES 3/30/14-5/3 | 2,059.37    |             |
|            |         |                                  | 12-P001 ENGINEERING SERVICES 3/30/13-5/3 | 1,082.38    |             |
|            |         |                                  | 08-2102 ENGINEERING SERVICES 3/30/14-5/3 | 624.05      | 20,234.03   |
| 06/05/2014 | 81730   | 01123 JEREMY HENDRYX             | HENDRYX REIMB EXP AT DAVIDSON'S TRAINING | 21.48       | 21.48       |
| 06/05/2014 | 81731   | 01242 INFO SEND, INC             | UB BILLING PRINTING/MAILING SVCS MAY 14  | 2,077.35    |             |
|            |         |                                  | MAILING - BILL INSERT: WATERWISE WORKSHI | 179.04      | 2,256.39    |
| 06/05/2014 | 81732   | 06662 JIM KILLIPS                | KILLIPS REIMB EXP AT DAVIDSON'S TRAINING | 49.05       | 49.05       |
| 06/05/2014 | 81733   | 04594 MCCAMPBELL ANALYTICAL INC  | USED SAG Media Retest                    | 200.00      | 200.00      |
| 06/05/2014 | 81734   | 00685 R.S. HUGHES CO., INC.      | C BATTERIES                              | 135.48      | 135.48      |
| 06/05/2014 | 81735   | 00715 LOY RIDDLE                 | RIDDLE CERTIFICATE REIMB MECH TECHNOLOGI | 175.00      | 175.00      |
| 06/05/2014 | 81736   | 00762 TESTAMERICA LABORATORIES I | SAMPLE ANALYSES                          | 25.00       | 25.00       |
| 06/05/2014 | 81737   | 04694 VULCAN MATERIALS CO        | 3/4 IN CL2 BASE 24.16 TONS FOR REPAIRS   | 292.95      | 292.95      |
| 06/05/2014 | 81738   | 00937 W.W. GRAINGER, INC.        | TAP SETS FOR BLOHMAN & BJOHNSON          | 67.41       | 67.41       |
| 06/05/2014 | 81739   | 06664 DAVID ABERCROMBIE          | REFUND 10736 DULSIE LN                   | 31.75       | 31.75       |
| 06/05/2014 | 81740   | 06681 CHRIS AFSHAR               | REFUND 650 KARINA CT                     | 89.59       | 89.59       |
| 06/05/2014 | 81741   | 00622 AT&T                       | LAWWMA PS & SANLEANDRO DECHLOR STATION A | 98.28       | 98.28       |
| 06/05/2014 | 81742   | 06682 DAVID BEN- YAAHOV          | REFUND 351 DAWES CT                      | 133.90      | 133.90      |
| 06/05/2014 | 81743   | 04574 CALTROL, INC.              | REPLT SV FOR PLANT COMP; REPLT SV FOR PS | 1,444.51    | 1,444.51    |
| 06/05/2014 | 81744   | 00208 CSRMA                      | WORKERS' COMP PAYROLL AUDIT FY2013 (FINA | 2,466.00    | 2,466.00    |

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|------------|---------|-----------------------------------|--|-------------|-------------|
| 06/05/2014 | 81745   | 01264 DE SILVA GATES              | REFUND METER # 1551418                   | 842.00      |             |
|            |         |                                   | REFUND METER # 63832494                  | 806.77      | 1,648.77    |
| 06/05/2014 | 81746   | 02152 DR HORTON                   | REFUND METER # 65583840                  | 311.88      | 311.88      |
| 06/05/2014 | 81747   | 02152 DR HORTON                   | REFUND 4872 VIENTO CT                    | 68.83       |             |
|            |         |                                   | REFUND 1656 N TERRACINA DR               | 28.00       | 96.83       |
| 06/05/2014 | 81748   | 06457 ENVIRONMENTAL QUALITY MGM   | 14-P027 INTEGRITY INSPECTION 4 SODIUM HY | 1,696.00    | 1,696.00    |
| 06/05/2014 | 81749   | 02656 FASTENAL COMPANY            | NITRILE GLOVES (PPE)                     | 762.95      | 762.95      |
| 06/05/2014 | 81750   | 04342 GENERAL WHOLESALE ELECTR    | (5) REPLT LED LAMPS FOR DO OFFICE #136 C | 77.71       | 77.71       |
| 06/05/2014 | 81751   | 00352 GOLDEN STATE FLOW MEASUR    | GSFM                                     | 37,670.40   |             |
|            |         |                                   | 13 SEN-2500 METERS                       | 6,022.25    | 43,692.65   |
| 06/05/2014 | 81752   | 00368 HACH COMPANY                | CONDUCTIVITY PROBES FOR TURN-OUTS 4 & 5  | 937.35      |             |
|            |         |                                   | CABLE ASSY FOR AERATION BASIN DISSOLVED  | 386.91      | 1,324.26    |
| 06/05/2014 | 81753   | 00388 HEATH'S WELDING SUPPLY      | FORK LIFT PROPANE                        | 196.20      | 196.20      |
| 06/05/2014 | 81754   | 00401 HOME DEPOT                  | SIGNS FOR PLANT; FANS FOR LAB USE        | 295.25      |             |
|            |         |                                   | WEATHER STRIP FOR RES 10A MANWAY         | 13.01       | 308.26      |
| 06/05/2014 | 81755   | 06674 LILIANI HUANG               | REFUND 349 ADELAIDE HILLS CT             | 67.45       | 67.45       |
| 06/05/2014 | 81756   | 05882 KB HOMES                    | REFUND 4790 N SPAGO DR                   | 77.21       |             |
|            |         |                                   | REFUND 4730 N SPAGO DR                   | 40.60       |             |
|            |         |                                   | REFUND 4778 N SPAGO DR                   | 9.85        | 127.66      |
| 06/05/2014 | 81757   | 02353 KELLY-MOORE PAINT CO., INC. | Drought/Recycled Water: PAINTS FOR       | 55.28       | 55.28       |
| 06/05/2014 | 81758   | 06673 ROBERT LALONDE              | REFUND 4556 MIRANO CT                    | 514.88      | 514.88      |
| 06/05/2014 | 81759   | 06675 KWAI SIM LEONG              | REFUND 116 GERANIUM CT                   | 115.61      | 115.61      |
| 06/05/2014 | 81760   | 05709 LESCURE COMPANY, INC.       | 12-P001 PP#8 FINAL - RETENTION RELEASE   | 17,489.05   | 17,489.05   |
| 06/05/2014 | 81761   | 06679 PADMALAKSHMI MARIMGANTI     | REFUND 1260 CHANCERY WAY                 | 100.66      | 100.66      |

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|------------|---------|-----------------------------------|--|-------------|-------------|
| 06/05/2014 | 81762   | 06671 VICKIE MC KINLEY            | REFUND 3365 MONAGHAN ST                  | 32.90       | 32.90       |
| 06/05/2014 | 81763   | 05897 MERIT RESOURCE GROUP        | A. MCCAFFERY: W/E 5/11/14                | 1,140.00    | 1,140.00    |
| 06/05/2014 | 81764   | 04796 NAPA AUTO PARTS             | DREDGE HYDRAULIC FILTERS                 | 554.33      |             |
|            |         |                                   | DREDGE FILTERS                           | 355.89      |             |
|            |         |                                   | DREDGE PARTS: FILTERS                    | 67.35       | 977.57      |
| 06/05/2014 | 81765   | 06666 STEPHANIE ODDY              | REFUND 7590 AMADOR VALLEY BLVD           | 333.15      | 333.15      |
| 06/05/2014 | 81766   | 02109 ONE HOUR DELIVERY SERVICE,  | ONE HOUR DELIVERY - BOD MAIL DELIVERY 5/ | 120.00      | 120.00      |
| 06/05/2014 | 81767   | 00620 P G & E                     | PUMP STATION R200A ELEC - MAY 2014       | 5,572.79    |             |
|            |         |                                   | TO NO. 4; RES 3B W/PS 4B ELEC - MAY 2014 | 1,226.03    |             |
|            |         |                                   | PUMP STATION 300C ELEC - MAY 2014        | 1,219.36    |             |
|            |         |                                   | RESERVOIR R200 DERWA TANK 2 ELEC - MAY 2 | 38.79       | 8,056.97    |
| 06/05/2014 | 81768   | 06663 MAURA PERKINS               | REFUND 7283 SHEFFIELD LN                 | 211.62      | 211.62      |
| 06/05/2014 | 81769   | 06667 SHERI PLATTER               | REFUND 1850 N TERRACINA DR               | 148.73      | 148.73      |
| 06/05/2014 | 81770   | 04951 PLEASANTON TRUCKING         | TRUCKING FROM VULCAN TO CAMP PARKS 5-13- | 181.20      | 181.20      |
| 06/05/2014 | 81771   | 05543 ADMINISTRATORS (PBIA) PREFE | JUNE 2014 - DENTAL                       | 22,472.96   | 22,472.96   |
| 06/05/2014 | 81772   | 04105 R&B COMPANY                 | 4 12 POWERMAX FLEX COUPLING W/304SS NUTS | 2,507.00    | 2,507.00    |
| 06/05/2014 | 81773   | 06665 RED MOUNTAIN GROUP          | REFUND 7281 AMADOR PLAZA RD/FREEBIRDS    | 12.52       | 12.52       |
| 06/05/2014 | 81774   | 00696 RED WING SHOE STORE         | EMPLOYEE SAFETY SHOES: FRED KELLY        | 200.00      | 200.00      |
| 06/05/2014 | 81775   | 00699 REDWOOD COAST PETROLEUM     | OIL FOR DREDGE                           | 1,619.10    | 1,619.10    |
| 06/05/2014 | 81776   | 06677 SALLY SABA                  | REFUND 263 WIMBLEDON CT                  | 111.73      | 111.73      |
| 06/05/2014 | 81777   | 06678 RAMANDEEP SANDHU            | REFUND 514 JOREE LN                      | 121.35      | 121.35      |
| 06/05/2014 | 81778   | 00751 SCBA SAFETY CHECK, INC.     | HALF FACE MASK FOR SCBA USE              | 372.62      | 372.62      |
| 06/05/2014 | 81779   | 02875 SECO CONTROLS, LLC          | GLASS REPLACEMENT: FERROUS CHLORIDE SITE | 2,238.10    | 2,238.10    |

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|------------|------------|----------------------------------|--|-------------|-------------|
| 06/05/2014 | 81780      | 06669 KHWAJA SEDIQI              | REFUND 5625 IDLEWOOD ST                  | 32.56       | 32.56       |
| 06/05/2014 | 81781      | 06680 NOOKALA SRINIVAS           | REFUND 2729 MOUNTAIN ASH LN              | 54.33       | 54.33       |
| 06/05/2014 | 81782      | 06009 STANDARD PACIFIC CORP.     | REFUND METER # 63983857                  | 355.44      | 355.44      |
| 06/05/2014 | 81783      | 06672 SWENSON INVESTORS INC      | REFUND 4531 BRANNIGAN ST                 | 40.98       | 40.98       |
| 06/05/2014 | 81784      | 00825 SWRCB                      | F. KELLY CERTIFICATION APPLICATION GRADE | 300.00      | 300.00      |
| 06/05/2014 | 81785      | 02017 TOLL BROTHERS              | REFUND METER # 65492092                  | 670.11      |             |
|            |            |                                  | REFUND 9463 MARTINI CT                   | 28.00       | 698.11      |
| 06/05/2014 | 81786      | 05026 UNIVAR USA INC.            | SODIUM HYPOCHLORITE FOR THE WWTP ON 05/1 | 2,192.77    | 2,192.77    |
| 06/05/2014 | 81787      | 00933 VWR INTERNATIONAL, INC.    | BUFFER PH 4 20L                          | 68.06       |             |
|            |            |                                  | PHENYLARSINE OXIDE                       | 65.02       |             |
|            |            |                                  | LAWWMA: REAGENTS FOR FIELD CONTINUOUS PR | 39.03       | 172.11      |
| 06/05/2014 | 81788      | 02918 WALNUT CREEK FORD          | CORE EXCHANGE #90 ALTERNTOR              | -197.90     |             |
|            |            |                                  | #90 ALTERNATOR                           | 197.90      |             |
|            |            |                                  | #90 ALT PULLEY                           | 11.18       | 11.18       |
| 06/05/2014 | 81789      | 06668 ZHAOJUN WANG               | REFUND 2653 FORINO CT                    | 169.46      | 169.46      |
| 06/05/2014 | 81790      | 02884 WEST VALLEY CONSTRUCTION   | 4/8 TO 4/11 PAVING WORK AT VARIOUS LOCAT | 26,551.32   |             |
|            |            |                                  | VARIOUS LOCAIONS-SAW CUT ASPHALT PATCHES | 4,340.00    |             |
|            |            |                                  | PULLED 3/4" SERVICE AT 11591 FENWICK, DU | 3,491.80    | 34,383.12   |
| 06/05/2014 | 81791      | 00966 WHITLEY BURCHETT & ASSOCIA | 14-R025 TO OC-2 APRIL 2014 SERVICES      | 2,794.50    | 2,794.50    |
| 06/05/2014 | 81792      | 03508 XYLEM WATER SOLUTIONS USA  | DERWA: SENSOR HOUSING (QTY 1)            | 1,023.98    | 1,023.98    |
| 06/05/2014 | 81793      | 06670 HUEE-LEE YANG              | REFUND 5847 NEWFIELDS LN                 | 13.75       | 13.75       |
| 06/05/2014 | 81794      | 06676 JIA ZHENG                  | REFUND 2011 CEDARWOOD LOOP               | 196.93      | 196.93      |
| 06/10/2014 | 1000431089 | 01111 CALPERS                    | JUNE 2014 - ER CODE 0740 & 7316          | 175,437.90  | 175,437.90  |
| 06/12/2014 | 81795      | 03460 ACCO ENGINEERED SYSTEMS II | TRANE GAS PACK UNITS                     | 43,281.00   |             |

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|------------|---------|------------------------------------|--|-------------|-------------|
|            |         |                                    | BLDG G AC UNIT REPAIR: SC #0001551414 05 | 321.00      | 43,602.00   |
| 06/12/2014 | 81796   | 00031 ALLIED PACKING & SUPPLY INC. | LAVWMA: HOSE FOR ANNUAL WET WELL CLEANIN | 362.17      | 362.17      |
| 06/12/2014 | 81797   | 01013 BARRETT BUSINESS SERVICES    | M. ATKINSON: W/E 5/18/14                 | 1,442.40    |             |
|            |         |                                    | R. LAM: W/E 5/18/14                      | 614.40      |             |
|            |         |                                    | N. POON: W/E 5/18/14                     | 409.60      | 2,466.40    |
| 06/12/2014 | 81798   | 00085 RHODORA BIAGTAN              | BIAGTAN RIEMB EXP AT BAWWA TOUR/DINNER 0 | 50.00       | 50.00       |
| 06/12/2014 | 81799   | 00103 C. OVERAA & CO.              | 12-P002 REPLACE AIR HEADER PERIOD ENDING | 60,132.00   | 60,132.00   |
| 06/12/2014 | 81800   | 00150 ANN CIGLIUTI                 | CIGLIUTI CERTIFICATE REIMB FOR LAB ANALY | 77.00       | 77.00       |
| 06/12/2014 | 81801   | 00319 FISHER SCIENTIFIC            | KIMWIPE                                  | 251.89      | 251.89      |
| 06/12/2014 | 81802   | 04424 GRAYBAR ELECTRIC COMPANY     | MISC ELE PARTS/SUPPLIES FOR STOCK        | 256.93      | 256.93      |
| 06/12/2014 | 81803   | 00386 HDR ENGINEERING INC.         | 08-2102 TO NO. 2 3/30/14-5/3/14          | 6,454.24    |             |
|            |         |                                    | LOCAL LIMITS STUDY TO NO. 1 3/30/14-5/3/ | 5,200.98    |             |
|            |         |                                    | 14-P019 PIPE VALUATION 3/30/14-5/3/14    | 873.87      | 12,529.09   |
| 06/12/2014 | 81804   | 01242 INFO SEND, INC               | MAILING - BILL INSERT: SAVE OUR WATER/DR | 177.04      | 177.04      |
| 06/12/2014 | 81805   | 00473 KEMIRA WATER SOLUTIONS INC   | PAX-XL8 (POLYALUMINUM CHLORIDE) ON 05/21 | 14,791.32   | 14,791.32   |
| 06/12/2014 | 81806   | 03623 GARRY LEE                    | LEE REIMB EXP AT BAWWA TOUR/DINNER 05/22 | 50.00       | 50.00       |
| 06/12/2014 | 81807   | 04056 JERRY MILLER                 | MILLER RIEMB EXP FOR NETWORK PARTS FOR W | 56.68       | 56.68       |
| 06/12/2014 | 81808   | 01403 PRAXAIR DISTRIBUTION INC 186 | CYLINDER RENTAL                          | 53.94       | 53.94       |
| 06/12/2014 | 81809   | 00685 R.S. HUGHES CO., INC.        | (2) PELICAN 1510LOC BLACK                | 771.42      |             |
|            |         |                                    | (2) PELICAN 1510 W/ FOAM BACK            | 494.86      |             |
|            |         |                                    | SAFETY GLASSES - CLEAR (PPE)             | 64.32       | 1,330.60    |
| 06/12/2014 | 81810   | 04973 NATERCIA SAUCEDA             | CASE ID FL364781: PAYMENT                | 616.15      | 616.15      |
| 06/12/2014 | 81811   | 01386 BILL SMITH                   | SMITH CERT REIMB CWEA MECH MAINT. GRADE  | 87.00       | 87.00       |
| 06/12/2014 | 81812   | 00762 TESTAMERICA LABORATORIES I   | SAMPLE ANALYSES                          | 105.00      | 105.00      |

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| 06/12/2014 | 81813   | 00937 W.W. GRAINGER, INC.          | CORDLESS DRILL/DRIVER KIT & UTILITY BLAD<br>TOOL BAG FOR BRIAN  | 399.24<br>68.47   | 467.71      |
| 06/12/2014 | 81814   | 02880 WUNDERLICH-MALEC SYSTEMS     | 06-6101SERVICES THRU 4/30/14<br>12-W010 SERVICES THRU 4/30/14   | 10,005.00<br>6,968.00   | 16,973.00   |
| 06/12/2014 | 81815   | 03622 JUDY ZAVADIL                 | ZAVADIL CERT REIMB PROF. ENGINEERS LICEN  | 115.00  | 115.00      |
| 06/12/2014 | 81816   | 01738 3T EQUIPMENT COMPANY INC.    | 2 CHAIN W/BITS FOR QUICK CHAIN RETAINER   | 83.62   | 83.62       |
| 06/12/2014 | 81817   | 01719 A & M PRINTING, INC.         | MAILING - DROUGHT LETTER W/LIMITATIONS &<br>PRINTING - BEST WAYS TO SAVE WATER FLYER<br>PRINTING: DROUGHT LETTER (ALL WATER CUST<br>PRINTING: DSRSD #10 LH WINDOW ENVELOPES<br>PRINTING: DSRSD LETTERHEAD (NEW LOGO) MA<br>PRINTING: LIMITATIONS, PENALTIES & VIOLA<br>MAILING & PRINTING - COURTESY LETTER #1<br>BUSINESS CARDS - DAN GALLAGHER<br>POSTAGE - DROUGHT LETTER #4 | 3,591.26<br>1,775.14<br>1,400.85<br>1,234.03<br>1,117.33<br>1,092.55<br>530.19<br>173.37<br>88.69 | 11,003.41   |
| 06/12/2014 | 81818   | 01076 ALSCO INC                    | WWTP TOWEL SERVICE MAY '14<br>FOD TOWEL SERVICE MAY '14   | 196.40<br>129.80  | 326.20      |
| 06/12/2014 | 81819   | 02158 AMADOR VALLEY INDUSTRIES     | DO GARBAGE- DO 107786 MAY 2014  | 295.62  | 295.62      |
| 06/12/2014 | 81820   | 01195 AMERICAN BATTERY CO.         | #92 BATTERY   | 90.87   | 90.87       |
| 06/12/2014 | 81821   | 06552 BILLING SOLUTIONS INC. AMERI | PORTAL MAINTENANCE<br>PORTAL MAINTENANCE  | 1,250.00<br>604.84  | 1,854.84    |
| 06/12/2014 | 81822   | 01954 ANDERSON'S UNIFORMS          | B. BROUGH: UNIFORM ITEMS  | 346.84  | 346.84      |
| 06/12/2014 | 81823   | 02217 BSK ASSOCIATES INC.          | SAMPLE ANALYSES<br>SAMPLE ANALYSES  | 410.00<br>160.00  | 570.00      |
| 06/12/2014 | 81824   | 01085 CALPERS LONG-TERM CARE PR    | LONG-TERM CARE: PAYMENT   | 98.26   | 98.26       |



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|------------|---------|------------------------------------|--|-------------|-------------|
| 06/12/2014 | 81825   | 00118 CALTEST ANALYTICAL LAB       | SAMPLE ANALYSES                          | 180.50      | 180.50      |
| 06/12/2014 | 81826   | 06107 COGENT COMMUNICATIONS INC    | DUBLINSA00001 INTERENT SERVICE 06/01/201 | 2,300.00    | 2,300.00    |
| 06/12/2014 | 81827   | 00237 DERWA                        | MAY 2014 OPER EXP - DSRSD SHARE          | 168,432.01  | 168,432.01  |
| 06/12/2014 | 81828   | 00280 ECOWATER SYSTEMS             | LAB WATER SOFTENER EXCHANGE TANKS JUN '1 | 205.20      | 205.20      |
| 06/12/2014 | 81829   | 00297 ENVIRONMENTAL EXPRESS LTD    | CHEMICALS AND SUPPLIES                   | 240.09      | 240.09      |
| 06/12/2014 | 81830   | 05495 EWING                        | 3 LP EMPTY BUCKET                        | 12.54       | 12.54       |
| 06/12/2014 | 81831   | 00314 FEDEX                        | WWTP: OVERNIGHT DELIVERY CHARGES MAY '14 | 27.73       | 27.73       |
| 06/12/2014 | 81832   | 02914 STATE OF CALIFORNIA FRANCHI  | FRANCHISE TAX BOARD: PAYMENT             | 70.00       | 70.00       |
| 06/12/2014 | 81833   | 00388 HEATH'S WELDING SUPPLY       | GAS SUPPLIES AND RENTAL                  | 325.91      | 325.91      |
| 06/12/2014 | 81834   | 00425 INDUSTRIAL WIPER & SUPPLY IN | RAGS FOR MAINTENANCE SHOP                | 487.23      | 487.23      |
| 06/12/2014 | 81835   | 00468 KAMAN INDUSTRIAL TECHNOLO    | (2) BALL BEARING FOR FSL MIXERS          | 362.37      | 362.37      |
| 06/12/2014 | 81836   | 06048 LIBERTY AIR                  | ABSORBER ANNUAL 2014                     | 3,405.67    | 3,405.67    |
| 06/12/2014 | 81837   | 06641 MANAGEMENT PARTNERS, INC.    | ORGANIZATIONAL ASSESSMENT AND CONSULTING | 1,275.00    | 1,275.00    |
| 06/12/2014 | 81838   | 00536 MC MASTER-CARR SUPPLY CO.    | (2) DEWALT CORDLESS DRILL FOR SHOP       | 437.69      |             |
|            |         |                                    | COUPLERS FOR PLANT AIR COMPRESSORS       | 402.78      | 840.47      |
| 06/12/2014 | 81839   | 05897 MERIT RESOURCE GROUP         | A. MCCAFFERY: W/E 5/18/14                | 1,140.00    | 1,140.00    |
| 06/12/2014 | 81840   | 04796 NAPA AUTO PARTS              | FLUID & MAT FOR BRAKE PARTS CLEANER      | 267.43      |             |
|            |         |                                    | #90 ALTERNATOR                           | 232.12      |             |
|            |         |                                    | GAS CANS FOR LAB GEN SET                 | 29.41       |             |
|            |         |                                    | REPLACEMENT MAT FOR WASH TANK (BRAKE CLE | 17.54       |             |
|            |         |                                    | E011 FORK LIFT HOSE                      | 8.12        | 554.62      |
| 06/12/2014 | 81841   | 02109 ONE HOUR DELIVERY SERVICE,   | ONE HOUR DELIVERY - BOD MAIL DELIVERY 5/ | 120.00      | 120.00      |
| 06/12/2014 | 81842   | 00620 P G & E                      | PUMP STATION 300B ELEC - MAY 2014        | 9,043.78    |             |

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|------------|---------|----------------------------------|--|-------------|-------------|
|            |         |                                  | PUMP STATION 200A ELEC - MAY 2014        | 5,586.64    |             |
|            |         |                                  | PUMP STATION 30A ELEC - MAY 2014         | 3,772.89    |             |
|            |         |                                  | PUMP STATION R300B ELEC - MAY 2014       | 1,494.28    |             |
|            |         |                                  | PUMP STATION 4A ELEC - MAY 2015          | 632.26      |             |
|            |         |                                  | RESERVOIR R100 ELEC - MAY 2014           | 20.41       |             |
|            |         |                                  | ALAMO TRUNK SEWER ELEC - MAY 2014        | 18.14       |             |
|            |         |                                  | JOHNSON DRIVE STREETScape ELEC - MAY 201 | 14.09       | 20,582.49   |
| 06/12/2014 | 81843   | 06183 PENCCO, INC.               | 3,645 GALLONS OF FLUOROSILICIC ACID      | 12,538.80   | 12,538.80   |
| 06/12/2014 | 81844   | 04211 PLATT ELECTRIC SUPPLY      | WWTP: REPLACEMENT OF AERATION BLOWER #1  | 5,774.93    | 5,774.93    |
| 06/12/2014 | 81845   | 04951 PLEASANTON TRUCKING        | Dredge: Transport from Maint Shop to FSL | 1,830.00    | 1,830.00    |
| 06/12/2014 | 81846   | 00699 REDWOOD COAST PETROLEUM    | GASOLINE DELIVERY TO THE WWTP ON 5/19/14 | 1,877.39    | 1,877.39    |
| 06/12/2014 | 81847   | 02466 RICOH AMERICAS CORP        | DO MAIL ROOM COPIER USAGE MAR. - MAY 201 | 923.32      | 923.32      |
| 06/12/2014 | 81848   | 00721 ROCHESTER MIDLAND CORP     | MAY 2014: HANDSFREE RESTROOM MONTHLY SRV | 116.85      | 116.85      |
| 06/12/2014 | 81849   | 05680 SDRMA                      | MEMBER#7119/PROGRAM YEAR 2014-15         | 28,188.51   | 28,188.51   |
| 06/12/2014 | 81850   | 04990 STERLING WATER TECHNOLOGI  | 1 TOTE OF ZETAG 8816                     | 3,241.35    | 3,241.35    |
| 06/12/2014 | 81851   | 00556 UNITED WAY OF THE BAY AREA | UNITED WAY: PAYMENT                      | 233.93      | 233.93      |
| 06/12/2014 | 81852   | 05026 UNIVAR USA INC.            | SODIUM HYPOCHLORITE FOR THE WWTP ON 05/2 | 2,339.91    |             |
|            |         |                                  | SODIUM HYPOCHLORITE FOR DERWA OPS ON 05/ | 2,033.36    | 4,373.27    |
| 06/12/2014 | 81853   | 00933 VWR INTERNATIONAL, INC.    | NITRILE GLOVES - LARGE AND EXTRA LARGE   | 393.06      |             |
|            |         |                                  | CHEMICALS & SUPPLIES                     | 236.94      |             |
|            |         |                                  | 6LITHIUM STD                             | 93.74       |             |
|            |         |                                  | POTASSIUM, SODIUM STD                    | 82.90       |             |
|            |         |                                  | GLOVE XS                                 | 62.14       |             |
|            |         |                                  | CHEMICALS & SUPPLIES                     | 60.54       |             |
|            |         |                                  | CAP PTFE/SIL 9MM                         | 41.27       |             |

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|------------|---------|----------------------------------|--|--------------|--------------|
|            |         |                                  | MERCURY STD                              | 36.50        |              |
|            |         |                                  | CHEMICALS & SUPPLIES                     | 25.55        |              |
|            |         |                                  | CHEMICALS & SUPPLIES                     | 15.95        | 1,048.59     |
| 06/12/2014 | 81854   | 02918 WALNUT CREEK FORD          | MISCELLANEOUS PARTS FOR #90              | 324.04       | 324.04       |
| 06/12/2014 | 81855   | 00987 ZONE 7 WATER AGENCY        | MAY 2014 CONNECTION FEES                 | 1,106,221.05 | 1,106,221.05 |
| 06/12/2014 | 81856   | 03536 U S BANK/ CORP PMT SYSTEMS | C. BRACKETT - CROSS CONNECTION CONTROL S | 1,100.00     |              |
|            |         |                                  | AIR CURTAIN FOR OPS BLDG A               | 988.96       |              |
|            |         |                                  | HYATT REGENCY-2014 ACWA SPRING CONFERENC | 884.20       |              |
|            |         |                                  | HILTON PASADENA-CCAC ANNUAL CONF-HATFIEL | 542.85       |              |
|            |         |                                  | RENAISSANCE HOTEL-2014 CASA WASHINGTON D | 514.11       |              |
|            |         |                                  | (2) WATERBRIDGE BENCH FOR DO; FISKARS DU | 449.06       |              |
|            |         |                                  | STEPHENSON - ACWA 2014 SPRING CONFERENCE | 433.32       |              |
|            |         |                                  | Drought/Recycled Water: Loadout Station  | 407.40       |              |
|            |         |                                  | RS485 ADAPTER FOR COMMUNICATIONS WITH WO | 403.61       |              |
|            |         |                                  | FIBER OPTIC FOR WWTP WIRELESS NETWORK    | 388.20       |              |
|            |         |                                  | COPY PAPER, LABELS, LABEL TAPE, LINEN PA | 357.89       |              |
|            |         |                                  | S. DELIGHT AND S. OLSON - DROUGHT WORKSH | 350.00       |              |
|            |         |                                  | #80 AND #60 WINDOW TINT                  | 350.00       |              |
|            |         |                                  | SCREENS FOR GRIT; DLD TOOLS              | 339.72       |              |
|            |         |                                  | PUMP FOR PRESSURE WASHER                 | 335.06       |              |
|            |         |                                  | Drought/Recycled Water: MATERIALS FOR    | 321.12       |              |
|            |         |                                  | (6) ADAPTER & (6) MEDIA CONVERTER FOR WW | 291.90       |              |
|            |         |                                  | (6) SFP MODULE FOR WWTP WIRELESS NETWORK | 261.54       |              |
|            |         |                                  | BBROUGH: MEMBERSHIP RENEWAL              | 244.00       |              |
|            |         |                                  | BARREL LOCKS TO LOCK METERS - DROUGHT BU | 210.51       |              |
|            |         |                                  | BATTERIES FOR EMERGENCY LIGHTING         | 209.19       |              |
|            |         |                                  | OFFICE SUPPLIES:CARTRIDGES, PENCILS, GLU | 208.62       |              |
|            |         |                                  | MISC SUPPLIES FOR WWTP                   | 205.03       |              |

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|------|---------|--------|--|-------------|-------------|
|      |         |        | COPY PAPER, DIVIDER TABS                 | 194.92      |             |
|      |         |        | SPARE RADIOS FOR FOD SCADA BACKBONE      | 186.00      |             |
|      |         |        | COPPER FOR PLANT AIR COMPRESSOR          | 179.47      |             |
|      |         |        | WINDOW TINT FOR TRUCK 35                 | 175.00      |             |
|      |         |        | 1-H PULL OUT KIT R                       | 174.39      |             |
|      |         |        | RADIO FOR FOD SCADA BACKBONE             | 169.98      |             |
|      |         |        | CLAIRMONT PULL OUT                       | 163.49      |             |
|      |         |        | BEST WESTERN SONOMA VALLEY FOR ARMA      | 156.88      |             |
|      |         |        | OFFICE SUPPLIES:MARKERS, CARTRIDGE, WIPE | 152.10      |             |
|      |         |        | WEED TORCH; DOOR SWEEP FOR DO            | 151.40      |             |
|      |         |        | RAIN GEAR (PPE)                          | 150.42      |             |
|      |         |        | 1 UCC (STANDARD) SSL CERT -1 YR          | 149.99      |             |
|      |         |        | DRY ERASE BOARD & PENCIL HOLDER          | 144.73      |             |
|      |         |        | FLIGHT OAK->BUR ROUNT TRIP - ICN ROUNDTA | 142.00      |             |
|      |         |        | C. BRACKET TO TAKE CROSS CONNECTION TEST | 135.00      |             |
|      |         |        | SHALLIDAY: SAFETY BOOTS                  | 134.52      |             |
|      |         |        | CRWA R. LAWRENCE HOTEL ROOM 4-18 THRU 4- | 133.34      |             |
|      |         |        | CRWA R. ROBLES HOTEL 4-28 THRU 4-30-14   | 133.34      |             |
|      |         |        | OFFICE SUPPLIES:3 CASES OF PAPER         | 129.00      |             |
|      |         |        | UTILITY BLDG. STORAGE CONTAINERS         | 127.33      |             |
|      |         |        | CSDA DROUGHT GRANT WORKSHOP 5-19-14      | 125.00      |             |
|      |         |        | CSDA DROUGHT GRANT WORKSHOP 5-19-14      | 125.00      |             |
|      |         |        | RIGGER HANDBOOKS                         | 119.64      |             |
|      |         |        | MISC SUPPLIES                            | 116.03      |             |
|      |         |        | DERWA: MATERIALS FOR SAND FILTER TURBIDI | 115.92      |             |
|      |         |        | OFFICE SUPPLIES: PRONG FASTENERS, PAPER, | 115.18      |             |
|      |         |        | PARTS FOR PLANT AIR COMPRESSOR           | 111.13      |             |
|      |         |        | SUBMERSIBLE PUMP                         | 108.99      |             |
|      |         |        | GIFT CARDS - EMPLOYEE RECOGNITION AWARDS | 100.00      |             |

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|------|---------|--------|--|-------------|-------------|
|      |         |        | HERTZ- ADDITIONAL COVERAGE RENTAL CAR IN | 95.57       |             |
|      |         |        | OFFICE SUPPLIES:MARKERS, PENS, CLEANING  | 95.24       |             |
|      |         |        | DROUGHT - ENVELOPES & LABELS WATER HERO  | 93.71       |             |
|      |         |        | OFFICE SUPPLIES FOR R. MADDUX            | 93.02       |             |
|      |         |        | STORAGE CONTAINERS FOR UTILITY BLDG.     | 90.47       |             |
|      |         |        | QTY (1) AT&T CORDLESS PHONE W/3 HANDSETS | 87.19       |             |
|      |         |        | MAIN CONTROLLER FOR DO ALARM SYSTEM      | 83.44       |             |
|      |         |        | CONNECTOR FOR CO-GEN CONTROLLER PROGRAMM | 77.88       |             |
|      |         |        | BRIAN JOHNSON AND RICHARD MADDUX EE POLO | 77.41       |             |
|      |         |        | CONFINED SPACE ANSI REGS                 | 77.00       |             |
|      |         |        | PHOTOS FOR AQUAHAWK POSTCARD             | 69.00       |             |
|      |         |        | BLUETOOTH HEADSET FOR CISCO DESK PHONE   | 65.34       |             |
|      |         |        | 1 YR SUBSCRIPTION PLEASANTON WEEKLY 2014 | 60.00       |             |
|      |         |        | FUEL: CASA LEGISLATIVE COMMITTEE MTG     | 59.94       |             |
|      |         |        | PME MAGAZINE FEB 2014 - 3 COPIES         | 59.00       |             |
|      |         |        | STAPLES- EMBOSSER- HATFIELD              | 56.67       |             |
|      |         |        | QTY (1) SET OF PC SPEAKERS FOR GM COMF R | 54.49       |             |
|      |         |        | MATERIAL FOR HANGING DO SPRINKLER CONTRO | 52.63       |             |
|      |         |        | VIDEO CLIP FOR DROUGHT PRESENTATIONS     | 50.00       |             |
|      |         |        | DREDGE BATTERY SWITCH                    | 48.95       |             |
|      |         |        | TOILET SEAT FOR OPS BLDG                 | 46.83       |             |
|      |         |        | MISC FOD SUPPLIES                        | 45.73       |             |
|      |         |        | S. OLSON TO ATTEND "ACHIEVING A NEW NORM | 45.00       |             |
|      |         |        | NETWORKING PARTS FOR WIRELESS ACCESS POI | 44.94       |             |
|      |         |        | STKTN CHAIN TOOL KIT                     | 43.59       |             |
|      |         |        | MATERIAL LIFT RENTAL FOR DAFT LIGHTING U | 42.52       |             |
|      |         |        | MISC SUPPLIES: BATTERIES                 | 42.48       |             |
|      |         |        | TQI - COLLABORATIVE PROJECT MANAGEMENT T | 41.85       |             |
|      |         |        | TOOLS FOR BRIAN'S TRUCK                  | 39.67       |             |

