

DUBLIN SAN RAMON SERVICES DISTRICT
Board of Directors

NOTICE OF REGULAR MEETING

TIME: 6:00 p.m. **DATE:** Tuesday, October 15, 2013
PLACE: Regular Meeting Place
7051 Dublin Boulevard, Dublin, CA

AGENDA

(NEXT RESOLUTION NO. 42-13)

(NEXT ORDINANCE NO. 331)

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

	<u>Recommended Action</u>	<u>Anticipated Time</u>
1. <u>CALL TO ORDER</u>		
2. <u>PLEDGE TO THE FLAG</u>		
3. <u>ROLL CALL</u> – Members: Benson, Duarte, Halket, Howard, Vonheeder-Leopold		
4. <u>SPECIAL ANNOUNCEMENTS/ACTIVITIES</u>		
5. <u>PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC)</u>		
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. <u>REPORTS</u>		
A. <u>Reports by General Manager and Staff</u>		
• Event Calendar		
• Correspondence to and from the Board		
B. <u>Committee Reports</u>		
Personnel	October 7, 2013	
C. <u>Agenda Management</u> (consider order of items)		
7. <u>APPROVAL OF MINUTES</u> - Regular Meeting of <i>October 1, 2013</i>	District Secretary	Approve by Motion

BUSINESS:

REFERENCE

		<u>Recommended Action</u>	<u>Anticipated Time</u>
8.	<u>CONSENT CALENDAR</u>		
	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.	WWTP Fencing and Security – Phase I (CIP 12-P004): Approve License Agreement with Zone 7	District Engineer	Approve by Motion
B.	WWTP Fencing and Security – Phase I (CIP 12-P004): Approve Capital Improvement Program Budget Adjustment	District Engineer	Approve by Resolution
C.	Approve Personal Services Agreement between the District and John J. Archer as Interim Financial Services Manager	General Manager	Approve by Resolution
D.	Adopt Pay Schedule in Accordance with California Code of Regulations, Title 2, Section 570.5, Requirement for a Publicly Available Pay Schedule and Rescind Resolution No. 39-13	Organizational Services Manager	Approve by Resolution
E.	Appoint Mr. John Archer as Treasurer	General Manager	Approve by Motion
F.	Upcoming Board Calendar	General Manager	Accept by Motion
9.	<u>BOARD BUSINESS</u>		
A.	WWTP Fencing and Security - Phase I (CIP 12-P004): Award Construction Agreement to McGuire and Hester	District Engineer	Approve by Resolution
B.	Reconsideration of the Board's Prior Decision Related to the Safety Officer Position	Personnel Committee	Approve by Resolution
10.	<u>BOARDMEMBER ITEMS</u>		
	• Submittal of Written Reports from Travel and Training Attended by Directors		
11.	<u>CLOSED SESSION</u>		
A.	Conference with Legal Counsel – Anticipated Litigation. Significant exposure to litigation pursuant to paragraph (2) for (3) of subdivision (d) of Government Code Section 54956.9: One case		5 min
B.	Conference with Labor Negotiators – Pursuant to Government Code Section 54957.6 Agency Designated Representative: General Manager Unrepresented Employee: Interim Financial Services Manager		5 min

BUSINESS:

REFERENCE

		<u>Recommended Action</u>	<u>Anticipated Time</u>
C.	Conference with Labor Negotiators – Pursuant to Government Code Section 54957.6 Agency Designated Representative: General Manager Unrepresented Employee: Interim Engineering Services Manager		10 min
D.	Public Employee Performance Evaluation – Pursuant to Government Code Section 54957 Title: General Manager		5 min

12. REPORT FROM CLOSED SESSION

13. ADJOURNMENT

BOARD CALENDAR*

<u>Committee & Board Meetings</u>	<u>Date</u>	<u>Time</u>	<u>Location</u>
LAVWMA	October 16, 2013	6:00 p.m.	District Office
External Affairs	October 17, 2013	12:00 p.m.	District Office
DERWA	October 28, 2013	6:00 p.m.	District Office
Regular Board Meeting	November 5, 2013	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.

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

October 1, 2013

A regular meeting of the Board of Directors was called to order at 6:00 p.m. by President Dawn L. Benson. Boardmembers present: President Dawn L. Benson, Vice President Georgean M. Vonheeder-Leopold, Director Edward R. Duarte, Director D.L. (Pat) Howard, and Director Richard M. Halket. District staff present: Bert Michalczyk, General Manager; David Requa, District Engineer/Assistant General Manager; Lori Rose, Financial Services Manager/Treasurer; Levi Fuller, Operations Supervisor; Michelle Gallardo, Interim Organizational Services Manager; Carl P.A. Nelson, General Counsel; and Nicole Genzale, Administrative Analyst I.

1. **CALL TO ORDER**
2. **PLEDGE TO THE FLAG**
3. **ROLL CALL** - Members: Benson, Duarte, Halket, Howard, Vonheeder-Leopold
4. **SPECIAL ANNOUNCEMENTS/ACTIVITIES**

General Manager Michalczyk introduced Lt. Col. Christopher (Chris) Gerdes who was placed in command of Camp Parks in July and will serve there for two years. He was previously stationed at the Pentagon in Washington D.C. and originally hails from Ohio.

Lt. Col Gerdes greeted the Board and thanked Mr. Michalczyk for the invitation to the meeting. He stated that he is pleased to serve at Camp Parks and be a part of the Dublin community. He mentioned that the District should not hesitate to contact him if he can be of assistance to the District.

President Benson welcomed Lt. Col. Gerdes and stated that the District thinks highly of Camp Parks and thanked him for the support the base provides to the District.

5. **PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC)** – 6:02 p.m.
6. **REPORTS**
 - A. **Reports by General Manager and Staff**
 - Event Calendar – General Manager Michalczyk reported on the following:
 - o Ms. Nicole Genzale is present at tonight's meeting as Acting District Secretary in place of Nancy Gamble Hatfield. Mr. Levi Fuller is present at tonight's meeting as Acting Operations Manager in place of Dan Gallagher.

DRAFT

- Correspondence to and from the Board

Date	Format	From	To	Subject
9/3/13	USPS	Susan Muranishi & Mary Welch/County of Alameda	President Benson	Invitation to Alameda County's 10 th Annual Disability Employment Awareness Conference and Training
10/1/13	Email with attached letter	Mr. Suico/ Shapell Homes	President Benson	Expiring Water Capacity (Item 9B)

B. Committee Reports

Personnel Finance

September 9, 2013
September 23, 2013

President Benson 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.

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

7. APPROVAL OF MINUTES – Regular Meeting of *September 3, 2013*

Director Howard MOVED for the approval of the September 3, 2013 minutes. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES.

8. CONSENT CALENDAR

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

- A. Approve Contract with the Army for Studies Related to Plan of Services for Army Cantonment Area – Approved – Resolution No. 40-13
- B. Upcoming Board Calendar – Approved
- C. Report of Checks and Electronic Disbursements Made – Approved

Date Range	Amount
08/26/13 – 09/22/13	\$5,592,164.50

9. BOARD BUSINESS

A. Reconsideration of the Board's Prior Decision Related to the Safety Officer Position

Director Howard MOVED to re-open the discussion to reconsider the Board's prior decision related to refilling and funding the Safety Officer position. Director Duarte SECONDED the MOTION, which CARRIED with FOUR AYES and ONE NO (Halket).

Director Duarte opened the discussion by stating that he is not advocating against spending funds for safety. He stated that because of his background in the construction industry, specifically the heavy construction industry, he correlates that work to what the District does at the Wastewater Treatment Plant. He spoke to two construction companies with over 125 employees regarding the position of Safety Officer in those organizations. He learned that they do not employ a full-time position due to budget constraints, opting instead to put a program in place then support it with a part-time position or consultant help.

He stated that the District's safety culture, as it currently exists, appears to be good in light of the absence of a Safety Officer for over two years. He stated that if it were otherwise there would have been a multitude of accidents. He noted, however, that there is still room for improvement and additional training. He stated that after he reviewed the job description that it is incomprehensible to him that this type of position would command the salary specified in the District's MOUs with its bargaining units. He stated that conducting comparisons of the position's salary to numerous other public agencies does not justify the cost. He stated that if the District is transitioning to an operations and maintenance organization, things have to change. Downsizing and more efficiency are watchwords for both private and public sector organizations alike.

Director Duarte then reviewed the slide presentation he submitted (a proposal from Citadel to provide safety services to the District), which was also included in the Board agenda packet. He stated that the District should be open-minded about ways to save money and manage the workforce, not necessarily refilling positions. He stated that he has no relationship to the consulting firm that provided this information and located it via a search for firms that do this type of work. The consultant gathered information from a tour of the Wastewater Treatment Plant and the District's web site, and was instructed by him to provide a conservative safety plan.

Director Duarte went on to state that while the figures in the presentation are not absolute, they do illustrate a concept for potential cost savings in the current budget for this position and should bear the position's reconsideration. He does not think it necessitates a change to the budget at this time. He also reviewed the

job description and, though lengthy, he still does not believe the position should be full-time.

President Benson stated that the information was thought provoking and deserved a second look.

Director Howard commented that it was unfortunate that Mary Gordon, former Organizational Services Manager, was not here as she was an advocate of this position. He stated that he wonders if the Safety Officer position is a 40-hour a week job.

Director Duarte stated that he thinks some duties in the Safety Officer job description could fall into other areas and that the work could be done with a part-time position. He also stated that he does not want staff to think that he is trying to short-change them by taking away a position that is needed, reiterating the importance of a safety program, culture and training.

V.P. Vonheeder-Leopold stated that when Director Duarte first presented this matter, she went along with the rest of the Board because of the issues associated with re-opening the applicable MOU and potentially affecting existing employees. She also stated that Director Duarte has a good point to consider. As the organization moves to an operations and maintenance mode, it may be time to consider the Safety Officer position becoming a contract position due to it not warranting 40 hours and to take advantage of the expertise that contractors could offer. Seeing that the position has been empty for two years suggests to her that the position is not critical. She acknowledged that during goal setting it was agreed that this position was important and that deficiencies need to be corrected. She also acknowledged that, due to the recruitment currently underway for this position, this is not an ideal time to be reconsidering this. She expressed her long-held view that the District pays more than what would be paid in the outside world. Public agencies are accused of over spending and this could be a good alternative to adding an employee. She stated that she is on the fence with this matter due to consideration of cost and employee contracts.

Director Halket stated that he has two major issues with what the Board is contemplating in this discussion. He recalled a similar experience regarding the Board's examination of the District's Pay for Performance program. He stated that when a body like this takes a position it should only be reopened based on unusual or extraordinary circumstances. He stated that he is reluctant to reopen any issue that has already been decided, but would be open to reconsidering a matter if it made sense. He noted the information presented in Attachment 6, Statement from David Patzer, CSRMA (California Sanitation Risk Management Authority) Risk Control Advisor. He stated that in reviewing the Risk Control Staffing Comparison, he is unsure if comparing the District's operations to a construction company is valid, citing that the District has different characteristics including two industrial facilities and a lab. The District is unique in comparison

to other companies and organizations. The District currently has 109 employees and one safety officer which is a high ratio and suggests that the District's safety function is understaffed. He stated that he finds the Ex-Mod chart even more troubling as it shows a definite trend up in Workers Compensation incidents from when the Safety Officer position was removed in fiscal year 2010. He does not want employees hurt and the District to bear unneeded financial impact. He stated that he was on the Board when an employee passed away and he does not want to do anything that could allow that to happen again. If having a full-time Safety Officer can help mitigate a situation like that from ever occurring again, he supports it. The Safety Officer position does more than just industrial safety as it oversees the entire agency's security and emergency preparedness operations. He stated that the District is already on the outer bounds with allocating one safety position to 109 employees and feels that the Board should leave well enough alone.

V.P. Vonheeder-Leopold suggested sending the item to the Personnel Committee for further deliberations.

General Manager Michalczyk clarified that this item would be agendized for the Personnel Committee if that was the Board's direction, but asked the Board to clarify specifically what questions they would like to see the Committee consider.

Director Halket stated that an approved motion would be necessary to send the matter back to Committee.

Director Duarte MOVED to send this item back to the Personnel Committee. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with THREE AYES and TWO NOES (Halket and Howard).

Mr. Michalczyk requested clarification from the motion maker as to what specifically is being send back to the Personnel Committee.

Director Duarte stated that he felt he had little option but to vote for the Operating Budget when this position was brought up originally, which did not allow him much chance to affect change. He would like the item sent back to the Personnel Committee in order to provide another argument as to why this position should be full-time. The Ex-Mod increasing over the last few years could be attributed to things other than accidents. He does not support the thought that the Board cannot reverse previous decisions. He stated that he feels the District is accountable to the public first and employees second, which means that a balance needs to be found for the good of both sides. If the Personnel Committee feels adamant that the position be filled now and revisits the matter in three years when the Memorandum of Understanding is up for negotiation, he feels the Board will not have made a difference.