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|------|---------|--------|--|-------------|-------------|
|      |         |        | QTY (2) WIRE CUTTERS, SMALL AND MEDIUM   | 37.04       |             |
|      |         |        | HILTON PASADENA-GRILL 168-DINNER HATFIEL | 36.52       |             |
|      |         |        | STEPHENSON - ACWA 2014 SPRING CONFERENCE | 33.41       |             |
|      |         |        | WIRE ROPE CLIPS FOR SHOP USE             | 31.26       |             |
|      |         |        | DERWA: REFLECTIVE NUMBERS & SIGNS        | 29.64       |             |
|      |         |        | PARTS FOR TRUCK #87                      | 29.41       |             |
|      |         |        | STEPHENSON - ACWA 2014 SPRING CONFERENCE | 25.19       |             |
|      |         |        | PHONE SYSTEM JUNCTION BOX FOR DO         | 24.31       |             |
|      |         |        | DURO STENCIL-IT REUSABLE LETTERING SET 1 | 23.10       |             |
|      |         |        | MISC SUPPLIES:BATTERIES                  | 22.69       |             |
|      |         |        | FIRMWARE CHIPS FOR DO ALARM SYSTEM       | 22.00       |             |
|      |         |        | JUNCTION BOX FOR DO PHONE SYSTEM         | 21.79       |             |
|      |         |        | MISC SUPPLIES FOR FOD                    | 21.76       |             |
|      |         |        | 2 ELECTRONIC HANDHELD INSECT ZAPPERS FOR | 20.96       |             |
|      |         |        | STEPHENSON - ACWA 2014 SPRING CONFERENCE | 20.73       |             |
|      |         |        | DONUTS FOR JOINT MAINT MEETING - 05/15/1 | 20.00       |             |
|      |         |        | PRO SUBSCRIPTION (MAY 2014)              | 19.95       |             |
|      |         |        | LACQUER THINNER FOR WATER TRUCK FILL STA | 19.60       |             |
|      |         |        | 8 DIA GRIT RECIP FOR FSL 7               | 19.48       |             |
|      |         |        | SCREEN FOR RES 10A VENT                  | 17.96       |             |
|      |         |        | GENERAL SUPPLIES FOR WWTP                | 17.40       |             |
|      |         |        | MOTOMCO PEST GLUE                        | 17.40       |             |
|      |         |        | MISC SUPPLIES                            | 16.58       |             |
|      |         |        | MISC SUPPLIES                            | 16.31       |             |
|      |         |        | (2) 2X1 GALV MI BUSH FOR WATER TRUCK FIL | 12.38       |             |
|      |         |        | SAFEWAY                                  | 11.86       |             |
|      |         |        | C. HOFFMANN - IPMA CONFERENCE TRANSPORTA | 11.55       |             |
|      |         |        | SAFEWAY                                  | 10.98       |             |
|      |         |        | C. HOFFMANN - IPMA CONFERENCE TRANSPORTA | 10.10       |             |

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|------------|------------|----------------------------------|--|-------------|-------------|
|            |            |                                  | BAAMA ASSET MGMT EDUC MTG - A. JOHNSON   | 10.00       |             |
|            |            |                                  | C. HOFFMANN - IPMA CONFERENCE TRANSPORTA | 9.70        |             |
|            |            |                                  | C. HOFFMANN - IPMA CONFERENCE TRANSPORTA | 9.70        |             |
|            |            |                                  | NEW WATER JUG                            | 8.71        |             |
|            |            |                                  | FAXAGE FAX LINE                          | 7.95        |             |
|            |            |                                  | PLUMBING PARTS FOR WWTP                  | 7.87        |             |
|            |            |                                  | PIPE FITTINGS FOR PUMP STN 10A           | 7.52        |             |
|            |            |                                  | STEPHENSON - ACWA 2014 SPRING CONFERENCE | 7.00        |             |
|            |            |                                  | STEPHENSON - ACWA 2014 SPRING CONFERENCE | 7.00        |             |
|            |            |                                  | STEPHENSON - ACWA 2014 SPRING CONFERENCE | 7.00        |             |
|            |            |                                  | BATTERY FOR TOUR SOUND SYSTEM            | 6.53        |             |
|            |            |                                  | REPLACEMENT USB PORT FOR BROKEN FOD MOTI | 5.00        |             |
|            |            |                                  | TARGET - BOARD SPECIAL OFFICE SUPPLIES - | 4.08        |             |
|            |            |                                  | SALES FEES 03/16/14-04/15/14             | 2.83        |             |
|            |            |                                  | GM POWERPOINT PRESENTATION FOR 4/29/14 G | 1.29        |             |
|            |            |                                  | GM POWERPOINT PRESENTATION FOR 4/29/14 G | 1.29        |             |
|            |            |                                  | CREDIT FOR A RETURNED ITEM               | -163.49     | 16,317.38   |
| 06/16/2014 | 7951       | 05511 CALIFORNIA STATE           | CHILD SUPPORT GARNISHMENT: PAYMENT       | 380.30      | 380.30      |
| 06/16/2014 | 6162014    | 03718 HR SIMPLIFIED              | 2014 POS/FSA/DCA                         | 2,437.01    | 2,437.01    |
| 06/16/2014 | 607061614  | 01098 NATIONWIDE RETIREMENT SOLI | NATIONAL DEFERRED COMPENSATION: PAYMENT  | 42,825.70   | 42,825.70   |
| 06/16/2014 | 1000435970 | 00494 PERS                       | RETIREMENT: PAYMENT                      | 45,489.26   | 45,489.26   |
| 06/17/2014 | 6172014    | 01108 CALPERS                    | FY13/14 ARC CONTRIBUTION TO CERBT        | 51,087.81   | 51,087.81   |
| 06/17/2014 | 11301535   | 00558 IRS - PAYROLL TAXES        | FEDERAL WITHHOLDING TAXES: PAYMENT       | 127,030.79  | 127,030.79  |
| 06/17/2014 | 523458056  | 00559 EDD - PAYROLL              | CALIFORNIA STATE TAXES: PAYMENT          | 22,520.90   | 22,520.90   |
| 06/19/2014 | 81857      | 03460 ACCO ENGINEERED SYSTEMS II | MAY 2014: HVAC QUARTERLY MAINTENANCE - W | 564.00      |             |
|            |            |                                  | MAY 2014: HVAC QUARTERLY MAINTENANCE - D | 517.50      |             |

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|            |         |                                    | MAY 2014: HVAC QUARTERLY MAINTENANCE - D | 408.00      | 1,489.50    |
| 06/19/2014 | 81858   | 00031 ALLIED PACKING & SUPPLY INC. | CORNELL PUMPS FOR COGEN HEAT LOOP (QTY 2 | 15,503.07   |             |
|            |         |                                    | HOSES: (2) GOODYEAR BALACK FLEXWINGS     | 1,648.48    | 17,151.55   |
| 06/19/2014 | 81859   | 01013 BARRETT BUSINESS SERVICES    | M. ATKINSON: W/E 5/25/14                 | 829.38      |             |
|            |         |                                    | R. LAM: W/E 5/25/14                      | 614.40      |             |
|            |         |                                    | M. MULLER: W/E 5/25/14                   | 552.96      |             |
|            |         |                                    | N. POON: W/E 5/25/14                     | 409.60      |             |
|            |         |                                    | M. MULLER: W/E 5/18/14                   | 161.28      | 2,567.62    |
| 06/19/2014 | 81860   | 00216 DAIHNS U.S.A. INC.           | HOT BEVERAGE @ DO - JUNE 2014            | 47.92       | 47.92       |
| 06/19/2014 | 81861   | 04691 INC. EQUIFAX INFORMATION SV  | EQUIFAX                                  | 471.04      | 471.04      |
| 06/19/2014 | 81862   | 04424 GRAYBAR ELECTRIC COMPANY     | ELE STOCK ITEMS                          | 158.57      | 158.57      |
| 06/19/2014 | 81863   | 01242 INFO SEND, INC               | UB BILLING PRINTING/MAILING SVCS MAY 14  | 3,245.27    | 3,245.27    |
| 06/19/2014 | 81864   | 01653 LOUANNE IVY                  | IVY REIMBURSE EXPENSES AT OPS DEPT BBQ 0 | 129.83      | 129.83      |
| 06/19/2014 | 81865   | 00473 KEMIRA WATER SOLUTIONS INC   | PAX-XL8 (POLYALUMINUM CHLORIDE) ON 05/27 | 14,090.71   |             |
|            |         |                                    | FERROUS CHLORIDE DELIVERY ON 05/28/14    | 5,547.56    | 19,638.27   |
| 06/19/2014 | 81866   | 00503 LEADERSHIP SERVICES LTD      | LEADERSHIP COACHING SESSION W/ MARK GROS | 1,100.50    | 1,100.50    |
| 06/19/2014 | 81867   | 04594 MCCAMPBELL ANALYTICAL INC    | TESTING OF NEW SAG MEDIA                 | 150.00      | 150.00      |
| 06/19/2014 | 81868   | 00762 TESTAMERICA LABORATORIES I   | SAMPLE ANALYSES                          | 220.00      | 220.00      |
| 06/19/2014 | 81869   | 00937 W.W. GRAINGER, INC.          | HARD HAT, EAR PLUGS - PPE                | 138.54      | 138.54      |
| 06/19/2014 | 81870   | 01719 A & M PRINTING, INC.         | PRINTING - AQUAHAWK POSTCARDS            | 2,447.89    |             |
|            |         |                                    | MAILING, PRINTING & POSTAGE - COURTESY L | 1,100.09    |             |
|            |         |                                    | MAILING - AQUAHAWK POSTCARD              | 796.51      | 4,344.49    |
| 06/19/2014 | 81871   | 04538 AIT WORLDWIDE LOGISTICS      | RMA MATERIALS                            | 394.17      | 394.17      |
| 06/19/2014 | 81872   | 06565 AM CONSERVATION GROUP        | DROUGHT - WATER CONSERVATION DEVICES     | 3,198.14    | 3,198.14    |



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|------------|---------|---------------------------------------|--|---|-------------|
| 06/19/2014 | 81873   | 02158 AMADOR VALLEY INDUSTRIES        | FOD DUMPSTER RENTAL FOR MAY  | 295.62  | 295.62      |
| 06/19/2014 | 81874   | 00058 ARROWHEAD MOUNTAIN SPRING       | LAB BOTTLED WATER  | 49.77   | 49.77       |
| 06/19/2014 | 81875   | 06211 ASSOCIATED SERVICES CO.         | OPS DEPT HOT BEVERAGE SERVICE MAY '14  | 238.95  | 238.95      |
| 06/19/2014 | 81876   | 05097 BATTERIES PLUS                  | UPS BATTERIES  | 335.68  | 335.68      |
| 06/19/2014 | 81877   | 06176 BAY VALVE SERVICE & ENG'G LLC   | DERWA: WEDECO UV AUMA ACTUATORS REPAIR P<br>DERWA: WEDECO UV AUMA ACTUATOR REPAIR  | 1,881.83<br>556.01                                | 2,437.84    |
| 06/19/2014 | 81878   | 03425 BMI IMAGING SYSTEMS             | BMI IMAGING SYSTEMS - RECORDS MANAGEMENT   | 913.75  | 913.75      |
| 06/19/2014 | 81879   | 00091 BOLD, POLISNER, MADDOW, NEIDERT | MONTHLY LEGAL SERVICES - 05/14   | 12,596.00   | 12,596.00   |
| 06/19/2014 | 81880   | 05404 CALIFORNIA FIRST AID AND SAFETY | FIRST AID KIT MAINTENANCE WWTP<br>DISTRICT OFFICE FIRST AID KIT MAINTENANCE<br>FIRST AID KIT MAINTENANCE<br>FIRST AID KIT MAINTENANCE LAVWMA   | 219.69<br>172.82<br>53.46<br>47.63                | 493.60      |
| 06/19/2014 | 81881   | 01167 CITY OF DUBLIN                  | ENCROACHMENT PERMIT 11606 AMARILLO CT.,<br>ENCROACHMENT PERMIT @ 8526 BRIARWOOD LN.<br>ENCROACHMENT PERMIT @ 6488 KING WAY, DUBLIN   | 467.00<br>467.00<br>467.00                        | 1,401.00    |
| 06/19/2014 | 81882   | 05196 COMCAST                         | BUSINESS TV BASIC 06/07/14-07/06/14  | 13.96   | 13.96       |
| 06/19/2014 | 81883   | 06656 COMCAST SPOTLIGHT               | DROUGHT - TELEVISION ADVERTISING FOR MAY   | 14,474.10   | 14,474.10   |
| 06/19/2014 | 81884   | 06615 ECHOLOGICS LLC                  | 80% PB FOR ACOUSTIC LEAK DETECTION AND C   | 35,800.80   | 35,800.80   |
| 06/19/2014 | 81885   | 00307 FAIRWAY EQUIPMENT & SUPPLY      | DERWA: MATERIALS FOR WATER TRUCK FILL ST<br>PARTS FOR PLANT AIR COMPRESSORS<br>BALL VALVE FOR TURN-OUT #2 FLUORIDE TANK<br>DERWA: PARTS TO REPAIR MF TRANE<br>PLUMBING PARTS FOR TURN-OUT #2 | 2,611.29<br>1,407.27<br>346.15<br>108.14<br>86.16 | 4,559.01    |
| 06/19/2014 | 81886   | 02656 FASTENAL COMPANY                | NITRILE GLOVES - PPE<br>LOTO LOCKS   | 370.49<br>165.56                                  |             |

## Check History Description Listing

Dublin San Ramon Services District

From: 5/27/2014 To: 6/23/2014

Bank code: apbank

| Date       | Check # | Vendor                           | Description                              | Amount Paid | Check Total |
|------------|---------|----------------------------------|--|-------------|-------------|
|            |         |                                  | PVC STEEL TOE RUBBER BOOT - PPE STOCK    | 23.08       | 559.13      |
| 06/19/2014 | 81887   | 00314 FEDEX                      | WWTP: OVERNIGHT DELIVERY CHARGES JUN '14 | 14.25       | 14.25       |
| 06/19/2014 | 81888   | 04482 HAZARD MANAGEMENT SERVIC   | ASBESTOS CONCRETE PIPE (ACP) SAFETY TRAI | 500.00      | 500.00      |
| 06/19/2014 | 81889   | 06196 HDSWW - UNION CITY CA      | 6 WATER METERS FOR CUSTOMERS             | 2,788.44    | 2,788.44    |
| 06/19/2014 | 81890   | 00388 HEATH'S WELDING SUPPLY     | WELDING SHOP SUPPLIES                    | 374.20      | 374.20      |
| 06/19/2014 | 81891   | 06166 KBA                        | COPIERS UCC & LEASE 06/01-06/30/14       | 805.52      | 805.52      |
| 06/19/2014 | 81892   | 06166 KBA                        | COPIER FOD/ENGR/MAINT 05/1/14 - 05/31/14 | 479.68      | 479.68      |
| 06/19/2014 | 81893   | 03730 KRAMER WORKPLACE INVESTIC  | EMPLOYMENT RELATED LEGAL SERVICES        | 8,370.00    | 8,370.00    |
| 06/19/2014 | 81894   | 00536 MC MASTER-CARR SUPPLY CO.  | CO-GEN PARTS                             | 198.51      |             |
|            |         |                                  | CO-GEN PARTS: FUEL HOSE, TUBE FITTING, P | 46.48       | 244.99      |
| 06/19/2014 | 81895   | 05897 MERIT RESOURCE GROUP       | A. MCCAFFERY: W/E 5/25/14                | 1,260.00    | 1,260.00    |
| 06/19/2014 | 81896   | 04231 MSC INDUSTRIAL SUPPLY CO   | WATER COOLERS FOR HARVESTING CREW        | 91.34       |             |
|            |         |                                  | PVC STEEL TOE RUBBER BOOT - PPE STOCK    | 31.99       | 123.33      |
| 06/19/2014 | 81897   | 04796 NAPA AUTO PARTS            | A/C FREON FOR D7 CAT TRACTOR             | 105.85      |             |
|            |         |                                  | RADIO TOOL FOR #71 RADIO REMOVAL         | 5.54        | 111.39      |
| 06/19/2014 | 81898   | 02109 ONE HOUR DELIVERY SERVICE, | ONE HOUR DELIVERY - BOD MAIL DELIVERY 5/ | 120.00      | 120.00      |
| 06/19/2014 | 81899   | 00620 P G & E                    | WWTP ELECTRICITY - MAY 2014              | 21,041.40   |             |
|            |         |                                  | PUMP STATION R200B ELEC - MAY 2014       | 5,552.38    |             |
|            |         |                                  | DISTRICT OFFICE ELECTRICITY - MAY 2014   | 4,813.93    |             |
|            |         |                                  | PUMP STATION 10A ELEC - MAY 2014         | 798.95      |             |
|            |         |                                  | DISTRICT OFFICE GAS SERVICE - MAY 2014   | 478.85      |             |
|            |         |                                  | PUMP STATION 300A ELEC - MAY 2014        | 415.72      |             |
|            |         |                                  | LAVWMA PIPELINE & LIVERMORE LINE MAY-JUN | 408.10      |             |
|            |         |                                  | DO UTILITY BUILDING ELEC - MAY 2014      | 112.58      |             |
|            |         |                                  | PUMP STATION 2B ELEC - MAY 2014          | 97.57       |             |

## Check History Description Listing

Dublin San Ramon Services District

From: 5/27/2014 To: 6/23/2014

Bank code: apbank

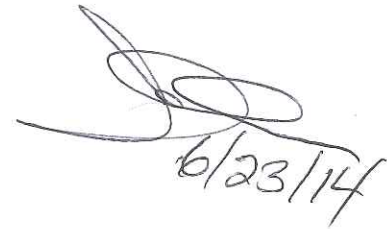
| Date       | Check # | Vendor                             | Description                              | Amount Paid | Check Total |
|------------|---------|------------------------------------|--|-------------|-------------|
|            |         |                                    | DO UTILITY BUILDING GAS SVC - MAY 2014   | 13.80       | 33,733.28   |
| 06/19/2014 | 81900   | 00649 PERKIN ELMER HEALTH SCIENC   | LABWORKS UPGRADE TO 6.4                  | 10,300.00   | 10,300.00   |
| 06/19/2014 | 81901   | 04211 PLATT ELECTRIC SUPPLY        | (2) LED WALLPACK FOR WWTP                | 485.38      | 485.38      |
| 06/19/2014 | 81902   | 00663 PLEASANTON GARBAGE SVC IN    | TRANSPORT OF SOLIDS/GRIT SCREENINGS MAY  | 3,786.47    | 3,786.47    |
| 06/19/2014 | 81903   | 00680 QUENVOLD'S SAFETY SHOEMOI    | SAFETY SHOES - STEPHAN KOZANDA           | 196.20      |             |
|            |         |                                    | SAFETY SHOES - TODD MILLISON             | 154.07      |             |
|            |         |                                    | R PORTUGAL FY14 EMPLOYEE SAFETY SHOES    | 147.15      | 497.42      |
| 06/19/2014 | 81904   | 04105 R&B COMPANY                  | 300 FT 3/4X100' CTS PE TUBING            | 130.80      | 130.80      |
| 06/19/2014 | 81905   | 04251 R.L. RIGHETTI ENTERPRISES IN | COGEN: CYLINDER HEAD REBUILD             | 2,919.78    | 2,919.78    |
| 06/19/2014 | 81906   | 03442 RABBIT OFFICE AUTOMATION     | COPIER LEASE LAB/CUST SVC - JUNE 2014    | 440.36      | 440.36      |
| 06/19/2014 | 81907   | 00696 RED WING SHOE STORE          | EMPLOYEE SAFETY SHOES: J. HOLGUIN        | 166.77      |             |
|            |         |                                    | Safety Shoes                             | 157.49      | 324.26      |
| 06/19/2014 | 81908   | 00699 REDWOOD COAST PETROLEUM      | GASOLINE DELIVERY TO THE WWTP ON 5/28/14 | 1,920.41    | 1,920.41    |
| 06/19/2014 | 81909   | 00751 SCBA SAFETY CHECK, INC.      | RESPIRATOR FIT TESTING                   | 815.00      | 815.00      |
| 06/19/2014 | 81910   | 05601 SOUTHWEST VALVE, LLC         | HEAVY DUTY 24" FLAP GATES (QTY 2)        | 6,542.78    | 6,542.78    |
| 06/19/2014 | 81911   | 00829 T & T VALVE & INSTRUMENTS IN | 06-3103: RITEPRO CHECK VALVES (QTY 2)    | 5,472.83    | 5,472.83    |
| 06/19/2014 | 81912   | 06498 THE CHAN TRUST               | REFUND 6917 PENN DR                      | 73.53       | 73.53       |
| 06/19/2014 | 81913   | 05781 THERMO ELECTRON NORTH AM     | SAMPLE CONE, SKIMMER CONE                | 1,048.77    | 1,048.77    |
| 06/19/2014 | 81914   | 00857 THOMAS AND ASSOCIATES        | MF/ RO PUMP                              | 2,015.67    | 2,015.67    |
| 06/19/2014 | 81915   | 00014 TREASURER OF ALAMEDA COU     | MAY 2014 FUEL CHARGES                    | 4,668.02    | 4,668.02    |
| 06/19/2014 | 81916   | 05026 UNIVAR USA INC.              | SODIUM HYPOCHLORITE FOR THE WWTP ON 05/3 | 2,335.74    | 2,335.74    |
| 06/19/2014 | 81917   | 00920 VASCO ROAD LANDFILL          | UNLOADING OF WWTP SOLIDS/GRIT ON 5/22 &  | 597.61      | 597.61      |
| 06/19/2014 | 81918   | 00924 VERIZON WIRELESS             | ON-CALL OP'S CELL PH SVC 05/04 -06/03/14 | 962.75      | 962.75      |

### Check History Description Listing

Dublin San Ramon Services District

Bank code: apbank

| <u>Date</u>               | <u>Check #</u> | <u>Vendor</u>             | <u>Description</u>                       | <u>Amount Paid</u>   | <u>Check Total</u>  |
|---------------------------|----------------|---------------------------|--|----------------------|---------------------|
| 06/19/2014                | 81919          | 02918 WALNUT CREEK FORD   | #71 REPAIR PARTS                         | 119.62               | 119.62              |
| 06/19/2014                | 81920          | 00987 ZONE 7 WATER AGENCY | TREATED WATER SERVICE FOR 5/1/14 TO 5/31 | 831,589.02           | 831,589.02          |
| 289 checks in this report |                |                           |  | <b>Total Checks:</b> | <b>3,975,554.26</b> |



Handwritten signature and date 6/23/14



|   |  |   |
|---|--|---|
| Reference<br>General Manager                  | Type of Action<br>Provide Direction        | Board Meeting of<br>July 1, 2014          |
| Subject<br>Discuss Drought Management Program |  |   |
| <input type="checkbox"/> Motion               | <input type="checkbox"/> Minute Order      | <input type="checkbox"/> Resolution       |
| <input type="checkbox"/> Ordinance            | <input type="checkbox"/> Informational     | <input checked="" type="checkbox"/> Other |
| REPORT:                                       | <input checked="" type="checkbox"/> Verbal | <input type="checkbox"/> Presentation     |
|   | <input checked="" type="checkbox"/> Staff  | B. Michalczyk                             |
|   |  | <input type="checkbox"/> Board Member     |

**Recommendation:**

The General Manager recommends the Board of Directors receive comments from the public related to the District’s Drought Management Program, discuss those as appropriate and, by Consensus, provide appropriate direction to staff and/or Board Committees for follow-up.

**Summary:**

On May 5, 2014 the Board took various actions (collectively the “Drought Management Program”) in response to the drought including the following:

- Declared a Community Drought Emergency;
- Established Water Use Curtailment Goals;
- Adopted Water Use Limitations;
- Adopted Penalties and Enforcement Provisions;
- Adopted Water Shortage Rate Stage 3;
- Approved a Wise Water User Credit;
- Approved an Enhanced Rebate Program;
- Endorsed a Drought Response Action Plan; and
- Approved a Budget Amendment related to Drought Management Activities.

The various aspects of the Drought Management Program affect all customers of the District in various ways. To be as open and transparent as possible, the Board wishes to allow the public an opportunity to address the Board on the various aspects of the Drought Management Program in a manner that can lead to a productive outcome. The public may always address the Board under the “Public Comment” portion of the Board agenda. However, for public comment made at that time, the Board is precluded from having substantive discussions in response to the public comment received. This agenda item allows the Board to engage in a substantive discussion of issues that may be raised by the public and also to provide staff or a Board Committee with appropriate direction related to the Drought Management Program in a timely fashion.

This item will be a standing item on the Board agenda throughout the duration of the Community Drought Emergency.

| Committee Review  |   |                                      | Legal Review                          | Staff Review                       |                         |             |
|---|---|--------------------------------------|---------------------------------------|------------------------------------|-------------------------|-------------|
| COMMITTEE<br>---  | DATE<br>---   | RECOMMENDATION<br>---                | Not Required                          | ORIGINATOR<br>BLM                  | DEPARTMENT<br>Executive | REVIEWED BY |
| <b>ATTACHMENTS</b> <input checked="" type="checkbox"/> None |   |                                      |                                       |                                    |                         |             |
| <input type="checkbox"/> Resolution                         | <input type="checkbox"/> Minute Order               | <input type="checkbox"/> Task Order  | <input type="checkbox"/> Staff Report | <input type="checkbox"/> Ordinance |                         |             |
| <input checked="" type="checkbox"/> Cost<br>\$0             | <input type="checkbox"/> Funding Source<br>A.<br>B. | Attachments to S&R<br>1.<br>2.<br>3. |                                       |                                    |                         |             |



|   |   |  |
|---|---|--|
| Reference<br>General Manager  | Type of Action<br>Accept Reports and Make Finding | Board Meeting of<br>July 1, 2014                 |
| Subject<br>Accept Water Supply and Demand and Drought Response Action Plan Status Reports and Find that the Need for the Community Drought Emergency Still Exists |   |  |
| <input checked="" type="checkbox"/> Motion  | <input type="checkbox"/> Minute Order             | <input type="checkbox"/> Resolution              |
| <input type="checkbox"/> Ordinance  | <input type="checkbox"/> Informational            | <input type="checkbox"/> Other                   |
| REPORT:   | <input type="checkbox"/> Verbal                   | <input checked="" type="checkbox"/> Presentation |
|   | <input checked="" type="checkbox"/> Staff         | B. Michalczyk                                    |
|   |   | <input type="checkbox"/> Board Member            |

**Recommendation:**

The General Manager recommends the Board of Directors, by Motion, (a) accept the Water Supply and Demand Report and the Drought Response Action Plan Status Report (b) find that there still exists a need for continuing the Community Drought Emergency which the Board declared on May 5, 2014.

**Summary:**

On May 5, 2014 the Board declared a state of Community Drought Emergency which declaration, in part, directed the General Manager to inform the Board, at its first meeting of each calendar month that the Declaration remains in effect, of:

- Developments regarding the water supply available to Zone 7 and the District;
- The water demand in the District’s service area and in the Tri-Valley;
- Operational issues encountered or anticipated to be encountered related to the effect of the limited water supply on the District’s water system;
- Pertinent policy level decisions made at the local, regional and State level related to the drought; and
- Other information relevant to the continuing need for the State of Community Drought Emergency.

The Water Supply and Demand Report, included as Attachment 1, provides the requested information and is the basis for the Board’s finding of a continuing need for the state of Community Drought Emergency. Based on information in the report, there is no substantial change in conditions that would warrant the Board changing or rescinding the Community Drought Emergency.

In addition, on May 5, 2014 when the Board endorsed the Drought Response Action Plan, it directed that while the Community Drought Emergency exists that a status report be prepared at regular intervals of activities undertaken on the various aspects of the Drought Response Action Plan and the results achieved; Attachment 2 provides that information.

The Water Supply and Demand Report and the Drought Response Action Plan Status Report are current as of the cut-off date for the preparation of the agenda for this Board meeting. Any substantive developments will be reported at the meeting.

| Committee Review                                 |   |                                     | Legal Review  | Staff Review                       |                         |             |
|--|---|-------------------------------------|---|------------------------------------|-------------------------|-------------|
| COMMITTEE<br>---                                 | DATE<br>---   | RECOMMENDATION<br>---               | Not Required  | ORIGINATOR<br>B. Michalczyk        | DEPARTMENT<br>Executive | REVIEWED BY |
| <b>ATTACHMENTS</b> <input type="checkbox"/> None |   |                                     |   |                                    |                         |             |
| <input type="checkbox"/> Resolution              | <input type="checkbox"/> Minute Order               | <input type="checkbox"/> Task Order | <input type="checkbox"/> Staff Report   | <input type="checkbox"/> Ordinance |                         |             |
| <input checked="" type="checkbox"/> Cost<br>\$0  | <input type="checkbox"/> Funding Source<br>A.<br>B. |                                     | Attachments to S&R<br>1. Water Supply and Demand Report<br>2. Status Report – Drought Action Plan |                                    |                         |             |

*The information in this Water Supply and Demand Report is current through June 25, 2014<sup>1</sup>.*

## **BACKGROUND AND SUMMARY**

***As documented herein, there have been no changed conditions or situations that would warrant changes to or the rescission of the state of the Community Drought Emergency.***

On May 5, 2014 the Board declared a state of Community Drought Emergency which declaration, in part, directed the General Manager to inform the Board, at its first meeting of each calendar month that the Declaration remains in effect, of:

1. Developments regarding the water supply available to Zone 7 and the District;
2. The water demand in the District's service area and in the Tri-Valley;
3. Operational issues encountered or anticipated to be encountered related to the effect of the limited water supply on the District's water system;
4. Pertinent policy level decisions made at the local, regional and State level related to the drought; and
5. Other information relevant to the continuing need for the State of Community Drought Emergency.

This report satisfies that direction for the month of July, 2014. and will serve as the basis for the Board making a finding that there is a continuing need for the state of Community Drought Emergency.

### **1 - DEVELOPMENTS REGARDING THE WATER SUPPLY**

***There have been no substantial changes to the Water Supply situation that would warrant changes to or the rescission of the state of the Community Drought Emergency.***

In terms of the supply, the traditional wet season is over. The following is a summary of the most recent hydrological information available. A seven year historic summary of this same information is presented in Table 1 below. Table 2 presents a month by month summary for the current water year showing how the situation evolved over the course of the winter season.

Precipitation. Northern Sierra precipitation was significantly below normal levels at (58%) in the Sacramento, Feather, American and Yuba River basins where our water supply physically originates.

Snowpack. Snow pack in the northern Sierra snowpack (really snow water content) was significantly below normal throughout the winter season and was 23 % of average on April 1 which is the typical maximum value for the year. At this time there is no meaningful snowpack remaining in the northern Sierras.

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<sup>1</sup> Any substantive information that becomes available after posting of the agenda will be verbally reported at the Board meeting

Reservoir Storage. Lake Oroville is filled to 45% capacity and is 54% of what it would normally be at this time of the year. Drawdown of the lake has already started due to the lack of snowmelt which would otherwise still be filling that lake. This is the earliest that drawdown has ever started.

Water Year Type. Based on criteria that included rainfall, snow pack, reservoir storage and runoff, DWR has classified 2014 as a “Critically Dry” year.

DWR Allocation. DWR has allocated 5% of SWP water for the year which water will 80% of which will not be delivered until after September 1, 2014.

Zone 7 Supply. Zone 7 has notified the District that, in accordance with our water Supply Contract that the Zone will be reducing the District’s delivery request by 25% with a substantial portion of the reduction occurring during the summer months. Zone 7 has established curtailment levels for the Tri-Valley at 25% overall based on 5% indoor and 50-60% outdoor curtailments while adopting several mandatory prohibitions for water usage.

Possible Water Transfers. In May, Zone 7 staff received direction from their Board to work on a water transfer with the Metropolitan Water District of Southern California that would allow Zone 7 to access 8,000 AF of water it has stored at Cawelo Water Bank and another 3,000 AF stored at the Semi-Tropic Water Storage District (the latter for deliveries after September 1). The Delta Wetlands project, in cooperation with the Semi-Tropic Water Storage District is also attempting to have a water transfer approved that would benefit agencies around the State including the Tri-Valley. Neither of the transfers has been finalized and at this time it is very unlikely that either transfer will actually occur.

## **2 - WATER DEMAND**

***While the District’s service area is not yet achieving the overall 25% demand curtailment level, progress towards that level is being made. Some concern remains regarding demand management but at this time those are not strong enough to warrant changes to or the rescission of the state of the Community Drought Emergency.***

The month of May was devoted to customer outreach to publicize the need for curtailment which will become most critical as temperatures increase. The month of June was devoted to publicizing the capabilities of Aqua Hawk as a conservation tool. The first steps towards enforcement of water use limitations also started in June. Finally Stage 3 water rates became effective on June 1. These actions should start manifesting themselves in terms of reduced water use in July and beyond.

Water demand (really water furnished to District customers) is monitored on a weekly basis. The declaration of Community Drought Emergency calls for system wide water use curtailment of twenty five percent (25%) overall with five percent (5%) coming from indoor curtailment and



fifty to sixty percent (50-60%) from outdoor curtailment as compared to the same period in calendar year 2013. Between February 18, 2014 and May 5, 2014 a 20% curtailment level was in effect. In addition, in accordance with the terms of the District – Zone 7 Water Supply Contract Zone 7 has provided the District with a water delivery allocation schedule that incorporates the overall 25% curtailment goal but which also incorporates physical delivery limitations that have arisen due to the lack of surface water availability.

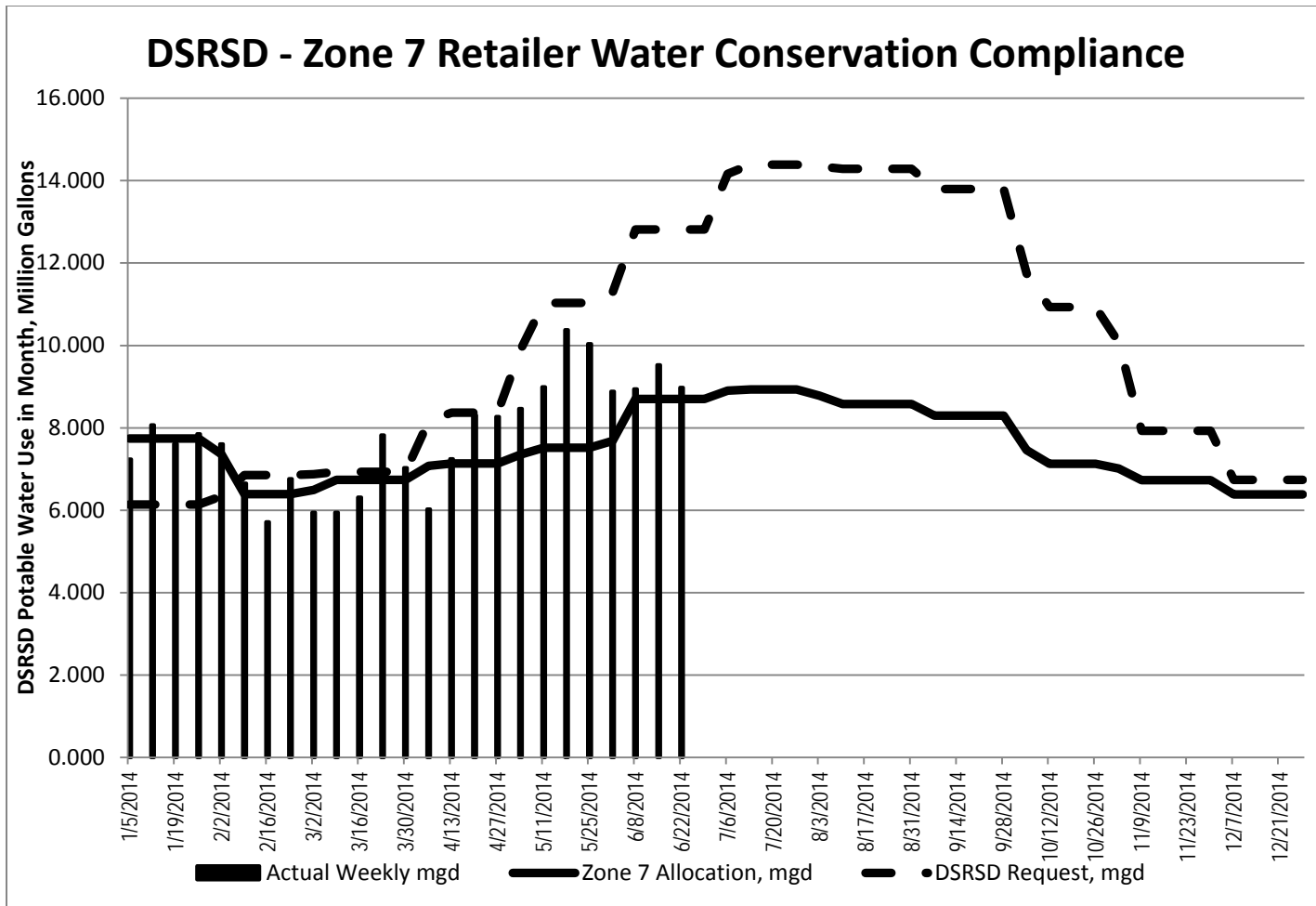
Demand 021814 to 050514. During this period in 2014 the District's service area used 1,668 AF of water as compared to 2020 AF used during the same period in 2013; this represents an overall system wide curtailment of 17%. Thus, the overall curtailment level of 20% was not achieved during this period.

Demand 050514 to Present. From May 5, 2014 through June 22, 2014 (the most current data available prior to the publication of the agenda) the District's service area used 1,413 AF of water as compared to 1,820 AF used during the same period in 2013; this represents an overall system wide curtailment of 22.4%. Thus, the overall curtailment level of 25% was not quite achieved during this period.

Actual Usage vs. Zone 7 Delivery Allocation. The chart below presents data showing how demand in the District's service area has tracked as compared to the Zone 7 allocation schedule.

- Since the beginning of 2014, the sum of the allocated deliveries is 3,934 AF while demand in the District's service area has been 4,182 AF. The District's service area is thus using 6.3% more water than allocated for the calendar year to date.
- However, the most current allocation schedule was received by the District on May 6, 2014. Since that time, the sum of the allocated deliveries is 1,210 AF while demand in the District's service area has been 1,413 AF. The District's service area is thus using 16.7 % more water than allocated since May 6, 2016.
- Overall, for 2014 Zone 7 has allocated the District 8,400 AF; the District's service area has used 50.7% of that amount to date.

Tri-Valley Wide Demand. Staff from the retail water agencies together with Zone 7 are informally exchanging water demand data. A system is being discussed that would allow a Valley-wide compilation of data. On an informal basis it appears that water demand in the service area of the other retailers is similar to that seen in the District's service area and is not quite achieving the 25% overall curtailment level.



### **3 - OPERATIONAL ISSUES**

***There have been no operational issues that would warrant changes to or the rescission of the state of the Community Drought Emergency.***

Reservoir storage is the single most critical parameter that the District will be monitoring during the Community Drought Emergency to ensure adequate reserves for health and safety and fire-fighting purposes. However, there are other operational challenges related to which of the five existing turnouts Zone 7 will deliver water given various constraints that arise from operating with very limited amounts of surface water.

#### **Reservoir Storage**

- At no time has overall reservoir storage been compromised. Minimum total system storage since the May 5, 2014 Board action occurred on June 1 with 10.09 MG in storage as compared to 6.30 MG required per standard operating criteria for health and safety and fire storage.
- At no time has reservoir storage within any single pressure zone been compromised.

System Operation During Drought Emergency At the direction of Zone 7 DSRSD has been receiving water only through turnouts No. 2 (Stagecoach Road) and No. 5 (Fallon Road) since late March. Turnouts No. 1 (Dougherty Road), No. 3 (Camp Parks), and No. 4 (Arnold) have remained out of service. This allowed Zone 7 to reduce the pressure on their western loop from 90 PSI to 70 PSI, which allows an increase of about 400 GPM in the maximum flow that the wells connected to the western loop can produce. The District has been able to move sufficient amounts of water from the two turnouts to each District pressure zone where it is needed. District staff modeled the water system and determined that the system can be operated in this manner under typical summertime demands as long as all of the District's reservoirs and pump stations are in service. Reservoir 10A was returned to service on June 3 following the completion of cleaning and rehabilitation work. Pump station 10A works in conjunction with Reservoir 10A and was also out of service during the time the reservoir was being rehabilitated. PS 10A has now been returned to service and is operating normally, and the programming was revised so that PS 10A would work correctly with turnout No. 4 off line. Therefore, all of the District's pumps stations and reservoirs are currently operating normally.

#### **4 - PERTINENT POLICY DECISIONS**

***There have been no further pertinent policy made that would warrant changes to or the rescission of the state of the Community Drought Emergency.***

There were several policy level decisions made at the local, regional, State and Federal levels prior the District declaring a state of Community Drought Emergency on May 5, 2014. Since May 5, 2014 a few additional policy level decisions have been made. In addition, there have been various legal and regulatory activities related to water issues in California.

Prior to May 5, 2015 Policy level decisions made prior to May 5, 2014 include the following:

- January 15, 2014 – U.S. Dept. of Agriculture declares Contra Costa and Alameda Counties natural disaster areas due to drought;
- January 17, 2014 California Governor Edmund G. Brown issued a Proclamation of a State of Emergency, and encouraged all Californians to reduce their water usage by 20%;
- January 29, 2014 the Zone 7 Water Agency issued a Proclamation of a Local Drought Emergency and established a system-wide conservation goal of 20% for 2014 as compared to 2013 usage, which was based on demand reductions of 5% for indoor water use and 40% for outdoor water use;
- January 31, 2014 the Department of Water Resources reduced from 5% to 0% the anticipated allocation of water to customers of the State Water Project, including the Zone 7 Water Agency;
- February 18, 2014 the District declared a State of Community Drought Emergency and established a goal of curtailing overall District water usage by twenty percent (20%) base on five percent (5%) curtailment of inside water use

and forty percent (40%) curtailment of outside water use as compared to the same period in 2013;

- February 24, 2014 the City of Livermore declared a Water Shortage Emergency;
- March 18, 2014 the City of Dublin declared a Local Drought Emergency;
- March 18, 2014 the City of Pleasanton approved an urgency ordinance amending their water conservation plan as needed to protect the immediate threat of the potentially significant drought to preserve public health and safety;
- April 5, 2014 the City of Livermore declares a Stage 3 drought emergency;
- April 16, 2014 the Zone 7 Water Agency directed the local water supply retailers and untreated water customers to assure a 25% total reduction for 2014 with 5% coming from indoor curtailment and 50-60% from outdoor curtailment, and adopting mandatory conservation measures to achieve these reductions;
- April 18, 2014 the California Department of Water Resources announced that anticipated 2014 water allocations to the State Water Contractors (including Zone 7) will be increased to 5% but only on condition that delivery of water occur after September 1, 2014; and
- April 25, 2014 Governor Edmund G. Brown proclaimed a Continued State of Emergency in the State of California and ordered that California residents should refrain from wasting water, specifying many practices that waste water and directing urban water suppliers to implement drought response plans to limit outdoor irrigation and other wasteful water practices; and
- April 28, 2014 the City of Livermore adopts Stage 3 Water Shortage rates and mandatory conservation measures.

Subsequent to May 5, 2015 Policy level decisions made after May 5, 2014 include the following:

- May 6, 2014 the City of Pleasanton adopts water shortage penalty water rates and mandatory conservation measures; and
- May 12, 2014 the City of Livermore adopts an ordinance extending mandatory water use limitations to entire City including Cal Water service area.
- Throughout May and June the State Water Resources Control Board issued diversion curtailment letters to about 9,500 junior water rights appropriators in the Sacramento and San Joaquin watershed.
- June 17, 2014 the State Water Resources Control Board held a hearing on the degree of conservation being achieved statewide finding that it is not occurring at the 20% level identified in the Governor's Emergency Order; the Board tasked their staff with proposing further Statewide conservation measures for the Governor's consideration.

Legal and Regulatory Issues There remains a great deal of legal and regulatory uncertainty about the reliability of water supplies from the Sacramento-San Joaquin Delta. This uncertainty develops due to interwoven legislation, regulation, legal actions and basic hydrology of the Delta. This situation has existed in some form for several decades but has become particularly critical in recent years. It is very likely that the uncertainties will continue for at least several years into the future. Attachment A to

this report provides specific information about what is driving the various legislative, regulatory and legal uncertainties related to the Delta water supply.

#### **5 - OTHER RELEVANT INFORMATION**

*There is no other relevant information to report at this time that would warrant changes to or the rescission of the state of the Community Drought Emergency.*

| <b>TABLE 1</b>  |               |               |                   |   |   |                |                |
|---|---------------|---------------|-------------------|---|---|----------------|----------------|
| <b>TABULAR SUMMARY OF HISTORIC HYDROLOGICAL AND WATER SUPPLY CONDITIONS<sup>2</sup></b> |               |               |                   |   |   |                |                |
|   | <b>WY2007</b> | <b>WY2008</b> | <b>WY2009</b>     | <b>WY 2010</b>  | <b>WY 2011</b>  | <b>WY 2012</b> | <b>WY 2013</b> |
| Precipitation <sup>3</sup>  | 75%           | 73%           | 93%               | 107%  | 145%  | 80%            | 85%            |
| Snowpack <sup>4</sup>   | 52%           | 101%          | 89%               | 126%  | 165%  | 74%            | 49%            |
| Oroville Storage<br>(% of Normal)   | 101%          | 90%           | 59%               | 78%   | 135%  | 115%           | 92%            |
| Oroville Storage<br>(% of Capacity)   | 62%           | 55%           | 38%               | 50%   | 86%   | 99%            | 79%            |
| <b>Unimpaired Runoff</b>  |               |               |                   |   |   |                |                |
| Percent of Normal<br>Year <sup>5</sup>  | 53%           | 58%           | 64%               | 84%   | 138%  | 63%            | 64%            |
| Water Supply Index  | Critical      | Critical      | Dry               | Below Normal  | Wet   | Below Normal   | Dry            |
| <b>Water Delivery Allocation</b>  |               |               |                   |   |   |                |                |
| DWR to State Water<br>Cont.   | 60%           | 35%           | 40%               | 50%   | 80%   | 65%            | 35%            |
| <b>Statewide and Regional Conservation</b>  |               |               |                   |   |   |                |                |
| State of California<br>Short Term   | ----          |               | 20%               |   | Strongly encourage conservation and minimal water use |                |                |
| State of California<br>Long Term  | ---           |               |                   | 10% per capita reduction target by 2015<br>20% per capita reduction mandate by 2020 |   |                |                |
| Zone 7  | Voluntary 10% |               |                   |   |   |                |                |
| <b>DSRSD CONSERVATION SUMMARY<sup>6</sup></b>   |               |               |                   |   |   |                |                |
| <b>Pre SB 7X7 Methodology</b>   |               |               |                   |   |   |                |                |
| Target  | Voluntary 10% |               | Stage I- Vol. 20% |   |   |                |                |
| % Achieved  | 2.4%          | 4.5%          | 13.8%             | 21.1%   | 21.5%   | 26.8%          |                |
| <b>Post SB 7X7 Methodology</b>  |               |               |                   |   |   |                |                |
| SB 7x7 Baseline   |               |               |                   |   |   |                | 204            |
| 2015 Target   |               |               |                   |   |   |                | 183            |
| 2020 Mandate  |               |               |                   |   |   |                | 163            |
| UWMP Prediction   |               |               |                   |   |   |                | 138            |
| Actual  |               |               |                   |   |   |                | 126            |

<sup>2</sup> Unless noted, data shown is for June of the Water Year shown.  
<sup>3</sup> Percent of Normal; 8 Station Northern Sierra for the water year  
<sup>4</sup> Percent of Normal; Northern Sierra Average as of April 1 which is historically peak snowpack for the year  
<sup>5</sup> Runoff in percent of average year for Sacramento River watershed  
<sup>6</sup> Expressed on a per account basis with the baseline year (July 06 to June 07 for WY 2007 through 2012).

| <b>TABLE 2<br/>TABULAR SUMMARY OF HYDROLOGICAL AND WATER SUPPLY CONDITIONS FOR WY 2014<sup>7</sup></b> |   |                 |                 |                 |                 |                 |                      |                      |
|--|---|-----------------|-----------------|-----------------|-----------------|-----------------|----------------------|----------------------|
|  | <b>Nov 2013</b>   | <b>Dec 2013</b> | <b>Jan 2014</b> | <b>Feb 2014</b> | <b>Mar 2014</b> | <b>Apr 2014</b> | <b>May 2014</b>      | <b>June 2014</b>     |
| Precipitation <sup>8</sup>   | 27%   | 26%             | 19%             | 17%             | 38%             | 51%             | 56%                  | 54%                  |
| Snowpack <sup>9</sup>  | NA  | NA              | 11%             | 5%              | 11%             | 23%             | 5%                   | 0%                   |
| Oroville Storage<br>(% of Normal)  | 67%   | 72%             | 58%             | 54%             | 57%             | 64%             | 65%                  | 59%                  |
| Oroville Storage<br>(% of Capacity)  | 41%   | 43%             | 36%             | 36%             | 39%             | 49%             | 53%                  | 50%                  |
| <b>Projected Unimpaired Runoff</b>   |   |                 |                 |                 |                 |                 |                      |                      |
| Expected <sup>10</sup>   | NA  | 65%             | 48%             | 33%             | 35%             | 41%             | 39%                  | 35%                  |
| Chance of Normal   | NA  | 20%             | Nil             | Nil             | Nil             | Nil             | Nil                  | Nil                  |
| <b>Projected Type of Water Year</b>  |   |                 |                 |                 |                 |                 |                      |                      |
| WY Classification  | NA  | Dry             | Critical        | Critical        | Critical        | Critical        | Critical             | Critical             |
| <b>Water Delivery Allocation</b>   |   |                 |                 |                 |                 |                 |                      |                      |
| DWR to State<br>Water Cont.  | NA  | 5%              | 5%              | 0%              | 0%              | 0%              | 5%<br>(After 9-1-14) | 5%<br>(After 9-1-14) |
| <b>Adopted Statewide and Regional Conservation Targets</b>   |   |                 |                 |                 |                 |                 |                      |                      |
| California Short<br>Term Policy  | <u>January 17, 2014</u> : Governor Brown proclaimed that a state of emergency exists due to current drought conditions and called on Californians to curtail water usage by 20%<br><u>April 25, 2015</u> : Governor Brown proclaimed continued State of Emergency and ordered various water use limitations |                 |                 |                 |                 |                 |                      |                      |
| California Long<br>Term Policy   | 10% per capita reduction interim target by 2015 and 20% per capita reduction mandated by 2020   |                 |                 |                 |                 |                 |                      |                      |
| Zone 7   | <u>April 16, 2014</u> : Zone 7 declared a drought emergency within its service area and established curtailments at 25% system-wide (5% indoor curtailment and 50-60% outside curtailment) and adopted various mandatory prohibitions   |                 |                 |                 |                 |                 |                      |                      |
| <b>DSRSD CONSERVATION SUMMARY<sup>11</sup></b>   |   |                 |                 |                 |                 |                 |                      |                      |
| DSRSD Stage  | <u>May, 2013</u> : For rate purposes - Baseline water shortage condition (i.e. maintain current per person water use); and<br><u>Feb. 18, 2014</u> : declared State of Drought Emergency and set target curtailment consistent with Zone 7  |                 |                 |                 |                 |                 |                      |                      |
| SB 7x7 Baseline  | 204   |                 |                 |                 |                 |                 |                      |                      |
| 2015 Target  | 183   |                 |                 |                 |                 |                 |                      |                      |
| 2020 Mandate   | 163   |                 |                 |                 |                 |                 |                      |                      |
| UWMP Prediction  | 138 for CY 2013   |                 |                 | 143 for CY 2014 |                 |                 |                      |                      |
| Current  | 132   | 134             | 135             | 136             | 135             | 134             | 131                  | 128                  |

<sup>7</sup> Data shown is current as of the first day of the month shown

<sup>8</sup> Percent of Normal at this time of year; 8 Station Northern Sierra

<sup>9</sup> Percent of Normal at this time of year; Northern Sierra Average

<sup>10</sup> Projected water year runoff in percent of average year for Sacramento River watershed

<sup>11</sup> Values shown are in gallons per person per day

## ATTACHMENT A LEGAL AND REGULATORY ISSUES

### **SIGNIFICANT CHANGES SINCE THE LAST REPORT ARE HIGHLIGHTED**

#### **DELTA PLANNING**

**Bay Delta Conservation Plan:** The Bay Delta Conservation Plan (BDCP) is designed to be a planning process for meeting the requirements of endangered species laws and achieving the co-equal goals of (1) conservation and management of the Delta's ecological functions and (2) improving current water supplies and the reliability of Central Valley Project (CVP) and State Water Project (SWP) water deliveries. Significant opposition to the Plan and the process has been voiced by residents and entities from Delta and Central Valley communities, and by some state and federal water contractors which question who will pay for water for wildlife refuges and for environmental uses under the BDCP, as well as who will pay for construction and operations costs of any conveyance facilities. The end of the BDCP process cannot now be predicted with any degree of confidence. In July 2012, the state and federal governments announced their joint commitment to a proposed BDCP that would include two gravity-fed tunnels with a diversion capacity of 9,000 cubic feet of water per second (cfs), each of which would be 40 feet in diameter and 35 miles long, plus restoration of 113,000 acres of freshwater marsh, 50,000 of which would be restored in the next 15 years. Current estimates say the tunnels will take at least 10 years to build, will result in excavation and the need to dispose of 7 million cubic yards of "tunnel muck," and will cost an estimated \$24.5 - 28 Billion to construct and operate the conveyance facility as well as fund the mitigation and adaptive management for the 50-year implementation period. Current estimates indicate that 60 - 70% of that cost would be paid by water users (and approximately 60% of that amount would be paid by SWP contractors), with the balance coming from a variety of state and federal sources. Construction costs for the 9,000 cfs dual-bore tunnel are now estimated at \$14.5 Billion, but since that estimate is based on a 10% design, the draft BDCP says that the actual construction costs could be 50% higher or 25% lower than that number. On May 6, the Department of Water Resources (DWR) announced that it is setting up at least two new organizational units focused on implementation of the conveyance component of the BDCP. There will be a BDCP Program Manager, who will not be a DWR employee, and the new "Design and Construction Enterprise" will be some form of "joint powers arrangement" that will include a mix of DWR, local agencies, and consulting firm employees. Since there is not yet an approved project, BDCP critics have asserted that this new organization is premature. Governor Brown has appointed former Zone 7 employee Karla Nemeth as Deputy Secretary for Water Policy at the California Natural Resources Agency, where she will be his senior advisor on water policy. She has worked on the BDCP since 2009.

**The draft BDCP and draft EIR/EIS were released for public comment on December 9, 2013; the comment period has been extended twice, and comments are now due by July 29, 2014.** The draft documents are more than 41,000 pages. DWR's current schedule is vague, but apparently calls for the Certification of the EIR, Plan approval and the federal Record of Decision no earlier than the winter of 2014. Intended beneficiaries do not yet fully know what benefits they can anticipate, and federal agencies have given no indication if or when they will do a feasibility analysis that is required before federal funds for the implementation of the BDCP could be appropriated. Current estimates are that only about 25% of CVP contractors would actually receive any water supply benefits if the project is fully



implemented. The principal unknown is how the new system would be operated, which will determine water supply, water quality, and fisheries impacts. Fisheries agencies have suggested that current science requires high flows through the Delta and to the sea; such flow requirements would mean that future exports would be less than what contractors currently receive. Export contractors – especially irrigation entities -- are hoping to see far lower flows for fish and water quality protection so that farmers and ranchers can avoid having to pay large amounts of money for less water. Operations criteria will have to take into account the recent hydrology, which indicates that between 1949 and 2009, Sacramento River flow conditions in 47% of all years were below normal, dry, or critically dry. Complex negotiations resulted in a May 30, 2014 draft Implementation Agreement concerning how the BDCP will be operated, including the governance structure, but not including the cost split between federal and state contractors or other financial components, and only providing broad general details regarding how operations will actually work. The 60-day public review process for that Agreement will also end on July 29. In July 2013, federal agencies submitted comments on the administrative draft EIR/EIS which raised numerous difficult issues; some commentators have suggested that the federal fisheries agencies may believe that the proposed project may not be “permissible” under the Federal Endangered Species Act (FESA). The interplay between state and federal fisheries agencies and the CVP and SWP will be critical to ultimate governmental determinations concerning the proposed BDCP.

Some stakeholders (including ACWD, CCWD, EBMUD, SFPUC, San Diego and the San Diego County Water Authority, numerous environmental groups, Contra Costa County, and the Contra Costa Council, plus 22 Democratic members of the State Senate or Assembly) urged DWR to add a “Portfolio Alternative” that would include, among other things, a smaller conveyance facility because their studies to date indicate a 3,000 cfs conveyance could meet the BDCP’s and Delta Plan’s water supply and ecosystem restoration goals. DWR now estimates that the capital construction cost for a single-bore 3,000 cfs tunnel would be \$8.56 Billion (down from the previously estimated \$11.5 billion). DWR did not analyze this alternative (or the suite of proposed actions making up the Portfolio Alternative) in the EIR. Zone 7 signed a multi-agency letter favoring the BDCP proposal and opposing the Portfolio Alternative. A number of environmental groups have announced opposition to the BDCP, but some agricultural interests that joined them in opposing the proposed Peripheral Canal in 1982 support the current proposal. The key question for many water agencies will be their share of the costs burdens for the proposed project. DWR has indicated that up to \$1.6 billion will be needed for completion of planning and environmental work over the next 3 years – apparently some CVP and SWP contractors are being asked to put up at least \$500 Million for those purposes. If the project is ultimately approved and implemented, the earliest construction could begin is 2017 (engineering work to date is only at the 10% level), and the earliest date for operation of the new conveyance would be 2027. Largely because there is not yet an approved project, to date there are no firm funding commitments for the costs of construction or operation of the proposed facilities. DWR has estimated overall BDCP costs at about \$25 Billion; economists have indicated that total costs (including interest on bonds) could approach \$67 Billion. Entities both inside and outside the “water community” have raised questions about BDCP financing and cost-sharing.

**Delta Stewardship Council’s Delta Plan and EIR:** The 2009 legislative package that included the Delta Reform Act tried to address long-standing issues about Delta planning and the possibility of insuring water supply reliability and simultaneously reaching the co-equal goal of restoring/enhancing the Delta ecosystem. At the heart of this measure was establishment of the Delta Stewardship Council and a mandate that it develop a Delta Plan and the necessary environmental analysis by December 31, 2011. The goal of the Plan was to provide guidance to state and local agency actions to meet the coequal goals. (That statutory deadline was not met.) On May 16-17, 2013, the Council adopted the Delta Plan,

certified the completion of the EIR, and approved the process for implementing the regulations. The adopted Plan contains 14 policies, which the Council has attempted to turn into legally enforceable state regulations. No substantial action based on the Plan will happen very quickly, and the EIR has been the subject of substantial criticism from all sides. Numerous parties, including the State Water Contractors, filed suit in Sacramento Superior Court challenging the Plan and arguing that it is not consistent with the 2009 legislation because it does not achieve the co-equal goals of Delta ecosystem restoration and water supply reliability, and challenging the regulations. Those cases are all pending.

The Delta Plan calls for adoption of Delta flow objectives by June 2014; implementation measures to reach those objectives would then be analyzed and recommended to the SWRCB in approximately one year after that. The SWRCB started the process for setting those objectives, in conjunction with its triennial review of the Water Quality Control Plan for the Delta (WQCP), and indicated that it would seek to set flow objectives for “primary tributaries to the Bay-Delta” by June, 2018. However, the heavy workload the SWRCB is facing due to the current drought may slow that schedule. This effort will inevitably be controversial, since an earlier and non-precedential SWRCB decision related to flow objectives established criteria that would dedicate between 50% and 75% of the available flows in the Delta to in-stream uses, which would result in drastic cutbacks in water available for export.

On December 31, 2012, the SWRCB released its proposed revisions to flow requirements (plus a 2000-page environmental analysis) for the San Joaquin River and 3 tributaries (Merced, Stanislaus, and Tuolumne Rivers), which featured establishment of a threshold of 35% of the unimpaired flow of the tributaries to be set aside for Delta protection. Historically about 20% of unimpaired flow in those rivers reached the Delta. Water users and water rights holders on those rivers are vigorously resisting implementation of that threshold, arguing that it would result in a supply cut of 15% in average water years, and up to 50% in dry years. The SWRCB began a hearing on San Joaquin flows on March 20, 2013. A “final” version of the WQCP objectives and environmental impact analysis was issued in May, but the SWRCB has now postponed any action on this still-controversial subject until an as-yet unknown date in 2014.

**California Water Action Plan:** On October 31, 2013, CalEPA, the Department of Food & Agriculture, and the Natural Resources Agency issued a draft Water Action Plan for the State, in response to direction from the Governor to identify key actions for the next one to five years to address urgent needs and “provide the foundation for sustainable management of California’s water resources.” The final plan was issued in conjunction with the Governor’s “State of the State” address on January 22, 2014. The 22-page plan is broad and general, and does not call for any specific actions; it is intended to be a broad-brush guide for state efforts to enhance water supply reliability, restore damaged and destroyed ecosystems, and improve the resilience of infrastructure. Part of the scientific backdrop for this Plan is a recent study, based on satellite data collected by NASA, which indicates that the Sacramento and San Joaquin basins contained about 24 million acre-feet (AF) less water in March 2010 than in October 2003, with about 2/3 of the decline due to groundwater depletion. **The FYE 2015 State Budget includes approximately \$600 Million in funding for implementation of near-term Plan actions, including water efficiency projects, conservation, and integrated water resources management.**

## **LEGISLATION**

**2014 Water Bond:** The November 2009 water legislation package passed on to the voters the question of whether to authorize issuance of \$11.14 billion in General Obligation bonds, for which debt service

payments of about \$700 million per year would have to come from the State's General Fund. The bond issue was to be on the November 2010 ballot, but the Legislature subsequently passed a bill delaying the election to 2012, largely because of the state's precarious financial situation. Unless the Legislature takes action by June 26 (by a 2/3 vote in both Houses), the 2009 bond issue will be on the ballot. On June 23, the leading bill (SB 848, Wolk authorizing \$10.4 Billion) failed to get a 2/3 vote in the State Senate. Negotiations seeking to find an acceptable bill continue, and legislators could waive the applicable law and delay their action until July or August to place a revised bond proposals before the voters in November. On June 25, 2014 the Governor stated his position that the bon measure should be capped at \$6 Billion.

## **DELTA ECOSYSTEM ISSUES**

**Delta Smelt and Salmonid Species:** Federal litigation concerning the interaction of the Federal Endangered Species Act (FESA) and NEPA with the operations of the Bureau of Reclamation's Central Valley Project (CVP) and the Department of Water Resources' (DWR) State Water Project (SWP) has dominated all considerations of Delta water export operations in the last few years. Most of that litigation has concerned the balance between water exports and the need to restrict or limit exports in an effort to protect Delta smelt and a variety of salmonid species. For salmonids, litigation challenging the Biological Opinion is on appeal to the 9<sup>th</sup> Circuit US Court of Appeal; oral argument is set for September. For Delta smelt, a trial court decision overturning the BiOp was reversed by the 9<sup>th</sup> Circuit on March 13, but the Court held that Reclamation must complete additional NEPA documentation on certain actions before accepting the smelt BiOp. There is still some uncertainty as to the practical effect of that aspect of the ruling, but in the meantime, Delta operations are being managed in accordance with both BiOps, while the federal fisheries agencies are working on new ones under court-established deadlines (12/1/14 for smelt and 4/30/16 for salmon). The 2013 fall mid-water trawl, one of the key scientific indicators of the abundance of critical fish species, showed that the four species of greatest concern were at near-record lows; in particular, Delta smelt were at the 2<sup>nd</sup>-lowest year on record. Since the decline of pelagic organisms (i.e., aquatic species that feed in the middle of the water column) such as Delta smelt, began in the Delta in 2002, the smelt index has ranged from a high of 151 to a low of 4 (it was 7 in 2008 and 2013), as compared to values that were occasionally greater than 1000 in prior years). The population indices used to track 4 key fish species have declined by 95.6% to 99.8% since the trawl began in 1967. The combination of record low precipitation and fish-related operations restrictions is making export operations particularly difficult for 2014, and is limiting the use of cross-Delta water transfers and recovery of water in groundwater banks that might otherwise have been available to assist in areas dependent on Delta export pumping.

**Ammonia in Wastewater Discharges:** On December 9, 2010, the Central Valley Regional Water Quality Control Board (RWQCB) unanimously adopted a new NPDES discharge permit for the large regional wastewater treatment plant operated by the Sacramento Regional Sanitation District (SacReg). Zone 7, Alameda County Water District, and Santa Clara Valley Water District (SCVWD), plus a number of other water agencies, had for 10 years sought to have the RWQCB order SacReg to significantly reduce the volume of pathogens and certain chemical contaminants in its effluent – particularly ammonium, which is believed to have a substantial adverse impact on Delta smelt. A partial settlement was reached late in April 2013, and SacReg is commencing implementation of remedial measures. Remaining issues in the litigation concern the NPDES permit requirement for tertiary treatment to remove pathogens and other pollutants from the discharge; settlement discussions were completed on May 23; SacReg now plans to start construction on a \$1.5 to 2 Billion expansion/improvement project this year.

## **LOCAL WATER SUPPLY CONTRACTS**

**State Water Project Contract:** On May 1, DWR began what was originally planned to be three months of public negotiations with the SWC on contract amendments to the contract term and on certain financial provisions of the current basic water supply contract between DWR and each member of the SWC. DWR wants to issue 30-year bonds for its debt financing, but there are only 21 years left on the present contract. DWR has urged a 40-year extension, but some of the SWC have argued that it should be 75 years. DWR uses revenue bond financing for capital improvements and upgrades of existing systems; in recent years it has sold as much as \$200 Million in such bonds per year, and it estimates that it needs \$2.5 Billion to repair, restore, and strengthen existing infrastructure. DWR also estimates that the BDCP improvements would require the SWC to pay another \$10 Billion, and the current contract negotiations would put the necessary financial accounting and oversight mechanisms in place for that as well. Negotiations over an 11-month period culminated in Agreements in Principle (AIP) that were reached on March 8; one or more agreements to express the AIP are being drafted, the parties met again on June 18, and their target is to complete and sign the AIP by July 1. DWR will then conduct an environmental review process for an amendment to the SWP Contract, which will be publicly negotiated beginning in late 2014 and hopefully completed in mid-2015. The proposed amendment needs to be reviewed in the Legislature, but does not need legislative approval. Under the AIP, if adopted as the parties have tentatively agreed, the amendments would extend the current SWP contracts by 50 years, to 2085. Three Sacramento Valley SWP contractors (Butte and Plumas Counties, and Yuba City) want the new contract to expressly provide for them to opt out of the costs associated with the BDCP's conveyance facilities, but that issue has been set aside now pending separate negotiations (not yet scheduled) on BDCP cost allocations among the SWP contractors. SWP North Bay Aqueduct (NBA) contractors (in Napa and Solano Counties) are also concerned about those facilities because the Draft EIR/EIS for the BDCP indicates that it would have an unavoidable significant adverse impact on water quality in the NBA, which may require relocation of the NBA intake, at a preliminarily estimated cost of \$510 Million.

**BBID transfer to Zone 7:** Since 1995, an important part of Zone 7's water supply portfolio has been an annual transfer of up to 5,000 AF of Delta water to Zone 7 from Byron Bethany Irrigation District (BBID). On December 14, 2012, DWR told BBID that the transfer was being made without DWR's consent, and that the water had to be "repaid" to DWR. Both BBID and Zone 7 are vigorously objecting to DWR's position and resisting the demand that Zone 7 "repay" any previously transferred water. This year, BBID will receive 4,000 AF of supplemental water via a transfer from CCWD.

## **PERTINENT WATER RELATED LITIGATION**

**Area of Origin Litigation:** The Tehama-Colusa Canal Authority (TCCA) filed suit against the United States on February 11, 2010, alleging that the Bureau of Reclamation illegally failed to deliver full contract amounts of water to TCCA members before exporting water from the Delta. Their argument was based on "area of origin" protections in the California Water Code, with which Reclamation must comply. TCCA asserted that their location and the protective statute gave them a higher priority claim to CVP water, including stored water. TCCA's litigation was unsuccessful in trial and appellate courts, and on March 24 the U.S. Supreme Court denied TCCA's petition for *certiorari*, ending the case. Somewhat analogous litigation initiated in state court in 2008 by 4 north-of-Delta SWP contractors was settled in October 2013.

## **WATER SUPPLY RELIABILITY IMPROVEMENT EFFORTS**

**Regional Activities:** Numerous discussions of a variety of water transfers, interties, and cooperative arrangements are underway, involving water agencies throughout the Bay Area region and in the Central Valley; e.g., Zone 7, CCWD, and EBMUD are discussing a possible link between CCWD facilities (which have a 100 million gallon per day intertie with EBMUD's Mokelumne Aqueduct) and Bethany Reservoir, the forebay for the South Bay Aqueduct. Numerous transfer arrangements are under discussion or being implemented among irrigation agencies and individual farmers, with published prices ranging as high as \$3,000 per AF (in Kern County). Semitropic Water Storage District (in Kern County) and the Delta Wetlands Project received SWRCB approval on May 12, 2014 for a transfer of approximately 20,700 AF is intended for the benefit of the SBA contractors, to help them meet the "health and safety" needs of their service areas during the severe water supply cutback due to the SWP's 5% supply allocation. DSRSD, ACWD, and Zone 7 all supported the transfer. However, after the SWRCB issued its June curtailment order preventing of use of water under some water rights, it then refused to grant a health and safety exemption, so the transfer was not allowed to happen.

Contra Costa Water District's Los Vaqueros Expansion Project (LVE) is complete, and the Reservoir is filled to about 130,000 AF. Federal and state agencies are leading a study effort to consider a further expansion of the Reservoir, and numerous water agencies have signed a Memorandum of Understanding concerning those studies, including Zone 7, the other South Bay Aqueduct agencies (ACWD and SCVWD), EBMUD, and the San Luis and Delta Mendota Water Authority. Federal legislation was recently introduced by Congressmen Costa and Miller which would expedite expansion of the Reservoir; it calls for a phased approach, including near-term agreements to lease storage space in the existing 160,000 AF Reservoir, construction of a proposed \$200 Million pipeline to Bethany Reservoir to provide water directly to the South Bay Aqueduct (water that would not have to go through the SWP's Banks Pumping Plant, and that would be diverted through existing state-of-the art fish screens), and further expansion of the storage capacity to 275,000 AF. State funds for the studies are also provided for in each of the proposed bond bills currently pending in the Legislature. The Boards of ACWD and EBMUD expressed support for the bill in May. Environmental documentation and endangered species coverage has already been completed for each of these proposed projects. Federal and state studies dating back to the 1960's indicated that the Los Vaqueros site could accommodate a reservoir with as much as 1 million AF of storage capacity.