After some discussion regarding what the approach should be in revisiting this matter, Director Duarte responded that the crux of the matter is the justification of the full-time FTE for the position and confirmed that he would like the Personnel Committee to reexamine the authorization of the FTE for the Safety Officer position in this year's budget.

Director Howard inquired as to what recommendations the Personnel Committee might make.

Mr. Michalczky responded that the Committee could come back with a recommendation to de-authorize the FTE and appropriately adjust the budget. If there is no recommendation or a split recommendation by the Committee, in accordance with the Board's "Guidelines for Conducting District Business" that would mean that the previous Board policy would stand and be reported back to the Board as such.

Mr. Michalczky alerted the Board to the fact that the recruitment process for this position is near its end. A candidate has been selected and is in the background check process now. In the absence of Board action to the contrary, management is prepared to move forward with the job offer. Mr. Michalczky expressed his concern that if this matter is not resolved quickly a quality candidate may be lost and additional funding would unfortunately be expended to begin the recruitment process again. He asked that whatever is the Board's ultimate decision that the decision be rendered quickly.

President Benson and V.P. Vonheeder-Leopold both stated that they felt the Board item contained enough documentation to carry the item to the Personnel Committee.

Mr. Michalczky confirmed that the next Personnel Committee meeting is scheduled for Monday October 7 which would make it possible for the item to return to the Board on October 15.

Director Howard inquired as to what would happen if the Committee does not recommend the item return to the Board.

Mr. Michalczky responded that, according to the Board's "Guidelines for Conducting District Business," if the Committee's deliberations as reported in the minutes to the Board were not satisfactory to a Boardmember, the Boardmember could then have the item re-agendized for Board discussion.

President Benson confirmed that the item shall be placed on the October 7 Personnel Committee agenda with materials as presented to the Board tonight and will then be sent to the October 15 Board meeting.

Director Duarte thanked the Board for the opportunity to make his presentation.

B. Resolution Addressing Expiring Water and Wastewater Capacity Rights and Rescinding Resolutions Nos. 23-11 and 7-13

Mr. Michalczyk stated that District Engineer Requa and Financial Services Manager Rose would brief the Board on this item due to his being absent from the last Finance Committee meeting where the matter was deliberated and that Committee's recommendation formulated. He also reminded the Board of the letter received from Shapell regarding this matter.

District Engineer Requa briefed the Board on the background related to this item and summarized the direction received from the Board at the August 6 Board meeting, when the item was originally presented for the Board's consideration. He summarized as that direction as: 1) the "true-up adjustment" or recalculated basis is to be as of the time the capacity rights expire rather than their date or original purchase; 2) eliminate the three year expiration for capacity rights that are currently in effect; and 3) provide some reasonable protections to the District to address future situations where capacity may not be available. Mr. Requa stated that this last point was not addressed in the item due to the fact that there is adequate wording in the District Code to address this should it be necessary. The matter was next discussed on August 23 by the Finance Committee.

Developers who have been following this discussion have cited that the current system creates a financial burden to them as projects can take a number of years. In today's economy development projects are smaller and spread out over a longer period of time.

In response to the Board direction and in consideration of the issues raised by the development community, Mr. Requa stated that staff revised the approach to the issue breaking it into two steps: 1) a Resolution that takes all existing capacity rights, and those that will be purchased until the Code revision is implemented, and extends them indefinitely with implementation of a "true-up" fee for the connection fee at the time it would have expired to when they are actually used which is when the building permit is issued; and 2) a District Code amendment, targeted to be completed by the end of the year, that would provide that all future connection fees would be paid at the time the building permit is issued. This would enable developers on a going forward basis to purchase connection fees for a handful of homes at a time, improving their cash flow due to making smaller and more frequent payments to the District, instead of making large payments for many homes at one time. He then deferred to Financial Services Manager Rose to review the financial impact of this proposal to the District.

Financial Services Manager Rose explained that the Finance Committee reviewed the proposal and provided the financial analysis, which is included in the packet. The Resolution, as currently written, will generate an estimated \$100,000, which presents

a significant revenue gap that exists in the Water fund that arose when the water connection fees were last adjusted. This gap arose due to the delay in the adoption of the water expansion fund, as compared to when the study was done, as well as the “rush to the counter” that occurred to beat the implantation of the new fee by purchasing capacity rights that had a life of three years which are now being indefinitely extended. She stated that as a result there exists approximately a \$7.2 million funding shortfall in the water expansion fund. She stated that from a financial perspective, the small additional revenue generated from this “true up” program will not cover the gap. This will lead to a significant capacity fee increase in the future and further expose District ratepayers to covering more of the debt used to build facilities to serve new development. She stated that in the next two years the Board will have to consider how to cover this unfunded \$7.2M gap going forward as needed to satisfy debt and projects as it is currently not built into either the capacity fees or the rates.

Director Howard inquired as to how new facilities would be funded if payments for capacity rights come to the District piecemeal.

Mr. Requa replied that most facilities are already in place. There are two reservoirs still to be built in Dublin but most home building is infill in relation to reservoir location.

Mr. Michalczky stated that when faced with this situation, as was the case with reservoirs and LAVWMA, the only answer is borrowing additional money to build the facilities.

Director Howard commented that there is a lot of talk about a “Bay Area Plan” and wondered what the City of Dublin’s development plans could be in the future. A situation could come along requiring the District to build facilities.

Mr. Michalczky responded that theoretically that could happen, citing that a similar situation occurred 15 years ago when the cities that the District served both embarked on massive development projects.

Mr. Michalczky commented that these are good questions to ponder. However, he reminded the Board that the matter on the table is the extension of the life of existing capacity rights. One of the items contained in the Resolution is to direct staff to bring back a Code revision to address the issues that Director Howard is raising.

The Board and staff briefly discussed administration of the new program.

Director Howard MOVED to adopt Resolution No. 41-13, Amending the Economic Stimulus Water Capacity Rights Extension Program and Rescinding Resolution Nos. 23-11 and 7-13. Director Duarte SECONDED the MOTION, which CARRIED with FOUR AYES and ONE NO (Halket).

10. BOARDMEMBER ITEMS

V.P Vonheeder-Leopold reported that she attended the Alameda County Special Districts Chapter meeting on September 11, 2013. Mr. Paul Sethy, Vice President of the Alameda County Water District Board of Directors, gave a presentation on a new book published in February called The Alameda Creek Watershed Historical Ecology Study. It is a fascinating book that discusses the path to where things stand now and the things that are working incorrectly due to not following the watershed properly. She submitted a written report to Acting District Secretary Genzale. She also reported that she has also been appointed to the CASA Program Committee which starts next week.

President Benson reported that she also attended and enjoyed the Alameda County Special Districts Chapter meeting presentation regarding the watershed on September 11, 2013 and is interested in reading the book. She mentioned that the presentation was fascinating and explained that the watershed was discovered by accident in the Santa Cruz area. She also commented that Zone 7 was a great host.

11. CLOSED SESSION

General Manager Michalczyk reported that in addition to himself, attendees for Closed Sessions 11.A & 11.B would be Dave Requa, Lori Rose, and General Counsel Carl Nelson, and for Closed Sessions 11.C & 11.D would be Michelle Gallardo and General Counsel Carl Nelson.

At 6:52 p.m. the Board went into Closed Session.

- A. Conference with Real Property Negotiator – Pursuant to Government Code Section 54956.8
 - Property: Water Supply Contract & leases of portions of Tassajara Reservoir, 5450 Tassajara Road, Dublin, and pipeline beneath Fallon Road
 - Agency Negotiators: Bert Michalczyk, General Manager
 - David Requa, Assistant General Manager/District Engineer
 - Lori Rose, Financial Services Manager
 - Dan Gallagher, Operations Manager
 - Carl P.A. Nelson, General Counsel
 - Negotiating Parties: City of Pleasanton
 - Under Negotiation: Terms and Conditions
- B. Conference with Legal Counsel Anticipated Litigation. Significant exposure to litigation pursuant to paragraph (2) of (3) of subdivision (d) of Government Code Section 54956.9: One Case.
- C. Public Employee Performance Evaluation – Pursuant to Government Code Section 54957
 - Title: General Manager

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

Agency Designated Representative: Bert Michalczyk, General Manager
Unrepresented Employee: Interim Financial Services Manager

12. REPORT FROM CLOSED SESSION

At 7:14 p.m. the Board came out of Closed Session. President Benson announced that there was no reportable action.

13. ADJOURNMENT

President Benson adjourned the meeting at 7:15 p.m.

Submitted by,

Nicole Genzale
Administrative Analyst I

For: Nancy Gamble Hatfield
District Secretary

**Dublin San Ramon Services District
Summary & Recommendation**

Reference District Engineer	Type of Action Approve License Agreement	Board Meeting of October 15, 2013				
Subject WWTP Fencing and Security - Phase I (CIP 12-P004): Approve License Agreement with Zone 7						
<input checked="" type="checkbox"/> Motion	<input type="checkbox"/> Minute Order	<input type="checkbox"/> Resolution				
REPORT:	<input type="checkbox"/> Verbal	<input type="checkbox"/> Presentation	<input checked="" type="checkbox"/> Staff	D. Requa	<input type="checkbox"/> Other	<input type="checkbox"/> Board Member

Recommendation:

The District Engineer recommends the Board of Directors, by Motion, approve the License Agreement with Zone 7 for access to property adjacent to the Wastewater Treatment Plant (WWTP) and authorize the General Manager to execute the License Agreement provided that the General Manager may make non-substantive changes as approved by District General Counsel.

Summary:

During the design of the WWTP Fencing and Security – Phase I (CIP 12-P004) staff worked very closely with the City, the neighbors and Zone 7 to come up with a design that satisfied the very wide range of interests. Working with Zone 7, staff agreed to install a few access gates along the canal and Zone 7 agreed to let the District plant shrubs and ground cover on Zone 7 canal property. The gates allow Zone 7 access for channel maintenance, and the use of the top of the bank allows for more planting area for the District, eliminating significant weed patches. Furthermore, the additional area allows the District to tie our landscape in with the experimental landscape that Zone 7 is using for channel stability along the WWTP boundary.

In order to allow the District to use the property, Zone 7 wanted the District to enter into a License Agreement (Attachment 1 to S&R). The agreement is perpetual and allows access for installation and maintenance of landscape and irrigation around the east and south boundary of the WWTP. Staff has worked with Zone 7 and District General Counsel to reach a substantially approved form of the agreement.

Staff recommends that the Board approve the agreement in substantially the form attached and authorize the General Manager to execute the agreement provided that the General Manager may make non-substantive changes as approved by District General Counsel.

Committee Review			Legal Review	Staff Review		
COMMITTEE ---	DATE ---	RECOMMENDATION ---	Yes	ORIGINATOR S. Delight	DEPARTMENT Engineering	REVIEWED BY
ATTACHMENTS <input type="checkbox"/> <i>None</i>						
<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 \$0	<input type="checkbox"/> Funding Source A. B.		Attachments to S&R 1. License Agreement 2. 3.			

LICENSE AGREEMENT

This License Agreement (hereinafter "LICENSE"), is made and entered into by and between the Dublin San Ramon Services District, a public agency of the State of California (hereinafter "DSRSD") and Zone 7 of Alameda County Flood Control and Water Conservation District, a body corporate and politic (hereinafter "ZONE 7").

RECITALS

- A. ZONE 7 owns real property in the City of Pleasanton, County of Alameda, State of California, in which its Line G-1-1 channel is located, hereinafter known as "FLOOD CONTROL CHANNEL";
- B. The FLOOD CONTROL CHANNEL abuts the easterly, southerly and westerly sides of the DSRSD Wastewater Treatment Plant, hereinafter known as "PLANT SITE";
- C. In order to improve the aesthetics of the PLANT SITE, DSRSD desires to install landscaping, including irrigation and other related appurtenances, hereinafter referred to as "LANDSCAPING," around the perimeter of the PLANT SITE and within portions of the FLOOD CONTROL CHANNEL as shown in Exhibit A attached hereto and made a part hereof;
- D. DSRSD and Zone 7 desire to formalize and establish the terms and conditions governing the installation and maintenance of the LANDSCAPING; and
- E. ZONE 7 is agreeable to allowing DSRSD to use the FLOOD CONTROL CHANNEL to the extent not in conflict with ZONE 7's use of the property for Flood Control purposes, and therefore ZONE 7 hereby grants to DSRSD a non-exclusive LICENSE for said use of the FLOOD CONTROL CHANNEL upon the following terms and conditions.

NOW, THEREFORE, BE IT MUTUALLY AGREED as follows:

1. **PERMITTED USE.** Subject to the terms of this LICENSE, DSRSD is permitted to install and maintain LANDSCAPING as shown on Exhibit A in the FLOOD CONTROL CHANNEL including the right of ingress and egress thereto.
2. **LICENSE FEE.** This LICENSE shall not require payment of any fees by DSRSD to Zone 7 for which this LICENSE is issued.
3. **TERMINATION OF LICENSE.** Either party may terminate this LICENSE by providing 90 days' notice to the other party and removing the LANDSCAPING from the FLOOD CONTROL CHANNEL. This LICENSE is also subject to termination for Violations of Permitted Use as set forth in Section 5 of this LICENSE.