In January, 2013 the Boards of Directors of EBMUD and CCWD accepted principles of agreement for a new partnership arrangement concerning LVE, and a demonstration project under which 5,000 AF of EBMUD water would be stored in the reservoir for up to 5 years is under way. CCWD reached a similar understanding with ACWD on April 3, 2013 for a 1,000 AF pilot project, which is now being expanded to 5,000 AF; that water will be delivered to ACWD via the SBA starting in mid-July and running through August. CCWD will be able to forego diversion of a similar amount from the Delta because it is able to rely on storage in Los Vaqueros. On February 25, the EBMUD Board agreed to exercise an option to buy up to 20,000 AF of water from the Placer County Water Agency (PCWA) in 2014, and diverted the first 5,000 AF in April, at a price of \$75/AF. EBMUD chose to not exercise the option to take another 15,000 AF of PCWA water, and the water was purchased instead by Westlands Water District for \$225/AF; none of the SBA contractors apparently expressed interest in buying that water. EBMUD is also purchasing 16,000 AF of CVP water under its 1970 water service contract, and is currently diverting that water via its Freeport facilities – the initial use of that contract and facilities in that manner. About 230 to 250 AF/day are being delivered to EBMUD's San Pablo Reservoir and Upper San Leandro Reservoir. Those operations are necessary because the treatment plants that draw water from those reservoirs are "full treatment" plants that can adequately handle Sacramento River water; EBMUD's other principal

treatment plants (Orinda, Lafayette, and Walnut Creek) are in-line filter plants which can only treat EBMUD's higher quality Mokelumne River water. Importation of the CVP water allows EBMUD to slow the rate at which it is using its Mokelumne River supply; as a result Pardee Reservoir is 94% full. EBMUD's Freeport facilities can be used to convey CVP water or water made available by Yuba or Placer, but which cannot be delivered south of the Delta due to export restrictions at the DWR pumps; arrangements of this nature, especially if implemented jointly with CCWD, could provide supply and reliability benefits to numerous Bay Area water agencies. EBMUD's Mokelumne River facilities were also used in 2013 to successfully convey 2,000 AF of transfer water from the Woodbridge Irrigation District (near Lodi) to CCWD. EBMUD has also renewed consideration of a conjunctive use idea with a number of entities in San Joaquin County, and has a MOU in place to begin a pilot program of wheeling north-of-Delta transfer water through Freeport to some of the entities that buy water at wholesale from San Francisco's Hetch Hetchy system.

Federal authorities are also investigating raising the elevation of San Luis Dam by 20 feet, in a \$360 Million project to improve seismic protection and to add 120,000 AF of storage capacity for the benefit of both the CVP and SWP. Congressman Costa's new legislation concerning the San Luis Dam project would also authorize raising Shasta Dam to add 634,000 AF of storage, as a cost of about \$1.1 Billion, and building Temperance Flat Reservoir on the Upper San Joaquin River to create 1.3 Million AF of new storage at a cost of about \$2.5 Billion. As dry conditions persist, large numbers of new deep wells are being installed in the Central Valley, resulting in declining aquifers and land subsidence in an area that may be as large as 1,200 square miles; many of these new wells are needed to irrigate hundreds of thousands of acres of permanent tree and vine crops that have been planted in recent years (in lieu of previous field crops like tomatoes and cotton) despite the lack of reliable and consistent imported water supplies. California now has well over 800,000 acres of almond trees, as compared to about 400,000 acres in 1995, and since such trees need an average of 3 to 4 acre-feet of water per acre to survive, this increase in almond production has "hardened" annual demand for water in areas which used to be annual field/row crops or pasture.

Five local water entities (Zone 7, ACWD, CCWD, EBMUD and the SFPUC) and the WaterReuse Foundation are participating in projects being funded by the Water Research Foundation to study the potential for Direct Potable Reuse (DPR). The projects will begin early in 2014 and support research needs of the California Department of Public Health for compliance with the statutory mandates of SB 918 (2010) to investigate the feasibility of developing regulatory criteria for protection of public health by 2016; as a result of this work, DPR could ultimately be permitted for groundwater recharge and/or for surface water augmentation.

**San Diego Desalination:** Construction is more than 25% complete, and is on schedule and under budget, on a 50 million gallon per day desalination plant that is expected to produce up to 56,000 AFA in San Diego County; the San Diego County Water Authority views it as a new long-term reliable source of drinking water, and will be paying an estimated \$1900 to \$2200/AF to achieve that reliability and the concurrent reduction in demand for imported water. The key conveyance pipeline is more than 50% finished. Operations are expected to begin in 2016, but first water deliveries may be in the fall of 2015. A second such plant, with a production capacity of about 56,000 AFA, is nearing the end of the planning and permitting phase; it will be located in Huntington Beach if the planning and permitting processes can be successfully completed. Both of these desalination plants are sponsored by Poseidon Water and utilize engineering and technology techniques that were developed in Israel; the Huntington Beach proposal is being done in cooperation with the Orange County Water District. After adopting a report on the success of the City's 2-year 1 mgd demonstration project, San Diego's City Council acted in April

2013 to pursue implementation plans for a “water purification” project to augment City drinking water supplies with up to 15 mgd of purified wastewater that would be conveyed to San Vicente Reservoir to blend with stored Colorado River water. A 2013 public opinion poll indicated that 73% of the San Diego residents who were surveyed favored the project. Initial estimates are that the project would cost about \$370 Million, and could eventually be expanded to 88 mgd.

**Coalition to Support Near Term Delta Projects:** Largely because of similar concerns about controversy surrounding the BDCP and the concern that it will be decades before it can come to fruition, a series of water agencies, environmental groups, and others developed a consensus position on a number of projects on which immediate actions could be taken, and for which \$500 million in previously-approved bond funds are potentially available. Projects include specific actions related to water supply, water quality, levees, and ecosystem restoration. Participants include entities which do not always agree on Delta matters, including the Planning and Conservation League, Metropolitan Water District (MWD), Westlands Water District, Central Delta Water Agency, and Contra Costa Water District. These entities are working to get the necessary stakeholder support and a wide-spread consensus; the first projects will probably involve levee work. Several of the near term project ideas, including operable flow gates and temporary flow barriers are among the things being considered during the current drought conditions, and were generally referred to in the legislation introduced by 4 U.S. Senators on February 11, 2014. Several of the temporary flow barriers could be installed this year, but the spring storms caused DWR to defer the barriers for the time being.

#### **OTHER WATER SUPPLY RELIABILITY AND UNCERTAINTY FACTORS:**

**Colorado River:** Although it does not directly impact the District or Zone 7, a number of factors suggest that continuing uncertainty about southern California’s reliance on the Colorado River will increase. The original 1922 allocation of Colorado River water (among 7 western states) was based on a short period of hydrologic history which was wetter than any period since then. The assumption then was that the River would yield 15 MAFA; the U.S. now believes that the actual yield is closer to 12 MAFA. Snowpack in the watershed was more than 114% of average for the end of February, but the impacts of the last 14 years of dry conditions means that storage in Lakes Powell and Mead is still at a point where water deliveries to California are curtailed. Lake Powell is at 51% of capacity and might reach 60% this year; Lake Mead is at 40% of capacity but may drop by another 20 feet this year, and is currently close to the lowest water surface elevation since the Lake began filling in 1935. The total combined storage in the two lakes at the end of September is projected to be the lowest since 1968, when Lake Powell was first being filled. As a result, southern California’s ability to rely on transfers from Imperial Irrigation District (IID) to San Diego (which gets 33% of its water from these transfers), or on full deliveries from the Colorado to the MWD is now less certain. The complex set of agreements which resulted in transfers of water from IID to San Diego requires IID to meet certain water conservation goals; this has proved to be difficult for IID, and the conservation programs are very controversial among its agricultural water users. MWD has put over 2.7 MAF in storage in southern California, but in the long run a reduction in Colorado River water would tend to put added emphasis (i.e., water demand) on exports from the Delta to southern California. 2013 marked the worst 14 years of hydrologic history on the River since records have been kept; in contrast, in 2000, the combined storage in Lakes Mead and Powell was 95% of capacity. In anticipation of further decline in the reliability of Colorado River supplies, Arizona adopted and refined its comprehensive groundwater management statutes in the 1980’s and 1990’s, and these laws are the basis for an extensive groundwater banking program. California has no such legislation, and although there is extensive groundwater management planning in many areas (such as the Tri-

Valley), there is nothing on a statewide or Central Valley-wide basis that can be used to offset drought conditions.

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**As of June 25, 2014**

| <b><i>DROUGHT EXPENSE BUDGET</i></b>              |  |                                       |
|---|--|---------------------------------------|
| <b>No.</b>  | <b>Description</b>   | <b>Activities / Status</b>            |
| 1   | FYE 2014 Budget  | \$150,000                             |
| 2   | FYE 2014 Expenses Committed to Date (Spent; Open POs)  | \$ 236,123 (\$83,236;\$152,887)       |
| 3   | FYE 2015 Budget  | \$150,000                             |
| 4   | FYE 2015 Expenses to Date  | \$0                                   |
| 5   | FY to FY Budget Transfers  | None to date                          |
| <b><i>EXEMPTIONS FOR WATER USE LIMITATION</i></b> |  |                                       |
| <b>No.</b>  | <b>Description</b>   | <b>Activities / Status</b>            |
| 1   | No. Received   | 43                                    |
| 2   | No. Approved by Drought Coordinator  | 26                                    |
| 3   | No. Denied by Drought Coordinator  | 13                                    |
| 4   | No. Appealed to Board  | 0                                     |
| <b><i>VIOLATIONS OF WATER USE LIMITATION</i></b>  |  |                                       |
| <b>No.</b>  | <b>Description</b>   | <b>Activities / Status</b>            |
| 1   | No. Written Warnings Issued  | 659 (545 excess water use, 114 other) |
| 2   | No. \$250 Violations Issued  | 57                                    |
| 3   | No. \$500 Violations Issued  | 0                                     |
| 4   | No. \$1,000 Violations Issued  | 0                                     |
| 5   | No. Flow Restrictors Installed   | 0                                     |
| 6   | No. Service Shutoffs   | 0                                     |
| 7   | No. Waivers Requested  | 2                                     |
| 8   | No. Waivers Approved by Drought Coordinator  | 1                                     |
| 9   | No. Waivers Denied by Drought Coordinator  | 0                                     |
| 10  | No. Waivers Appealed to Board  | 0                                     |
| <b><i>IMMEDIATE WATER USE CURTAILMENTS.</i></b>   |  |                                       |
| <b>No.</b>  | <b>Description</b>   | <b>Activities / Status</b>            |
| 1   | Curtail potable irrigation systems at all District facilities (i.e., primarily remote pump stations) | Complete                              |
| 2   | Only cleaning sewers with recycled water (except for SSO's and emergencies)                          | Complete                              |
| 3   | Ceasing all hydrant flushing (except for critical areas with identified water quality problems)      | Complete                              |
| 4   | Exchanging all potable hydrant meters for purple recycled water hydrant meters for construction use  | Complete                              |

| <b>MEDIA BASED PUBLIC OUTREACH</b>  |  |   |
|-------------------------------------|--|---|
| No.                                 | Description  | Activities / Status   |
| 1                                   | Radio Spots  | <ul style="list-style-type: none"> <li>• 420spots monthly M-F, 30-seconds each, plus DJ chatter, 5/4/14 to 7/31/14</li> <li>• \$22,680 for 3 months (shared total cost, \$68,040, with Livermore &amp; Pleasanton),</li> </ul>  |
| 2                                   | Television   | <ul style="list-style-type: none"> <li>• 4,000+ spots; 30-second each, airing on 10 Comcast channels, started 5/15/14</li> <li>• \$17,000 (shared total cost, \$50,000, with Livermore &amp; Pleasanton)</li> </ul>   |
| 3                                   | Print (and Electronic media)   | <ul style="list-style-type: none"> <li>• 38 letters to HOA 5/21/14 regarding the Governor's reinforcement of the drought emergency</li> <li>• Second letter sent 6/12/14 offering drought speakers</li> </ul>   |
| 4                                   | Drought Website  | The Tri-Valley regional website, <a href="http://www.trivalleydrought.org">www.trivalleydrought.org</a> , went live 5/12 and links to <a href="http://www.dsrds.com">www.dsrds.com</a> which has the following drought related information: Drought emergency red banner across the top page of all web pages; water use limitations and penalties; rebates and resources; Stage 3 water shortage rates; how to report a drought violation; AquaHawk customer portal; free home water and energy audits; Drought 2014, what you need to know; How to apply for a water use exemption/appeal a violation; Central Dublin recycled water project; and the three news items on the Home Page are all drought related.  |
| <b>COMMUNICATION WITH CUSTOMERS</b> |  |   |
| No.                                 | Description  | Activities / Status   |
| 1                                   | Direct mailers, letters, to District customers notifying them of water use limitations, rate changes etc. including courtesy letters but excluding all enforcement action communications | <ul style="list-style-type: none"> <li>• 5/13 - 17,516 courtesy letters sent to all District potable water customers about rate increase, limitations, violations and penalties</li> <li>• 5/21 - 712 courtesy letters delivered to the highest usage Tier 3 customers above 4,480 gallons in the previous week</li> <li>• 5/21 - 38 courtesy letters sent to HOA's in Dublin</li> <li>• 5/23 - 17,516 Aquahawk postcards sent to all District potable water customers</li> <li>• 5/28 - 631 courtesy letters sent to Tier 3 customers using more than 4,480 gallons in the previous week</li> <li>• 5/29 - 16 courtesy letters sent to DUSD and SRV USD school principals</li> <li>• 6/2 - 12 courtesy letters sent to HOA's in San Ramon</li> <li>• 6/20 - 196 courtesy letters sent to new District customers informing them of limitations, ways to save, etc. (i.e. new accounts opened since June 1)</li> </ul> |
| 2                                   | Messages on social media sites such as Facebook and Twitter  | Tweeted news releases: <i>Recycled Water Fill Station Open and Free to Residential Customers</i> ; and, <i>Tri Valley Water Reduction Meets Governor's Request, But More Is Needed</i>  |

| 3   | Periodic messages via bottom of the bill, bill stuffers and other direct mailings         | <ul style="list-style-type: none"> <li>• 1/15 water only when weather dry</li> <li>• 2/1 Gov. declared drought emergency. Reduce outdoor watering</li> <li>• 2/15 to 4/15 During drought fix leaks, reduce outdoor watering</li> <li>• 5/1 Drought serious. Reduce outdoor watering 50%</li> <li>• 5/15 to 7/15 Mandatory limits on water use, penalties, Stage 3 drought rates in effect. Reduce outdoor watering by at least half</li> </ul>  |
|---|---|---|
| <b>PRESENCE IN THE COMMUNITY, AT COMMUNITY EVENTS AND AT COMMUNITY MEETINGS</b> |   |   |
| No.   | Description   | Activities / Status   |
| 1   | Making presentations to local City Councils   | <ul style="list-style-type: none"> <li>• Dublin City Council presentation 3/18</li> <li>• San Ramon City Council presentation 4/8</li> </ul>  |
| 2   | Meet with major public customers (School District, Camp Parks, Alameda County, FCI etc)   | <ul style="list-style-type: none"> <li>• Camp Parks Command Staff (twice, most recent on 5/16)</li> <li>• Alameda County Fire 4/14</li> <li>• San Ramon Valley Fire 4/17</li> <li>• Camp Parks Fire has not responded to numerous requests for a meeting, so a letter was sent on 5/2.</li> <li>• San Ramon PD: meeting held on 5/28</li> <li>• Dublin PD: meeting held on 5/29</li> </ul>  |
| 3   | Speaking to local community groups including Rotary, Lions, etc                           | <ul style="list-style-type: none"> <li>• Amador Valley Lions 2/27 (12 attendees)</li> <li>• San Ramon Rotary 3/6 (45 attendees)</li> <li>• Dublin Chamber Economic Development Committee 3/6 (10 attendees)</li> <li>• Dublin Rotary 3/11 (40 attendees)</li> <li>• Dublin Lions 3/25 (20 attendees)</li> <li>• Dougherty Elementary Science Night 5/15 (100 attendees)</li> <li>• 6/12 sent letter to community groups and HOAs offering drought speakers</li> <li>• TriValley SIRS 8/7</li> </ul> |
| 4   | Speaking to local Home Owners Associations (HOA's) and similar groups of residents        | <ul style="list-style-type: none"> <li>• Hansen Ranch HOA 2/27 (10 attendees)</li> <li>• Sorrento West HOA 3/6 (10 attendees)</li> <li>• Dougherty Elementary Science Day, Keynote Speaker 5/15</li> <li>• California Highlands HOA 5/22 (100 attendees)</li> <li>• California Highlands HOA 5/22 (42 attendees)</li> <li>• Positano HOA 6/23 (14 attendees)</li> <li>• Terraces at Dublin Ranch HOA 7/15 <i>scheduled</i></li> </ul>   |
| 5   | Conducting neighborhood meetings to explain the water situation and how to conserve water | <ul style="list-style-type: none"> <li>• Dublin Corporate Center Green Fair informational booth about the drought 4/23</li> <li>• Dublin "Water Wise" Workshop informational booth about the drought 5/3</li> <li>• San Ramon Town Hall Mtg 5/22 (0 attendees)</li> </ul>   |

|   |   |  |
|---|---|--|
| 6   | Attend Farmers Markets and other community events to distribute information and simple water saving devices                         | <ul style="list-style-type: none"> <li>• DSRSD staffed a booth at Dublin Farmer’s Market 4/17 &amp; 5/15</li> <li>• KKIQ event booth talking about ways to reduce water use and handing out tote bags (spent \$2,000, 1/3 of total cost for 4,000 bags) with “I’m getting by with less water” printed on sides; 35 Dublin and San Ramon events: Farmers Markets, Regal Summer Movie express, Fresh Millions Anniversary Event, Plaza at Gayle Ranch Car and Wine Stroll, San Ramon Concert Series</li> </ul> |
| <b>PROMOTING CONSERVATION MESSAGES IN THE COMMUNITY</b> |   |  |
| <b>No.</b>  | <b>Description</b>  | <b>Activities / Status</b>   |
| 1   | Promoting the “Save Our Water” and “Californians Don’t Waste” campaigns on the District website                                     | Save Our Water button on our website’s home page, <a href="http://www.dsrdsd.com/home/home.html">http://www.dsrdsd.com/home/home.html</a> ; Californian’s Don’t Waste used in residential lawn signs and community presentations   |
| 2   | Making yard signs available to residents who allow their lawns to go golden “This lawn is helping to conserve our water supply”     | <ul style="list-style-type: none"> <li>• 6/5/14 golden lawn signs available to residential customers, 63 (out of 100) handed out as of 6/24/14</li> <li>• Shared artwork for lawn signs with Pleasanton and Livermore</li> </ul>   |
| 3   | Making yard signs available to residents who haul recycled water home “Recycled water keeps this garden green”                      | <ul style="list-style-type: none"> <li>• 6/18/2014 recycled water use site signs made available for residential customers at the residential fill station</li> </ul>   |
| <b>CONSERVATION-FOCUSED CUSTOMER EDUCATION</b>          |   |  |
| <b>No.</b>  | <b>Description</b>  | <b>Activities / Status</b>   |
| 1   | Develop simple “Residential Water Management Guides” for use by residents   | Completed  |
| 2   | Develop simple “Commercial Water Management Guides” for use by businesses (and enlist Chamber of Commerce assistance to distribute) | Distributed 400 flyers, <i>Conservation Strategies for Businesses and Restaurants</i> , which offered businesses free restroom mirror stickers and restaurant table tents, 4/ 1 Dublin Chamber of Commerce mailing (\$100). No requests.   |
| 3   | Providing “School Site Water Management Guides” to be used by school district staff at each school site                             | <ul style="list-style-type: none"> <li>• 2/26 sent Drought watch and water conservation tips to DUSD contact</li> <li>• 5/29/14 sent DUSD contact (T. Sbranti) tips for teachers on what they could do to reduce water use at school</li> </ul>  |
| 4   | Providing activity booklets to students in local schools about the need for conserving water and the value of recycled water        | <ul style="list-style-type: none"> <li>• 1495 second graders received water conservation activity booklets (\$2,814)</li> <li>• 1,404 third graders received home water audit/water hero packets (\$4,233)</li> <li>• 2,495 fifth graders received “Give Water a Second Chance, Recycle It” activity booklets</li> </ul>   |
| <b>ASSISTANCE WITH CUSTOMER CONSERVATION</b>            |   |  |
| <b>No.</b>  | <b>Description</b>  | <b>Activities / Status</b>   |
| 1   | Conduct landscape water audits  | 0  |
| 2   | Conduct home water audits   | Home audits by California Youth Energy Services to begin 7/1   |

|                                    |  |  |
|------------------------------------|--|--|
| 3                                  | Promote availability of home water saving devices  | <p>From 1/1 to 6/24, distributed 1,932 water-saving devices to 187 customers through events and walk-ins:</p> <ul style="list-style-type: none"> <li>• 70 kitchen faucet aerators</li> <li>• 449 bathroom faucet aerators</li> <li>• 277 showerheads</li> <li>• 294 toilet flappers</li> <li>• 328 toilet leak detection kits</li> <li>• 197 hose nozzles.</li> </ul>  |
| 4                                  | Partner with the City of Dublin and PG&E to sponsor the California Youth Energy Services “Rising Sun” program, which provides free home energy and water audits and distributes shower heads, aerators, toilet flappers, and dye tablets to District customers | DSRSD is housing the California Youth Energy Services staff of 11 June through mid-August in the Utility building  |
| <b>RECYCLED WATER PUBLICITY</b>    |  |  |
| <b>No.</b>                         | <b>Description</b>   | <b>Activities / Status</b>   |
| 1                                  | Posting signs on sites that use recycled water that say “Recycled Water Keeps this Garden Green” so that the public knows why the area is green  | <ul style="list-style-type: none"> <li>• Printed (two sides) and distributed 250 (initially) (125 with our logo and City of Dublin’s logo and 125 with just our logo) \$4,063 residential lawn signs</li> <li>• Reprinted 250 more and making them available to residential customers using recycled water</li> </ul>  |
| 2                                  | Publicizing the availability of recycled water for contractors and the public  | <ul style="list-style-type: none"> <li>• 4.3.14 News Release, “District Provides Recycled Water for Construction”</li> <li>• 6.16.14 News Release, “Recycled Water Fill Station Open and Free to Residential Customers”</li> </ul>   |
| <b>EXPANDED RECYCLED WATER USE</b> |  |  |
| <b>No.</b>                         | <b>Description</b>   | <b>Activities / Status</b>   |
| 1                                  | Permanent Connections  | <p><u>Completed</u></p> <ul style="list-style-type: none"> <li>• Val Vista Park (Pleasanton) – estimated water savings 54.5 AF</li> <li>• Dublin High School – Savings 40.27 AF</li> <li>• Archstone Apartments – Savings 18.89 AF</li> <li>• City of Dublin – 7 PW meters converted – Savings 33.38 AF</li> <li>• Dublin Golf Course (Tees and Greens) -Savings 30.28 AF</li> </ul> <p>Estimated potable water savings = 177.32 AF or enough for approximately 700 single family homes for a year)</p> <p><u>In Progress:</u></p> <p>Silvera Ranch HOA – will be a savings 8.59 AF<br/>         Dublin Ranch HOA – will be saving 19.33 AF<br/>         Dublin Toyota – will be saving 22.30 AF<br/>         Estimated potable water savings will be = 50.22 AF</p> |
| 2                                  | Temporary Connections  | No temporary connections are planned at this time due to the relatively high cost compared to the potential water savings for the sites that were evaluated.   |

|   |                              |   |
|---|------------------------------|---|
| 3 | Contractors and Construction | A large number of contractors obtained permits during May and began hauling recycled water for construction. In addition, the City of Pleasanton obtained a permit to obtain recycled water for sewer cleaning, and beginning on June 3 the City began hauling recycled water for irrigating the Calippe Golf Course. |
| 4 | Public Distribution          | Recycled water distribution program to the general public began June 12 <sup>th</sup> . As of this report 58 customers have submitted the use agreement form and 53 customers have received training.   |

**ENHANCED CUSTOMER SERVICE**

| No. | Description   | Activities / Status  |
|-----|---|--|
| 1   | Allow customers to monitor individual water consumption (hourly in most cases) via AquaHawk Alert customer portal             | Completed with Aqua Hawk launch on 5/19. 2,889 Customers have registered as of 6/23.   |
| 2   | Allow customers to set consumption thresholds and receive an electronic notice when they are approaching that threshold       | Completed with Aqua Hawk launch on 5/19  |
| 3   | Allow customers to set a billing threshold to receive an electronic notice when they are approaching a selected dollar amount | Completed with Aqua Hawk launch on 5/19  |
| 4   | Notify the customer of possible leaks   | Ongoing - number of letters specifically related to leaks has not been specifically tracked.   |
| 5   | Identify, for the District, customers who may be violating a water use restriction  | Ongoing - See above  |
| 6   | Identify, for the District, customers who are using unreasonable or inappropriate amounts of potable water                    | Ongoing - See above  |
| 7   | Identify, for the District, customers who are approaching or have crossed over a pre-determined threshold                     | AquaHawk allows the customer to set alerts to notify them that they are approaching enforcement consumption. Those who cross over are included in # 5. |

**WISE WATER USER CREDIT PROGRAM**

| No. | Description   | Activities / Status   |
|-----|---|---|
| 1   | Identify potentially eligible customers based on 2013 usage | Completed – 1,143 Customers maintained usage in Tier 1 during 2013                      |
| 2   | Identify potentially eligible customers based on 2014 usage | Program applies beginning in June when Stage 3 rates take effect –no data yet available |

**ENHANCED REBATE PROGRAMS (Since May 5)**

| No. | Description                                 | Activities / Status                    |
|-----|---|--|
| 1   | High Efficiency Toilet (HET)                | 0                                      |
| 2   | Waterless Urinals                           | 0                                      |
| 3   | High Efficiency Clothes Washer (HEW)        | 44 – DSRSD total \$1,100 (\$25/rebate) |
| 4   | Pool and Spa covers (to reduce evaporation) | 3 – DSRSD total \$150 (\$50/rebate)    |

|   |  |   |
|---|--|---|
| 5 | Weather Based Irrigation Controller ("Smart Controller) - <i>Single Family Homes</i>   | 0   |
| 6 | Weather Based Irrigation Controller ("Smart Controller) – <i>Multi-Family Dwelling</i> | 0   |
| 7 | Lawn Replacement Program – Single Family   | 2 applications have been received and approved pending final inspection; will not receive 60% of credit until turf is removed and inspection are conducted. |
| 8 | Lawn Replacement Program - Commercial  | 0   |
| 9 | Amount of District Rebates Issued (Program Max = \$30,000)                             | \$1,250   |

**IRRIGATION ADJUSTMENTS AND REPAIRS PROGRAM**

| No. | Description                                       | Activities / Status  |
|-----|---|--|
| 1   | Secure Services of Contractor                     | JPA Landscape has been obtained to provide contract services for this program. It has been decided not advertise this program. Instead customer service will refer customers to participate in this program. |
| 2   | Number of Requests Handled                        | 1  |
| 3   | Cost of Repairs Handled (Program Max. = \$10,000) | \$0 – At this time, have not received an invoice from JPA for the first customer repair service.   |

**PURSUE SHORT-TERM TEMPORARY WATER SOURCES**

| No. | Description   | Activities / Status  |
|-----|---|--|
| 1   | Confirmed with Zone 7 District may pursue water transfers | Completed – 4/16   |
| 2   | Pursuit of water transfers                                | <ul style="list-style-type: none"> <li>• Letters of support for Delta Wetlands – Semi-tropic water transfer</li> <li>• Discussed possible transfer with Placer County Water Agency – but water already sold to Westlands</li> <li>• Plan to explore transfer opportunities with EBMUD in July</li> </ul> |



|  |   |  |
|--|---|--|
| Reference<br>Engineering Services Manager  | Type of Action<br>Approve Budget Adjustment | Board Meeting of<br>July 1, 2014               |
| Subject<br>Approve Budget Adjustment to the Capital Improvement Program (CIP) Two-Year Budget for Fiscal Years Ending 2014 and 2015 to Add the Recycled Water Expansion Phase 1 - Distribution to Western Dublin and Alameda County Facilities (CIP 15-R009) And Revise the Water Expansion Fund Limit |   |  |
| <input type="checkbox"/> Motion  | <input type="checkbox"/> Minute Order       | <input checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Ordinance   | <input type="checkbox"/> Informational      | <input type="checkbox"/> Other                 |
| REPORT:  | <input type="checkbox"/> Verbal             | <input type="checkbox"/> Presentation          |
|  | <input checked="" type="checkbox"/> Staff   | R. Biagtan                                     |
|  |   | <input type="checkbox"/> Board Member          |

**Recommendation:**

The Engineering Services Manager recommends the Board of Directors approve, by Resolution:

- a) a budget adjustment to the Capital Improvement Program Two-Year Budget for Fiscal Years Ending 2014 & 2015 to add the Recycled Water Expansion Project Phase 1 – Distribution to Western Dublin and Alameda County Facilities project (CIP 15-R009) and to revise the FYE 2015 Fund Limit for Water Expansion by \$1,592,500 from \$1,411,000 to \$3,003,500 and Water Replacement by \$857,500 from \$3,205,000 to \$4,062,500; and
- b) to record in the Operating Budget the projected State grant revenue of \$1,300,000 for Water Expansion and \$700,000 for Water Replacement.

**Summary:**

The Governor and Legislature have directed the Department of Water Resources (DWR) to expedite the award of Integrated Regional Water Management (IRWM) funding to support projects that provide immediate regional drought preparedness and increase local water supply reliability. The Association of Bay Area Governments (ABAG) is preparing the regional application to DWR for grant funding in the nine Bay Area counties. The Bay Area IRWMP Project Screening Committee, which is comprised of representatives from Bay Area agencies, has approved Phase 1 of the Recycled Water Expansion Project for inclusion in the regional application.

Phase 1 of the Recycled Water Expansion Project includes construction of approximately five miles of pipeline to extend the District's existing recycled water distribution system to customers in western Dublin and to Alameda County facilities, including the Santa Rita Jail in central Dublin, permanently reducing potable water demand by approximately 350 acre-feet per year (AFY).

The estimated cost of the Recycled Water Expansion Project – Phase 1 cost is \$6.0 million. The IRWM Drought Grant amount for which the District is applying is \$2.0 million, resulting in a net project cost of \$4.0 million. The project would be funded from a combination of the Water Expansion Fund (Fund 620) and the Water Replacement Fund (Fund 610).

Staff intends to complete the western Dublin and central Dublin areas of the project under separate construction contracts to expedite the potable water savings in the central Dublin area. An Addendum to the San Ramon Valley Recycled Water Program Environmental Impact Report will be prepared for the western Dublin area of the project and presented to the DERWA Board for adoption at a later date. The central Dublin portion of the project is exempt from CEQA review under California Public Resources Code § 15301 and § 15303(e) and the General Rule Exemption [CEQA State Guidelines, § 15061(b)(3)].

| Committee Review   |  |                                     | Legal Review                                     | Staff Review                       |                           |                    |
|--|--|-------------------------------------|--|------------------------------------|---------------------------|--------------------|
| COMMITTEE<br>---   | DATE<br>---  | RECOMMENDATION<br>---               | Not Required                                     | ORIGINATOR<br>J. Zavadil           | DEPARTMENT<br>Engineering | REVIEWED BY<br>RNB |
| <b>ATTACHMENTS</b> <input type="checkbox"/> None                 |  |                                     |  |                                    |                           |                    |
| <input checked="" type="checkbox"/> Resolution                   | <input type="checkbox"/> Minute Order  | <input type="checkbox"/> Task Order | <input checked="" type="checkbox"/> Staff Report | <input type="checkbox"/> Ordinance |                           |                    |
| <input checked="" type="checkbox"/> Cost<br>\$0.45 Million (net) | <input checked="" type="checkbox"/> Funding Source<br>A. Water Expansion (620)<br>B. Water Replacement (610) |                                     | Attachments to S&R<br>1.<br>2.<br>3.             |                                    |                           |                    |



RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT APPROVING A BUDGET ADJUSTMENT TO THE CAPITAL IMPROVEMENT PROGRAM TWO-YEAR BUDGET FOR FISCAL YEARS ENDING 2014 AND 2015 TO ADD RECYCLED WATER EXPANSION PHASE 1 – DISTRIBUTION TO WESTERN DUBLIN AND ALAMEDA COUNTY FACILITIES PROJECT (CIP 15-R009)

---

WHEREAS, the Board of Directors accepted the District’s Capital Improvement Program (“CIP”) 10-Year Plan for Fiscal Years Ending 2014 through 2023 (“CIP 10-Year Plan”) on February 19, 2013 to serve as a budgetary planning document providing direction and guidance, in accordance with District policies, for the replacement and improvement of existing District facilities and the construction of new facilities; and

WHEREAS, the Board of Directors adopted the current CIP Two-Year Budget for Fiscal Years Ending 2014 and 2015 (“CIP Budget”) on June 4, 2013 authorizing Fund Expenditure Limits for FYE 2014 and 2015 to meet the District’s capital infrastructure needs; and

WHEREAS, the District is seeking Proposition 84 Drought Grant to reduce potable water demand in its service area and implement projects expeditiously; and

WHEREAS, the District desires to add the Recycled Water Expansion Phase 1 – Distribution to Western Dublin and Alameda County Facilities Project (CIP 15-R009) to the current CIP Budget to meet grant schedule requirement; and

WHEREAS, the District desires to make adjustments to the adopted FYE 2015 Fund Expenditure Limits for the Water Expansion Fund (Fund 620) and the Water Replacement Fund (Fund 610); and

WHEREAS, the District desires to make adjustments to the adopted FYE 2015 Operating Budget to reflect the State grant revenue anticipated; and

WHEREAS, the central Dublin portion of the Project is exempt from California Environmental Quality Act (CEQA) review.

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,

Res. No. \_\_\_\_\_

California, as follows:

1. The Capital Improvement Program Two-Year Budget for Fiscal Years Ending 2014 and 2015 is hereby amended to include the Recycled Water Expansion Phase 1 – Distribution to Western Dublin and Alameda County Facilities Project (CIP 15-R009) attached hereto and incorporated herein as Exhibit A.
2. The Fund Expenditure Limit for FYE 2015 for the Water Expansion Fund (Fund 620) is hereby by increased by \$1,592,500 from \$1,411,000 to \$3,003,500.
3. The Fund Expenditure Limit for FYE 2015 for the Water Replacement Fund (Fund 610) is hereby increased by \$857,500 from \$3,205,000 to \$4,062,500.
4. The FYE 2015 State Grant Revenue is increased by \$2,000,000 as follows: \$700,000 (610.2.320.00) and \$1,300,000 (620.2.320.00).
5. The central Dublin portion of the Project designated as exempt from CEQA review is hereby approved and the General Manager or the General Manager’s designated representative is authorized to file Notices of Exemption for each CEQA exempt project, when appropriate.

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 1st day of July 2014, and passed by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Georgan M. Vonheeder-Leopold President

ATTEST: \_\_\_\_\_  
Nancy G. Hatfield, District Secretary

|                                     |   |  |
|-------------------------------------|---|--|
| <i>CIP Budget<br/>FYE 14 and 15</i> | <b><i>Recycled Water Expansion Phase 1: Distribution to W. Dublin and Ala Co Facilities</i></b> |  |
| <i>New</i>                          | <b><i>CIP #: 15-R009</i></b>  | <b><i>Water Expansion Fund (620)</i></b> |

**Project Manager:** Steven Delight

**Project Sponsor:** Rhodora Biagtan

**PURPOSE AND DESCRIPTION**

This project will install approximately four and a half miles of pipeline to extend the District's existing recycled water distribution system to customers in western Dublin and to the Alameda County facilities in central Dublin, including the Santa Rita Jail, permanently reducing potable water demand by approximately 350 acre-feet per year (AFY).

A \$2.0 million grant is expected from the California Department of Water Resources' (DWR) Integrated Regional Water Management (IRWM) Drought Grants funded by Proposition 84. To be included in the regional application and to maximize opportunity for grant award, this project and EBMUD's recycled water expansion project in San Ramon is being presented as one project under "DERWA Phase 3 Recycled Water Expansion" in the application. Both District and EBMUD staff are working cooperatively to prepare the application. Together, the grant request for the combined project is \$4.0 million, of which \$2.0 million is for DSRSD and \$2.0 million is for EBMUD.

**IMPACT ANALYSIS**

- Operating Impact: Increases water supply reliability by reducing potable water demand.
- Environmental: Categorical Exemption [CEQA Guidelines 15301, 153039(e) and 15061(b)(3)].
- Public Info.: None.
- Scheduling: Complete by FYE 2016.
- Permits: None.
- Reference:

Strategic Plan Element: 3.3.2.3 When grant funding is approved, design and build as appropriate the extension of recycled water to western Dublin and Camp Parks.