4. CONDITIONS OF USE:

- a) ZONE 7 shall retain all reasonable and necessary rights of entry to the subject FLOOD CONTROL CHANNEL, including the right to alteration, repair, maintenance, and operation for flood control and water management purposes. Use of the FLOOD CONTROL CHANNEL by DSRSD, shall be at all times subject to the primary use of the aforesaid FLOOD CONTROL CHANNEL for flood control and water management purposes.
- b) DSRSD shall obtain and comply with all required permits, agreements and/or regulatory approvals relating to the improvement and maintenance of LANDSCAPING including all federal, state, or local government requirements. This requirement includes compliance with CEQA as well as any necessary construction or use permits, including any progress inspections that may be required by any regulatory body.
- c) Prior to installation of any landscape improvements, DSRSD shall submit plans and specifications and any related documents required in Section 4.c) to ZONE 7 for review and approval. The LANDSCAPING shall not be installed by DSRSD without first securing an encroachment permit from ZONE 7 which shall be issued at no cost to DSRSD. The issuance of said permit shall not be unreasonably withheld and said permit shall be issued unless ZONE 7, in its sole discretion, determines that such LANDSCAPING would interfere with the primary use of said areas for flood control and water management purposes
- d) DSRSD agrees to accept this LICENSE to the FLOOD CONTROL CHANNEL on an “as-is” basis, and ZONE 7 has no obligation for maintenance or repair of LANDSCAPING, excepting only such damage caused to DSRSD’s LANDSCAPING as a result of the sole active negligence or willful misconduct of ZONE 7 and/or its contractors when such actions were not necessary for the use of the property for flood control purposes.
- e) The FLOOD CONTROL CHANNEL is subject to slides, erosion, subsidence, flooding and other damages. In the event that the LANDSCAPING in the FLOOD CONTROL CHANNEL is impacted by such damages, ZONE 7 will make its best efforts to repair ZONE 7’s facilities to ZONE 7 standards; however, such repairs will be subject to available funding and other maintenance priorities as determined by ZONE 7 in its sole discretion. Repair of damage to LANDSCAPING shall be the responsibility of DSRSD and at DSRSD’s sole cost.
- f) In the event the LANDSCAPING, including but not limited to its installation or maintenance thereof, causes any damage to the FLOOD CONTROL CHANNEL, DSRSD shall restore the FLOOD CONTROL CHANNEL to the pre-damage condition to the reasonable satisfaction of ZONE 7 at DSRSD’s sole cost and expense.

- g) In the performance of routine maintenance and/or emergency repair activities ZONE 7 will exercise reasonable care to avoid removal or damage to the LANDSCAPING, and DSRSD, at its sole cost, shall be responsible for any reinstallation, repair or reconstruction work, excepting ZONE 7 shall be responsible for damage caused to the LANDSCAPING as a result of ZONE 7 and/or its contractors' sole active negligence or willful misconduct.
- h) DSRSD agrees to give ZONE 7 reasonable notice of any activities that may conflict with ZONE 7's maintenance of its flood control channel, unless immediate action is necessary to preserve public safety, in which case notice of DSRSD's activity shall be provided to Zone 7 as soon as practical.

5. **Violations of Permitted Use.** Should DSRSD, its employees, contractors, subcontractors or agents, install or maintain any LANDSCAPING in violation of the terms of this LICENSE, or in violation of any of the approvals granted hereunder, ZONE 7 may direct DSRSD, at DSRSD's sole cost, to remove the LANDSCAPING from the FLOOD CONTROL CHANNEL or to take other remedial action, as ZONE 7 may, at its sole discretion, determine to be reasonably appropriate. DSRSD shall be afforded a period of thirty (30) days within which to cure any such violations and comply with ZONE 7's directive. In the event DSRSD fails to cure within the above-stated period or immediate action is necessary to preserve public safety, ZONE 7 shall have the right to take any and all remedial actions necessary to correct the violation or to restore the FLOOD CONTROL CHANNEL, and DSRSD shall reimburse ZONE 7 for all costs reasonably associated therewith. ZONE 7, as it reasonably determines, may extend the period as may be necessary to cure the default, provided that DSRSD has commenced the cure within the thirty (30) day period.

6. **ASSIGNMENT.** DSRSD may not assign any of its rights, duties and liabilities under this LICENSE without the written permission of ZONE 7.

7. **ACKNOWLEDGMENT OF TITLE.** It is understood and agreed that DSRSD, by the acceptance of this LICENSE and by the use or occupancy of the FLOOD CONTROL CHANNEL, has not acquired and shall not acquire hereafter any property rights or interest in or to the FLOOD CONTROL CHANNEL through this LICENSE, and that DSRSD may use the FLOOD CONTROL CHANNEL only as herein provided.

8. **INDEMNITY.** To the extent of its proportionate fault, DSRSD shall indemnify, defend, reimburse and hold harmless Alameda County, ZONE 7, its officers, agents and, employees (collectively, for purposes of this section 8, "Indemnitees") from and against any and all demands, claims, legal or administrative proceedings, losses, costs, penalties, fines, liens, judgments, damages and liabilities of any kind (collectively, "Liabilities"), arising in any manner out of: (a) any injury to or death of any person or damage to or destruction of any property occurring in, on or about the FLOOD CONTROL CHANNEL, or any part thereof, whether the person or property of DSRSD, its officers, agents, employees, contractors and subcontractors (collectively, "Agents"), its invitees, guests or business visitors (collectively, "Invitees"), relating in any manner to any use or activity under the LICENSE and

modifications thereto; (b) any failure by DSRSD to faithfully observe or perform any of the terms, covenants or conditions of this LICENSE or (c) the use of the FLOOD CONTROL CHANNEL or any activities conducted thereon by DSRSD, its Agents or Invitees. This provision applies except to the extent of Liabilities resulting directly from the negligence or willful misconduct of Indemnitees.

The foregoing indemnity shall, pursuant to Civil Code section 2778 include, without limitation, reasonable attorneys' and consultants' fees, investigation and remediation costs and all other reasonable costs and expenses incurred by the Indemnitees. DSRSD shall have an immediate and independent obligation to defend ZONE 7 from any claim which actually or potentially falls within this indemnity provision even if such allegation is or may be groundless, fraudulent or false, which obligation arises at the time such claim is tendered to DSRSD by ZONE 7 and continues at all times thereafter. DSRSD's obligations under this Condition shall survive the expiration or termination of the LICENSE and modifications thereto.

9. **WAIVER OF CLAIMS.** DSRSD fully releases, waives, and discharges forever any and all claims, demands, rights and causes of action against, and covenants not to sue, Indemnitees, under any present or future laws, statutes, or regulations: (a) for any claim or event relating to the condition of the FLOOD CONTROL CHANNEL or DSRSD's use of the FLOOD CONTROL CHANNEL; or (b) in the event that ZONE 7 exercises its right to suspend, revoke or terminate the LICENSE.
10. **INSURANCE REQUIREMENTS.** During the term of this License DSRSD shall include Alameda County and ZONE 7 as an additional insured on its insurance policies covering the LANDSCAPING, including Commercial General Liability, Auto Liability and Workers Comp or its equivalent in self-insurance coverage, in an amount deemed reasonable to cover the foreseeable liabilities of ZONE 7, and shall furnish ZONE 7 with original policy endorsements from its contractors naming ZONE 7, its governing Board of Directors, committees, officers, employees and agents, as additional insureds. DSRSD shall be responsible for requiring insurance coverage by its contractors and consultants. DSRSD and ZONE 7 shall determine the amount and adequacy of such coverage.

The procuring of the above-mentioned policies of insurance shall not be construed as a limitation in any respect on DSRSD's obligations of indemnification herein.

DSRSD has the right and option to self-insure the requirements under this Section 10 upon written notice to ZONE 7 that DSRSD assumes the obligations in the place and stead of any insurance carrier, any reference to failure to coverage notwithstanding. In the event that DSRSD elects to self-insure, DSRSD shall provide to ZONE 7 a certificate or other evidence of self-insurance acceptable to ZONE 7.

11. **NOTICE.** Any demand or notice which either party shall be required, or may desire to make upon or give to the other shall be in writing and shall be delivered

personally upon the other or be sent by prepaid certified mail to the respective parties as follows:

ZONE 7: General Manager
Zone 7, Alameda County Flood Control
and Water Conservation District
100 North Canyons Parkway
Livermore, CA 94551

DSRSD: General Manager
Dublin San Ramon Services District
7051 Dublin Boulevard
Dublin, CA 94568

Either party may, from time to time, designate any other address for this purpose by written notice to the other party, given with 10 business day notice.

12. MISCELLANEOUS:

- a) This LICENSE constitutes the entire agreement and understanding between the parties, and supersedes all offers, negotiations and other agreements concerning the subject matter contained herein. Any amendments to this LICENSE must be in writing and executed by both parties.
- b) If any provision of this LICENSE is invalid or unenforceable with respect to any party, the remainder of this LICENSE or the application of such provision to persons other than those as to whom it is held invalid or unenforceable, shall not be affected and each provision of this LICENSE shall be valid and enforceable to the fullest extent permitted by law.
- c) This LICENSE shall be governed by the laws of the State of California.

IN WITNESS WHEREOF, the parties hereto have executed this LICENSE on the dates appearing below their respective authorized signatures.

ZONE 7:
Zone 7 of Alameda County Flood Control
and Water Conservation District

DSRSD:
Dublin San Ramon Services District

By: _____
General Manager

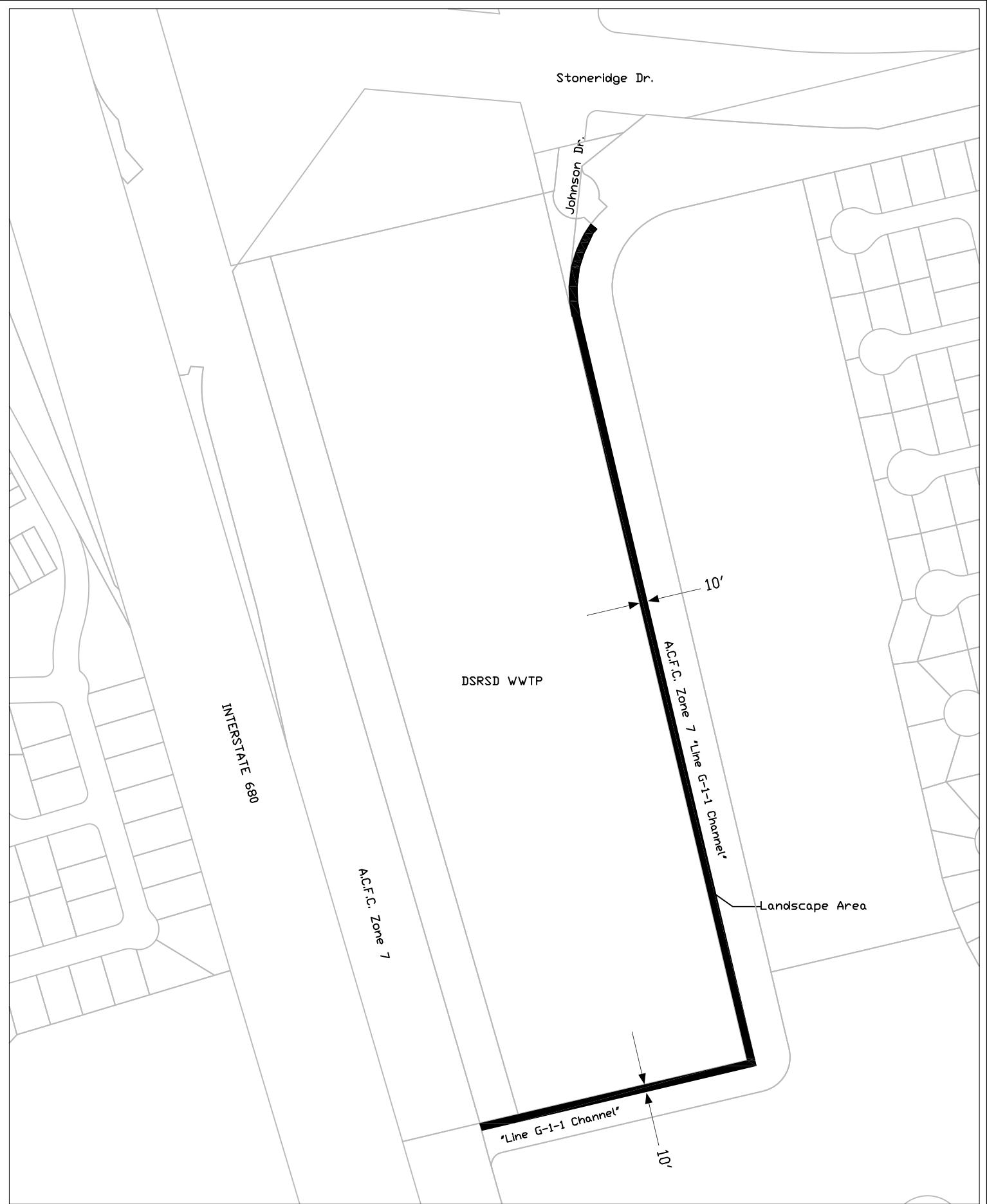
By: _____
General Manager

Date: _____

Date: _____

APPROVED AS TO FORM:

DSRSD General Counsel



**Dublin
San Ramon
Services
District**

**DSRSD LANDSCAPE AREA
EXHIBIT A**

PROJECT NUMBER:

CIP 12-P004

SCALE: NTS

DATE: 09/30/2013

H:ENGDEPT:CIP12-P004 WWTP Fencing Security

20 of 144

**Dublin San Ramon Services District
Summary & Recommendation**

Reference District Engineer	Type of Action Approve Budget Adjustment	Board Meeting of October 15, 2013			
Subject WWTP Fencing and Security - Phase I (CIP 12-P004): Approve Capital Improvement Program Budget Adjustment					
<input type="checkbox"/> Motion	<input type="checkbox"/> Minute Order	<input checked="" type="checkbox"/> Resolution			
REPORT:	<input type="checkbox"/> Verbal	<input type="checkbox"/> Presentation	<input checked="" type="checkbox"/> Staff	D. Requa	<input type="checkbox"/> Board Member

Recommendation:

The District Engineer 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 WWTP Fencing and Security – Phase I (CIP 12-P004) by \$230,000 from \$515,000 to \$745,000.