**FINANCIAL OVERVIEW**

|                      | Proposed Budget |                     |                   | Actual + Estimated Cash Flow |                         |                         |                    |                   |                        |
|----------------------|-----------------|---------------------|-------------------|------------------------------|-------------------------|-------------------------|--------------------|-------------------|------------------------|
|                      | Adopted Budget  | Proposed Adjustment | Revised Budget    | Actual Thru FYE 2013         | Actual FYE 2014 to Date | Est. Remaining FYE 2014 | Estimated FYE 2015 | Estimated Future  | Total Projected Budget |
| Planning             | 0               | 250,000             | 250,000           | 0                            | 0                       | 0                       | 250,000            | 0                 | 250,000                |
| Design               | 0               | 550,000             | 550,000           | 0                            | 0                       | 0                       | 550,000            | 0                 | 550,000                |
| Construction         | 0               | 4,500,000           | 4,500,000         | 0                            | 0                       | 0                       | 1,500,000          | 3,000,000         | 4,500,000              |
| Const Mgmt           | 0               | 700,000             | 700,000           | 0                            | 0                       | 0                       | 150,000            | 550,000           | 700,000                |
| Admin Mgmt           | 0               | 0                   | 0                 | 0                            | 0                       | 0                       | 0                  | 0                 | 0                      |
| Staff Time           | 0               | 0                   | 0                 | 0                            | 0                       | 0                       | 0                  | 0                 | 0                      |
| <b>Subtotal</b>      | <b>0</b>        | <b>6,000,000</b>    | <b>6,000,000</b>  | <b>0</b>                     | <b>0</b>                | <b>0</b>                | <b>2,450,000</b>   | <b>3,550,000</b>  | <b>6,000,000</b>       |
| <i>Other Funding</i> | <i>0</i>        | <i>2,000,000-</i>   | <i>2,000,000-</i> | <i>0</i>                     | <i>0</i>                | <i>0</i>                | <i>0</i>           | <i>2,000,000-</i> | <i>2,000,000-</i>      |
| <b>Net Impact</b>    | <b>0</b>        | <b>4,000,000</b>    | <b>4,000,000</b>  | <b>0</b>                     | <b>0</b>                | <b>0</b>                | <b>2,450,000</b>   | <b>1,550,000</b>  | <b>4,000,000</b>       |

**Fund Split Basis:** Existing customers will also benefit from the recycled water distribution as it will reduce potable water demand especially during drought.

|     |     |           |           |           |           |           |
|-----|-----|-----------|-----------|-----------|-----------|-----------|
| 620 | 65% | 2,600,000 | 2,600,000 | 1,592,500 | 1,007,500 | 2,600,000 |
| 610 | 35% | 1,400,000 | 1,400,000 | 857,500   | 542,500   | 1,400,000 |

**NOTES:**

New project to be added in 2-Year Budget FYEs 2014-2015, for Board approval July 1, 2014

# STAFF REPORT



Board of Directors Meeting  
July 1, 2014

## RECYCLED WATER EXPANSION PHASE 1 – DISTRIBUTION TO WESTERN DUBLIN AND ALAMEDA COUNTY FACILITIES (CIP 15-R009)

### BACKGROUND

To take advantage of funding available through the California Department of Water Resources' (DWR) Integrated Regional Water Management (IRWM) Drought Grants funded by Proposition 84, the Interim Engineering Services Manager recommends the Board of Directors approve the addition of the Recycled Water Expansion Phase 1 – Distribution to Western Dublin and Alameda County Facilities project (CIP 15-R009) to the Capital Improvement Program (CIP) Two-Year Budget for Fiscal Years Ending 2014 and 2015 and revise the Fund Limit for FYE 2015 for the Water Expansion Fund (Fund 620) by \$1,592,500 from \$1,411,000 to \$3,003,500 and Water Replacement Fund (Fund 610) by \$857,500 from \$3,205,000 to \$4,062,500.

### DISCUSSION

#### Prop 84 Integrated Regional Water Management (IRWM) Drought Grant

The Governor and Legislature have directed DWR to expedite the award of Integrated Regional Water Management (IRWM) funding to support projects that provide immediate regional drought preparedness and increase local water supply reliability. The Bay Area has been allotted \$73.5 million for Prop 84 grants, of that amount Bay Area agencies will be asking for \$30 million to fund drought emergency projects. The Association of Bay Area Governments (ABAG) is preparing the regional application to DWR for grant funding in the nine Bay Area counties. The Bay Area IRWMP Project Screening Committee, which is comprised of representatives from Bay Area agencies, has approved Phase 1 of the Recycled Water Expansion Project for inclusion in the regional application.

ABAG will be preparing the Bay Area regional application to DWR. Applications are due to DWR in July. DWR selected proposals will be conditionally awarded funding in September 2014. Final award of the grant funding is dependent on the applicant submitting information necessary for DWR to verify the grant proposal and execute the agreement. Projects are required to be ready for construction by April 2015. The District may move forward with the project now and seek reimbursement for costs incurred after January 17, 2014 (date the Governor declared the drought.)

#### Dublin Recycled Water Expansion Project

In September 2013, the District completed a Feasibility Study for the Dublin Recycled Water Expansion Project that meets Federal Title XVI Grant requirements. The study included expansion of the DERWA Treatment Plant and Pump Station and expansion of the District's recycled water distribution system. Staff is pursuing Prop 84 IRWM grant funding for the Recycled Water Expansion Phase 1 Project (Project) which includes construction of approximately five miles of pipeline to extend the District's existing recycled water distribution system to customers in western Dublin and to Alameda County facilities, including the Santa Rita Jail in central Dublin, permanently reducing potable water demand by approximately 350 acre-feet per year (AFY).

During the selection process, the Bay Area IRWMP Project Screening Committee limited the number of projects to be included in the regional application for expedited application preparation and to maximize the probability of grant award. Also, DWR reviews and scores regional applications based on a list of criteria, including a project's ability to provide regional benefits. To be included in the regional application and to maximize opportunity for grant award, the District's Project and EBMUD's recycled water expansion project in San Ramon is being presented as one project under "DERWA Phase 3 Recycled Water Expansion" in the application. District staff and EBMUD staff are working cooperatively to prepare the application. Together, the grant request for the combined project is \$4 million, of which \$2 million is for DSRSD and \$2 million is for EBMUD.

## **Funding**

The estimated Recycled Water Expansion Phase 1 project cost is \$6.0 million. The IRWM Drought Grant amount for which the District is applying \$2.0 million, resulting in a net project cost of \$4.0 million. The project would be funded from a combination of the Water Expansion Fund (Fund 620) and the Water Replacement Fund (Fund 610). The proposed fund allocation is 65% from Expansion and 35% from Replacement. Staff continues to seek federal grants for this project.

Extending the recycled water distribution system to western Dublin and to the federal and county facilities was included in the 10-Year Plan under the Capital Improvements to Increase Water Supply Program. The total budget for the Capital Improvements to Increase Water Supply Program is \$7,160,000 with majority of the spending spread from FYE 2017 through FYE 2021. Moving up Phase 1 would increase the spending in FYE 2015 by \$2,450,000 and have a corresponding decrease in spending in later years. The long term impact on the funds is improved by the proceeds from the grant, however, the impact by year compared to fund targets will need to be reviewed in conjunction with the next update of development projections.

## **CEQA Review**

The DERWA Board of Directors approved and certified a Program Environmental Impact Report (EIR) in accordance with the California Environmental Quality Act (CEQA) for the San Ramon Valley Recycled Water Program (SRVRWP) in December 1996. The SRVRWP Program EIR included an analysis of the transmission and distribution systems currently in place. The EIR provided a thorough evaluation of project impacts associated with installation of the existing recycled water pipelines and environmental conditions have not changed substantially since the 1996 EIR was certified. Staff intends to complete the western Dublin and central Dublin areas of the Recycled Water Expansion Phase 1 project under separate construction contracts to expedite the water saving in the central Dublin area. An Addendum to the SRVRWP will be prepared for the western Dublin area of the project and presented to the DERWA Board for adoption at a later date. The central Dublin portion of the project is exempt from CEQA review under California Public Resources Code § 15301 and § 15303(e) and the General Rule Exemption [CEQA State Guidelines, § 15061(b)(3)].

## **RECOMMENDATION**

Staff recommends that a) the Recycled Water Expansion Phase 1 – Distribution to Western Dublin and Alameda County Facilities project (CIP 15-R009) be added to the Capital Improvement Program (CIP) Budget; b) the CIP Fund Expenditure Limit for Fiscal Year Ending 2015 for the Water Expansion Fund (Fund 620) be increased by \$1,592,500 from \$1,411,000 to \$3,003,500 and Water Replacement by \$857,500 from \$3,205,000 to \$4,062,500; and c) the State Grant Revenue be increased by \$1,300,000 for Water Expansion and \$700,000 for Water Replacement.



|   |   |  |
|---|---|--|
| Reference<br>Engineering Services Manager   | Type of Action<br>Approve Budget Adjustment | Board Meeting of<br>July 1, 2014               |
| Subject<br>Approve Budget Adjustment to the Capital Improvement Program (CIP) Two-Year Budget for Fiscal Years Ending 2014 and 2015 to Add Pipeline Replacement Pilot Project (CIP 15-W010) |   |  |
| <input type="checkbox"/> Motion   | <input type="checkbox"/> Minute Order       | <input checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Ordinance  | <input type="checkbox"/> Informational      | <input type="checkbox"/> Other                 |
| REPORT:   | <input type="checkbox"/> Verbal             | <input type="checkbox"/> Presentation          |
|   | <input checked="" type="checkbox"/> Staff   | R. Biagtan                                     |
|   |   | <input type="checkbox"/> Board Member          |

**Recommendation:**

The Engineering Services Manager recommends the Board of Directors approve, by Resolution, a budget adjustment to the Capital Improvement Program (CIP) Two-Year Budget for Fiscal Years Ending 2014 and 2015 to add the Pipeline Replacement Pilot Project (CIP 15-W010) in FYE 2015 in the amount of \$300,000.

**Summary:**

On June 4, 2013, the Board adopted a Two-Year Capital Improvement Program (CIP) Budget for Fiscal years Ending 2014 and 2015 (CIP Budget).

The Strategic Plan Element 2.1.9 identifies a goal to implement asset management for critical aspects of the water system. A significant part of asset management is the development of condition assessment tools and protocol to determine the physical condition of assets and probability of failure. Water pipelines are under constant pressure and therefore cannot be inspected while in service, as can sewers using CCTV equipment. In May 2014, staff reviewed technology and partnered with EBMUD to perform a pilot study using acoustic technology for two miles of asbestos cement (AC) pipe that was constructed in 1961. The results indicate that approximately 25% of the pipes were classified as in "poor" condition by the consultant. Staff has reviewed the results, selected a location for a pilot replacement project of approximately 850 feet of pipe, valves, services and hydrants, coupled with removal of some sections of AC pipe for follow-up laboratory testing. Testing of pipe removed will provide valuable information as to the suitability of the acoustic technology for condition assessment of pressure pipe. The pilot project location was selected also because it is in an area evaluated in 1997 for corrosion of valve bolts and higher frequency of repairs. Therefore, the project will provide information as to the condition of the valves in the area.

The project cost is \$300,000 and will be funded from the Water System Improvement Program (CIP 00-6150). There is currently \$400,000 available in the program for FYE 2015. This project will not affect the overall CIP Budget, it will only transfer funds already set aside in the program to this project. This item is being presented to the Board to comply with Budget Accountability policy (P400-11-2), which requires Board approval for any project created from a program in excess of \$100,000.

Staff recommends approval of the project.

| Committee Review                                 |   |                                     | Legal Review                          | Staff Review                       |                           |                    |
|--|---|-------------------------------------|---------------------------------------|------------------------------------|---------------------------|--------------------|
| COMMITTEE<br>---                                 | DATE<br>---   | RECOMMENDATION<br>---               | Not Required                          | ORIGINATOR<br>G. Lee               | DEPARTMENT<br>Engineering | REVIEWED BY<br>RNB |
| <b>ATTACHMENTS</b> <input type="checkbox"/> None |   |                                     |                                       |                                    |                           |                    |
| <input checked="" type="checkbox"/> Resolution   | <input type="checkbox"/> Minute Order   | <input type="checkbox"/> Task Order | <input type="checkbox"/> Staff Report | <input type="checkbox"/> Ordinance |                           |                    |
| <input checked="" type="checkbox"/> Cost<br>\$0  | <input checked="" type="checkbox"/> Funding Source<br>A. Water Replacement Fund (610)<br>B. |                                     | Attachments to S&R<br>1.<br>2.<br>3.  |                                    |                           |                    |

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT APPROVING A BUDGET ADJUSTMENT TO THE CAPITAL IMPROVEMENT PROGRAM TWO-YEAR BUDGET FOR FISCAL YEARS ENDING 2014 AND 2015 TO ADD PIPELINE REPLACEMENT PILOT PROJECT (CIP 15-W010)

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WHEREAS, the Board of Directors accepted the District's Capital Improvement Program ("CIP") 10-Year Plan for Fiscal Years Ending 2014 through 2023 ("CIP 10-Year Plan") on February 19, 2013 to serve as a budgetary planning document providing direction and guidance, in accordance with District policies, for the replacement and improvement of existing District facilities and the construction of new facilities; and

WHEREAS, the Board of Directors adopted the current CIP Two-Year Budget for Fiscal Years Ending 2014 and 2015 ("CIP Budget") on June 4, 2013 authorizing Fund Expenditure Limits for FYE 2014 and 2015 to meet the District's capital infrastructure needs; and

WHEREAS, as part of asset management implementation, acoustic testing was conducted to determine the condition of two miles of representative asbestos cement pipe installed in 1961; and

WHEREAS, acoustic testing results indicate that twenty five percent (25%) of the tested pipes are in "Poor" condition; and

WHEREAS, the District desires to validate acoustic testing results prior to undertaking an extensive water pipeline replacement program that requires significant financial investment; and

WHEREAS, District desires to add the Pipeline Replacement Pilot Project (CIP 15-W010) in FYE 2015 to replace asbestos cement pipes, valves, services, and fire hydrants in Bedford Way and Lisa Court in Dublin in the amount of \$300,000 funded by the Water System

Res. No. \_\_\_\_\_

Improvement Program (CIP 00-6150); and

WHEREAS, the project is exempt from California Environmental Quality Act (CEQA) review under CEQA guideline 15302.

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 Capital Improvement Program Two-Year Budget for Fiscal Years Ending 2014 and 2015 is hereby amended to include the Pipeline Replacement Pilot Project (CIP 15-W010) attached hereto and incorporated herein as Exhibit "A."
2. The California Environmental Quality Act (CEQA) requirements for this project were satisfied through categorical exemption under CEQA guideline 15302.

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 1st day of July 2014, and passed by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Georgian M. Vonheeder-Leopold, President

ATTEST:

\_\_\_\_\_  
Nancy G. Hatfield, District Secretary



|                                     |   |                                     |
|-------------------------------------|---|-------------------------------------|
| <i>CIP Budget<br/>FYE 14 and 15</i> | <b>Pipeline Replacement Pilot Project</b> |                                     |
| <i>New</i>                          | <b>CIP #: 15-W010</b>                     | <b>Water Replacement Fund (610)</b> |

**Project Manager:** Garry Lee**Project Sponsor:** Rhodora Biagtan**PURPOSE AND DESCRIPTION**

As part of asset management implementation, acoustic testing was conducted to determine the condition of two miles of representative asbestos cement (AC) pipe installed in 1961. The acoustic testing indicate that 25% of the tested pipes are in "poor" condition. This project will replace old water lines, valves, services and fire hydrants in Bedford Way and Lisa Court as a pilot project to evaluate the condition of AC pipe identified by acoustic testing as being in "poor" condition, as well as to evaluate the condition of valves which were identified in 1997 as being in a high corrosion area and in need of bonnet bolt replacement. The project will also remove sections of AC pipe for laboratory analysis.

**IMPACT ANALYSIS**

Operating Impact: None.

Environmental: Categorical Exemption [CEQA Guideline 15302].

Public Info.: Notification to affected residents.

Scheduling: FYE 2015; completion will provide confirmation of the acousting testing

Permits: City encroachment permits.

Reference: Strategic Plan.

Strategic Plan Element: Goal 2.1.9 Implement asset management for critical aspects of the water system and 2.1.12 Pilot test methods for assessing condition of underground water pipes.

**FINANCIAL OVERVIEW**

|                      | Proposed Budget |                     |                | Actual + Estimated Cash Flow |                         |                         |                    |                  |                        |
|----------------------|-----------------|---------------------|----------------|------------------------------|-------------------------|-------------------------|--------------------|------------------|------------------------|
|                      | Adopted Budget  | Proposed Adjustment | Revised Budget | Actual Thru FYE 2013         | Actual FYE 2014 to Date | Est. Remaining FYE 2014 | Estimated FYE 2015 | Estimated Future | Total Projected Budget |
| Planning             | 0               | 10,000              | 10,000         | 0                            | 0                       | 0                       | 10,000             | 0                | 10,000                 |
| Design               | 0               | 25,000              | 25,000         | 0                            | 0                       | 0                       | 25,000             | 0                | 25,000                 |
| Construction         | 0               | 220,000             | 220,000        | 0                            | 0                       | 0                       | 220,000            | 0                | 220,000                |
| Const Mgmt           | 0               | 20,000              | 20,000         | 0                            | 0                       | 0                       | 20,000             | 0                | 20,000                 |
| Admin Mgmt           | 0               | 5,000               | 5,000          | 0                            | 0                       | 0                       | 5,000              | 0                | 5,000                  |
| Staff Time           | 0               | 20,000              | 20,000         | 0                            | 0                       | 0                       | 20,000             | 0                | 20,000                 |
| <b>Subtotal</b>      | <b>0</b>        | <b>300,000</b>      | <b>300,000</b> | <b>0</b>                     | <b>0</b>                | <b>0</b>                | <b>300,000</b>     | <b>0</b>         | <b>300,000</b>         |
| <i>Other Funding</i> | <i>0</i>        | <i>0</i>            | <i>0</i>       | <i>0</i>                     | <i>0</i>                | <i>0</i>                | <i>0</i>           | <i>0</i>         | <i>0</i>               |
| <b>Net Impact</b>    | <b>0</b>        | <b>300,000</b>      | <b>300,000</b> | <b>0</b>                     | <b>0</b>                | <b>0</b>                | <b>300,000</b>     | <b>0</b>         | <b>300,000</b>         |

**Fund Split Basis:**

|     |      |         |         |         |         |
|-----|------|---------|---------|---------|---------|
| 610 | 100% | 300,000 | 300,000 | 300,000 | 300,000 |
|-----|------|---------|---------|---------|---------|

**NOTES:**

Created out of Program 00-6150, for Board approval 7/1/2014



|  |   |  |
|--|---|--|
| Reference<br>General Manager   | Type of Action<br>Adopt Revised Policy    | Board Meeting of<br>July 1, 2014               |
| Subject<br>Adopt Revised Policy - Guidelines for Conducting District Business and Rescind Resolution No. 61-09 |   |  |
| <input type="checkbox"/> Motion  | <input type="checkbox"/> Minute Order     | <input checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Ordinance   | <input type="checkbox"/> Informational    | <input type="checkbox"/> Other                 |
| REPORT:  | <input type="checkbox"/> Verbal           | <input type="checkbox"/> Presentation          |
|  | <input checked="" type="checkbox"/> Staff | B. Michalczyk                                  |
|  |   | <input type="checkbox"/> Board Member          |

**Recommendation:**

The General Manager recommends the Board adopt, by Resolution, the revised policy titled Guidelines for Conducting District Business (“Guidelines”) and rescind Resolution No. 61-09.

**Summary:**

The Guidelines were adopted as a policy of the Board in 2005 and last revised in 2009. In accordance with District Strategic Plan of reviewing all policies on a four-year cycle, the Guidelines were extensively reviewed by the External Affairs Committee and the Board in 2013, with final direction being given by the Board to finalize the Guidelines at their meeting of December 17, 2013. Attachment 1 is an excerpt from that meeting documenting Board direction. Attachment 2 summarizes the earlier deliberations of the Board and the External Affairs Committee and the resultant changes to the Guidelines.

In summary, revisions include the following:

- Process streamlining - Business items (with a few exceptions) will first go directly to the Board for consideration; the Board will then act on the matter or refer it to committee for further development;
- Board meeting recordings – Process changes (how to open the meeting and what to do when there is a closed session) as well as guidelines to ensure good quality video recordings;
- Electronic communication devices – Use of such devices during meetings;
- Board correspondence – Simplified process as well as guidance for modern electronic means of communications; and
- Administrative changes – Various throughout as directed (reference Attachments 1 and 2).

After Board approval, the text of the Guidelines will be reformatted for publication by the District’s Public Information Division; the resultant document will be posted on the District’s website for the public’s use and made available in bound form to Directors and senior staff.

| Committee Review  |   |   | Legal Review                          | Staff Review                       |                         |             |
|---|---|---|---------------------------------------|------------------------------------|-------------------------|-------------|
| COMMITTEE<br>External Affairs   | DATE<br>Nov. 2013                                       | RECOMMENDATION<br>Approve   | Not Required                          | ORIGINATOR<br>B. Michalczyk        | DEPARTMENT<br>Executive | REVIEWED BY |
| <b>ATTACHMENTS</b> <input type="checkbox"/> None  |   |   |                                       |                                    |                         |             |
| <input checked="" type="checkbox"/> Resolution  | <input type="checkbox"/> Minute Order                   | <input type="checkbox"/> Task Order   | <input type="checkbox"/> Staff Report | <input type="checkbox"/> Ordinance |                         |             |
| <input checked="" type="checkbox"/> Cost<br>Unquantified cost<br>saving - process<br>streamlining | <input type="checkbox"/> Funding Source<br>A. ---<br>B. | Attachments to S&R<br>1. Excerpt from Dec. 17, 2013 Board Meeting Minutes<br>2. Summary of Deliberations and Changes Made<br>3. |                                       |                                    |                         |             |

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT REVISING GUIDELINES FOR CONDUCTING DISTRICT BUSINESS POLICY AND RESCINDING RESOLUTION NO. 61-09

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WHEREAS, the District Board of Directors has used various methods, means, customs and practices to exercise its authority, comply with various legal requirements, work with the public and District staff, and otherwise conduct the District's business; and

WHEREAS, many of these methods, means, customs and practices have been unwritten or when written have been found in various places, including Board minutes, memorandums from staff or legal counsel, or administrative procedures; and

WHEREAS, the Board of Directors reaffirms its desire that this material be maintained in one document so that current and future Boardmembers may efficiently, effectively, and successfully conduct the District's business; and

WHEREAS, the Board of Directors desires that the manner in which it conducts the District business be as open and transparent to the public as possible and finds that these Guidelines serve in that purpose; and

WHEREAS, these Guidelines were first adopted by resolution of the Board in 2005 and last amended in 2009.

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, hereby:

1. Adopts the revised policy, attached hereto as Exhibit "A", titled "Guidelines for Conducting District Business"; and
2. Rescinds Resolution No. 61-09, attached hereto as Exhibit "B", that adopted the current version of the "Guidelines for Conducting District Business"; and
3. Authorizes the General Manager to make non-substantive editorial changes to the "Guidelines for Conducting District Business" as that document is finalized for publication; and
4. Authorizes and directs the General Manager to publish these "Guidelines for Conducting District Business" and make them available to all Directors and to post them on the District's internet website so the public may readily access them; and
5. Authorizes and directs the General Manager to immediately conform the administration of other District policies to the operative provisions of the "Guidelines for

Res. No. \_\_\_\_\_

Conducting District Business” and to propose formal revisions to those policies that are in conflict with the “Guidelines for Conducting District Business.”

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 1st day of July 2014, and passed by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Georgean M. Vonheeder-Leopold, President

ATTEST: \_\_\_\_\_  
Nancy G. Hatfield, District Secretary



# POLICY

## Dublin San Ramon Services District

|                                  |   |                                   |                |
|----------------------------------|---|-----------------------------------|----------------|
| <b>Policy No.:</b>               |   | <b>Type of Policy:</b>            | Board Business |
| <b>Policy Title:</b>             | Guidelines for Conducting District Business   |                                   |                |
| <b>Policy Description:</b>       | The methods, means, customs and practices the Board employs in exercising its authority complying with various legal requirements, working with the public and District staff and otherwise conducting the District's business. |                                   |                |
|                                  |   |                                   |                |
| <b>Approval Date:</b>            |   | <b>Last Review Date:</b>          | 2014           |
| <b>Approval Resolution No.:</b>  |   | <b>Next Review Date:</b>          | 2018           |
|                                  |   |                                   |                |
| <b>Rescinded Resolution No.:</b> | 61-09   | <b>Rescinded Resolution Date:</b> | Nov. 17, 2009  |

It is the Policy of the Board of Directors of Dublin San Ramon Services District:

To conduct the public's business in accordance with the Guidelines which describe the methods, means, customs and practices to be employed in exercising the Board's authority, complying with various legal requirements, working with the public and District staff, and otherwise conducting the District's business. The Guidelines for conducting District business are attached hereto and made a part hereof as if written in full in this policy

# BOARD GUIDELINES

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Third Edition

Revised \_\_\_\_\_ 2014

## PURPOSE

Provide Directors with information that will assist them in carrying out their duties and responsibilities as elected public officials of the Dublin San Ramon Services District; and assist the public in understanding how the District's Board of Directors conducts its business.

*First Edition 2005*

*Second Edition 2009*

*Third Edition 2014*

*Created by Executive Services Division*

*Designed, edited, and produced by Public Information Division*

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## Chapter 1 - Introduction

These *Guidelines for Conducting Board Business* (hereafter, “Guidelines”) describe the methods, means, customs, and practices that the Board of Directors (hereafter referred to as the “Board”) employs in exercising its authority, complying with various legal requirements, working with the public and Dublin San Ramon Services District (hereafter referred to as the “District”) staff, and otherwise conducting the District’s business.

The Board is the legislative body that governs the District, sets the District’s policies, hires its General Manager, appoints District officers, and is ultimately responsible and accountable to the people of the District. It exercises these powers pursuant to the Community Services District Law (*California Government Code*, section 61000 et seq.).

No individual member of the Board has any individual authority, since only the Board as a whole can exercise authority. Using authority provided in the Community Services District law or delegated by the Board, the General Manager is responsible for running the day-to-day business of the District and is accountable to the Board.

The roles, responsibilities, duties, and authority of the Board and individual Directors are explained more fully in the various sections of these Guidelines.



## Chapter 2 - Board and Committee Meetings and Allowable Discussions

### BROWN ACT AND ROSENBERG'S RULES

The District's Board meetings are conducted following the general guidelines of *Rosenberg's Rules of Order: Simple Parliamentary Procedures for the 21st Century*, (League of California Cities 2003, Appendix A). These Guidelines can be especially helpful when the Board is discussing controversial issues.

### TYPES OF BOARD MEETINGS

There are four main types of Board meetings: regular, special, adjourned, and emergency.

#### Regular Board Meetings

Most District business is conducted at regular Board meetings. The dates, times, and locations of regular Board meetings are established by resolution of the Board. Currently, regular Board meetings are held the first and third Tuesday of each month, beginning at 6:00 p.m., in the District Boardroom located at 7051 Dublin Boulevard, Dublin, California. The agenda for regular Board meetings must be posted in a public place at least 72 hours prior to the meeting.

#### Special Board Meetings

Occasionally, special Board meetings are held for the purpose of discussing a special topic, for a workshop, or if it is necessary to hold a meeting at a time or date other than the regular Board meeting. Special Board meetings may be called at any time by the Board President or a majority of the Board. They may be held at a time and place desired by the Board but generally must be convened within the District's service area. Written notice must be given to Directors, the media, and the public 24 hours in advance of a special Board meeting. The agenda for a special Board meeting must be posted in a public place at least 24 hours prior to the meeting.

#### Adjourned Board Meetings

After any regular or special Board meeting has been called to order, it may be adjourned by the Board to another date, time, and place if the business of that meeting has not been completed or if the Board's deliberations would benefit from continuing the meeting at another time or in another location. Also, if less than a quorum is present, the Directors who are present (or, if none are present, the Board Secretary) can adjourn the meeting to another date, time, and place.

All Board meetings are open to the public and are subject to the provisions of state law called the *Ralph M. Brown Act* (hereafter referred to as the "Brown Act"), also known as the Open Meeting Law (*California Government Code*, section 54950 et seq.). With limited exceptions, all Board meetings must be publicly noticed in advance of the meeting in order to inform the public about the business of the District and to provide an opportunity for public participation.

### Emergency Board Meetings

The Board may hold an Emergency Board Meeting when prompt action is necessary due to the disruption or threatened disruption of public facilities. There are two levels of emergency. An emergency is a work stoppage, crippling activity, or other activity that severely impairs public health, safety, or both, as determined by a majority of the Board. A meeting to deal with such a situation may be called on one hour's notice to the newspapers and media outlets that have requested notice of meetings. A dire emergency is a crippling disaster, mass destruction, terrorist act, or threatened terrorist act that poses peril so immediate and significant that the only requirement is that notice must be given to newspapers and media outlets that have requested notice of meetings at or near the time Directors are notified of the meeting.

### Board Meetings Outside District Service Area

Regular or special meetings of the Board may be held at a District-owned facility outside the District's service area provided that the topics of the meeting are limited to items directly related to that facility. There are other limited times when a Board meeting may be held outside the District boundaries (examples include but are not limited to multi-agency meetings, meetings with legal counsel, or meetings to inspect real property). General Counsel should be consulted for the particular requirements related to these and other limited exceptions.

## **TYPES OF COMMITTEES AND COMMITTEE COMMUNICATION**

### Deliberative Committees

A deliberative Committee is one with a particular subject matter jurisdiction. The Board establishes the Committee's charter. The Committee makes recommendations to the Board upon matters within its scope. Currently, the External Affairs, Finance, Personnel, Water, and Wastewater Committees are deliberative Committees. A deliberative Committee may deliberate and recommend changes in District policy or direction but may not itself create or change policy or direction. Although they have commonly been called technical Committees, a more precise description is deliberative Committees because these Committees permissibly perform some of the deliberative functions of the Board, enabling the Board to better focus on the policy questions raised by the particular matter.

Currently, the District has two types of Board Committees, deliberative and liaison. Both are subject to the Brown Act. Although composed of only two members (less than a quorum), the Committees are subject to the notice and open meeting provisions of the Brown Act, as they have a continuing subject matter jurisdiction.

### Liaison Committees

Liaison Committees enable the Board to receive information from other agencies and to convey the Board's policy positions to those agencies. There are two types of liaison Committees: traditional liaison Committees (e.g., Board Committees that meet with a subset of the members of the legislative bodies of the City of Dublin and Zone 7), and de facto liaison Committees that represent the District on the Board of the Joint Powers Authorities (JPAs) with

which the District is involved (e.g., DERWA and LAVWMA). Unless specifically charged by the Board with doing so, liaison Committees do not deliberate or recommend changes to District policy.

### Communications from Committees

To reduce the risk of communications that could result in impermissible deliberation or consensus-building, there are ground rules for communicating between different Committees (or their respective members) through either the Board or the General Manager. (Note: the Board may only provide new policy direction to District staff or management via the General Manager.)

The Brown Act prohibits Directors from conducting District business outside Board or Committee meetings. The normal definition of a meeting is the congregation of a majority of the members of a legislative body at the same time and place to hear, discuss, or deliberate upon any item that is within the subject matter jurisdiction of the legislative body. However, it is possible to develop a collective consensus among a majority of the Board without three members being physically present at the same time and place. Effective in 2009, the Legislature amended the Brown Act to state that “a majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, direct or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body” (*Government Code*, section 54952.2(b)(1)). The Brown Act does not impose an absolute prohibition on all discussion outside meetings that may involve a majority of Directors. This additional clarification took effect in 2009: “Paragraph (1) shall not be construed as preventing an employee or official of a local agency from engaging in separate conversations or communications outside of a meeting authorized by this chapter with members of a legislative body in order to answer questions or provide information regarding a matter that is within the subject matter jurisdiction of the local agency, if that person does not communicate to members of the legislative body the comments or position of any other member or members of the legislative body” (*Government Code*, section 54952.2(b)(2)).

There are three basic ways to comply with the Brown Act while employing Committees to address matters that do not fall within the jurisdiction of any of the current deliberative Committees. Each alternative employs a different strategy to guard against improper deliberations or the development of a collective consensus in violation of the Brown Act. This does not diminish the importance of following the procedures regarding communication between Committees discussed below.

- The first alternative is to ensure that no two Committees consider the same policy matters. This is the reason for developing a mission statement within the charter of each Committee.
- The second alternative entails creating a new Committee specific to a major topic of importance as a separate deliberative Committee and carving out the subject matter of the new Committee from the existing deliberative Committees. This approach avoids the same

Directors should remember that any form of communication between or among Committees has the potential to result in impermissible deliberation or consensus-building outside noticed Board meetings. The most reliable way to avoid improper communication is to transmit information between Committees only through the Board or through the General Manager. Deliberative Committees must avoid deliberating on the same subjects. It is the responsibility of the General Manager to identify when this is happening, or could happen, and to take action.

issue being addressed serially in more than one deliberative Committee, so that three Directors would not have deliberated on the same topic except at a Board meeting. While this approach could sidestep many Brown Act issues, there may be practical difficulties in actually carrying it out, given possible interrelationships of the subject matter of a new Committee with the traditional Committees.

- The third alternative is to have a given subject handled in its entirety by the Board and thereby avoid any separate Committee deliberations. This has been the District’s past practice for certain labor negotiations and broad policy level issues (such as the District’s position on groundwater injection).

**OPEN VERSUS CLOSED SESSION DISCUSSIONS**

Board and Committee meetings can have open as well as closed session topics for discussion.

**Open Session Discussions**

The Board and its Committees transact the vast majority of the public’s business in open session. Open sessions are those portions of the Board or Committee meetings that are open to the public, and at which the public can address the Board or Committee and comment on any item of business being considered or on any matter within the Board’s subject matter jurisdiction or the Committee’s charter that is not on the agenda.

**Closed Session Discussions**

In general, the Brown Act directs the District to conduct all of its business in public. However, the Board and its Committees may also meet in closed session under a series of carefully defined exceptions to the Brown Act. Closed sessions are used when the public’s interest could be adversely affected if the Board’s or Committee’s discussion took place in public. Closed sessions are used to give direction to District negotiators for labor contracts with District employees, and for the acquisition or disposal of real property. The Board and its Committees may also meet in closed session to confer with General Counsel regarding claims or threats of litigation, initiation of litigation, or to discuss actual litigation in which the District is involved. Finally, the Board and its Committees may meet in closed session when evaluating the performance of a public employee, when dealing with the hiring, dismissal, or discipline of a public employee; or with certain security matters.

Matters discussed in closed session are strictly confidential. Disclosure of information from a closed session may prejudicially impact District interests and can result in the possible censure by the Board of a Director who breaches the confidentiality requirement, or the issuance of an injunction against such conduct by a court.

To protect the confidentiality of information presented in closed session, staff will collect all written material distributed during the session at the end of the session.

## Chapter 3 – The Board Meeting Agenda

### BOARD MEETING AGENDA

The agenda of each Board meeting includes the elements described below.

#### Preamble

Whenever a meeting is recorded, and before the meeting is called to order, the District Secretary states for the record the date and time of the meeting and identifies the presiding Director.

#### Call to Order

The President of the Board shall strike the gavel and begin the Board meeting. In the absence of the President, the Vice President shall call the meeting to order. In the absence of both the President and Vice President, but with the presence of a quorum, the District Secretary shall call the meeting to order and as the first item of business facilitate the Board deciding by motion which Director will chair the meeting. If no such motion is passed, the District Secretary will administratively facilitate the meeting by calling for agenda items; the District Secretary shall not participate in any deliberations or considerations at the meeting.

#### Pledge to the Flag

The person calling the meeting to order shall lead the Directors, staff, and public in the pledge of allegiance to the flag of the United States of America.