Summary:

WWTP landscaping has been a subject of debate for a number of years. In October 2008, due to economic conditions, a reduced scope compromise of landscaping was agreed upon by the Val Vista residents. As a result, the Board incorporated WWTP Fencing & Security – Phase 1 (CIP 12-P004) into the Capital Improvement Program Two-Year Budget during FYEs 2012-2013. The project included a reduced scope of the landscaping which covers the eastern boundary of the WWTP from approximately the front of the control building to the south eastern corner, and then west at a short length, to provide adequate screening from the park's play area. Public input was sought from the neighbors and the final design package incorporated ideas from the neighbors, Operations, Zone 7 and the City of Pleasanton.

The final project documents included the originally planned fencing, landscaping and irrigation piping. However, the project scope was increased to include slide repairs and a new paved access to the PG&E metering cabinet. The engineer's estimate for the work was \$275,000. The project was advertised in August and the bid was opened on September 19. A total of four bids were received. The bids ranged from \$442,000 to \$509,000. Staff feels that all of the bid prices are fair and the plans were complete as the grouping was very tight.

Staff interviewed the bidders as to why the bids came in so much higher than the engineer's estimate. The bulk of the variation is associated with the slide repairs and the paving work that was included in the contract. The cost for landscaping and fencing is approximately 45% of the overall bid, and well within the original anticipated cost.

The slide repair and paving work are items that were not accounted for when the project budget was estimated. However, those items are very important for two reasons. The slide along the southern boundary of the WWTP contains several vital pipelines that serve the maintenance building and it needs repair in order to protect them. The paving is needed in order to give PG&E all weather access to the new PG&E panel that was installed along the east side. The paved area will also allow our operators and maintenance staff to work from the east side of the clarifiers on repairs under all weather conditions.

The project is funded 100% by Wastewater Replacement (Fund 310) funds and there is adequate funding available for this project. At this time, a fund limit adjustment is not requested; however, depending on timing of other projects, a fund limit adjustment may be requested at a later date.

Committee Review			Legal Review	Staff Review		
COMMITTEE ---	DATE ---	RECOMMENDATION ---	Not Required	ORIGINATOR S. Delight	DEPARTMENT Engineering	REVIEWED BY
ATTACHMENTS <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 \$230,000	<input checked="" type="checkbox"/> Funding Source A. Wastewater Replacement Fund 310 (100%) B.	Attachments to S&R 1. 2. 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.

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 2-Year Budget") on June 4, 2013 authorizing Capital Projects for FYE 2014 and 2015 to meet the District's capital infrastructure needs; and

WHEREAS, the District desires to make adjustments for the WWTP Fencing and Security – Phase 1 (CIP 12-P004) project budget necessary to complete the project.

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. Increase of budget for WWTP Fencing and Security – Phase I Project (CIP 12-P004) from \$515,000 to \$745,000 Exhibit "A" is approved and incorporated into the CIP Two-Year Budget for Fiscal Years Ending 2014 and 2015.

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 15th day of October 2013, and passed by the following vote:

AYES:

NOES:

ABSENT:

Dawn L. Benson, President

ATTEST: _____
Nancy G. Hatfield, District Secretary

<i>CIP Budget FYEs 14 and 15</i>	WWTP Fencing & Security - Phase 1		
<i>Continuing</i>	CIP #: 12-P004		
Project Manager: Steven Delight		Project Sponsor: David Requa	

PURPOSE AND DESCRIPTION

This project will improve security along the WWTP perimeter in accordance with the security master plan. This phase of the project will replace the fence along the east fenceline from the administration building to the south east corner. The new fence will be a total of 8 feet tall and, in order to match the adjacent Val Vista park, it will be black vinyl coated. The project will also improve the landscape within the same limits as agreed upon with the Val Vista Neighborhood Association. This phase of the project has been a Board commitment to the neighbors for several years, and has been pending the completion of the overhead power undergrounding project (CIP 22CI276). Design started in the fall of 2012 with construction to begin in 2013.

IMPACT ANALYSIS

Operating Impact:	Will improve WWTP security.
Environmental:	CEQA completed with Stage 4 Expansion; ESA June 1999.
Public Info.:	Inform and coordinate with City of Pleasanton neighbors.
Scheduling:	Begin after power lines removal (CIP 22CI276).
Permits:	N/A.
Reference:	Security Master Plan.
Strategic Plan Element	Goal 2.4.2 Complete security improvements at District Office and WWTP; Goal 2.3.16 Install landscaping and fencing on south, west, and north sides of WWTP

FINANCIAL OVERVIEW

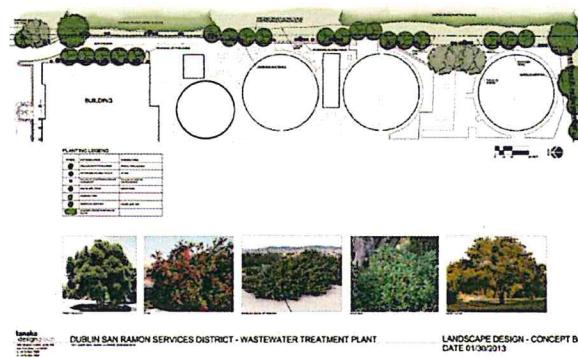
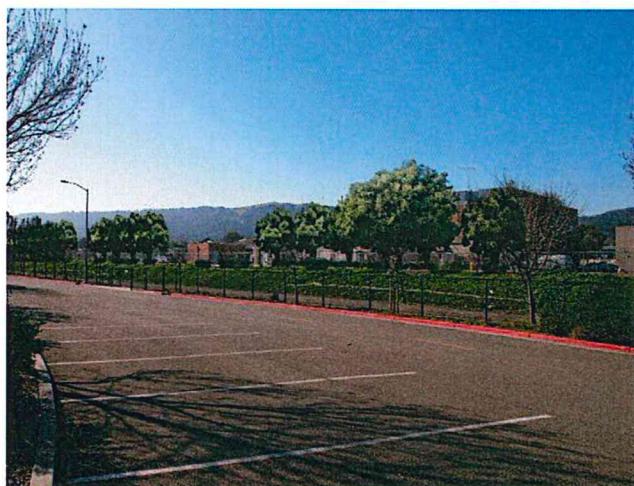
Proposed Budget			Actual + Estimated Cash Flow						
	Adopted Budget	Proposed Adjustment	Revised Budget	Actual Thru FYE 2013	Actual FYE 2014 to Date	Est. Remaining FYE 2014	Estimated FYE 2015	Estimated Future	Total Projected Budget
Planning	0	0	0	0	0	0	0	0	0
Design	55,000	4,925	59,925	30,500	4,425	25,000	0	0	59,925
Construction	440,000	170,700	610,700	0	86,000	524,700	0	0	610,700
Const Mgmt	0	0	0	0	0	0	0	0	0
Admin Mgmt	0	0	0	0	0	0	0	0	0
Staff Time	20,000	54,375	74,375	20,130	9,245	45,000	0	0	74,375
Subtotal	515,000	230,000	745,000	50,630	99,670	594,700	0	0	745,000
<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>
Net Impact	515,000	230,000	745,000	50,630	99,670	594,700	0	0	745,000

Fund Split Basis: N/A

310	100%	515,000	230,000	745,000	594,700	745,000
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NOTES:

a) Bid open 9-19-13; requesting budget increase of \$230K on 10/15 BOD meeting



WWTP Fencing and Security – Phase 1 (CIP 12-P004)

Award of Construction Agreement

Recommendation:

The District Engineer recommends the Board of Directors approve an increase to the WWTP Fencing and Security – Phase 1 (CIP 12-P004) Project Budget by \$230,000 from \$515,000 to \$745,000.

Background:

During the approval process of the Stage 4 Wastewater Treatment Plant (WWTP) expansion in 1999, the District committed to the residents of the Val Vista neighborhood to install perimeter landscaping. The landscaping could not practically be installed until the PG&E overhead power lines along the WWTP boundary were relocated underground, as trees would soon grow into the power lines. With cooperation from the City of Pleasanton and Zone 7, the power lines have now been placed underground through Val Vista Park.

WWTP landscaping has been a subject of debate for a number of years. In October 2008, due to economic conditions, a reduced scope compromise of landscaping was agreed upon with the Val Vista residents. When approved in October 2008, the estimated project cost was \$402,000. The project included a reduced scope of landscaping and fencing on the eastern boundary of the WWTP, from approximately the front of the control building to the south eastern corner, and then west a short length, to provide adequate screening from the park's play area.

During the interval between approval of the reduced scope landscaping and the decision to proceed with design and construction, other work has been added to the scope of the project. The relocation of PG&E into Val Vista Park resulted in a large PG&E metering panel being installed on the east WWTP boundary which requires the extension of paved truck access. Construction of the Maintenance Building resulted in a hot water pipeline loop being placed through the area adjacent to the landscaping. Surface restoration after the pipeline insulation has not been completed.

In addition, land movement has occurred in the southeast corner of the WWTP which constitutes the southern end of the landscape project. The land movement has affected both the property line fence and walkway around clarifier number 4.

Public input was sought from the neighbors, Operations, Zone 7 and City of Pleasanton and the final design package incorporated the input received. This input resulted in some design changes having a minor effect on cost. The proposed east side access road to reach the PG&E metering panel was moved away from the control building to allow a screening trellis to be installed on the side of the building. The road relocation will also allow easier access for Zone 7 to the channel for future bank

maintenance. To install the trellis, abandoned storage sheds had to be removed from the side of the control building. The initial section of a recycled water loop to eventually provide irrigation water for all plant landscaping was brought from the area of the WWTP entrance to the control building. This is a high pressure pipeline beyond the capabilities of most landscaping contractors to install. This loop will eventually be extended around the WWTP perimeter.

Discussion:

During design of the landscaping improvement, repair of the land movement, metering panel access and surface restoration were incorporated into the project. The full scope of these additions was not fully incorporated into the CIP Budget. On October 7, 2008 when the Board endorsed the agreement with the neighborhood regarding the scope of the landscaping, the estimated cost was \$402,000. The current CIP Budget is \$515,000; the increase reflects inflation and the addition of some anticipated access road improvements.

The following table is a summary of the project costs.

Work Item	CIP Budget	Spent to Date	Remaining	Estimate to Complete
Storage Removal	\$0	\$21,000	\$21,000	\$0
Recycled Pipeline	\$0	\$65,000	\$65,000	\$0
Subtotal	\$0	\$86,000	\$86,000	\$0
Landscaping	\$185,000	\$0	\$185,000	\$143,600 ^a
Fencing	\$75,000	\$0	\$75,000	\$60,700 ^a
Slope Repair	\$20,000	\$0	\$20,000	\$79,600 ^a
Road & Services	\$120,000	\$0	\$120,000	\$181,100 ^a
One Year Maintenance			\$0	\$12,000 ^a
Subtotal	\$400,000	\$0	\$400,000	\$477,000 ^a
Construction Contingency	\$40,000	\$0	\$40,000	\$47,700
Total Construction	\$440,000	\$86,000	\$354,000	\$524,700
Consultants	\$55,000	\$34,925	\$20,075	\$25,000
District Staff	\$20,000	\$29,507	\$9,507	\$45,000
Total	\$515,000	\$150,432	\$364,568	\$594,700
		Required Budget Increase		\$230,132
		Recommended Budget Request		\$230,000

Note a: Contractor Bid Amounts

The Board has several options regarding this project. A summary of the options is as follows:

- Proceed with a budget adjustment and construct the project as bid.
- Rebid a portion of the project. To rebid, there has to be a revision in scope. Options for rebidding the portions that fit together at this time are as follows:
 - Delete the landscaping and proceed with the road, surface improvements, slope repair and fencing.
 - Proceed with the slope repair, landscaping and fencing.
- Rebid the work as 2 separate projects to spread expenditures over time. Usually, this increases the overall cost due to administration costs and additional contractor overhead. The two bid options are as follows:
 - Road, surface improvements, slope repair and fencing.
 - When remaining funds in the project are known, bid landscaping.
- Delay the project until consideration of the FYE 2015-16 CIP Budget.

Long term, the only optional work in the project is the landscaping and some minor surface improvements. Existing fencing is a security issue along the southern portion of the east property line. The slope failure will only get worse over time and, if not repaired, damage plant utilities and possibly structures. The District is committed to PG&E for providing vehicle access to their metering panel. PG&E gave the District time because the panel is new, will not require maintenance for a few years, and this project is in the District CIP Budget.

**Dublin San Ramon Services District
Summary & Recommendation**

Reference General Manager	Type of Action Approve Agreement	Board Meeting of October 15, 2013				
Subject Approve Personal Services Agreement between the District and John J. Archer as Interim Financial Services Manager						
<input type="checkbox"/> Motion	<input type="checkbox"/> Minute Order	<input checked="" type="checkbox"/> Resolution				
REPORT:	<input checked="" type="checkbox"/> Verbal	<input type="checkbox"/> Presentation	<input checked="" type="checkbox"/> Staff	B. Michalczyk	<input type="checkbox"/> Other	<input type="checkbox"/> Board Member

Recommendation:

The General Manager recommends the Board of Directors approve, by Resolution, a Personal Services Agreement (PSA) with John J. Archer as Interim Financial Services Manager for a period not to extend beyond June 30, 2014.

Summary:

The District's senior management team members are all unrepresented at-will employees retained by the District via Personal Services Agreements. With the retirement of Lori Rose, the position of Financial Services Manager will become vacant on October 17, 2013. The General Manager is considering but has not yet finalized changes to the District's staffing structure. In the interim, the General Manager will appoint John J. Archer to the position of Interim Financial Services Manager effective October 18, 2013 for a period not to extend beyond June 30, 2014. A PSA has been negotiated with Mr. Archer based on direction received from the Board. This PSA is consistent with the PSAs of the other members of the senior management team excepting only a special condition related to termination that reflects that at any time during the term of the PSA Mr. Archer's interim appointment may be terminated at which time he would return to his previous position of Financial Services Supervisor. There will be no backfilling of the Financial Services Supervisor position during the term of the PSA; as such Mr. Archer will be maintaining the duties and responsibilities of the Financial Services Supervisor position as well as taking on the duties and responsibilities of the Interim Financial Services Manager position.

Compensation is specified in Exhibit A of the PSA, Benefits are specified in Exhibit B, and the Special Terms unique to Mr. Archer are specified in Exhibit C.

This interim appointment, and the PSA, is consistent with the actions approved by the Board in July 2013 related to Michelle Gallardo's appointment as Interim Organizational Services Manager.

Attachment 1 presents the incremental cost of the proposed PSA; the PSA is also attached.

Committee Review			Legal Review	Staff Review		
COMMITTEE	DATE ---	RECOMMENDATION ---	Yes	ORIGINATOR B. Michalczyk	DEPARTMENT Executive	REVIEWED BY
ATTACHMENTS <input type="checkbox"/> <i>None</i>						
<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 \$171,171 Savings	<input type="checkbox"/> Funding Source A. 900- Administrative Allocation B.	Attachments to S&R 1. Summary of Cost of the Terms of PSA 2. 3.				

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT APPROVING AND AUTHORIZING EXECUTION OF AN AGREEMENT FOR PERSONAL SERVICES BETWEEN JOHN J. ARCHER AND DUBLIN SAN RAMON SERVICES DISTRICT

WHEREAS, District is a community services district established under the Community Services District Law (Govt. Code. § 61000 et seq.) governed by District's Board of Directors (the "Board"); and

WHEREAS, pursuant to Government Code Section 61050 (a) the Board is required and empowered to appoint a General Manager for District; and

WHEREAS, the Board has authorized General Manager to organize staff at all levels of the organization consistent with budgets and staffing limitations as adopted by the Board from time to time; and

WHEREAS, Section 61051 (b) of the Community Services District Law grants the General Manager the power and duty to appoint, supervise, discipline and dismiss District employees consistent with the employee relations system established by the Board; and

WHEREAS, the District Code exempts persons engaged under contract to supply expert, professional, technical or other services from the District's classified service as that service is defined in District Code Section 6.10.010 A; and

WHEREAS, District Personnel Rule 2.10 provides that the General Manager may appoint individuals to senior management positions with approval from the Board of Directors and that any or all steps of the recruitment procedures for the classified service are not applicable; and

WHEREAS, through the approval and execution of the "Agreement for Personal Services between John J. Archer and Dublin San Ramon Services District," a copy of which is attached hereto, marked Exhibit "A," and by this reference incorporated herein ("Agreement"), John J. Archer (hereafter "Manager") and District will thereby agree that Manager is a person engaged under contract to supply expert, professional or other services and as such is and shall henceforth be exempt from the District's classified service upon and after the Effective Date of Agreement; and remain so during the term of the Agreement; and

Res. No. _____

WHEREAS, the General Manager desires to appoint and employ Manager to the job classification of Interim Financial Services Manager and Manager desires to accept said appointment and employment subject to the terms and conditions of Agreement.

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

That the appointment of John J. Archer to the position of Interim Financial Services Manager and that certain Agreement titled, "Agreement for Personal Services between John J. Archer and Dublin San Ramon Services District," a copy of which is attached hereto, marked Exhibit "A," and by this reference incorporated herein, are hereby approved, and the General Manager and District Secretary are hereby authorized and directed to execute, and to attest thereto, respectively, said Agreement for and on behalf of the District. The General Manager, with the concurrence of General Counsel, is authorized to make non-substantive, non-economic revisions to Agreement before its execution for clarification purposes and for the purpose of consistency with agreements currently in effect with other senior managers.

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 15th day of October 2013, and passed by the following vote:

AYES:

NOES:

ABSENT:

Dawn L. Benson, President

Attest:

Nancy Gamble Hatfield, District Secretary

AGREEMENT FOR PERSONAL SERVICES

(John J. Archer)

THIS AGREEMENT FOR PERSONAL SERVICES (“Agreement”) is made and entered into this 18th day of October, 2013 (the “Effective Date”) by and between the Dublin San Ramon Services District, a public agency of the State of California in the Counties of Alameda and Contra Costa (“District”), and John J. Archer (“Manager”).

W I T N E S S E T H:

WHEREAS, District is a community services district established under the Community Services District Law (Govt. C. § 61000 et seq.) governed by District’s Board of Directors (the “Board”);

WHEREAS, pursuant to Government Code Section 61240 (a) the Board is required and empowered to appoint a General Manager for District;

WHEREAS, Board has authorized General Manager to organize staff at all levels of the organization consistent with Board adopted budgets and staffing limitations;

WHEREAS, the Community Services District Law grants the General Manager the power and duty to appoint, supervise, discipline and dismiss District employees consistent with the employee relations system established by the Board;

WHEREAS, the District Code exempts persons engaged under contract to supply expert, professional, technical or other services from the District’s classified service as that service is defined in District Code Section 6.10.010 A;

WHEREAS, with the approval and execution of this Agreement, Manager and District agree that Manager is a person engaged under contract to supply expert, professional or other services and as such is exempt from the District’s classified service upon the Effective Date of this Agreement; and

WHEREAS, the General Manager desires to appoint and employ Manager to the below referenced job classification and Manager desires to accept said appointment and employment subject to the terms and conditions of this Agreement.

NOW, THEREFORE, the District and Manager hereto agree as follows:

- 1. SERVICES** From and after the Effective Date through the termination of this Agreement, Manager shall perform all duties, assume all obligations and constantly meet all qualifications of the Financial Services Manager job classification as that job classification exists as of the Effective Date and as it may, from time to time, be amended by the District. Manager shall also perform all duties and assume all obligations and constantly meet all qualifications of the Financial Services Supervisor job classification in accordance with the terms of this Agreement. During the term of this Agreement Manager shall not be a member of the Mid-Management Employees Bargaining Unit nor have any rights or remedies deriving from that bargaining unit or the associated Memorandum of Understanding between that bargaining unit and the District. Manager shall be subject to all pertinent provisions of the ordinances, resolutions, rules, regulations and all other lawful orders and directives of the General

Manager, the District, or the Board. Said duties and obligations shall be performed in an efficient and professional manner and in conformance with the standards generally prevailing for the performance of the duties and obligations pertaining to the position of similar managerial positions of public or private entities, including, but not limited to, community services districts.

2. COMPENSATION The District shall provide compensation to Manager in the form of Base Salary and Deferred Compensation as specified in "Exhibit A" attached hereto and by this reference made a part hereof.

3. BENEFITS The District shall provide a benefits package to Manager consisting of a retirement program, various types of insurance and various types of leave as specified in "Exhibit B" attached hereto and by this reference made a part hereof.

4. SUPPLEMENTAL BENEFITS AND SPECIAL CONDITIONS OF EMPLOYMENT

The District and Manager agree to the Supplemental Benefits and Special Conditions of Employment included in "Exhibit C" attached hereto and by this reference made a part hereof.

5. TERMINATION

5.1 Service at Pleasure of the General Manager It is understood and agreed that as of Effective Date Manager shall, and does, hold position of employment as such at the will and pleasure of the General Manager and shall not have nor acquire a property interest or right to continuing employment except as described below. Manager further agrees that Manager's employment as a person engaged under contract to supply expert, professional, technical or other services exempts them from the District's classified service as that service is defined in District Code Section 6.10.010 A.

5.2 Termination of Agreement and Employment by District for Cause Nothing herein provided shall be deemed to affect or limit the right of District to terminate this Agreement and Manager's employment for cause, or otherwise to exercise District's rights, whether in law or in equity, by reason of breach hereof by Manager. "Cause" as used herein shall include, but not necessarily be limited to: below standard performance, refusal of failure to act in accordance with a specific written directive or order of the General Manager provided that such directive or order is legal, malfeasance or misfeasance in office, conviction of any felony or any crime involving moral turpitude, unauthorized absence, incompetence or inefficiency, insubordination, performance of duties or obligations as Manager while intoxicated or under the influence of drugs, narcotics, other substances, the use, dispensing, or sale of which is prohibited or controlled by the State of California, neglect of duty, breach of this Agreement or any similar or like act or omission. Notwithstanding the use of the term "cause" herein, nothing herein contained shall be deemed to create or establish a property right or a right to continuing employment in the position of employment of Manager or affect District's right to terminate the employment of Manager with or without cause in accordance with this Agreement.

In the event of termination for cause, District shall not be obligated to compensate Manager in any amount except for services already rendered, including paid leave accrued in Manager's Employee Leave Bank, prior to the date of termination; provided that payment of such compensation shall not bar District's recovery of such damages as may accrue to District under the circumstances, nor shall termination for cause preclude District from exercising any other right or remedy it may have, whether in law or equity, which may accrue to District under the circumstances giving rise to such termination, or otherwise.

5.3 Termination of Agreement at Discretion of General Manager At the General Manager's sole discretion, the General Manager may terminate this Agreement without cause and in accordance with this section and Exhibit C by giving written notice of intent thereof to Manager which notice shall specify the effective date on which Manager shall no longer act in said capacity. Any notice provided in accordance with this section shall be deemed given on the date it is given by General Manager. Nothing herein provided in this section or this agreement constitutes an appeal procedure for the Manager of termination in accordance with this section. There shall be no severance or other remuneration in any form related to termination in accordance with this section.

5.4 Termination of Agreement by Manager At Manager's sole discretion, Manager may terminate this Agreement by giving written notice of intent thereof to General Manager which notice shall specify the effective date on which Manager shall no longer act in said capacity. Any notice provided in accordance with this section shall be deemed given on the date it is given by Manager. There shall be no severance or other remuneration in any form related to termination in accordance with this section.

5.5 Termination of Employment by Manager At Manager's sole discretion, Manager may terminate Manager's employment with the District concurrent with the termination of this Agreement by giving written notice of intent thereof to General Manager which notice shall specify the effective date of termination of employment. Any notice provided in accordance with this section shall be deemed given on the date it is given by Manager. There shall be no severance or other remuneration in any form related to termination in accordance with this section. In the event Manager terminates Manager's employment in accordance with this section, Manager shall not be entitled to severance or other benefits or District paid COBRA payments beyond the date of termination but the District shall pay Manager for salary earned and accrued leave and accrued benefits through the effective date of termination.