#### Roll Call, Determining and Maintaining a Quorum

The District Secretary calls the roll of the Directors and records the names of those present and those absent in the minutes of the meeting. If a Director enters the meeting late or departs early, these times also are recorded in the minutes. If a quorum of the Board (three Directors) is not present, no further proceedings or discussions may occur and the District Secretary announces that the meeting is adjourned for lack of a quorum.

The Board must maintain a quorum throughout the meeting in order to conduct business. However, the meeting may be adjourned with less than a quorum by those Directors who are present; if no Directors are present, the District Secretary can adjourn the meeting.

#### Special Announcements and Activities

During this section of the meeting, the General Manager or staff members designated by the General Manager address the Board with matters such as introducing a new District employee, acknowledging or giving a special award, or recognizing an event, local students, or dignitaries.

The Board meeting agenda is an informational, decision-making, and management tool. It presents the issues under consideration and provides a brief general description of actions the Board will consider taking. The agenda is accompanied by a packet of supporting materials designed to aid decision-making by presenting in sufficient factual detail the issues and options which are to be used in the decision-making process. Typically, each item presented to the Board includes recommendations for specific actions.

If neither the President nor Vice President is present, the District Secretary would at this point ask for a motion to name a President Pro-tem for that meeting. If the motion is made, seconded, and passed (requires a 3-0 vote) the Director so named presides over the meeting. If there is no such motion or second, or if the motion does not pass, the District Secretary presides over the meeting but cannot make motions or seconds, vote on any item, or enter into policy level deliberations and discussions.

#### Public Comment

At every Board meeting, members of the public are allowed to address the Board on any item of interest within the subject matter jurisdiction of the Board that is not already included on the posted agenda. The Board President asks anyone desiring to make public comments to fill out a speaker card with his/her name and address so that the minutes accurately reflect the speaker's identity and affiliation, and so that the District can contact the speaker if necessary. Members of the public who decline to provide a speaker card shall be allowed to address the Board. The President calls speakers to the lectern and asks them to identify themselves, announce their item, and address the Board. The speaker may decline to identify themselves. Public comments are limited, as noted on the agenda, to five minutes per speaker. Directors may ask clarifying questions but cannot take any action on, discuss, or debate the matters presented during the public comment period. Members of the public also may make a request to have an item placed on a future agenda during the public comment portion of the meeting. After considering such a request, the Board may provide direction to the General Manager by motion, properly seconded and approved, regarding including that item on future Board or Committee agendas.

#### Reports by General Manager and Staff

The General Manager, General Counsel, or, at the General Manager's direction, District staff verbally report on upcoming events, recent occurrences, and informational matters that may have significance to the District.

#### Board Correspondence

An announcement will be made identifying all correspondence received by the District as of the close of business on the day of the Board meeting that is addressed or copied to the Board or an individual Director (correspondence addressed to a Board Committee is similarly reported to the appropriate Board Committee and is documented in the notes from that Committee meeting). The announcement informs the public what has been received and documents that all material sent to the Board have been transmitted to the Board. Generally, staff makes the announcement, but if Directors have received correspondence that has not been sent to staff, they are encouraged to make a similar announcement. The announcement should identify the sender, the subject, the form of communication (letter, e-mail, etc.) and the date of the correspondence.

An announcement will also be made identifying all correspondence sent by the Board in accordance with the Board Correspondence Policy. If Directors have received correspondence that has not been sent to staff, they are encouraged to make a similar announcement.

All Board correspondence reported under this item (as well as all material first made available on any agenda item at the Board meeting) is maintained by the District in accordance with a Brown Act provision that took effect on July 1, 2008 (*Government Code*, section 54957.5). A binder containing this information is available for inspection by the public upon request.

### Committee Reports

All Directors receive written summaries of recent deliberative Committee meetings. These summaries are noted on agendas and are public records. Directors may, but are not required to, call attention to any item discussed in Committee. A Director not on a Committee may ask clarifying questions about a matter discussed at Committee but must be cautious about discussing the matter before it is a properly noticed agenda item for the Board. Once presented to the Board the Committee notes are considered to be final.

### Agenda Management

At this point in the meeting, a Director or the General Manager has an opportunity to propose rearranging the order of items on the agenda. The Board President will rearrange agenda items if the need should arise. For example, a closed session may be moved to an earlier time in a meeting, or a Board Business item may be moved ahead of another item due to some unusual circumstance or if audience members are present for a particular agenda item. With the advent of the District's recording of Board meetings, where possible closed session business should be transacted at the end of the meeting after all open session items have been handled or alternatively as a special Board meeting called to order appropriately in advance of the start of the regular Board meeting. For the benefit of viewers of the recordings of the Board meetings, the Board President should announce that the Board meeting will continue while the Board is in closed session but the recording may terminate (if the closed session is held at the end of the meeting) and advise the viewers that they may contact the District secretary for any reports from closed session that may have been made.

### Approval of Minutes

At each regular Board meeting, the Board receives draft summary minutes of recent regular and special Board meetings. The Board considers and approves each set of minutes by motion. Directors may suggest revisions. The Board then considers and may approve the proposed revision as part of the motion to approve the minutes, or they may take a separate action if the change being requested is complex or contentious. Directors may, but are not required to, vote on minutes of meetings they have not attended, based on their reading and consideration of the written minutes as drafted. The Board has the sole discretion to approve the contents and the format of the minutes. A Director may vote on the approval of any minutes presented to the Board for consideration whether that Director was present at the subject meeting or not. Nevertheless, it is common practice for a Director to abstain from voting on minutes from a meeting that they did not attend.

### Consent Calendar

Matters listed under the consent calendar are considered routine and generally are acted upon by one motion. Directors normally do not discuss consent calendar matters. Items may be removed from the consent calendar in three ways.

- If a Director has an unanswered question or concern about any of the items listed on the consent calendar, he/she must request that the matter be removed prior to a motion being made and approved. Any such request by a Director is automatically granted. When a Director wishes to remove an item from the consent calendar for discussion, it is helpful if he/she contacts the General Manager before the Board meeting to explain his/her concern. This enables staff to provide information that might be needed to further the Board's discussion.
- On occasion, the General Manager may request that the President remove an item from the consent calendar. Typically this occurs so staff can clarify for the record inaccuracies in the written material provided to the Board, to present new information that came to staff's attention subsequent to the preparation of the agenda, or for other similar administrative reasons. Any such request by the General Manager is granted unless a majority of the Board objects.
- A member of the audience may request that the Board remove an item from the consent calendar so that it may be discussed. Any such request must be made prior to the time the Board votes on the matter as part of the consent calendar. Any such request from a member of the public will only be granted if a Director agrees that the item should be removed from the consent calendar and makes a Director request. Nevertheless, any member of the public has a right to comment on any item on the consent calendar and if they desire to do so should make their request known to the District Secretary before the Board considers the consent calendar. The member of the public should identify what item they are commenting upon and proceed to make their comments. Such commenting does not automatically require that the Board remove the item from the consent calendar unless a Director so requests for discussion or a separate vote.

Once any item is removed from the consent calendar, the remaining items are considered and approved by a single motion. The removed items are then discussed and considered individually.

The following are considered standing items for the consent calendar:

- Upcoming Board Calendar; and
- Report of Checks and Electronic Disbursements.

### Board Business

Board business is the section of the agenda where the Board considers and decides the more complex or significant matters of the District's business or conducts formal public hearings when required to do so by an applicable law or regulation. Some items require an action by the Board, others are informational. In some cases, the Board will discuss a matter without making a decision and refer the matter back to staff or a deliberative Committee for further development. *See Chapter 4 - Transacting Board Business* for appropriate protocol.

### Board Member Items

During this section of the meeting, Directors are invited to comment on their District-related activities or to suggest new ideas and concepts. At the direction of the President, and with the concurrence of at least one other Director, any new item that requires Board consideration will be calendared on a future Board agenda for further discussion by the Board or will be referred to a



deliberative Committee for development and discussion. It is important that the Board not deliberate new ideas at this time nor render any decisions, as extensive discussions and/or decisions not noticed on the agenda would constitute a violation of the Brown Act. The Board may only discuss a new item for the following purposes: to allow understanding of what is being proposed; to enable District staff to understand the issue being raised; or to give direction to the General Manager.

#### Closed Sessions

Closed sessions are typically scheduled to be held at the end of the meeting.

#### Reports from Closed Sessions

Upon returning to open session, the Board President will announce any reportable action taken in closed session. Such reports are required by law.

#### Adjournment

The Board President will adjourn the meeting and announce the time of adjournment for the record. The meeting may be adjourned if there is less than a quorum present by action of those Directors who remain in attendance; if no Directors are present, the District Secretary may adjourn the meeting. Occasionally, meetings are adjourned in memory of a loved one or close friend of the District, or in honor of a significant event.

## Chapter 4 - Transacting Board Business

### TRANSACTIONING BUSINESS ON AN ITEM

#### Introducing an Item

The Board President announces each agenda item, referencing the item number and the nature of the matter.

#### Staff Presentation

The General Manager, or at the General Manager's direction, a staff member, summarizes the item being considered, including background, pertinent facts and details, analyses conducted by staff, and options available for the Board's consideration. On occasion, a consultant may assist the General Manager or staff in presenting an agenda item.

#### General Manager Recommendation

The General Manager makes a recommendation on each action item. That recommendation is identified in the Summary and Recommendation and typically is stated at the conclusion of the staff report. The General Manager often delegates this responsibility to the Senior Managers.

#### Committee Recommendation

If a deliberative Committee has reviewed the matter, the outcome of its deliberation will be noted in the Summary and Recommendation included in the Board agenda packet. Should any of the Directors on the Committee so desire, this is the time to state the Committee's recommendation and the reasons for it. On rare occasions the recommendation of the Committee may differ from that of the General Manager.

#### Clarifying Questions

Directors ask questions of the presenter and offer general comments about the subject matter after the staff presentation. Questions and comments at this time are to clarify the matter and the recommendation. Debates or deliberations occur after public comment and after a motion has been made.

#### Public Comment

The Board President then opens up the meeting to the public for comment on the matter. The public must have an opportunity to comment on every agenda item. Sometimes this is done very formally through a public hearing. Other times, the President simply asks the audience if there are any comments. The President will ask speakers to fill out a speaker card<sup>1</sup> and to state their names, addresses (can be a business address), and affiliations for the record and for the benefit of others in the audience. If it is obvious that no potential speakers are present, there is no need to formally call for public

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<sup>1</sup> A person may not be denied the right to speak if he or she refuses to fill out a speaker card.

comment. In the event the District has received written correspondence from the public on the matter after the publication of the agenda, that written correspondence will be presented to the Board at this time.<sup>2</sup>

**Motion and Second**

After public comment, a Board member may make a motion regarding the action to be taken on the item. The motion must be seconded before additional discussion, debate, or deliberation on the matter is permitted. No discussion may occur on a motion without a second. A motion fails if it does not receive a second.

**Discussion**

After a motion is properly made and seconded, the Board discusses the merits of the item in an attempt to reach a decision. During this time the Board may ask staff or the public additional questions or seek the advice of the General Manager and/or General Counsel. As deliberation by the Board ensues, the motion may be amended or withdrawn, or a substitute motion offered. These actions must follow the procedures adopted by the Board as noted in *Appendix A*.

**Decision**

When the Board President senses that discussion has run its course, or when a motion to call the question is properly made and seconded, the Board President calls for a vote on the motion on the floor. After hearing the results, the Board President announces the vote. Voting may be by voice or roll call, at the President’s option.

**MAJORITY VOTE REQUIRED**

A majority vote is required for any action to be taken by the Board (i.e., there must be a minimum of three affirmative votes) regardless of how many Directors are present. This requirement is mandated by state law. In certain instances, a super-majority vote<sup>3</sup> of the Board is required (e.g. to adopt a resolution of necessity to condemn real property or to add an emergency item to an agenda). In those cases General Counsel will provide guidance.

Items presented for consideration at Board meetings are handled in a consistent manner to ensure that:

- Pertinent facts associated with a matter are presented not only for the benefit of the Board but also for the benefit of any member of the public who is present;
- Actions taken by the Board are properly approved; and
- The Board takes action only on items that are scheduled for action on the agenda. For example, the Board may discuss but may not take action on an item that is identified as being for Discussion and Information or as a Special Announcement.

<sup>2</sup> Any written correspondence received on a matter before publication of the agenda will be included in the agenda packet.

<sup>3</sup> A vote that requires more than three votes for passage.

## ACTIONS TAKEN BY THE BOARD

The Board of Directors approves items by:

- Motion
- Minute Order
- Resolution
- Ordinance

### Motion

The Board uses a motion to submit a matter for action. A motion can be a parliamentary tool used by a member of the Board (plus another member who seconds the motion) to place a matter before the entire Board for its consideration. A motion also can be a legislative action used to authorize or approve action on simple matters that are routine in nature, such as providing direction to staff, communicating a District position, approving a task order, increasing a purchase order amount, or approving a proclamation. The minutes of the Board meeting document the Board's determination on these matters. A motion is always used to place a recommendation before the Board to authorize a minute order, approve a resolution, or adopt an ordinance.

### Minute Order

A minute order formalizes an action taken by the Board for which a more formal resolution or ordinance is not required. The Board's decision is recorded in the minutes as evidence that an action did occur, and the minute order provides formal documentation of the action. A minute order memorializes approval of a project acceptance, authorizes execution of a notice of completion, and authorizes minor amendments to agreements. A minute order typically is used when a third party requires written evidence of a Board action. The District Secretary may prepare a minute order, as necessary, to reflect past action of the Board.

### Resolutions

A resolution constitutes a more formal written expression of the will of the Board as the District's legislative body. Resolutions represent an official Board action and/or position taken on a particular issue that is considered to be more temporary in nature than an ordinance but for which a separate permanent record is needed. Resolutions preserve the history of the action taken in a separate official instrument in addition to documentation in the Board's minutes. A resolution becomes effective immediately and remains in effect until rescinded, cancelled, or superseded by the Board acting by means of a new resolution. Resolutions typically are used to adopt policies, approve agreements (e.g. master agreements, construction agreements, public facilities planning agreements, and transfer agreements), award contracts for materials or services, approve memoranda of understanding with bargaining groups, award pay for performance, and establish or amend job classifications. Resolutions, if properly written, can be used to change the rates and charges the District imposes for the privilege of receiving service. Given the nuances of the law in this area, General Counsel should always be consulted to determine the proper instrument for approving rates and charges.

## Ordinance

An ordinance is the most formal form of action that can be taken by the Board. Ordinances are used to establish the local laws that are within the District's power to enact and are applicable throughout the District. Ordinances may apply only to matters not covered by federal or state law. An ordinance is also the authorizing instrument to change the District Code, which is a compilation of the rules and regulations of the District. Ordinances also may be used to set the District's rates and charges after consultation with General Counsel (see *Resolutions*, above). State law requires that some ordinances be published or posted. In some cases, a public hearing is required prior to consideration. An ordinance generally becomes effective 30 days after adoption unless it expressly provides otherwise. Ordinances remain in full force and effect until repealed, modified, or superseded by the Board in another ordinance, or by action of the voters through initiative or referendum. Everyone at the District, including the Board, is bound by the requirements of an ordinance (and the Code it establishes). Ordinances are the law of the District and must be enforced by staff, who have no discretion to act otherwise. Only the Board itself may waive, modify, or suspend an ordinance by the enactment of a subsequent ordinance. The only way to change an ordinance is to pass an ordinance that revises the original.

## Chapter 5 - Preparation for Board Meetings

### BOARD MEETING INFORMATION

The Board agenda packet may include includes various pieces of information for any given item, as described below.

### SUMMARY AND RECOMMENDATION

The Summary and Recommendation is a one-page summary of an item. Each item to be considered by the Board (including matters on the Consent Calendar as well as those listed as Board Business) will have a Summary and Recommendation. It includes the following information:

#### Title of Item

The title is a brief description that reveals the nature of the item. The title is the same on the Summary and Recommendation as on the agenda, and wording must comply with Brown Act requirements to provide a brief general description of the item. The title determines what action the Board is allowed to take or the nature of the information that the Board may receive. For example, if an item is identified on the agenda face sheet under "Recommended Action" as being for *Discussion* or for *Information*, the Board may not vote on that item at that meeting. This requirement ensures the public is properly informed of what action the Board may take so they can decide whether or not to participate.

#### Presenter Information

This identifies which staff member, Director or Committee will present the item and the nature of the presentation (verbal, slides, etc.).

#### Anticipated Time

Staff estimates how long the Board will take to hear and transact the item. These estimates are intended help to manage time during a Board meeting but do not limit the actual time the Board may spend on any item.

#### Form of Action

The form of action (motion, minute order, resolution, or ordinance) required by the Board is noted.

#### Committee Review and Recommendation

If an item was reviewed by Committee, the name of the Committee, the date it last discussed the item, and its recommendation are noted as applicable.

District staff prepares a detailed agenda packet summarizing the business to be transacted at a Board meeting. Agenda packets are delivered to Directors and are available to the public at that time, with allowances for copying time. Full agenda packets are also posted to the District's website. Materials for the closed session portion of the agenda are not made available to the public. For regular meetings, agenda packets are prepared and delivered no later than Saturday of the week preceding the meeting because the Board meets on Tuesdays and 72 hours advance posting of the agenda for the public is required. Directors prepare for Board meetings by studying the agenda packet in detail in advance of the meeting.

### Legal Counsel Review

When staff has received legal counsel's review and/or opinion related to an item, the Summary and Recommendation notes that fact.

### Costs and Funding Source

The cost (known or estimated) associated with a recommended action is noted, along with its funding source. The Summary and Recommendation only notes the cost of the item being presented to the Board for decision. For example, if approval of a \$250,000 consulting agreement associated with a \$10 million project is being considered, the cost noted is \$250,000. When the Board certifies an Environmental Impact Report (EIR) on a \$5 million project, the cost shown on the Summary and Recommendation is \$0, because there is no additional cost to the District associated with the certification.

### Recommendation

The General Manager's recommendation for action is presented at the top of the Summary and Recommendation. The recommendation is phrased in such a way so that, if a Director concurs, he/she may read or make specific reference to the recommendation when making a motion.

### Summary

The balance of the Summary and Recommendation provides a short, general summary of the action being considered by the Board. Additional details are provided in staff reports or other documents.

### Staff Reports

One or more staff reports may be included for an item if the Board needs more information than can be provided in the one-page Summary and Recommendation.

### Action Document

The recommended action document (minute order, resolution, or ordinance) typically follows the Summary and Recommendation.

### Reports

Reports (or their executive summaries) may be attached if they are needed for the Board to consider and deliberate.

## Chapter 6 - Preparation for Committee Meetings

### COMMITTEE MEETINGS

Committee meetings serve as venues for developing and deliberating issues before they reach the entire Board for consideration. A Committee by itself can take no action; only the Board can take action. Committees may provide on-going guidance to staff so long as that guidance is consistent with the broad policy direction set by the Board.

As is done for Board meetings, District staff prepares a detailed agenda packet summarizing the business to be transacted at each Committee meeting. The agenda packets are delivered to Committee members and alternate members and are also made available to the public at that time.

### SCHEDULING AND ATTENDANCE

Standing Committee meetings generally are scheduled monthly, quarterly, or annually depending on the needs of the District. Monthly Committee meetings in particular occur on a fixed schedule (e.g., the Thursday following the first Board meeting of each month). Committee meetings generally occur during daytime work hours or immediately after (starting times approximately from 8:00 a.m. though 6:00 p.m.).

It is recognized that many Directors are employed or conduct their own business during those hours and may have expected or unexpected conflicts in schedule between Committee meetings and their own employment or business needs. It is also recognized that rescheduling Committee meetings due to conflicts in Directors' schedules can make it difficult for the public to attend, can create scheduling difficulties for interested parties and consultants who are often present for discussion of an item, and can increase the workload for District staff.

In order to minimize these impacts while allowing flexibility in schedules for Directors the following principles should be kept in mind:

- The public has a right to easy, timely, and predictable access to the deliberations of the Board of Directors and its Committees.
- The District shall schedule and hold Committee meetings only when needed to conduct District business.
- To the greatest extent practical, Committee meetings should be scheduled on a regular, predictable basis. Directors and staff should make a deliberate effort to attend Committee meetings as scheduled.
- Often a Director or key staff member knows of an upcoming schedule conflict well in advance. Examples are planned business trips or vacations, conference attendance, or other activities in which the District has a business interest.
- Both Directors and staff have a responsibility to bring such conflicts in schedule to the attention of others affected so that a Committee meeting can be rescheduled well in advance.

Traditionally, the Board has established various Committees based on specific subject matter to facilitate the Board's consideration of District business. Committee structure and membership are proposed by the Board President and confirmed by the Board. This is done every year in December when the new Board President assumes office. There is no legal requirement for the Board to form Committees.



- Directors may, within the requirements of the Brown Act, attend a Committee meeting via teleconference when they are unable to attend in person. Directors should make teleconferencing arrangements with staff well in advance and always before agendas are posted so the requirements of the Brown Act are satisfied.

If a Director is unable to attend a Committee meeting as scheduled, it is his/her responsibility to consider the options in the following priority order:

1. Ask the alternate to attend the meeting.
2. Arrange for attendance at the meeting via teleconference.
3. Do not attend, recognizing that a Committee meeting can be held with only one member.
4. As a last resort, request rescheduling, realizing that this may impact the public, support personnel and consultants, and District staff. The other Committee member must agree to the new schedule.

### Guidelines for Cancelling Committee Meetings

In order to minimize the cost and administrative burden associated with preparing agendas for Committee meetings the following guidelines and process shall be employed to cancel Committee meetings:

- Committee meetings will be cancelled if there is no business to be discussed;
- Committee meetings will be cancelled if the business that is to be conducted is judged by the General Manager to be routine and non-controversial;
- Committee meetings will be cancelled if the business that is to be conducted is not time sensitive and can wait until a subsequent Committee meeting; and
- Committee meetings will be cancelled if the agenda consists entirely of information items (in which case the information reports shall be transmitted to the Committee members).

Committee meetings will be canceled by proper notice posted in accordance with the Brown Act provided that District staff has notified the Committee members of a proposed cancellation and no Committee member objects within a 24 hour period. If a Committee member objects, the Committee member should identify the item(s) they would like to see placed on the agenda.

### Posting

For regular meetings, the packets are prepared and posted on the Friday immediately preceding the week during which the Committee meets. This is required for regular meetings held on Monday afternoons and conservatively meets the posting requirements for meetings on any other day of the week. For regular meetings held on Monday mornings, the agenda is posted on the previous Thursday to meet the 72-hour posting requirement.

For special Committee meetings, there is a 24-hour posting requirement. It is the District's administrative goal to post agendas for all special Committee meetings on the Friday immediately preceding the week during which the Committee meets or earlier, conservatively meeting the requirement. Occasionally, the need for a special Committee meeting arises mid-week; in those cases, the agenda must be posted 24 hours in advance of the meeting.

## Additions to Committee Agendas

A Committee may, on a two-thirds vote (unanimous for a two-member Committee), add an item to the agenda of that Committee meeting if the need to discuss that item became known after publication of the agenda and if the Committee members who are present determine that there is a need for immediate action.

## Posting Committee Agendas

The agenda packets for each Committee are delivered to the Committee members and alternate members on Friday or Saturday of the week preceding the meeting (or as soon as possible for a Committee meeting newly scheduled mid-week). The full agenda for Committee meetings is also posted to the District's website. The agenda packets are also made available to the public at the same time. Directors prepare for Committee meetings by studying the agenda packet in detail in advance of the meeting.

## Preparation

If a Director has questions about the information in the packet, he/she should contact the General Manager for clarification or for further explanation. Committee business is transacted in the most complete, efficient, and effective manner when Directors have reviewed and understand the information and issues presented for consideration by the time they arrive at the Committee meeting.

## Format

Staff work on any given agenda item can be in various stages of completion at the time it is presented to the Committee. Often the work is not in final form and the materials presented to the Committee are less formal than those presented to the Board.

The material presented to a Committee may be in the form of a final or draft Summary and Recommendation, a memorandum from the General Manager and/or District staff, executive summaries and/or excerpts from draft or final reports, simple tables, drawings, PowerPoint presentations or similar work.

Staff will continue to work on items after the Committee agenda has been posted. As a result, District staff will often bring additional written material to a Committee meeting so as to present the latest information about the topic.

On occasion, the agenda will note, "Material to be available at the Committee meeting." This is only done when the work is not completed by the preceding Friday. District staff strives to avoid this approach, as it compromises a Committee member's ability to prepare properly for the meeting.

## Anticipated Time

Staff estimates how long the Committee will take to hear and transact the item. These estimates are intended to help manage time during Committee meetings but do not limit the actual time the Committee may spend on any item.

**COMMITTEE RECOMMENDATIONS TO THE BOARD**

A Committee can make one of five recommendations to the Board: approval, disapproval, neutral, no recommendation, and informational.

- A recommendation to approve is given when the Committee endorses the General Manager’s recommendation or, alternatively, develops a recommendation of its own to present to the Board. In the latter case, both the General Manager’s recommendation and that of the Committee is presented to the Board.
- A recommendation to disapprove is less common and occurs when Board action is required on a matter (keeping in mind a Committee cannot kill an item) or in those instances when the General Manager’s recommendation differs from the consensus developed by a Committee.
- A neutral recommendation occurs in those instances when a Committee is split on a matter; in such instances, the Committee’s discussions, if any, are summarized for the Board.
- No recommendation occurs when the Committee specifically decides not to make a recommendation; in such instances, the Committee’s discussions, if any, are summarized for the Board.
- An informational recommendation is made when the Committee desires input from the Board in order to complete its deliberation; in this instance the item is calendared for discussion only by the Board (no action) and subsequently returns to the Committee for additional discussion and deliberation.

## CHAPTER 7 - Effective Participation in Board Meetings

### GROUND RULES FOR EFFECTIVE PARTICIPATION AT BOARD MEETINGS

The following ground rules apply to all Directors.

- Come to meetings prepared. Contact the General Manager ahead of any meeting if you have clarifying questions or need additional background. Many times your questions can be answered without taking up meeting time. Also, it helps staff to understand your concerns ahead of the meeting so they can be prepared with the information you need.
- During the meeting, express your thoughts and support them wherever possible with facts, figures, and references. Specifically identify your sources of information so as to establish their credibility with your colleagues. More specific statements are more persuasive to your colleagues on the Board than generalized statements. Examples: (a) "I spoke with \_\_\_\_\_, who is the President of the \_\_\_\_ Homeowners' Association and they would like the District to \_\_\_\_\_" is better than "The public thinks that we should do \_\_\_\_;" (b) "{Specific name} told me \_\_\_\_\_" is better than "I was told that \_\_\_\_;" (c) "{Specific organization} has a concern with \_\_\_\_\_" is better than "Everyone thinks that \_\_\_\_\_."
- Be creative. Innovative ideas supported by sound reasoning are welcome on complicated matters when the Board is attempting to arrive at a consensus.
- Take a positive approach. Keep an open mind. When a Director proposes an idea, look for the value in that idea.
- Be enthusiastic. Enthusiasm can be contagious!
- Stay on the subject. Don't introduce other agendas. Keep your comments brief but long enough to establish your points.
- When you don't understand what someone is saying, ask for clarification. Make criticism positive and constructive. Direct critical comments to the issues being discussed, not toward the person expressing the idea.
- Protect the rights of others to have their opinions and feelings heard. Encourage silent members to participate.
- Help the Board President when others take up outside issues. Interrupt gently and say, "We're getting a little off the subject here, maybe we should get back to our topic."
- Share your thoughts. Holding back when you have an idea robs the Board and staff of your knowledge and opinion and prevents further development of your idea. Have confidence in yourself and speak up.
- Protect ideas. Help the Board President set an atmosphere where people will feel comfortable expressing ideas even if they aren't perfect. When someone begins attacking another's idea, say, "That idea probably has faults, Fred, most ideas do. Let's just let ideas come out for now and evaluate them later."
- Attend and participate. Be on time and stay for the entire meeting. Advise the General Manager or District Secretary if you are unable to attend.
- Be an active listener. Be open-minded: listen and consider all points of view.
- At all times ask yourself, "What, right now, would help the Board move ahead and get this problem solved? What can I do to help the Board function more effectively? How can I help?"
- Always remember that civil discourse is one of the keys to effective communication.

## OPTIONS TO IMPROVE PUBLISHED VIDEO RECORDINGS

When conducting business at a meeting that is being recorded, there are several administrative things that can be done to facilitate an orderly meeting that is understandable to a viewer of the recording. However, the primary focus of any meeting, recorded or not, must be efficiently conducting the District's business. As such, Directors should not conduct themselves in a manner that is different when the meeting is being recorded than when there is no recording being made. Refrain from "Playing to the camera."

The Board President carries a greater responsibility to make the meeting more understandable to the video audience. Examples of what the President can do include the following:

- When recognizing a Director's right to speak, use the person's name;
- When motions and seconds are made, announce who did so by name;
- When calling on staff to contribute to the discussion, call on them by name;
- When a presenter is not speaking into the microphone, politely stop them and ask them to start over and speak clearly into the microphone;
- PowerPoint presentations are often shown on the west screen, which is not visible to the video audience. If the PowerPoint presentations are included in the Board agenda packets, when the item comes before the Board, the President should note where it can be found in the packet; and
- When a member of the public or a consultant is addressing the Board, strongly encourage them to do so from the lectern.

In addition, each Director and senior staff seated at the dais can help to make the meeting more understandable to the video audience by doing the following:

- Address one another by name;
- Lean forward and speak clearly into the microphone (even though the recording microphone is not tied to the sound system, the only way the sound system collects sound is via the speakers in the room. Therefore, it is critical for the microphone to capture your voice so it can amplify it and send it out through the speakers which enable the recording microphone to pick it up);
- Enunciate words and do not mumble;
- Maintain a level volume when speaking, do not lower the volume at the end of your thoughts or sentences;
- While it is good to maintain eye contact with the individuals you are addressing, be aware that when you turn your head away from the microphone, the listening audience may not hear what it is you are saying;
- Do not rock or swivel the chair when speaking;
- Do not rustle papers near the microphone;
- Do not speak on top of another speaker; and,
- Minimize sidebars because it is difficult for the audience to hear anyone when several people are speaking at the same time.

## CHAPTER 8 – Board / Committee Interaction and Placing an Item on the Board or Committee Agenda

### PROCESSING OF MATTERS REQUIRING BOARD ACTION

All matters requiring Board action shall be initially presented to the Board for consideration without Committee review or involvement, unless specifically identified below as a matter that may be initially considered by a Committee. When so presented, the Board may:

- Consider the matter rendering an appropriate decision (approve, disapprove);
- By motion, refer the matter to a Board Committee for deliberation asking that Committee to formulate a recommendation (in such cases the maker of the motion should be as specific as possible as to exactly what question is being referred to the Committee).

Items on the Board agenda originate from a variety of sources: the General Manager, deliberative Committees, Directors, and the public.

If a matter is referred to Committee by the Board, it shall be handled in accordance with the normal process for handling Committee items.

### MATTERS THAT MAY BE INITIALLY CONSIDERED BY A COMMITTEE

The following matters may be considered by a Committee without a formal referral from the Board:

- Development of Committee Charters;
- Rates and Fees (Finance or related Committee);
- Labor Relation Matters (Personnel or related Committee);
- District Budgetary issues within the Charter of a Committee;
- District Operational issues within the Charter of a Committee;
- Informational items requested by the Committee;
- Issues that a Committee may wish to preliminarily explore; ahead of formal consideration; and
- Issues that staff may wish to preliminarily explore with an appropriate Committee ahead of formal consideration.

**ITEMS THAT ARE ALWAYS TO BE CONSIDERED BY THE BOARD WITHOUT COMMITTEE REVIEW**

There are several types of items that are always considered by the Board without Committee review, regardless of their origin, because they are routine or because it is proper or legally required that only the full Board consider them. The following items are always placed on a Board agenda without Committee review.

**Administrative Matters**

- Proclamations;
- Warrant list;
- Notifications (availability of ethics training, etc.);
- Board organizational matters (appointment of President or Vice President); and
- Appointment of Committee.

**Board Oversight**

- Performance evaluations (General Manager, General Counsel, Treasurer, District Secretary);
- Mandated reports (e.g., annual “\$100 list of expenses,” annual aged receivables report); and
- Consideration of conference attendance/day of service payments to a Director.

**Procedural Streamlining**

- Second reading of an ordinance;
- Rejection of routine claims;
- Acceptance of projects;
- Acceptance of developer improvements;
- Intention to levy assessments in existing assessment districts (mandated notification step in anticipation of formal action later);
- Routine construction project awards (e.g., project approved, under budget, no bid irregularities, no contractor issues, no public concern);
- Items accomplished within previous direction given by Board (e.g., labor MOUs that conform to negotiating direction, revisions to items as previously directed by Board); and
- Follow-up of items for action previously presented in workshops for discussion.

**District-wide Matters**

- Items with over-arching policy implications (e.g., budgeting, strategic planning)<sup>4</sup>;
- Items spanning the adopted Charter of two or more Committees;
- General informational items that keep the Board current on a matter or allow them to discuss the implications of continuing with a previously agreed upon course of action
- Presentations requested by the Board; and
- Actions required by law (e.g., consolidation of District elections, amending conflict of interest codes).

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<sup>4</sup> Individual components may go to a Committee whose charter covers that area

**Matters to Protect the District's Interest**

- Personnel appeals (that are before the Board and on which the Board must be unbiased and rule on the record before them); and
- Environmental review documents where the administrative record must be developed in front of the entire Board.

**PLACING AN ITEM ON AN AGENDA****Items Originating from the General Manager**

Many items on the agenda originate with the General Manager and District staff. The following types of items are typical:

- Matters on which policy direction from the Board is required;
- Items with over-arching policy implications (e.g., labor negotiations, budgeting, strategic planning);
- Actions required by law (e.g., consolidation of District elections, amending a Conflict of Interest Code);
- Intermediate actions in the overall implementation of a Board-approved project or program (e.g., awarding construction contracts, considering an environmental review document);
- Discretionary decisions for which authority has not been delegated to the General Manager;
- Informational items to keep the Board current on a matter or to allow them to discuss the implications of continuing on a previously agreed course of action;
- Items with critical timing needs; or,
- Proclamations honoring special events or individuals.

**Items Originating from or of Interest to a Director**

A Director may request that a new item be placed on a future Committee or Board agenda during the Board Member Items portion of a Board meeting or during the Committee Comments portion of a Committee meeting. However, in such cases, the advance notice requirements of the Brown Act only allow the Committee to decide to place such a matter on a future agenda; the matter cannot be discussed at the meeting at which it was first mentioned.

If the Director originating an item wishes that the item be discussed by the Committee or Board when he or she brings it up, the Director should contact the General Manager to explain the issue so that the agenda can be properly prepared to allow discussion. The Director who placed the item on the agenda is cited as the reference and is expected to lead the discussion.

For any matter referred to or being discussed by a Committee, the Committee shall report its findings back to the Board and capture its deliberations in the notes prepared for the Committee. If, after reviewing the notes prepared by the Committee, a Director wishes to have the matter discussed by the full Board, he/she may state this request at a Board meeting or notify the General Manager. The General Manager shall then notify the Committee of the Director's request and schedule the matter for discussion at the next reasonably available Committee meeting. This process allows the Committee to complete their work and respond to concerns raised. Following that Committee meeting, the General Manager shall place the matter on the Board agenda for discussion at the next reasonably available Board meeting.



**Items Originating from the Public**

Members of the public may request to have an item placed on a future Board or Committee agenda during the Public Comment portion of a Board or Committee meeting. The Board or Committee will consider such requests from the public and if it desires and by motion properly seconded and approved direct the General Manager to do so. The Committee or Board may not discuss the matter brought up by the public at the same meeting at which it is first mentioned.

## CHAPTER 9 - Director Roles and Duties

### DIRECTOR ROLES AND DUTIES – AS A BODY AND INDIVIDUALS

#### The Board of Directors

The Board of Directors is the legislative body that holds governing authority for the District and its roles and responsibilities are as follows:

- Establish policies, procedures, and regulations for District operations;
- Establish and oversee the District's finances and its budgets, programs, and performance;
- Provide the resources needed by management and staff to carry out District policy;
- Determine the mission of the District;
- Approve and ensure the implementation of the District's Strategic Plan and vision; and
- Appoint and evaluate the General Manager, General Counsel, Treasurer, and District Secretary (appointments and evaluations of the latter two positions are limited to the statutory duties prescribed by law for those offices).