5.6 Termination is Final Manager's employment as Interim Financial Services Manager and the District's obligations to compensate the Manager shall cease upon termination of this Agreement except as provided for in Exhibit C.

5.7 Standing as Financial Services Supervisor District and Manager acknowledge that immediately prior to the Effective Date of this Agreement that Manager was employed by the District in the for-cause classification of Financial Services Supervisor. Upon the Effective Date of Agreement Manager shall serve as Interim Financial Services Manager on an acting, temporary basis in an at-will capacity. Notwithstanding other provisions in this Agreement, nothing herein eliminates his for-cause status as Financial Services Supervisor. Although the District may terminate this Agreement and thereby end Manager's tenure as Interim Financial Services Manager with or without cause at any time, he will thereafter revert to his for-cause position as Financial Services Supervisor. If the District wishes to terminate his employment as Financial Services Supervisor it must do so in a manner which affords Manager appropriate due process rights as a for-cause employee.

6. STATUS Manager shall have the status of an employee of District, subject to all terms and conditions of employment pertaining to the job classification and position under the ordinances, resolutions, rules, regulations, or other lawful directives or orders of the General Manager or the Board; provided, however, that in the event of any conflict between such ordinances, resolutions, rules, regulations, directives or orders, and the provisions of this Agreement, the provisions of this Agreement shall prevail. To the extent not modified or otherwise provided in this Agreement, the District and Manager hereto agree that the provisions of said ordinances, resolutions, rules, regulations, or other

lawful directives or orders pertaining to the relationship of employment between the District and its employees, shall also pertain to Manager.

7. APPEALS Manager may appeal any action of the General Manager under Section 5.2 Termination for Cause to the District Board of Directors which may refer, but is not obligated to refer, the matter for investigation to a Board Committee. Said appeal shall be in writing and shall be timely filed within ten (10) calendar days of the General Manager's action that is being appealed. An untimely filing shall be deemed denied with no further right of appeal. Decisions by the Board of Directors shall be binding and final.

8. NOTICES All written notices required to be given hereunder shall be delivered personally or by depositing the same with the United States Postal Service, first class (or equivalent) postage prepaid, addressed, in the case of General Manager, to:

General Manager
Dublin San Ramon Services District
7051 Dublin Blvd.
Dublin, CA 94568

and, in the case of Manager to the most recent address on record in the District's records.

9. ORIGINAL COUNTERPARTS This Agreement shall be executed in duplicate original counterparts, each of which, when executed, shall be deemed an original agreement.

10. SECTION HEADINGS Section headings and titles of attachments as used herein are for convenience only and shall not be deemed to alter or modify the provisions of the section headed thereby.

11. TERM The term of this Agreement shall be through and including June 30, 2014 subject to the provisions of Section 5 - Termination.

12. AMENDMENT This Agreement may be amended only by a written document executed by each party hereto.

13. ENTIRE AGREEMENT This Agreement integrates, includes, and supersedes all prior agreements, understandings, whether written or oral, whether mutual or unilateral on the part of either party. This Agreement constitutes the only and entire agreement between District and Manager. Each party to this Agreement acknowledges that no representations, inducements, promises, or agreements, oral or otherwise, have been made by any party, or anyone acting on behalf of any party, that are not embodied herein, and that no agreement, statement, or promise not contained in this Agreement shall be valid or binding on either party.

WITNESS WHEREOF, the District and Manager hereto have executed this Agreement as of the Effective Date.

DUBLIN SAN RAMON SERVICES DISTRICT,

A public agency of the State of California

By: _____

Bert L. Michalczyk, General Manager

Attest: _____

Nancy G. Hatfield, District Secretary

By: _____

John J. Archer

EXHIBIT A

COMPENSATION

1. BASE SALARY

1.1. Initial Base Salary Commencing on the Effective Date of this Agreement District shall compensate Manager a base salary of \$14,370 per month, payable in installments in accordance with District's standard payroll procedures.

1.2. Annual Base Salary Adjustment Subject to satisfactory performance as determined by General Manager, Manager's base salary shall be adjusted effective on the first day of the first pay period of Calendar Years 2014 by the percent change in the CPI Index (Consumer Price Index – All Urban Wage Earners, Not Seasonally Adjusted, San Francisco-Oakland-San Jose, CA, All Items 1982-84=100, series ID CWURA422SAO) for the twelve (12) month period ending October with a zero percent floor.

2. DEFERRED COMPENSATION

2.1. Plan Existence and Participation The District and Manager acknowledge that as of the Effective Date the District provides a Deferred Compensation Plan (the "Plan") pursuant to an agreement or agreements with financial institution(s) qualified to provide such plans under the statutes of the United States Internal Revenue Code. Subject to the terms and conditions of such agreement(s) and the Deferred Compensation Plan collectively thereby established, the District and Manager acknowledge that Manager shall be eligible to participate in said Plan as Manager shall determine. Nothing herein contained shall be deemed to limit the Board's discretion to revise, amend, or terminate said Plan, nor shall District be deemed obligated to replace said Plan in the event of its termination.

2.2. District Matching Contribution Calendar Year 2013 During calendar year 2013, the District will match one-hundred percent (100%) of the first \$2,500 that the Manager voluntary contributes to the Manager's account in the Plan. Said payment will be made on the same payday as the Manager elects to make voluntary contributions to the Plan. "Over Age 50" and "catch-up" contributions are not subject to a District match. The total match amount shall include matching contributions that the District made related to voluntary deferrals that Manager may have made from January 1, 2013 through the Effective Date or that the District may make after termination of this Agreement. In no event will the District contribute a matching amount for Manager that is greater than a total of \$2,500 during calendar year 2013 considering District matches made under both this Agreement and matches that may have been made in 2013 prior to the Effective Date of this Agreement while the Manager was a member of the Mid-Management Employees Bargaining Unit.

2.3. District Matching Contribution Calendar Year 2014 During calendar year 2014, the District will match one-hundred percent (100%) of the first \$2,500 that the Manager voluntary contributes to the Manager's account in the Plan. Said payment will be made on the same payday as the Manager elects to make voluntary contributions to the Plan. "Over Age 50" and "catch-up" contributions are not subject to a District match. The total match amount shall include matching contributions related to voluntary deferrals that Manager may make after termination of this Agreement. In no event will the District contribute a matching amount for Manager that is greater than a total of \$2,500 during calendar year 2014 considering District matches made under both this Agreement and matches that will be made in 2014 after termination of this Agreement if the Manager once again becomes a member of the Mid-Management Employees Bargaining Unit.

EXHIBIT B

RETIREMENT, INSURANCE AND LEAVE BENEFITS

1. RETIREMENT

1.1 Program District shall furnish Manager retirement benefits through the California Public Employees Retirement System (“PERS”) under contract with PERS entered into pursuant to Government Code Sections 20450 et seq. District shall provide a retirement plan with the following benefits: 2.7% at 55 benefit formula with modified social security coverage, 12 month final average compensation period, sick leave credit, standard non-industrial disability coverage, Optional Settlement 2W pre-retirement death benefits, \$500 lump sum post-retirement death benefits, and 2% COLA option.

1.2 Manager’s Share Manager shall pay the Manager’s seven (7.0) percent employee share plus the one (1.0) percent statutory employee contribution for the enhanced retirement formula plus an additional two (2.0) percent (total of 10.0%) from the Effective Date through the first pay period ending in 2025. After that date, Manager shall no longer pay the additional two (2.0) percent which percent shall be paid by the District. Manager and District acknowledge that substantially similar provisions are included in memoranda of understanding and contracts with all other District employees. If the District agrees to modify those provisions for any employee or employee group, Manager and District agree to similarly amend this Agreement.

1.3 Program Revisions In the event that the retirement program described in Section 1.1 of this Exhibit B is (a) modified or terminated by the District or (b) modified, terminated or no longer offered by the State, Manager and District shall negotiate in good faith an amendment to this Agreement.

1.4 IRS 414(h)(2) Program The District shall maintain an IRS 414(h)(2) Plan during the term of this Agreement.

2. INSURANCE

2.1 Health Care Insurance

2.1.1 Availability The District is committed to provide health care (medical) insurance to Manager. The District currently obtains its health insurance through CalPERS and shall endeavor to continue that coverage through 2016. If it is unable to do so, the District will endeavor to obtain coverage that is comparable to the CalPERS program coverage. In that event, the District and Manager will negotiate in good faith an amendment to these health care insurance provisions in a manner that is essentially equivalent to the arrangement identified therein for CalPERS coverage. The District shall endeavor to provide a health care insurance program that has at least two choices for coverage for Health Maintenance Organizations (HMO) and two choices for Preferred Provider Organizations (PPO) Plans. The lowest cost HMO and lowest cost PPO shall be the “Base Plans.” In the event that this level of coverage does not remain reasonably available through 2016, the District and Manager shall negotiate in good faith an amendment to these health care insurance provisions.

2.1.2 Premiums District shall pay Manager’s Health Care Premiums up to a maximum amount not to exceed the District “Maximum Contribution” for each level (employee only, employee plus one dependent, and employee plus two or more dependents).

Payment by District shall be for employee or employee plus eligible dependents, whichever represents the employee's situation. Manager shall pay the balance of the cost incurred in excess of the Health Care Premium Maximum Contribution, including any administrative fees or service charges.

The District Maximum Contribution health care baselines in 2013 are as follows:

Employee	\$591
Employee + one	\$1,181
Employee+2 (Family)	\$1,535

Each year, upon notification of new premiums by the District's health care provider, the District will identify the lowest cost HMO and PPO plans that are offered under the Bay Area Region plan or a successor provider and are available in Alameda County. The higher cost plan of the two (Base Plan) will form the basis for the calculation to determine the new District Health Care Premium Maximum Contribution for that plan year.

On January 1st of 2014 Manager shall continue to share in the cost of health care premium increases above the baseline as described in the example below. Cost increases will be shared 60% by the District and 40% by Manager, with Manager's maximum share of the cost of the Base Plan limited to a 20% share. Each year's Base Plan premium will be compared to the baselines established above. The new Maximum Contribution will be calculated by adding 60% of the increase to the baseline to establish the Maximum Contribution for that year. If at any time the calculated Maximum Contribution is less than 80% of the Base Plan cost, the Maximum Contribution will be 80% of the Base Plan for that year. This example is illustrated below in table form:

Example EE+2	Base Plan Premium	Increase from Base	DSRSD Share of Increase	Manager Share of Increase	District Maximum Contribution	District % of Base Plan Premium
Base amount	\$ 1,230					
2014	\$ 1,720	\$ 490	\$ 294	\$ 196	\$ 1,524	89%

Manager will pay those amounts in excess of the District Health Care Premium Maximum Contribution, and the premium of the plan they select. The District's Base Plan premium will always be greater than or equal to the baseline. Manager may select other health plans as they are made available and pay the additional amount between the Base Plan contribution and the premium for the selected alternative plan.

Base plan amounts will be rounded to the nearest dollar.

In the Fall of 2013 and upon notice of either party, the District or Manager shall negotiate in good faith an amendment to Agreement regarding the impact of health care premiums paid under this section (1) by either party if (1) the maximum projected Manager contribution in 2014 for plans available in the CalPERS Bay Area Region results in either: a) two HMOs with a cost of more than \$500 per month for EE+2 coverage, or, b) a cost of two PPOs with a cost of more than \$500 per

month for EE+2 coverage (excluding PERSCare PPO) or, (2) there are projected to be significant impacts on either party related to the implementation of the Federal Health Care Act in 2014.

2.1.3 Employer Contribution for Post-Employment Health Benefits in Retirement

District shall provide health care (medical) insurance to Manager if Manager retires from the District prior to the termination of this Agreement. District shall contract with CalPERS to provide post-employment health benefits in retirement through the CalPERS Vesting Program for Retiree Health Care. Manager certifies that Manager has vested in the CalPERS Program as of the Effective Date.

2.1.4 Changes to the Law In the event Federal or State legislation that provides health care coverage for Manager is enacted into law during the term of this Agreement, and such legislation has an adverse impact on either party, the District and Manager shall negotiate in good faith an amendment to Agreement related to the impact of such legislation on the Agreement.

2.1.5 Waiver of Coverage Manager may elect in writing to forgo medical coverage through the District and receive in cash via the payroll system the amount listed in the table below for the coverage Manager is eligible to receive from the District and in accordance with the Public Employees' Medical and Hospice Care Act Program. Said election must be made for the Manager as well as for Manager's dependents.

Monthly Amount	Calendar Year 2013	Calendar Year 2014
Employee	\$235.54	\$205.07
Employee + 1	\$471.07	\$410.15
Employee +2	\$612.75	\$533.50

2.2 Dental The District shall provide dental care benefits covering Manager, spouse, and eligible dependents. The District shall provide retiree dental care benefits for Manager (and eligible dependents) provided that Manager retires from the District during the term of this Agreement.

2.3 Vision The District shall provide Manager with vision care benefits covering Manager, spouse, and eligible dependents. Vision care will not be provided to Manager in retirement.

2.4 Basic Term Life Insurance

2.4.1 Amount The District shall provide Manager with Life Insurance. The amount of the life insurance to be provided shall be equal to two (2) times Manager's annual salary, rounded up to the nearest \$1,000 to a maximum of \$400,000. The imputed cost of coverage in excess of \$50,000 will be included in Employee's income, using the IRS Premium Table, and are subject to applicable Federal and State taxes.

2.4.2 Additional Coverage In addition to the life insurance provided at District expense, the District shall make arrangements for Manager to purchase additional life insurance for themselves or their dependents at Manager's cost.

2.4.3 Life Insurance During Retirement Life Insurance will not be provided to Manager in retirement.

2.5 Short Term Disability The District shall provide Manager with Short-Term Disability Insurance. The Short-Term Disability Insurance shall provide for sixty percent (60%) of regular weekly salary, to a maximum of \$1,667 weekly benefit, after a 29-day waiting period. Benefits continue for a maximum of one year, if totally disabled. Integration of short-term insurance benefits and sick leave is to be automatic; the District may not waive integration. Short Term Disability Insurance benefits cease the day the termination of Manager occurs.

2.6 Long Term Disability The District shall provide Manager with Long -Term Disability Insurance. Long Term Disability Insurance shall provide 70% of regular monthly salary, to a maximum of \$10,000 monthly benefit, after 365 calendar days of short term disability coverage. Long Term Disability Insurance benefits cease the day the termination of employment occurs.

2.7 Changes to Providers of Employee Benefit Plans The District intends to periodically evaluate the Health and Welfare plans currently available to employees to determine if similar or better coverage may be available at lower cost to the District. The District may substitute new insurance carriers or arrange for self-insurance provided that the overall coverage is similar or better as specified in this Agreement.

3. FLEXIBLE BENEFITS/IRS SECTION 125 PLAN

District shall provide a Flexible Benefits Plan in accordance with IRS Section 125. The District shall allow employee contributions by the Manager to the maximum extent permitted by law as well as allowable pre-tax deductions for employee-paid premiums associated with eligible health care costs.

4. LEAVE BENEFITS

4.1 Employee Leave Bank

4.1.1 Prior Accrued Leave Manager shall carry forward under this Agreement all accrued leave that accrued prior to the Effective Date.

4.1.2 Employee Leave Bank Accrual Rate From the Effective Date of this Agreement through the pay period ending March 30, 2014, Manager shall accrue additional time in the Employee Leave Bank at the rate of 11.38 hours each biweekly pay period (37 days per year based on eight hour work days). Thereafter, through the termination of this Agreement, Manager shall accrue additional time in the Employee Leave Bank at the rate of 11.69 hours each biweekly pay period (38 days per year based on eight hour work days).

4.1.3 Maximum Leave Bank Accrual The maximum amount of leave in the Employee Leave Bank shall no greater than an amount representing two years of leave accrual at any given time.

4.1.4 Employee Leave Bank Sell Back Manager shall have an option to annually sell back up to 80 hours of leave from Manager's Employee Leave Bank; said option shall be exercised no more than one time in a calendar year provided that there are at least eighty (80) hours remaining after such sell back.

4.1.5 Use of Employee Leave Bank All Employee Leave Bank Leave shall be scheduled at the discretion of the General Manager; approval will not be unreasonably withheld.

4.2 Holidays Manager shall be entitled to eight days holiday leave (based on eight hour work days) in accordance with District's personnel rules and regulations pertaining to holidays, as may be amended from time to time.

4.3 Sick Leave

4.3.1 Benefits Manager shall carry forward under this Agreement all accrued sick leave that accrued prior to the Effective Date. Manager shall accrue sick leave at the rate of eight (8) hours per month credited in hours per pay period. Sick leave usage shall not be considered as a privilege which Manager may use at his or her discretion, but shall be allowed only in case of necessity of actual sickness or disability in accordance with state law and the District Personnel Rules, or for Manager's dental, eye, or other physical or medical examination or treatment by a licensed practitioner.

4.3.2 Use of Sick Leave Manager may use sick leave on an hour for hour basis (or fraction thereof) in any pay period that they have not worked their scheduled hours. Sick leave may not be used before it is credited.

4.3.3 Physician's Certificate or Other Proof At the discretion of the General Manager, a physician's certificate or personal affidavit may be required for any period of absence for which sick leave is claimed; however, when absence is for more than five (5) consecutive workdays, Manager shall file a physician's certificate or a personal affidavit with the General Manager stating the cause of the absence.

4.3.4 Illness in the Immediate Family Leaves for illness in the immediate family are limited to six (6) workdays each calendar year in accordance with State regulations and are for the sole purpose of providing necessary care for an ill or injured member of the immediate family. Absences of more than three (3) workdays require a physician's statement indicating that the Manager's presence was required at home. Immediate family shall be defined as spouse, child, parent, brother, sister, or any individual whose relationship to the Manager is that of a dependent. In the case of the dependent, the General Manager shall grant such sick leave only when, in his or her opinion, the relationship of the sick or disabled person to the employee warrants such use of sick leave.

4.3.5 Family and Medical Care Leave Family and Medical Care leave shall be administered in accordance with State and Federal Law.

4.4 Jury Duty Leave If Manager is summoned to jury duty, Manager shall notify General Manager and if required to report and/or serve, may be absent from duty with full pay only for those hours required to report and/or serve.

4.5 Bereavement Leave In the event of a death in the immediate family of Manager, Manager shall, upon request, be granted such time off with pay as is necessary to make arrangements for the funeral and attend same, not to exceed three (3) regularly scheduled workdays. The immediate family shall be restricted to father, mother, brother, sister, spouse, child, mother-in-law, father-in-law, grandparents, grandchildren, and stepchild in those cases where a direct child-rearing-parental relationship may be demonstrated. At the request of the General Manager, Manager shall furnish a death certificate and proof of relationship. Sick leave shall not be used in lieu of Bereavement Leave.

EXHIBIT C

SUPPLEMENTAL BENEFITS AND SPECIAL CONDITIONS OF EMPLOYMENT

Notwithstanding other provisions of the Agreement, including Exhibits A and B, the following Supplemental Benefits and Special Conditions of Employment shall apply. In the event of a conflict between this Exhibit C and other provisions of the Agreement, including Exhibits A and B, Exhibit C shall govern.

1. RETURN TO PRIOR JOB CLASSIFICATION UPON TERMINATION OF AGREEMENT

Unless the Manager is terminated for cause in accordance with Section 5.2 of this Agreement or unless the Manager terminates their employment in accordance with Section 5.5 of this Agreement, Manager shall be re-assigned to the job classification that Manager held immediately prior to the Effective Date of this Agreement and afforded all the compensation and benefits in accordance with the Memorandum of Understanding in effect between the District and the Mid-Management Employees' Bargaining Unit (the "MEBU MOU") except as may be otherwise limited by this Agreement or which may be duplicative through operation of this Agreement together with the MEBU MOU.

2. ADJUSTMENT OF MAXIMUM LEAVE ACCRUED AT TERMINATION OF AGREEMENT

At the time of termination of the Agreement, provided that Manager is re-assigned to the job classification that Manager held immediately prior to the Effective Date of this Agreement, if Manager has more accrued leave than would be allowed under the MEBU MOU, District shall pay Manager the difference between the value of the leave he has accrued as of that time and the maximum amount of leave allowed under the MEBU MOU. The value of the leave so paid shall be at the rate of pay in this Agreement.

ATTACHMENT 1 to S&R

SUMMARY OF COST OF THE TERMS OF PERSONAL SERVICES AGREEMENT

No.	Item	Detail	Incremental Cost or (Saving) ¹	Comments
1	Salary	Current at \$12,612 per month; proposed at \$14,370 per month	\$14,382	13.9 % GREATER than budgeted salary of Financial Services Supervisor
2	Employment Status	Interim appointment is at the will of the General Manager; interim appointment ends no later than June 30, 2014, can be terminated at any time and manager returned to prior Financial Services Supervisor classification with no severance		12.8% LESS than budgeted salary of Financial Services Manager
Benefits²				
3	Retirement	• 2.7% at 55 Plan • Employee paid - 10.0% of salary • Employer paid - 13.7% of salary	\$3,983	These benefits have an incremental cost related to higher salary. Incremental cost shown is also related to greater employer paid payroll costs for FICA and Medicare for the eight month period.
4	Retiree Health Insurance	0% vested before 10 years 50% vesting starting at 10 years 100% vested after 20 years		
5	Short Term Disability	60% of salary to maximum of \$1,667 per week; 29 day wait		
6	Long Term Disability	70% of salary to maximum of \$10,000 per month; 365 day wait; conforms to Senior Manager PSAs		
7	Basic Life Insurance	Two times salary		
8	Deferred Compensation	Maximum match of \$2,500 per calendar year	\$0	These benefits have no incremental cost related to higher salary
9	Health Insurance	District Contribution: • CY 2013 = \$1,535 / Mo. (EE+2) • CY 2014 = \$1,524/mo. (EE+2)		
10	Share the Savings	If employee waives health insurance: • CY 2013 = \$ 613/mo. (EE+2) • CY 2014 = \$ 533/mo. (EE+2)		
11	Dental Premiums	Paid		
12	Vision Care	Paid		
13	Leave Bank	11.38 hours per pay period to start conforming to senior manager accrual schedule		
Sub-Total			\$18,365	Additional Cost
Savings from reduction of one FTE for the eight month period			(\$189,536)	\$131,967 Salary & \$57,569 payroll cost and benefits on Financial Serv. Man. as budgeted for the eight month period
TOTAL			(\$171,171)	Net Savings

¹ Between appointee's current position as Financial Services Supervisor and proposed Interim Financial Services Manager. For simplicity sake the analysis assumes appointee holds position for eight months of the fiscal year; if the appointment is terminated before June 30, 2014 the additional cost would be proportionately less.

² Benefit program is same as current position of employee except as noted.

**Dublin San Ramon Services District
Summary & Recommendation**

Reference Organizational Services Manager	Type of Action Adopt Pay Schedule	Board Meeting of October 15, 2013
Subject Adopt Pay Schedule in Accordance with California Code of Regulations, Title 2, Section 570.5, Requirement for a Publicly Available Pay Schedule and Rescind Resolution No. 39-13		
<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 checked="" type="checkbox"/> Verbal <input type="checkbox"/> Presentation	<input checked="" type="checkbox"/> Staff M. Gallardo <input type="checkbox"/> Board Member

Recommendation:

The Organizational Services Manager recommends the Board of Directors adopt, by Resolution, the District Pay Schedule in accordance with California Code of Regulations (CCR), Title 2, Section 570.5, Requirement for a Publicly Available Pay Schedule and rescind Resolution No. 39-13.

Summary:

Per Resolution No. 39-13, the Board of Directors adopted the publicly available pay schedule in accordance with California Code of Regulations (CCR), Title 2, Section 570.5, Requirement for a Publicly Available Pay Schedule.

With the Board's approval of the Resolution and Personal Services Agreement for the Interim Financial Services Manager on October 15, 2013, the pay schedule has been updated with the corresponding base salary and effective date for this interim assignment as required by CCR, Title 2, Section 570.5.

The regulation specifies that compensation earnable is defined in statute and further clarified by CCR, Title 2, Section 570.5, and that salaries shall be "duly approved and adopted by the employer's governing body in accordance with requirements of applicable public meetings laws." Therefore, only those pay amounts that meet the definition of compensation earnable can be used when calculating retirement benefits. This regulation applies to all employers reporting compensation to CalPERS.

This pay schedule shall reflect salaries currently in place and previously agreed to by the District in accordance with the various Memoranda of Understanding and Personal Services Agreements.

Committee Review			Legal Review	Staff Review		
COMMITTEE ---	DATE ---	RECOMMENDATION ---	Yes	ORIGINATOR M. Gallardo	DEPARTMENT Organizational Services	REVIEWED BY
ATTACHMENTS <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 \$0	<input type="checkbox"/> Funding Source A. B.	Attachments to S&R 1.				

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT
ADOPTING A PAY SCHEDULE IN ACCORDANCE WITH CALIFORNIA CODE OF REGULATIONS, TITLE
2, SECTION 570.5, AND RESCINDING RESOLUTION NO. 39-13

WHEREAS, the California Code of Regulations, Title 2, Section 570.5 requires the District's Board of Directors approve and adopt all pay schedules; and

WHEREAS, the Regulations require that the pay schedule be made public without reference to another document in disclosure of the pay rate.

WHEREAS, by Resolution No. 39-13, the Board-adopted pay schedule was approved on September 3, 2013; and

WHEREAS, the pay schedule now requires an update to reflect the recently approved base salary for the Interim Financial Services Manager.