A successful Director clearly understands the role of the Board of Directors as a whole, as well as his or her role as an individual Director.

#### Individual Directors

Apart from his or her normal function as a part of the Board of Directors, each individual Director's roles and responsibilities are as follows:

- Function only as one member of the Board;
- Have no individual authority (other than ceremonial duties of the President and Vice President of the Board as described elsewhere);
- May not commit, nor represent that they can commit, the District to any policy, act, or expenditure; and
- Support decisions made by the Board.

#### Traits of Effective Directors

Directors most effectively represent the District when they do the following:

- Represent all constituents of the District, considering the viewpoints of everyone as they conduct the District's business;
- Attend all Board meetings and meetings of Committees to which they are appointed; if a Director cannot attend, he/she should follow the process outlined in Chapter 6 – Preparation for Committee Meetings and notify the Board President (or the other Committee member for Committee meetings) and the General Manager as soon as possible;
- Are decisive, making and accepting a decision and moving on;
- Consider and set short-term and long-term policy;
- Support District policy, once decided;
- Ask the General Manager routine or clarifying questions ahead of the Board or Committee meeting to avoid surprises and allow time for staff to prepare helpful answers;

## EXHIBIT A

- Ask the General Manager for supplemental information in advance of a Board or Committee meeting to avoid potential Brown Act conflicts;
- Let staff administer and manage the District, provided that such actions are consistent with the policies set by the Board;
- Read Board and Committee agenda packets and prepare for all meetings;
- Are a positive public face of the District;
- Are inquisitive;
- Are courageous about difficult decisions;
- Clearly communicate their positions and reasoning and do not leave colleagues and staff guessing;
- Think big picture;
- Manage conflict carefully and use civil discourse;
- Stay focused and efficient, using words carefully and concisely;
- Are creative about solving problems;
- Express optimism and open-mindedness;
- Offer respect and consideration to each other, staff, guests from other agencies, and the public;
- Work as a team;
- Are timely with attendance and communications; and
- Remain policy oriented and avoid focusing overly on operational details.

## CHAPTER 10 - President and Vice President Roles and Duties

### PRESIDENT AND VICE PRESIDENT ROLES AND DUTIES

#### Board President

The President has no additional powers beyond those of any other Director. The following are the roles and responsibilities of the Board President:

- Serve as presiding officer at Board meetings which the President attends (if the President's attendance is via teleconference logistically it is better to allow the Vice President to preside because that Director is physically present at the Board meeting);
- Maintain proper conduct of Board meetings:
  - Run effective and efficient meetings, including but not limited to ensuring appropriate opportunities for public participation and managing the time;
  - Keep the Board focused on the discussion at hand and true to its proper role and responsibility;
  - Avoid diversions from the agenda or disruptions in the conduct of District business;
  - Maintain proper and appropriate parliamentary procedure and agenda management (e.g. ensure that actions are taken with proper motions and seconds);
  - Acknowledge and diplomatically facilitate appropriate public participation in the activities of the Board; and
  - When necessary and appropriate, call a special Board meeting.
- Vote, discuss, and make motions the same as other members of the Board; however, the President will only rarely make motions and second motions;
- Allow the other Directors to complete their comments on an item before offering his or her own;
- Keep the meeting discussions focused on properly noticed agenda items and steadfastly move the Board toward making decisions;
- Sign various Board-approved documents on behalf of the Board;
- Propose for Board approval standing and ad-hoc Committees considering the policy and business needs of the District (see guidelines below);
- Propose the membership of each Committee, including two regular members and one alternate for each Committee, subject to approval by the Board;
- Act as official head of the District for ceremonial purposes; and
- Serve as the primary interface for the Board with the members of the media; though other Directors may be contacted by the press and may also discuss matters with them (when contacted by the media, a Director should inform the General Manager).

Generally, at the first Board meeting in December, the Board of Directors selects Directors for the offices of Board President and Vice President. District policy is that these positions rotate among members of the Board. The Board has adopted a separate policy regarding the annual election and rotation of Board officers.

Vice President

The Vice President performs all duties of the President in the event of the President's absence.

**GUIDELINES FOR ESTABLISHING COMMITTEES**

Process

If the President so desires, the President's will propose a set of standing Board Committees at the start of their term as well as propose which Directors are to serve on which Committees. The traditional process for doing so is as follows:

1. At the meeting at which the President is elected, the President asks the Directors to let them know on which Committees they might be interested in serving;
2. At the following meeting, generally using the criteria below, the Board President proposes a set of standing Committees and membership (including alternates) for each Committee;
3. The Board considers the President's proposal by Motion;
4. The Committee term traditionally begins January 1;
5. Once established, staff will work with each Committee to identify a schedule for standing Committee meetings;
6. At the first meeting of each Committee, that Committee will develop a Charter with the following elements:
  - Meeting time and place;
  - Committee Mission (staff will work with each Committee to ensure there is no overlap in Missions between or among Committees); and
  - Goals for the year; and
7. In early February, the Charters from each Committee are presented for the Board's consideration by Motion.

Criteria for Committee Assignment

There are no rules for assigning Directors to Committees. In past years Board Presidents have used the following criteria as they develop their recommended Committee assignments:

- Continuity;
- Exposure to all areas of the District's business;
- Area of Director Interest; and
- Developing working relationships among BOD members.

## CHAPTER 11 - General Manager's Role

### GENERAL MANAGER'S ROLE

#### Legal Requirements

The Community Services District Law, the enabling statute under which the District was organized and now operates, defines the General Manager as the highest level management appointee who is directly responsible to the Board for the implementation of the policies established by the Board (see *Government Code*, sections 61002(f), 61040, and 61050 et seq.). The General Manager serves as the District's Chief Executive Officer and is responsible for the day-to-day operations and functions of the District.

The powers and duties of the General Manager specified by the law are as follows (*Government Code* section numbers are shown in parentheses):

- Implement the policies established by the Board for the operation of the District (61051);
- Appoint, supervise, discipline, and dismiss District employees, consistent with the employee relations system established by the Board (61051);
- Supervise the District's facilities and services (61051);
- Supervise the District's finances (61051);
- If authorized by the Board, transfer funds between budget categories, other than transfers from the designated reserve for capital outlay (61111(b));
- Co-sign promissory notes with the Board President (61131(c)); and,
- Prepare and file various reports.

The General Manager may not be a member of the Board (61040(e)) but may serve as the District Treasurer (61050(c)). Traditionally, the Board has appointed a District Treasurer different than the General Manager. The Community Services District Law specifies that the General Manager serves at the pleasure of the Board and that the Board sets the compensation of the General Manager (61050(d) and (e)).

#### Contractual Requirements

The terms and conditions of the General Manager's employment are expressed in a contract with the District. That contract provides that the incumbent shall perform all duties and assume all obligations of the office of General Manager described in the job classification for the position of General Manager, and shall be subject to all pertinent provisions of the ordinances, resolutions, rules, regulations, and all other lawful orders and directives of the District or the Board. The contract requires that all duties and obligations be performed in an efficient and professional manner and in conformance with the standard generally prevailing for the performance of the duties and obligations pertaining to the office of similar managerial positions of public or private entities, including but not limited to community services districts.

Appointed by the Board, the General Manager is a full-time District employee who serves under contract and at the pleasure of the Board. The role of the General Manager is defined in several ways: by law, by contract, through an adopted job classification, and by District practice based on principles of good governance.

## Job Classification

The job classification for the position of General Manager is approved by the Board and specifies the required minimum qualifications (experience and training), knowledge, skills, and abilities as well as the duties of the position. The duties specified in that job description are as follows:

- Serve as the Chief Executive Officer of the District;
- Be in charge of the administrative affairs of the District;
- Be in charge of the engineering functions of the District;
- Represent the Board's policies and programs with employees, customers, community organizations, governmental agencies, and the general public;
- Review budget requests and make recommendations to the Board for expenditure levels;
- Be responsible for personnel matters including employee relations, employment procedures, grievances, affirmative action, and negotiations with employment representatives;
- Serve as District Engineer overseeing the preparation of engineering designs, reviewing submittals, conferring with developers, preparing engineering standards and specifications, and reviewing and modifying construction standards and specifications;
- Provide advice and consultation on the development of District programs and policies;
- Coordinate the preparation of the agenda for Board meetings;
- Conduct special studies and surveys to determine the effectiveness of District programs and services;
- Prepare grant applications; and,
- Prepare leases and agreements with other agencies.

The General Manager delegates many of these duties to other District managers and staff. In doing so, the General Manager remains accountable to the Board.

## Practices Based on Good Governance

The role of the General Manager is also defined by the relationship between the position and the Board. In its simplest form, the relationship is defined as the Board setting policy for the District or providing policy level guidance to the General Manager, and the General Manager being responsible for implementing those policies. The General Manager is responsible for the performance of the District within policy criteria established by the Board, and is accountable to the Board for all aspects of District operation. As such, the Board views all organizational successes and/or failures as those of the General Manager.

The Board's sole connection to the operational aspects of the District is through the General Manager. Decisions or instructions of individual Directors or Committees are not binding on the General Manager, who can only take direction from the Board. The Board can only give direction to the General Manager, and not to other District managers or staff. The General Manager is available to all Directors to discuss District issues and strategies. The General Manager is the clearinghouse for all informational requests originating from Directors.

The Board establishes the General Manager's annual performance plan and typically evaluates the performance of the General Manager on an annual basis, but can do so more frequently if the situation warrants. Traditionally, the Board also conducts an informal mid-year performance discussion with the General Manager.

## CHAPTER 12 - Working with District Staff

### WORKING WITH DISTRICT STAFF

The District's success in efficiently accomplishing its mission is partly due to the direct and regular access staff has to Directors. This helps in that decisions are made in real time, with minimal re-work. However, even with the real-time communication that occurs at Committee and Board meetings, there are times when a Director needs additional information from staff. The following guidelines will enable a Director to quickly and efficiently get needed information without disrupting staff's routine work.

- Always start with the General Manager, as he or she can obtain an answer or get the right person involved in the discussion, as needed.
- If the General Manager is unreachable, contact the Assistant General Manager.
- If neither the General Manager nor the Assistant General Manager is available, contact one of the senior managers.
- The District Secretary can help you at any time with administrative matters (e.g. scheduling, expense reports, requirements such as Fair Political Practices Commission forms, and travel arrangements).
- The District's Human Resources staff can help a Director at any time with issues dealing with a Director's personnel benefits or issues of a similar personal nature.

The District offers Directors a great degree of access to staff. If not handled properly, such access can lead to micro-management and political criticism. Micro-management by the Board also leads to morale issues and undermines the authority of the General Manager and senior staff.

Given the workload that staff faces and the General Manager's expectation that each senior manager (and employee) is responsible to complete assigned work, it is important that management has the ability to adjust staff's priorities and not be surprised.

When discussing a matter with staff, please keep in mind the following principles.

- **Don't make assignments.** It is quite easy for staff to interpret a simple question or comment from a Director as direction to drop current assignments and undertake some project, research, or investigation, creating the risk that important priorities and assignments are not completed on time or that the District does not fulfill commitments made to others (very often customers).
- **Take any information as work in progress.** Be cautious with the use of information. What is heard from a staff member may not be what the General Manager ultimately recommends. Very often, there are differences of opinion among staff as an issue is vetted prior to being presented to the Board. In addition, the General Manager's opinion given at an early point in a project may change as more information becomes known and before the matter is formally presented to the Board. Finally, keep in mind that it is hard for some staff members to say, "I don't know," when talking to a Director.
- **Request information judiciously.** The District is a public agency and therefore very little information, other than personal data about employees or customers, cannot be disclosed to



Directors. However, take care not to overwhelm the General Manager and staff with requests for information.

- **Let the General Manager know if disappointed by any response.** Since the Board judges the General Manager on the performance of the whole staff, inform the General Manager when improvement is needed.

## CHAPTER 13 - The Role of General Counsel and Special Counsel

### THE ROLE OF LEGAL COUNSEL

The primary obligation of both General Counsel and Special Counsel is to provide all the legal options available, including advantages and disadvantages of each, and to advise of legal risks. (When the term *legal counsel* is used throughout this document, it shall mean both General Counsel as well as Special Counsel). The public official receiving that advice has the right to make policy decisions, based on the legal options provided and legal risk entailed.

#### General Counsel

The Community Services District Law provides that a district may engage professional services including legal counsel (*Government Code, 61060(g)*). The District Board of Directors appoints the General Counsel. The General Counsel serves as the primary legal advisor, is responsible for day-to-day legal questions, and provides ongoing legal advice and opinions regarding the long-term interests of the District. The General Counsel is expected to provide high quality, trustworthy, and responsive legal counsel in a professional manner to assist in accomplishing the District's goals and objectives. When necessary, the General Counsel represents the District in litigation matters and before administrative agencies, and in some instances manages special counsel appointed for a particular matter. The General Counsel should seek to practice *preventative law* in an effort to help the District recognize and manage risks in a timely and effective manner. Preventative law can limit the expenditure of District resources to defend legal actions, reduce the frequency and severity of disputes, and help the District maintain a positive image in the community.

Appointed by and serving at the will of the Board, the General Counsel is an attorney whose law firm serves under contract to and at the pleasure of the Board. The role of the General Counsel is defined in several ways: by law, by contract, and by District practice based on principles of good governance. Special Counsel from other law firms may be hired to assist under certain circumstances.

#### Special Counsel

The District may, at the District's sole discretion and without approval or consultation with General Counsel, hire outside Special Counsel. However, the District may, but is not required to, seek General Counsel's assistance in determining whether to utilize outside Special Counsel or in the selection process. The retention of Special Counsel may be necessary based on any number of factors, including the need for highly specialized knowledge, the provision of a defense by an insurer, or should a conflict of interest arise with the General Counsel on a particular matter. Unless prevented by a conflict of interest, General Counsel should facilitate and cooperate in the retention of Special Counsel services to ensure the District receives accurate and cost-efficient legal advice and services

#### The District as the Client

While the general practice of the District is for the Board to delegate day-to-day management authority to the General Manager, it is important to remember that legal counsel to the District represents the entity rather than any natural person (i.e. legal counsel is not the attorney for any

individual Director, District employee, or officer). The client in such a representation is the entity itself as embodied in the “highest authorized officer, employee, body or constituent overseeing the particular engagement” (*California Rules of Professional Conduct*, Rule 3-600(A)). In the case of the District, the highest authorized authority is generally the Board of Directors. The Board may delegate this authority to the General Manager by action of the Board duly taken. The most common points of contact for legal counsel are the General Manager, the District’s senior management, and to a lesser extent other District employees and individual Directors.

During the course of representation, the legal counsel may become aware of information that indicates that the interests of a District official or employee may not be aligned with the interests of the District. Should such situations arise, legal counsel’s duty of loyalty and confidentiality is owed to the District and not the individual. In such a situation, the individual’s communications with the legal counsel are not confidential and cannot be withheld from others with authority over the matter at issue, whether the General Manager or the Board of Directors.

#### Hiring and Termination

General Counsel and Special Counsel are hired by and may only be terminated by the Board unless those actions have been delegated to the General Manager by duly taken action of the Board.

#### Regular Performance Evaluations

The Board, with the assistance of the General Manager, establishes the General Counsel’s annual performance plan and typically evaluates performance on an annual basis.

#### **SPECIAL ETHICAL CONSIDERATIONS FOR PUBLIC LAWYERS**

In California, lawyers are regulated by both the Legislature and the California Supreme Court, under Rules of Professional Conduct promulgated by the California State Bar Board of Governors and approved by the Court (see, generally, the *State Bar Act* and *California Business & Professions Code*, section 6000 et seq.). Public agency attorneys are also subject to the laws and rules contained in the Political Reform Act and *Government Code*, section 1090. Statutes may also impose a duty on public agency attorneys that they owe directly to the public. Further, the courts have enunciated the principle that lawyers for public agencies have special ethical obligations to further justice—i.e. these lawyers are held to a higher standard than other attorneys.

For example, under *California Rules of Professional Conduct*, Rule 3-600(B), an entity’s lawyer who becomes aware of the conduct of an entity’s agent which may be or is a violation of law that is “reasonably imputable to the organization” or that “is likely to result in substantial injury to the organization,” may take the matter to the “highest internal authority within the organization.” No confidential information may be disclosed beyond the organization, unless it is to prevent a criminal act that the attorney reasonably believes is likely to result in death of, or substantial bodily harm to, an individual, but only after the attorney has exhausted all options to convince the client not to commit the criminal act.

**PROTECTING ATTORNEY CLIENT PRIVILEGE, ATTORNEY WORK PRODUCT DOCTRINE AND MAINTAINING THE CONFIDENTIALITY OF COMMUNICATIONS WITH COUNSEL**

Protecting both the attorney-client privilege and the attorney-work product doctrine and maintaining confidentiality of communications between the District and legal counsel are vital to ensuring the District's ability to confide freely in its attorneys.

**Attorney-Client Privilege**

The District, acting through legal counsel, may claim the attorney-client privilege (see, generally, *California Evidence Code*, section 954). However, the privilege only protects communications and only extends to information given for the purpose of obtaining legal representation. Core information is not necessarily protected and the information will not be privileged simply because it has been told or provided to the General Counsel. The privilege may be waived if the confidential communications are disclosed to third parties.

Whenever a Director communicates in writing with staff on a matter that involves a legal matter, appropriate legal counsel should be copied on that correspondence.

**Attorney-Work Product Doctrine**

The Attorney-Work Product Doctrine protects the work of the attorney and includes the legal theories and strategies of legal counsel. Attorney work product may be found in interviews, statements, memoranda, correspondence, briefs, mental impressions, personal beliefs, and countless other forms. The attorney-work product doctrine is broader than the attorney-client privilege in that it protects materials prepared by the attorney, whether or not disclosed to the client, and materials prepared by third parties for the attorney (see *Laguna Beach County Water District v. Sup. Ct. (Woodhouse)* (2004) 124 Cal.App.4<sup>th</sup> 1453 and *California Code of Civil Procedure*, section 2018).

Whenever a Director receives a work product from an attorney, that work product must not be transmitted to any third party. The Director shall also take great care in managing that document, keeping it only as long as needed and destroying or returning copies to the District or legal counsel.

**Confidentiality of Communications**

The duty of confidentiality is broader than the attorney-client evidentiary privilege and the attorney-client work product doctrine. Legal counsel's duty of confidentiality runs to the District itself, including the Board of Directors as a whole, rather than to an individual Board member, District official, or employee (see, generally, *California Business & Professions Code*, section 6068). When an individual Board member receives advice from legal counsel, that advice is provided to the Director in his or her official capacity and the advice is subject to disclosure to the entire Board.

Information and advice provided to the Board of Directors or legal counsel during a closed session is generally confidential and may also be privileged. It is important to note that a Board member may inadvertently waive the attorney-client privilege by discussing closed session matters with third parties. Directors and others present at a closed session should take care to prevent unauthorized disclosure of confidential information. There is a particular risk of a breach of confidentiality when a Director maintains material distributed in a closed session in personal files.

## CHAPTER 14 – Use of Electronic Devices during Meetings

### USE OF ELECTRONIC DEVICES DURING MEETINGS

#### District Furnished Devices and Service

Directors are encouraged to use appropriate electronic devices such as lap top and tablet computers for District business. The District Board Room is enabled as a Wi-Fi hotspot enabling any such devices being used by a Director, staff or the public to be able to access the internet without incurring usage charges.

#### Access to Agenda Materials

All Board and Committee agendas (agenda face sheet as well as all attachments) are posted on the District's website at [www.dsrdsd.com](http://www.dsrdsd.com) at essentially the same time agendas are officially posted at the District Office. Board meeting minutes and Committee meeting notes are likewise posted as are the recordings of District Board meetings. Directors are encouraged but not required to download agenda material for Board and Committee meetings from the website saving the District the cost of delivery. Directors should notify staff if they wish to not receive paper agenda materials.

#### Appropriate Use of Electronic Devices in Public Meetings

The appropriate use of electronic devices by Directors can save money and increase the productivity of District staff. However, barring a personal emergency or similarly urgent situation, Directors should not use such devices for any sort of communication (emailing, texting, checking voice mails etc.) while a public meeting is in progress. Doing so carries risks including:

- The integrity of the open meeting can be questioned by anyone concerned that a Director is communicating with someone not present at the meeting, an audience member or even a fellow Director or staff about an agenda item in a manner that is not available to all present at the meeting;
- A violation of the Brown Act may be alleged if a Director is communicating electronically about an agenda item during a public meeting; and
- If there is a Brown Act violation, the actions that the Board took related to that violation can be invalidated.

## CHAPTER 15 – Effective Communications

### EFFECTIVE COMMUNICATIONS

#### General Guidelines

- Make no promises for the Board or the District.
- Be aware of how various forms of communication affect how messages are received: formal versus informal, written versus verbal, in-person versus over the phone versus electronic. Strive to use each form at the appropriate time.
- Confer with the General Manager when in doubt—staff is always available to advise you on how best to proceed.
- Maintain neutrality when required by not discussing nor commenting upon matters that are quasi-judicial in nature such as, but not limited to, administrative hearings on personnel matters or environmental impact reports, until the entire record is presented to the full Board; it is imperative that a Director maintain an open mind on such matters until after all information has been entered into the public record and presented to the full Board.

A Director has many opportunities to communicate effectively. Openness, timeliness, directness, and truthfulness are the traits of good communication, regardless of the format or venue.

#### Communicating with the Public

- A Director can always communicate with District constituents.
- Inform the General Manager as soon as possible about concerns you hear from your constituents. Many times the concern can be handled administratively or is already a work in progress.
- Don't make personal commitments or promises for the District because only the Board can commit the District to an action or policy.
- Understand that very often there is a fair amount of background to an issue and you may have heard only one perspective.

#### Communication with Other Agencies

- It is acceptable to attend meetings of other public agencies and it is good to introduce yourself so everyone knows you are present.
- If you are speaking for the District at another agency's public meeting, always clearly state that what you are saying has been approved by the Board and do not deviate from the message and/or position.
- Be clear when the Board has no position on an issue.
- Take opportunities to develop relationships but always in a way that supports Board policy and avoids accusations of deal-making.
- Be positive and cooperative in comments and attitudes about people and other agencies (particularly in public).

- Communicate in a way that builds positive relationships.

#### Speaking as a Private Individual

- If you speak as a private citizen at a public gathering, clearly state that you are doing so.
- Keep in mind that even when you say you are speaking as a private individual, many in your audience nevertheless hear your comments in light of your position as a Director of the District.
- Apply common sense.
- Avoid personal statements that might be interpreted as District policy.
- Support District policy, avoiding personal statements that conflict with policy and identify when your personal opinions deviate from Board policy as determined by the Board majority.
- It is acceptable to speak as an individual on issues not related to District business, but make it clear that your remarks are solely your own.

#### Communicating with the Media

- If you choose to talk with the media, the following practices can help you present your thoughts effectively.
- Do not use the phrase, “No comment,” as this phrase has been stigmatized and may be interpreted negatively.
- Feel free to refer media inquiries to the General Manager or confer with the General Manager prior to speaking with the media to ensure that you are fully briefed on the facts associated with the topic at hand.
- Feel free to use and ask staff to prepare talking points so as to convey a consistent message about District actions.
- Clarify when your view is dissenting, but support adopted Board policy even when you are in the minority. Don’t stimulate or inflame controversy.
- If you communicate with the media before you vote on a matter, you can inadvertently become a party to a serial meeting in conflict with the Brown Act if the media were to poll other Directors and share with them your predisposition on a matter.

#### Communicating at Liaison Committees

- Liaison Committees do not make policy, but simply gather information and present District policy. (If the District has no policy, say so.)
- Always bring the information back to the Board.
- Communicate critical issues promptly to the General Manager to avoid surprises.
- Officials at other agencies are busy, so liaison Committee meetings should focus on current issues; avoid meeting just for meeting’s sake (do need-based scheduling).

#### Communicating at Joint Powers Authority Meetings

- At meetings of a Joint Powers Authority (JPA), your role is different from that of your role at a liaison meeting because you also serve as a Director of the JPA, which is an independent governmental agency.

- When serving on a JPA Board, the California Attorney General has opined and the Joint Powers Act suggests that a Director has independent discretion apart from the agency to which Board he or she was elected. In other words, a JPA Director owes his or her primary duty to the JPA when acting in that capacity. However, since a District Director serves on a JPA Board at the pleasure of the District Board, the District Board can terminate the Director's appointment to the JPA at its sole discretion and without a showing of cause for the termination of that appointment.
- Subject to the points above, if the District Board has discussed a matter and arrived at a decision, the JPA representatives should advocate and vote as decided by the District Board.
- Problems can arise when there is a conflict around a specific issue, either between the best interest of the JPA versus the best interest of the District or between the majority District position and the representative's individual view. In such situations, prior consultation with the General Manager and/or General Counsel is advised.
- The Board President considers the individual views of a Director when suggesting appointments to JPA positions so as to avoid potentially awkward situations.
- If the representative knows there is a serious personal conflict, he or she can ask to be replaced by the alternate for those meetings dealing with the issues of concern.
- Matters discussed in a closed session of the JPA are subject to the same confidentiality obligations as a District closed session. However, there are certain exceptions and exemptions to this general rule. Specific concerns over what may be discussed with the District Board and under what circumstances should be addressed with the General Counsel.

#### Building Goodwill with Other Agencies

- Remain positive in outlook, comments, and tone, particularly in public.
- Work on building and improving positive relationships and mending previously strained relationships.
- Remember that the professional staff of the District and other agencies can, and do, work things out with input and guidance from their respective Boards. Sometimes it may be more efficient not to say anything.
- Learn about and understand the interests and needs of the other agencies.
- Informal interactions help build connections better than formal interactions.
- Don't force relationships; work on them to the extent they are needed.
- There is an appropriate time and place for applying pressure to get desired results; grandstanding at public meetings rarely achieves this purpose.
- Whatever happens, model good behavior, keep communications professional and civil, and always show others the same respect you hope to receive in return.

#### Communicating in Writing

Refer to and follow the Board Correspondence Policy and consult with the General Manager on all correspondence and other written communications. In addition:

- **Corresponding as an Individual Director related to District Business.** Directors may send correspondence stating their personal views related to District business (and may use their title as



a Director). Such correspondence should clearly state that the statements are the view of the sending Director and not the official position of the District. The sending Director should convey a copy of such correspondence to the General Manager and/or District Secretary who shall circulate it to the other Directors for their information. When corresponding as an individual Director, the Director may not use District letterhead, the District logo or seal or any functional electronic equivalent thereof.

- **Corresponding as an Individual Director unrelated to District Business.** Directors may send correspondence to other public agencies if the correspondence states that it is being sent by the Director as a private citizen and represents their personal views on a public matter that is not related to District business. While not required, the Director is encouraged to provide a copy of such correspondence to the General Manager and/or District Secretary.

#### Communicating Electronically

- All communications to and from a Director related to District business, including e-mail, mobile-to-mobile texting, mobile instant messaging, computer based instant messaging, chat logs, and similar modes of electronic communication, could be considered a public record (even those originating from personal e-mail) and are subject to disclosure under the Public Records Act to the same extent as traditional written materials.
- Electronic communications are potentially discoverable if legal proceedings are involved.
- Keep in mind that these forms of electronic communication are often retained by and can be retrieved from electronic devices, software programs, and/or the companies that provide such services even if deleted from display.
- With constituents and other agencies, generally it is better to communicate in person rather than through e-mail. When you communicate face to face, the other party is more likely to interpret your message correctly.
- When you receive an e-mail related to District business, consider:
  - Copying the e-mail (and any response you make) to the General Manager;
  - Using the e-mail response as an opportunity to open a subsequent verbal communication with the constituent; and
  - Referring the matter to the General Manager for assistance in preparing a response (with suggestions for what might be included in the response).
- When writing back, refer to and rely on Board policy to address the concerns raised.
- Be careful about using *Reply to All* and using features that automatically fill in e-mail addresses when emailing or posting on discussion boards, social media messages, and social networking sites. This can lead to inadvertent serial meetings that are prohibited by the Brown Act.



# Rosenberg's Rules of Order

REVISED 2011

*Simple Rules of Parliamentary Procedure for the 21st Century*

*By Judge Dave Rosenberg*



## MISSION AND CORE BELIEFS

To expand and protect local control for cities through education and advocacy to enhance the quality of life for all Californians.

## VISION

To be recognized and respected as the leading advocate for the common interests of California's cities.

### **About the League of California Cities**

Established in 1898, the League of California Cities is a member organization that represents California's incorporated cities. The League strives to protect the local authority and autonomy of city government and help California's cities effectively serve their residents. In addition to advocating on cities' behalf at the state capitol, the League provides its members with professional development programs and information resources, conducts education conferences and research, and publishes Western City magazine.

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### **ABOUT THE AUTHOR**

Dave Rosenberg is a Superior Court Judge in Yolo County. He has served as presiding judge of his court, and as presiding judge of the Superior Court Appellate Division. He also has served as chair of the Trial Court Presiding Judges Advisory Committee (the committee composed of all 58 California presiding judges) and as an advisory member of the California Judicial Council. Prior to his appointment to the bench, Rosenberg was member of the Yolo County Board of Supervisors, where he served two terms as chair. Rosenberg also served on the Davis City Council, including two terms as mayor. He has served on the senior staff of two governors, and worked for 19 years in private law practice. Rosenberg has served as a member and chair of numerous state, regional and local boards. Rosenberg chaired the California State Lottery Commission, the California Victim Compensation and Government Claims Board, the Yolo-Solano Air Quality Management District, the Yolo County Economic Development Commission, and the Yolo County Criminal Justice Cabinet. For many years, he has taught classes on parliamentary procedure and has served as parliamentarian for large and small bodies.



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## INTRODUCTION

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The rules of procedure at meetings should be simple enough for most people to understand. Unfortunately, that has not always been the case. Virtually all clubs, associations, boards, councils and bodies follow a set of rules — *Robert's Rules of Order* — which are embodied in a small, but complex, book. Virtually no one I know has actually read this book cover to cover. Worse yet, the book was written for another time and for another purpose. If one is chairing or running a parliament, then *Robert's Rules of Order* is a dandy and quite useful handbook for procedure in that complex setting. On the other hand, if one is running a meeting of say, a five-member body with a few members of the public in attendance, a simplified version of the rules of parliamentary procedure is in order.

Hence, the birth of *Rosenberg's Rules of Order*.

What follows is my version of the rules of parliamentary procedure, based on my decades of experience chairing meetings in state and local government. These rules have been simplified for the smaller bodies we chair or in which we participate, slimmed down for the 21st Century, yet retaining the basic tenets of order to which we have grown accustomed. Interestingly enough, *Rosenberg's Rules* has found a welcoming audience. Hundreds of cities, counties, special districts, committees, boards, commissions, neighborhood associations and private corporations and companies have adopted *Rosenberg's Rules* in lieu of *Robert's Rules* because they have found them practical, logical, simple, easy to learn and user friendly.

This treatise on modern parliamentary procedure is built on a foundation supported by the following four pillars:

1. **Rules should establish order.** The first purpose of rules of parliamentary procedure is to establish a framework for the orderly conduct of meetings.
2. **Rules should be clear.** Simple rules lead to wider understanding and participation. Complex rules create two classes: those who understand and participate; and those who do not fully understand and do not fully participate.
3. **Rules should be user friendly.** That is, the rules must be simple enough that the public is invited into the body and feels that it has participated in the process.
4. **Rules should enforce the will of the majority while protecting the rights of the minority.** The ultimate purpose of rules of procedure is to encourage discussion and to facilitate decision making by the body. In a democracy, majority rules. The rules must enable the majority to express itself and fashion a result, while permitting the minority to also express itself, but not dominate, while fully participating in the process.

### Establishing a Quorum

The starting point for a meeting is the establishment of a quorum. A quorum is defined as the minimum number of members of the body who must be present at a meeting for business to be legally transacted. The default rule is that a quorum is one more than half the body. For example, in a five-member body a quorum is three. When the body has three members present, it can legally transact business. If the body has less than a quorum of members present, it cannot legally transact business. And even if the body has a quorum to begin the meeting, the body can lose the quorum during the meeting when a member departs (or even when a member leaves the dais). When that occurs the body loses its ability to transact business until and unless a quorum is reestablished.

The default rule, identified above, however, gives way to a specific rule of the body that establishes a quorum. For example, the rules of a particular five-member body may indicate that a quorum is four members for that particular body. The body must follow the rules it has established for its quorum. In the absence of such a specific rule, the quorum is one more than half the members of the body.

### The Role of the Chair

While all members of the body should know and understand the rules of parliamentary procedure, it is the chair of the body who is charged with applying the rules of conduct of the meeting. The chair should be well versed in those rules. For all intents and purposes, the chair makes the final ruling on the rules every time the chair states an action. In fact, all decisions by the chair are final unless overruled by the body itself.

Since the chair runs the conduct of the meeting, it is usual courtesy for the chair to play a less active role in the debate and discussion than other members of the body. This does not mean that the chair should not participate in the debate or discussion. To the contrary, as a member of the body, the chair has the full right to participate in the debate, discussion and decision-making of the body. What the chair should do, however, is strive to be the last to speak at the discussion and debate stage. The chair should not make or second a motion unless the chair is convinced that no other member of the body will do so at that point in time.

### The Basic Format for an Agenda Item Discussion

Formal meetings normally have a written, often published agenda. Informal meetings may have only an oral or understood agenda. In either case, the meeting is governed by the agenda and the agenda constitutes the body's agreed-upon roadmap for the meeting. Each agenda item can be handled by the chair in the following basic format:

**First**, the chair should clearly announce the agenda item number and should clearly state what the agenda item subject is. The chair should then announce the format (which follows) that will be followed in considering the agenda item.

**Second**, following that agenda format, the chair should invite the appropriate person or persons to report on the item, including any recommendation that they might have. The appropriate person or persons may be the chair, a member of the body, a staff person, or a committee chair charged with providing input on the agenda item.

**Third**, the chair should ask members of the body if they have any technical questions of clarification. At this point, members of the body may ask clarifying questions to the person or persons who reported on the item, and that person or persons should be given time to respond.

**Fourth**, the chair should invite public comments, or if appropriate at a formal meeting, should open the public meeting for public input. If numerous members of the public indicate a desire to speak to the subject, the chair may limit the time of public speakers. At the conclusion of the public comments, the chair should announce that public input has concluded (or the public hearing, as the case may be, is closed).

**Fifth**, the chair should invite a motion. The chair should announce the name of the member of the body who makes the motion.

**Sixth**, the chair should determine if any member of the body wishes to second the motion. The chair should announce the name of the member of the body who seconds the motion. It is normally good practice for a motion to require a second before proceeding to ensure that it is not just one member of the body who is interested in a particular approach. However, a second is not an absolute requirement, and the chair can proceed with consideration and vote on a motion even when there is no second. This is a matter left to the discretion of the chair.

**Seventh**, if the motion is made and seconded, the chair should make sure everyone understands the motion.

This is done in one of three ways:

1. The chair can ask the maker of the motion to repeat it;
2. The chair can repeat the motion; or
3. The chair can ask the secretary or the clerk of the body to repeat the motion.

**Eighth**, the chair should now invite discussion of the motion by the body. If there is no desired discussion, or after the discussion has ended, the chair should announce that the body will vote on the motion. If there has been no discussion or very brief discussion, then the vote on the motion should proceed immediately and there is no need to repeat the motion. If there has been substantial discussion, then it is normally best to make sure everyone understands the motion by repeating it.

**Ninth**, the chair takes a vote. Simply asking for the “ayes” and then asking for the “nays” normally does this. If members of the body do not vote, then they “abstain.” Unless the rules of the body provide otherwise (or unless a super majority is required as delineated later in these rules), then a simple majority (as defined in law or the rules of the body as delineated later in these rules) determines whether the motion passes or is defeated.

**Tenth**, the chair should announce the result of the vote and what action (if any) the body has taken. In announcing the result, the chair should indicate the names of the members of the body, if any, who voted in the minority on the motion. This announcement might take the following form: “The motion passes by a vote of 3-2, with Smith and Jones dissenting. We have passed the motion requiring a 10-day notice for all future meetings of this body.”

## Motions in General

Motions are the vehicles for decision making by a body. It is usually best to have a motion before the body prior to commencing discussion of an agenda item. This helps the body focus.

Motions are made in a simple two-step process. First, the chair should recognize the member of the body. Second, the member of the body makes a motion by preceding the member’s desired approach with the words “I move . . .”

A typical motion might be: “I move that we give a 10-day notice in the future for all our meetings.”

The chair usually initiates the motion in one of three ways:

1. **Inviting the members of the body to make a motion**, for example, “A motion at this time would be in order.”
2. **Suggesting a motion to the members of the body**, “A motion would be in order that we give a 10-day notice in the future for all our meetings.”
3. **Making the motion**. As noted, the chair has every right as a member of the body to make a motion, but should normally do so only if the chair wishes to make a motion on an item but is convinced that no other member of the body is willing to step forward to do so at a particular time.

## The Three Basic Motions

There are three motions that are the most common and recur often at meetings:

**The basic motion**. The basic motion is the one that puts forward a decision for the body’s consideration. A basic motion might be: “I move that we create a five-member committee to plan and put on our annual fundraiser.”

**The motion to amend.** If a member wants to change a basic motion that is before the body, they would move to amend it. A motion to amend might be: “I move that we amend the motion to have a 10-member committee.” A motion to amend takes the basic motion that is before the body and seeks to change it in some way.

**The substitute motion.** If a member wants to completely do away with the basic motion that is before the body, and put a new motion before the body, they would move a substitute motion. A substitute motion might be: “I move a substitute motion that we cancel the annual fundraiser this year.”

“Motions to amend” and “substitute motions” are often confused, but they are quite different, and their effect (if passed) is quite different. A motion to amend seeks to retain the basic motion on the floor, but modify it in some way. A substitute motion seeks to throw out the basic motion on the floor, and substitute a new and different motion for it. The decision as to whether a motion is really a “motion to amend” or a “substitute motion” is left to the chair. So if a member makes what that member calls a “motion to amend,” but the chair determines that it is really a “substitute motion,” then the chair’s designation governs.

A “friendly amendment” is a practical parliamentary tool that is simple, informal, saves time and avoids bogging a meeting down with numerous formal motions. It works in the following way: In the discussion on a pending motion, it may appear that a change to the motion is desirable or may win support for the motion from some members. When that happens, a member who has the floor may simply say, “I want to suggest a friendly amendment to the motion.” The member suggests the friendly amendment, and if the maker and the person who seconded the motion pending on the floor accepts the friendly amendment, that now becomes the pending motion on the floor. If either the maker or the person who seconded rejects the proposed friendly amendment, then the proposer can formally move to amend.

### Multiple Motions Before the Body

There can be up to three motions on the floor at the same time. The chair can reject a fourth motion until the chair has dealt with the three that are on the floor and has resolved them. This rule has practical value. More than three motions on the floor at any given time is confusing and unwieldy for almost everyone, including the chair.

When there are two or three motions on the floor (after motions and seconds) at the same time, the vote should proceed *first* on the *last* motion that is made. For example, assume the first motion is a basic “motion to have a five-member committee to plan and put on our annual fundraiser.” During the discussion of this motion, a member might make a second motion to “amend the main motion to have a 10-member committee, not a five-member committee to plan and put on our annual fundraiser.” And perhaps, during that discussion, a member makes yet a third motion as a “substitute motion that we not have an annual fundraiser this year.” The proper procedure would be

as follows:

**First**, the chair would deal with the *third* (the last) motion on the floor, the substitute motion. After discussion and debate, a vote would be taken first on the third motion. If the substitute motion *passed*, it would be a substitute for the basic motion and would eliminate it. The first motion would be moot, as would the second motion (which sought to amend the first motion), and the action on the agenda item would be completed on the passage by the body of the third motion (the substitute motion). No vote would be taken on the first or second motions.

**Second**, if the substitute motion *failed*, the chair would then deal with the second (now the last) motion on the floor, the motion to amend. The discussion and debate would focus strictly on the amendment (should the committee be five or 10 members). If the motion to amend *passed*, the chair would then move to consider the main motion (the first motion) as *amended*. If the motion to amend *failed*, the chair would then move to consider the main motion (the first motion) in its original format, not amended.

**Third**, the chair would now deal with the first motion that was placed on the floor. The original motion would either be in its original format (five-member committee), or if *amended*, would be in its amended format (10-member committee). The question on the floor for discussion and decision would be whether a committee should plan and put on the annual fundraiser.

### To Debate or Not to Debate

The basic rule of motions is that they are subject to discussion and debate. Accordingly, basic motions, motions to amend, and substitute motions are all eligible, each in their turn, for full discussion before and by the body. The debate can continue as long as members of the body wish to discuss an item, subject to the decision of the chair that it is time to move on and take action.

There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the body to move on. The following motions are not debatable (that is, when the following motions are made and seconded, the chair must immediately call for a vote of the body without debate on the motion):

**Motion to adjourn.** This motion, if passed, requires the body to immediately adjourn to its next regularly scheduled meeting. It requires a simple majority vote.

**Motion to recess.** This motion, if passed, requires the body to immediately take a recess. Normally, the chair determines the length of the recess which may be a few minutes or an hour. It requires a simple majority vote.

**Motion to fix the time to adjourn.** This motion, if passed, requires the body to adjourn the meeting at the specific time set in the motion. For example, the motion might be: “I move we adjourn this meeting at midnight.” It requires a simple majority vote.

**Motion to table.** This motion, if passed, requires discussion of the agenda item to be halted and the agenda item to be placed on “hold.” The motion can contain a specific time in which the item can come back to the body. “I move we table this item until our regular meeting in October.” Or the motion can contain no specific time for the return of the item, in which case a motion to take the item off the table and bring it back to the body will have to be taken at a future meeting. A motion to table an item (or to bring it back to the body) requires a simple majority vote.

**Motion to limit debate.** The most common form of this motion is to say, “I move the previous question” or “I move the question” or “I call the question” or sometimes someone simply shouts out “question.” As a practical matter, when a member calls out one of these phrases, the chair can expedite matters by treating it as a “request” rather than as a formal motion. The chair can simply inquire of the body, “any further discussion?” If no one wishes to have further discussion, then the chair can go right to the pending motion that is on the floor. However, if even one person wishes to discuss the pending motion further, then at that point, the chair should treat the call for the “question” as a formal motion, and proceed to it.

When a member of the body makes such a motion (“I move the previous question”), the member is really saying: “I’ve had enough debate. Let’s get on with the vote.” When such a motion is made, the chair should ask for a second, stop debate, and vote on the motion to limit debate. The motion to limit debate requires a two-thirds vote of the body.

**NOTE:** A motion to limit debate could include a time limit. For example: “I move we limit debate on this agenda item to 15 minutes.” Even in this format, the motion to limit debate requires a two-thirds vote of the body. A similar motion is a *motion to object to consideration of an item*. This motion is not debatable, and if passed, precludes the body from even considering an item on the agenda. It also requires a two-thirds vote.

## Majority and Super Majority Votes

In a democracy, a simple majority vote determines a question. A tie vote means the motion fails. So in a seven-member body, a vote of 4-3 passes the motion. A vote of 3-3 with one abstention means the motion fails. If one member is absent and the vote is 3-3, the motion still fails.

All motions require a simple majority, but there are a few exceptions. The exceptions come up when the body is taking an action which effectively cuts off the ability of a minority of the body to take an action or discuss an item. These extraordinary motions require a two-thirds majority (a super majority) to pass:

**Motion to limit debate.** Whether a member says, “I move the previous question,” or “I move the question,” or “I call the question,” or “I move to limit debate,” it all amounts to an attempt to cut off the ability of the minority to discuss an item, and it requires a two-thirds vote to pass.

**Motion to close nominations.** When choosing officers of the body (such as the chair), nominations are in order either from a nominating committee or from the floor of the body. A motion to close nominations effectively cuts off the right of the minority to nominate officers and it requires a two-thirds vote to pass.

**Motion to object to the consideration of a question.** Normally, such a motion is unnecessary since the objectionable item can be tabled or defeated straight up. However, when members of a body do not even want an item on the agenda to be considered, then such a motion is in order. It is not debatable, and it requires a two-thirds vote to pass.

**Motion to suspend the rules.** This motion is debatable, but requires a two-thirds vote to pass. If the body has its own rules of order, conduct or procedure, this motion allows the body to suspend the rules for a particular purpose. For example, the body (a private club) might have a rule prohibiting the attendance at meetings by non-club members. A motion to suspend the rules would be in order to allow a non-club member to attend a meeting of the club on a particular date or on a particular agenda item.

## Counting Votes

The matter of counting votes starts simple, but can become complicated.

Usually, it’s pretty easy to determine whether a particular motion passed or whether it was defeated. If a simple majority vote is needed to pass a motion, then one vote more than 50 percent of the body is required. For example, in a five-member body, if the vote is three in favor and two opposed, the motion passes. If it is two in favor and three opposed, the motion is defeated.

If a two-thirds majority vote is needed to pass a motion, then how many affirmative votes are required? The simple rule of thumb is to count the “no” votes and double that count to determine how many “yes” votes are needed to pass a particular motion. For example, in a seven-member body, if two members vote “no” then the “yes” vote of at least four members is required to achieve a two-thirds majority vote to pass the motion.

What about tie votes? In the event of a tie, the motion always fails since an affirmative vote is required to pass any motion. For example, in a five-member body, if the vote is two in favor and two opposed, with one member absent, the motion is defeated.

Vote counting starts to become complicated when members vote “abstain” or in the case of a written ballot, cast a blank (or unreadable) ballot. Do these votes count, and if so, how does one count them? The starting point is always to check the statutes.

In California, for example, for an action of a board of supervisors to be valid and binding, the action must be approved by a majority of the board. (California Government Code Section 25005.) Typically, this means three of the five members of the board must vote affirmatively in favor of the action. A vote of 2-1 would not be sufficient. A vote of 3-0 with two abstentions would be sufficient. In general law cities in



California, as another example, resolutions or orders for the payment of money and all ordinances require a recorded vote of the total members of the city council. (California Government Code Section 36936.) Cities with charters may prescribe their own vote requirements. Local elected officials are always well-advised to consult with their local agency counsel on how state law may affect the vote count.

After consulting state statutes, step number two is to check the rules of the body. If the rules of the body say that you count votes of “those present” then you treat abstentions one way. However, if the rules of the body say that you count the votes of those “present and voting,” then you treat abstentions a different way. And if the rules of the body are silent on the subject, then the general rule of thumb (and default rule) is that you count all votes that are “present and voting.”

Accordingly, under the “present and voting” system, you would **NOT** count abstention votes on the motion. Members who abstain are counted for purposes of determining quorum (they are “present”), but you treat the abstention votes on the motion as if they did not exist (they are not “voting”). On the other hand, if the rules of the body specifically say that you count votes of those “present” then you **DO** count abstention votes both in establishing the quorum and on the motion. In this event, the abstention votes act just like “no” votes.

*How does this work in practice?*

*Here are a few examples.*

Assume that a five-member city council is voting on a motion that requires a simple majority vote to pass, and assume further that the body has no specific rule on counting votes. Accordingly, the default rule kicks in and we count all votes of members that are “present and voting.” If the vote on the motion is 3-2, the motion passes. If the motion is 2-2 with one abstention, the motion fails.

Assume a five-member city council voting on a motion that requires a two-thirds majority vote to pass, and further assume that the body has no specific rule on counting votes. Again, the default rule applies. If the vote is 3-2, the motion fails for lack of a two-thirds majority. If the vote is 4-1, the motion passes with a clear two-thirds majority. A vote of three “yes,” one “no” and one “abstain” also results in passage of the motion. Once again, the abstention is counted only for the purpose of determining quorum, but on the actual vote on the motion, it is as if the abstention vote never existed — so an effective 3-1 vote is clearly a two-thirds majority vote.

Now, change the scenario slightly. Assume the same five-member city council voting on a motion that requires a two-thirds majority vote to pass, but now assume that the body **DOES** have a specific rule requiring a two-thirds vote of members “present.” Under this specific rule, we must count the members present not only for quorum but also for the motion. In this scenario, any abstention has the same force and effect as if it were a “no” vote. Accordingly, if the votes were three “yes,” one “no” and one “abstain,” then the motion fails. The abstention in this case is treated like a “no” vote and effective vote of 3-2 is not enough to pass two-thirds majority muster.

Now, exactly how does a member cast an “abstention” vote?

Any time a member votes “abstain” or says, “I abstain,” that is an abstention. However, if a member votes “present” that is also treated as an abstention (the member is essentially saying, “Count me for purposes of a quorum, but my vote on the issue is abstain.”) In fact, any manifestation of intention to vote either “yes” or “no” on the pending motion may be treated by the chair as an abstention. If written ballots are cast, a blank or unreadable ballot is counted as an abstention as well.

Can a member vote “absent” or “count me as absent?” Interesting question. The ruling on this is up to the chair. The better approach is for the chair to count this as if the member had left his/her chair and is actually “absent.” That, of course, affects the quorum. However, the chair may also treat this as a vote to abstain, particularly if the person does not actually leave the dais.

## The Motion to Reconsider

There is a special and unique motion that requires a bit of explanation all by itself; the motion to reconsider. A tenet of parliamentary procedure is finality. After vigorous discussion, debate and a vote, there must be some closure to the issue. And so, after a vote is taken, the matter is deemed closed, subject only to reopening if a proper motion to consider is made and passed.

A motion to reconsider requires a majority vote to pass like other garden-variety motions, but there are two special rules that apply only to the motion to reconsider.

First, is the matter of timing. A motion to reconsider must be made at the meeting where the item was first voted upon. A motion to reconsider made at a later time is untimely. (The body, however, can always vote to suspend the rules and, by a two-thirds majority, allow a motion to reconsider to be made at another time.)

Second, a motion to reconsider may be made only by certain members of the body. Accordingly, a motion to reconsider may be made only by a member who voted in the majority on the original motion. If such a member has a change of heart, he or she may make the motion to reconsider (any other member of the body — including a member who voted in the minority on the original motion — may second the motion). If a member who voted in the minority seeks to make the motion to reconsider, it must be ruled out of order. The purpose of this rule is finality. If a member of minority could make a motion to reconsider, then the item could be brought back to the body again and again, which would defeat the purpose of finality.

If the motion to reconsider passes, then the original matter is back before the body, and a new original motion is in order. The matter may be discussed and debated as if it were on the floor for the first time.

## Courtesy and Decorum

The rules of order are meant to create an atmosphere where the members of the body and the members of the public can attend to business efficiently, fairly and with full participation. At the same time, it is up to the chair and the members of the body to maintain common courtesy and decorum. Unless the setting is very informal, it is always best for only one person at a time to have the floor, and it is always best for every speaker to be first recognized by the chair before proceeding to speak.

The chair should always ensure that debate and discussion of an agenda item focuses on the item and the policy in question, not the personalities of the members of the body. Debate on policy is healthy, debate on personalities is not. The chair has the right to cut off discussion that is too personal, is too loud, or is too crude.

Debate and discussion should be focused, but free and open. In the interest of time, the chair may, however, limit the time allotted to speakers, including members of the body.

Can a member of the body interrupt the speaker? The general rule is “no.” There are, however, exceptions. A speaker may be interrupted for the following reasons:

**Privilege.** The proper interruption would be, “point of privilege.” The chair would then ask the interrupter to “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room may be too hot or too cold, or a blowing fan might interfere with a person’s ability to hear.

**Order.** The proper interruption would be, “point of order.” Again, the chair would ask the interrupter to “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the chair moved on to a vote on a motion that permits debate without allowing that discussion or debate.

**Appeal.** If the chair makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the chair. If the motion is seconded, and after debate, if it passes by a simple majority vote, then the ruling of the chair is deemed reversed.

**Call for orders of the day.** This is simply another way of saying, “return to the agenda.” If a member believes that the body has drifted from the agreed-upon agenda, such a call may be made. It does not require a vote, and when the chair discovers that the agenda has not been followed, the chair simply reminds the body to return to the agenda item properly before them. If the chair fails to do so, the chair’s determination may be appealed.

**Withdraw a motion.** During debate and discussion of a motion, the maker of the motion on the floor, at any time, may interrupt a speaker to withdraw his or her motion from the floor. The motion is immediately deemed withdrawn, although the chair may ask the person who seconded the motion if he or she wishes to make the motion, and any other member may make the motion if properly recognized.

## Special Notes About Public Input

The rules outlined above will help make meetings very public-friendly. But in addition, and particularly for the chair, it is wise to remember three special rules that apply to each agenda item:

**Rule One:** Tell the public what the body will be doing.

**Rule Two:** Keep the public informed while the body is doing it.

**Rule Three:** When the body has acted, tell the public what the body did.



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**Please note:**

**Rosenberg's Rules of Order – Parliamentary Procedure for the 21<sup>st</sup> Century – Revised 2011 – can be found at the link below and is available for purchase; therefore, it is not posted on DSRSD's website:**

**[http://www.ca-ilg.org/sites/main/files/file-attachments/resources\\_Rosenbergs Rules of Order - Revised 2011.pdf](http://www.ca-ilg.org/sites/main/files/file-attachments/resources_Rosenbergs_Rules_of_Order_-_Revised_2011.pdf)**

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H:\Users\gamble\WP51\BOARD\AGENDA\2012\Rosenbergs Rules links.docx

RESOLUTION NO. 61-09RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT REVISING POLICY GUIDELINES FOR CONDUCTING DISTRICT BUSINESS AND RESCINDING RESOLUTION NOS. 69-05 AND 1-07

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WHEREAS, the District Board of Directors has used various methods, means, customs and practices to exercise its authority, comply with various legal requirements, work with the public and District staff, and otherwise conduct the District's business; and

WHEREAS, many of these methods, means, customs and practices have been unwritten or when written have been found in various places, including Board minutes, memorandums from staff or legal counsel, or administrative procedures; and

WHEREAS, the Board of Directors reaffirms its desire that this material be consolidated into one document so that current and future Boardmembers may efficiently, effectively, and successfully conduct the District's business; and

WHEREAS, the Board of Directors desires that the manner in which it conducts the District business be as open and transparent to the public as possible and finds that these Guidelines serve in that purpose; and

WHEREAS, these Guidelines were first adopted by resolution of the Board in 2005 and subsequently amended one time in the intervening years, it is necessary to rescind the resolution authorizing those actions.

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, hereby:

1. Adopts the policy, attached hereto as Exhibit "A", titled "Guidelines for Conducting District Business"; and
2. Rescinds Resolution Nos. 69-05 and 1-07 that adopted the original guidelines and amendment;
3. Authorizes the General Manager to make non-substantive editorial changes to the Guidelines as it is finalized for publication; and

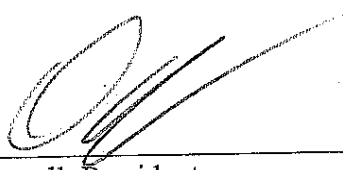
4. Authorizes and directs the General Manager to publish these Guidelines and make them available to all Directors and to post them on the District's internet web site so the public may access them.

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 17th day of November 2009, and passed by the following vote:

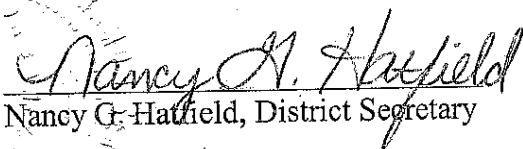
AYES: 5 - Directors Jeffrey G. Hansen, Georgean M. Vonheeder-Leopold, D.L. (Pat) Howard, Richard M. Halket, Daniel J. Scannell

NOES: 0

ABSENT: 0

  
\_\_\_\_\_  
Daniel J. Scannell, President

ATTEST:

  
\_\_\_\_\_  
Nancy G. Hatfield, District Secretary

**ATTACHMENT 1**  
**EXCERPT FROM BOARD MEETING MINUTES OF DECEMBER 17, 2013**  
**ITEM 9B**

*Discuss the Draft Guidelines for Conducting Dublin San Ramon Services District  
Business Policy*

General Manager Michalczyk presented the draft Guidelines for Conducting Dublin San Ramon Services District Business policy (Guidelines) and stated that one of the main charges from the Board is to change the way the Committees conduct their work. This was the largest part of updating these guidelines. The External Affairs Committee wanted the document presented in draft form for discussion. If the proposed “Structural Changes to the Committee System” section are supported by the full Board (page 50 of 50), as well as the other proposed revisions, then the guidelines can be finalized and presented at a future meeting in January or February. Essentially, all agenda items will go directly to the Board first.

Mr. Michalczyk explained that in looking back a year, approximately 85% of agenda items that have gone to the Board seem like they could have gone to the Board first and bypassed Committee review because they were non-controversial and minimally discussed. With approval of these structural changes, all items will go to Board meetings first and then be referred back to the Committees only when requested by the Board. Mr. Michalczyk noted that there were approximately eight types of items that would continue to go first to Committee and then on to the Board. Those include items such as development of Committee Charters, labor relations matters, rate setting matters, etc.

Director Halket commented that he believes structural change to the Committee system is changing the default thinking: items will go to the Board and then referred to Committee, only if desired, rather than required. Committee review will be the exception rather than the norm.

Director Halket also emphasized the importance of the Board having the ability to comfortably transact its business while meetings are recorded and broadcast. He cited a recent example where it seemed to him that Directors felt compelled to stay in their seats at the dais while trying to closely study and consider the proposed District logos. He felt constrained when viewing the logos because he wanted to get up and move around the Boardroom to get a closer, better look at the artwork. He encouraged the Board to continue to conduct their business naturally as if the meeting was not being recorded.

Director Duarte commented that if the recording inhibits the Board from effectively doing their work, he sympathizes with Director Halket. He noted the importance of the recordings, as it makes the Board’s business transparent.

V.P. Vonheeder-Leopold commented that eventually the recording technology will be improved and solve some of Director Halket’s concerns.

President Benson referred the Board to page 49 of 50 titled “New Chapter – Electronic Devices” of the draft Guidelines where it discusses the District will not furnish District-owned

devices. She wanted to understand why this was included in the policy. She noted that many city councils and boards do have devices issued to them. Her idea is that if Directors do not have to receive and review agenda packets in paper version they are becoming “green” and that is environmentally friendly. It will also reduce weekly courier costs to Directors.

Director Howard noted that this is a guideline and the text does not say “shall not” issue devices to Directors.

Mr. Michalczyk stated that on page 49 of 50 of the draft Guidelines, the second sentence in the first paragraph reads: “However, the District neither furnishes District-owned devices to Directors nor provides reimbursement for service contracts related to those devices.” If the Board wants to have access to the internet on District-owned devices, they could put this on a future agenda for discussion and consideration. Directors agreed to remove that particular sentence.

Mr. Michalczyk told the Board that revisions to the Guidelines will take slightly longer to prepare and finalize for approval.



**ATTACHMENT 2 to S&R  
SUMMARY OF POLICY LEVEL DISCUSSIONS  
GUIDELINES**

**Excerpt from Board Minutes June 2013**

General Manager Michalczyk introduced a discussion on the Board Guidelines for Conducting District Business policy (the “Guidelines”). He explained that it has been four years since the Board last reviewed the Guidelines. The purpose of the Guidelines is to assist Directors with information on how they carry out their duties and how the Board runs the business of the District. Additionally, the Guidelines provide information to the public about how the Board conducts its business and how the public can participate in that process.

Mr. Michalczyk stated that the Guidelines are an overarching policy that directly affects the Board and so it would be best to start discussions in this forum and then move the detailed discussion to the External Affairs Committee at their meeting tomorrow. He noted that Attachment 1 in the agenda packet materials highlights some of the policy issues the Board may want to consider. President Benson invited Board discussion.

Directors discussed the following topics for further consideration as it pertains to the review and update of the Guidelines: 1) consider if “structural” changes should be made to the existing Committee system and the business that is transacted at those meetings; 2) consider if more business should be brought directly to the Board and less brought through the Committees; 3) consider if more “project-type” business should be transacted by Committees; 4) consider ways to streamline business of the Board, possibly bypassing Committees; and 5) the perception of Directors’ using wireless devices at public meetings.

The Board agreed that the External Affairs Committee and staff should focus on the above areas when starting to review the Board Guidelines for Conducting District Business policy at their meeting tomorrow.

Mr. Michalczyk noted that the review and update of the policy will likely happen over the course of the next several months.

**Excerpt from External Affairs Committee Notes June 2013**

The Committee and staff discussed the current version of the Guidelines for Conducting District Business. The Committee discussed the issues staff raised in its report to the Board on June 4, 2013 on this matter, as well as the issues raised by the Board in their discussion of this matter. The Committee noted that, in general, the Guidelines are well written, easy to administer and valuable to Boardmembers (new and existing) as well as to the public.

The Committee discussed possible changes to the current Committee system acknowledging the observations made by the Board on June 4, 2013. After discussion, the Committee concluded that it is not the number of Committees per se that is the issue (although the Board should still strive to reduce those to the minimum needed to conduct business), but rather the number of items (especially those of a routine nature) that are currently routed through the Committee system before being presented to the Board.

To support the Committee’s further discussion on this subject, staff was asked to summarize approximately twelve months of Committee business to ascertain the number of items that could go directly to the Board.

The Committee discussed various models for revamping the way Committees work. Without committing to any one model, the Committee asked staff to draft some language so they could further discuss how a revamped Committee system could work.

The first model that the Committee asked staff to develop language for would be as follows. The desired outcome is that the vast majority of items are dealt with directly by the Board the first time they are presented:

- As a default, matters would go directly to Board (except perhaps some predefined matters that would always go through a Committee; guiding rate development, labor negotiations, development of new policies were cited as examples);
- If the Board approves the business when it is first presented, that issue would be complete;
- The Board could refer a matter to Committee for analysis (there was a short discussion about how that would procedurally be done);
- Once the Committee completes its work, the matter would then be brought back to the Board for consideration; and
- Some consideration needs to be given in this system for matters which are time sensitive (e.g. construction bids or water supply assessments).

The Committee asked staff to return with a draft revision of the Guidelines that addresses and incorporates the following:

- Create a new Chapter related to how business is conducted (this new chapter will be where any changes to the current Committee system would be described);
- Revise Chapter 8 to focus it on how Board business matters arise (staff, Board, Committee, public);
- Develop guidelines for the Board President's annual consideration of how many Committees to form and the focus of each Committee leaving that decision to the President's prerogative on an annual basis, recognizing that Joint Powers Authorities and Liaison Committee appointments will always be needed;
- Remove details of Board communications from this document and refer the reader to the Board Correspondence policy where those topics will be covered (so as to eliminate any inconsistencies);
- The various issues identified in Attachment 1 to the staff report to the Board on June 4, 2013; and
- Other administrative updates which staff believes are needed.

### **Excerpt from External Affairs Committee Notes October 2013**

General Manager Michalczyk introduced the topic noting that the District's practice is to review each of its policies at least every four years. The Guidelines for Conducting District Business (Guidelines) were last updated by the Board 2009. Mr. Michalczyk also noted that the Board, as well as the External Affairs Committee, discussed the Guidelines at a conceptual level in June 2013 and provided staff with direction for revisions. He noted that that direction is embodied in the proposed draft policy before the Committee.

Mr. Michalczyk summarized the nature of the changes directed by the Board and embodied in the draft policy as:

- Primarily centered on revamping the way the Board's Committee's conduct their business;
- Updating Board meeting protocols to reflect the video recording of Board meetings;
- Moving various "best management practice" suggestions for Board correspondence that are now in the Board Correspondence policy to the Guidelines;
- Adding language about the use of wireless technology during Board meetings; and
- Various administrative updates to clarify portions of the Guidelines, to address inconsistencies in the Guidelines that have been identified and to document what in the Guidelines is actually done in practice.

The Committee reviewed the survey of "Governing Board Standing Committee Survey" undertaken by the Goleta Sanitary District in the Spring of 2013 noting that the District's use of Committees is within the central scope of current practices at agencies included in that survey (37 agencies surveyed):

- Number of Committees: 2-5;
- Frequency of Committee meetings: As needed but scheduled monthly; and
- Groupings of subjects covered by Committees:
  - Finance / Audit / Budget / Investment;

- Personnel / Labor Relations;
- Inter-Governmental Relations / Legislation / Public Relations / Community Outreach; and
- Operations / Engineering.

The Committee reviewed the “Board Meeting Items Overview FYE 2013” report distributed at the meeting noting that of the approximate 100 items that eventually went to the Board in FYE 2013:

- 55% of items went directly to the Board;
- Of the remaining 45% that went through Committee, approximately:
  - 45% of those (about 20% of the total) probably could have gone directly to the Board;
  - 25% of those (about 10% of the total) probably would have been referred to a Committee if they were initiated at the Board level; and
  - 30% of those (about 15% of the total) probably required initial discussion at a Committee.

The Committee observed that if FYE 2013 is a good indication about 85% of items could have originated at the Board level. After discussion, the Committee concluded that there could be significant efficiency improvements and cost savings, without loss of detailed policy maker involvement that occurs during Committee discussions, if the District went to a system whereby items are presented first to the Board and referred to a Committee only if needed, excepting, perhaps, a few specifically identified issues that would need to originate with a Committee.

The Committee discussed the following aspects of the draft revisions to the Guidelines:

- Use of Committees requires that Boardmembers trust their colleagues with the delegated responsibility of overseeing items within the Committee charter;
- Utilize “Committee Reports” on Board agendas to inquire into the discussions at Committees if those are of importance to Boardmember;
- Taking more items directly to the Board could increase the length of Board meetings;
- Guidelines for the President’s consideration when formulating Committees; and
- Continue to give the President discretion regarding the number, name and membership on Committees (subject to Board ratification).

Mr. Michalczyk summarized other administrative revisions embodied in the draft Guidelines as:

- Calling a meeting to order when the President and Vice President are absent;
- Clarifying that a member of the public is not required to identify themselves when addressing the Board or a Committee;
- Clarifying that a member of the public may request the Board or a Committee to add an item to a future agenda;
- Clarifying that Committee notes are final when presented to the Board;
- Identification of standing Consent Calendar items;
- Revisions to coordinate with the Board Correspondence policy revisions that are being made in parallel with these changes;
- Guidelines and protocol for cancelling Committee meetings; and
- Guidance for improving quality of video recordings.

The Committee asked staff to place the item on the next Committee agenda so that they will have a chance to reflect on the detailed language before the Guidelines are finalized for formal Board consideration.

**Excerpt from External Affairs Committee Notes November 2013**

The Committee reviewed the proposed changes to the Guidelines for Conducting Board Business policy (Guidelines), which changes were presented to the Committee at its October 2013 meeting. After having had a chance to think about the Guidelines for a month, the Committee concluded that it was satisfied with the document. The Committee also concluded that the draft Guidelines incorporate input received from the Board and Committee in June 2013. The Committee noted that the following were the key aspects of the changes to the Guidelines:

- Primarily centered on revamping the way the Board’s Committee’s conduct their business including:

- Taking more items directly to the Board could increase the length of Board meetings;
- Utilizing “Committee Reports” on Board agendas to inquire into the discussions at Committees if those are of importance to Board Members;
- Guidelines for the President’s consideration when formulating Committees; and
- Continue to give the President discretion regarding the number, name and membership on Committees (subject to Board ratification).
- Procedural changes including:
  - Calling a meeting to order when the President and Vice President are absent;
  - Clarifying that a member of the public may request the Board or a Committee to add an item to a future agenda;
  - Clarifying that a member of the public is not required to identify themselves when addressing the Board or a Committee;
  - Clarifying that Committee notes are final when presented to the Board;
  - Addressing how to present reports that now regularly go to a Committee to the full Board so as to keep the full Board informed;
  - Identification of standing Consent Calendar items; and
  - Guidelines and protocol for cancelling Committee meetings.
- Various administrative revisions including:
  - Updating Board meeting protocols to reflect the video recording of Board meetings;
  - Adding language about the use of wireless technology during Board meetings; and
  - Moving various “best management practice” suggestions for Board correspondence that are now in the Board Correspondence policy into the Guidelines.

The Committee asked staff to present the changes to the Guidelines to the Board in a two-step fashion. The first step would be for discussion and further input. Then, if needed, the Committee would once again look at the Guidelines with that Board input in mind. Subsequently, the Guidelines would be presented to the Board to formally consider its adoption.

**Disposition of June 2013 Board and Committee Comments**

The table below summarizes the disposition of those comments made by the Board and the Committee in June 2013.

| Reference | Description   | Disposition  |
|-----------|---|--|
| BOD 1     | Consider if “structural” changes should be made to the existing Committee system and the business that is transacted at those meetings                    | As directed by the Committee a proposal has been developed in a new stand-alone Chapter at the end. The various aspects of that proposal would need to be interwoven into the Guidelines in various places. Based on the Committee direction that effort will be done at the next draft. |
| BOD 2     | Consider if more business should be brought directly to the Board and less brought through the Committees   |  |
| BOD 3     | Consider if more “project-type” business should be transacted by Committees   |  |
| BOD 4     | Consider ways to streamline business of the Board, possibly bypassing Committees  |  |
| BOD 5     | The perception of Directors’ using wireless devices at public meetings  | Incorporated - New Chapter at end  |
| EA 1      | Create a new Chapter related to how business is conducted (this new chapter will be where any changes to the current Committee system would be described) | As directed by the Committee a proposal has been developed in a new stand-alone Chapter at the end. The various aspects of that proposal would need to be interwoven into the Guidelines in various places. Based on the Committee direction that effort will be done at the next draft. |
| EA 2      | Revise Chapter 8 to focus it on how Board business matters arise (staff, Board, Committee, public)  |  |

| Reference  | Description  | Disposition  |
|------------|--|--|
| EA 3       | Develop guidelines for the Board President's annual consideration of how many Committees to form and the focus of each Committee leaving that decision to the President's prerogative on an annual basis, recognizing that Joint Powers Authorities and Liaison Committee appointments will always be needed                                       | Incorporated – Chapter 10  |
| EA 4       | Remove details of Board communications from this document and refer the reader to the Board Correspondence policy where those topics will be covered (so as to eliminate any inconsistencies)  | Incorporated – Chapter 14  |
| EA 5       | Other administrative updates which staff believes are needed   | Various throughout Guidelines                                      |
| EA 6       | The various issues identified in Attachment 1 to the staff report to the Board on June 4, 2013   | See below (Attach 1 A through I)                                   |
| Attach 1 A | Evaluate the District's current Committee system and identify ways to streamline the transaction of District business  | See above (BOD 1, 2 and 3 and EA 1 and 2)                          |
| Attach 1 B | So as to avoid contradictory provisions in two separate policies – the section on Board Correspondence should refer to that separate policy  | Incorporated – Chapter 14  |
| Attach 1 C | Wireless devices: <ul style="list-style-type: none"> <li>• For use by the public and Board (Board room hot-spot) to access agendas etc;</li> <li>• Issues associated with use for communications</li> </ul>  | Incorporated – For this discussion presented as new chapter at end |
| Attach 1 D | The Guidelines should state that once presented at a Board meeting the Committee Notes are considered final  | Incorporated – Chapter 3   |
| Attach 1 E | Order of Board Business - Consider the “flow” of the Board meeting now that we are recording (what to do when closed session is taken in middle of meeting rather than at end) and changes that may be needed in light of possible changes to Committee system   | Incorporated – Chapter 3   |
| Attach 1 F | Committee Scheduling and Attendance - The District has not been following the best practices as identified in this section – it should be revised to state what is actually happening or the District should re-commit to following the policy (limited change to committee times and dates, use of alternates vs. rescheduling the meeting, etc.) | Incorporated – Chapter 6   |

| Reference  | Description   | Disposition              |
|------------|---|--------------------------|
| Attach 1 G | Guidelines for Cancelling Com Meetings <ul style="list-style-type: none"> <li>• Purpose = Minimize cost and administrative burden</li> <li>• No or limited business that can wait until the next meeting</li> <li>• Consisting entirely of routine, non-controversial matters can proceed directly to Board or informational items</li> </ul> | Incorporated – Chapter 6 |
| Attach 1 H | Guidelines for Broadcasting meetings <ul style="list-style-type: none"> <li>• Procedural protocols</li> <li>• Use of microphones and lectern by public speakers</li> </ul>  | Incorporated – Chapter 7 |
| Attach 1 I | Add to the list items that span the Charter of two or more Committees   | Incorporated – Chapter 8 |

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