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

- (1) That the attached revised pay schedule titled **DSRSD Pay Schedule**, set forth in Exhibit "A" attached hereto and incorporated herein by reference is approved and adopted, and Resolution No. 39-13 is hereby rescinded and attached as Exhibit "B,"
- (2) That the pay schedule approved and adopted by this resolution shall be periodically updated by the Board of Directors, in accordance with the California Code of Regulations requirements.

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 15th day of October 2013, and passed by the following vote:

AYES:

NOES:

ABSENT:

Dawn L. Benson, President

ATTEST: _____
Nancy G. Hatfield, District Secretary

DSRSD Pay Schedule

Pursuant to CCR Title 2 570.5

EXHIBIT "A"

In accordance with Board-approved resolutions and the District's established payroll procedures (26 pay periods per year, 14 days per pay period).

Time base for each pay rate: Full time employee (1.0 FTE), 40 hours per work week.

Job Classification	Job Code	Effective	Resolution#	MONTHLY SALARY					HOURLY PAY RATE				
				STEP A	STEP B	STEP C	STEP D	STEP E	STEP A	STEP B	STEP C	STEP D	STEP E
ACCOUNT CLERK I	CACCK1	12/24/12	73-11	4,337	4,554	4,781	5,021	5,271	25.0212	26.2731	27.5827	28.9673	30.4096
ACCOUNT CLERK II	CACCK2	12/24/12	73-11	4,770	5,009	5,260	5,523	5,800	27.5192	28.8981	30.3462	31.8635	33.4615
ACCOUNTANT I	PACCT1	12/24/12	74-11	6,644	6,976	7,325	7,691	8,076	38.3308	40.2462	42.2596	44.3712	46.5923
ACCOUNTING TECHNICIAN I	CACTC1	12/24/12	73-11	5,290	5,555	5,833	6,125	6,430	30.5192	32.0481	33.6519	35.3365	37.0962
ACCOUNTING TECHNICIAN II	CACTC2	12/24/12	73-11	5,818	6,109	6,415	6,737	7,073	33.5654	35.2442	37.0096	38.8673	40.8058
ADMINISTRATIVE ANALYST I	PADAN1	12/24/12	74-11	7,274	7,637	8,020	8,421	8,842	41.9654	44.0596	46.2692	48.5827	51.0115
ADMINISTRATIVE ASSISTANT I	CADAS1	12/24/12	73-11	4,386	4,604	4,836	5,078	5,330	25.3038	26.5615	27.9000	29.2962	30.7500
ADMINISTRATIVE ASSISTANT I - CONFIDENTIAL	HADAS1	12/24/12	76-11	5,038	5,289	5,554	5,831	6,121	29.0654	30.5135	32.0423	33.6404	35.3135
ADMINISTRATIVE ASSISTANT II	CADAS2	12/24/12	73-11	4,825	5,068	5,320	5,586	5,865	27.8365	29.2385	30.6923	32.2269	33.8365
ADMINISTRATIVE ASSISTANT II - CONFIDENTIAL	HADAS2	12/24/12	76-11	5,538	5,815	6,106	6,412	6,733	31.9500	33.5481	35.2269	36.9923	38.8442
ADMINISTRATIVE TECHNICIAN	CADMTC	12/24/12	73-11	5,668	5,953	6,250	6,563	6,891	32.7000	34.3442	36.0577	37.8635	39.7558
ADMINISTRATIVE TECHNICIAN - CONFIDENTIAL	HADMTC	12/24/12	76-11	5,903	6,199	6,506	6,833	7,176	34.0558	35.7635	37.5346	39.4212	41.4000
CO-GENERATION SPECIALIST	CCOGSP	12/24/12	73-11	7,609	7,992	8,390	8,811	9,250	43.8981	46.1077	48.4038	50.8327	53.3654
COMMUNITY AFFAIRS SPECIALIST I	PCAFS1	12/24/12	74-11	6,972	7,320	7,687	8,071	8,475	40.2231	42.2308	44.3481	46.5635	48.8942
CONSTRUCTION INSPECTOR I	CCOIN1	12/24/12	73-11	6,513	6,837	7,180	7,539	7,915	37.5750	39.4442	41.4231	43.4942	45.6635
CONSTRUCTION INSPECTOR II	CCOIN2	12/24/12	73-11	7,162	7,520	7,899	8,292	8,705	41.3192	43.3846	45.5712	47.8385	50.2212
CUSTOMER FIELD REPRESENTATIVE I	CCFDR1	12/24/12	73-11	4,933	5,181	5,440	5,712	5,996	28.4596	29.8904	31.3846	32.9538	34.5923
CUSTOMER FIELD REPRESENTATIVE II	CCFDR2	12/24/12	73-11	5,425	5,697	5,984	6,283	6,596	31.2981	32.8673	34.5231	36.2481	38.0538
CUSTOMER SERVICES REPRESENTATIVE I	CCSRP1	12/24/12	73-11	4,309	4,525	4,751	4,989	5,238	24.8596	26.1058	27.4096	28.7827	30.2192
CUSTOMER SERVICES REPRESENTATIVE II	CCSRP2	12/24/12	73-11	4,741	4,979	5,225	5,485	5,761	27.3519	28.7250	30.1442	31.6442	33.2365
CUSTOMER SERVICES REPRESENTATIVE III	CCSRP3	12/24/12	73-11	5,969	6,268	6,582	6,912	7,256	34.4365	36.1615	37.9731	39.8769	41.8615
ELECTRICIAN	CELECT	12/24/12	73-11	7,000	7,350	7,718	8,103	8,509	40.3846	42.4038	44.5269	46.7481	49.0904
ENGINEERING TECHNICIAN / GIS SPECIALIST I	CENTC1	12/24/12	73-11	5,962	6,261	6,574	6,903	7,247	34.3962	36.1212	37.9269	39.8250	41.8096
ENGINEERING TECHNICIAN / GIS SPECIALIST II	CENTC2	12/24/12	73-11	6,559	6,886	7,231	7,592	7,971	37.8404	39.7269	41.7173	43.8000	45.9865
ENVIRONMENTAL CHEMIST I	PENCH1	12/24/12	74-11	6,848	7,190	7,549	7,928	8,324	39.5077	41.4808	43.5519	45.7385	48.0231
ENVIRONMENTAL COMPLIANCE INSPECTOR I - CLEAN WATER	CECIC1	12/24/12	73-11	6,301	6,614	6,946	7,295	7,659	36.3519	38.1577	40.0731	42.0865	44.1865
ENVIRONMENTAL COMPLIANCE INSPECTOR I - PRE-TREATMENT	CECIP1	12/24/12	73-11	6,301	6,614	6,946	7,295	7,659	36.3519	38.1577	40.0731	42.0865	44.1865
ENVIRONMENTAL COMPLIANCE INSPECTOR II - CLEAN WATER	CECIC2	12/24/12	73-11	6,933	7,278	7,642	8,024	8,424	39.9981	41.9885	44.0885	46.2923	48.6000
ENVIRONMENTAL COMPLIANCE INSPECTOR II - PRE-TREATMENT	CECIP2	12/24/12	73-11	6,933	7,278	7,642	8,024	8,424	39.9981	41.9885	44.0885	46.2923	48.6000
FLEET MECHANIC	CFMECH	12/24/12	73-11	6,236	6,548	6,876	7,219	7,580	35.9769	37.7769	39.6692	41.6481	43.7308
GIS ANALYST I	PGISA1	12/24/12	74-11	7,680	8,064	8,469	8,892	9,335	44.3077	46.5231	48.8596	51.3000	53.8558
HUMAN RESOURCES ANALYST I	HHRAN1	12/24/12	76-11	7,334	7,701	8,086	8,490	8,914	42.3115	44.4288	46.6500	48.9808	51.4269
HUMAN RESOURCES TECHNICIAN	HHRTC	12/24/12	76-11	5,903	6,199	6,506	6,833	7,176	34.0558	35.7635	37.5346	39.4212	41.4000
INFORMATION SYSTEMS TECHNICIAN I	CISTC1	12/24/12	73-11	5,684	5,967	6,266	6,579	6,909	32.7923	34.4250	36.1500	37.9558	39.8596
INFORMATION SYSTEMS TECHNICIAN II	CISTC2	12/24/12	73-11	6,250	6,563	6,891	7,237	7,599	36.0577	37.8635	39.7558	41.7519	43.8404
INFORMATION TECHNOLOGY ANALYST I	PITAN1	12/24/12	74-11	7,840	8,231	8,642	9,075	9,529	45.2308	47.4865	49.8577	52.3558	54.9750
INSTRUMENTATION TECHNICIAN	CINSTC	12/24/12	73-11	7,155	7,514	7,888	8,284	8,698	41.2788	43.3500	45.5077	47.7923	50.1808
JUNIOR ENGINEER	PJRENG	12/24/12	74-11	7,282	7,646	8,028	8,429	8,851	42.0115	44.1115	46.3154	48.6288	51.0635
JUNIOR PLANNER	PJRPLN	12/24/12	74-11	6,858	7,200	7,560	7,938	8,335	39.5654	41.5385	43.6154	45.7962	48.0865
LABORATORY TECHNICIAN	CLABTC	12/24/12	73-11	5,991	6,291	6,605	6,936	7,282	34.5635	36.2942	38.1058	40.0154	42.0115
MAINTENANCE WORKER I	CMTWK1	12/24/12	73-11	5,073	5,325	5,592	5,871	6,165	29.2673	30.7212	32.2615	33.8712	35.5673
MAINTENANCE WORKER II	CMTWK2	12/24/12	73-11	5,578	5,859	6,151	6,459	6,780	32.1808	33.8019	35.4865	37.2635	39.1154
MECHANIC I	CMECH1	12/24/12	73-11	5,852	6,144	6,452	6,773	7,113	33.7615	35.4462	37.2231	39.0750	41.0365
MECHANIC II	CMECH2	12/24/12	73-11	6,435	6,757	7,095	7,451	7,823	37.1250	38.9827	40.9327	42.9865	45.1327
MECHANIC II - CRANE CERTIFIED													

DSRSD Pay Schedule

Pursuant to CCR Title 2 570.5

EXHIBIT "A"

Job Classification	Job Code	Effective	Resolution#	MONTHLY SALARY					HOURLY PAY RATE				
				STEP A	STEP B	STEP C	STEP D	STEP E	STEP A	STEP B	STEP C	STEP D	STEP E
OPERATOR IN TRAINING	CWTPOT	12/24/12	73-11	4,989	5,238	5,500	5,775	6,063	28.7827	30.2192	31.7308	33.3173	34.9788
PROCESS LEAD WWTP OPERATOR IV	CWTPO4	12/24/12	73-11	7,289	7,654	8,035	8,437	8,859	42.0519	44.1577	46.3558	48.6750	51.1096
PROCESS LEAD WWTP OPERATOR V	CWTPO5	12/24/12	73-11	7,654	8,035	8,437	8,859	9,302	44.1577	46.3558	48.6750	51.1096	53.6654
SAFETY TECHNICIAN	CSAFT	12/24/12	73-11	5,991	6,291	6,605	6,936	7,282	34.5635	36.2942	38.1058	40.0154	42.0115
SENIOR ACCOUNTING TECHNICIAN	CSACTC	12/24/12	73-11	6,402	6,722	7,057	7,410	7,780	36.9346	38.7808	40.7135	42.7500	44.8846
SENIOR ELECTRICAL/ELECTR TECHNICIAN	CSEETC	12/24/12	73-11	7,873	8,267	8,679	9,112	9,567	45.4212	47.6942	50.0712	52.5692	55.1942
SENIOR ELECTRICIAN	CSRELECT	12/24/12	73-11	7,701	8,086	8,489	8,914	9,360	44.4288	46.6500	48.9750	51.4269	54.0000
SENIOR ENG TECH / GIS SPECIALIST	CSENTC	12/24/12	73-11	7,213	7,575	7,952	8,352	8,768	41.6135	43.7019	45.8769	48.1846	50.5846
SENIOR ENVIR COMPL INSPECTOR	CSRECI	12/24/12	73-11	7,626	8,006	8,407	8,825	9,268	43.9962	46.1885	48.5019	50.9135	53.4692
SENIOR INSTRUMENTATION/CONTROLS TECHNICIAN	CSRICTECH	12/24/12	73-11	8,400	8,821	9,262	9,725	10,212	48.4615	50.8904	53.4346	56.1058	58.9154
SENIOR MECHANIC	CSRMEC	12/24/12	73-11	7,081	7,433	7,807	8,196	8,604	40.8519	42.8827	45.0404	47.2846	49.6385
SENIOR MECHANIC - CRANE CERTIFIED	CSRMCC	12/24/12	73-11	7,256	7,619	8,000	8,400	8,820	41.8615	43.9558	46.1538	48.4615	50.8846
SENIOR WWTP OPERATOR III	CSWTP0	12/24/12	73-11	6,941	7,289	7,654	8,035	8,437	40.0442	42.0519	44.1577	46.3558	48.6750
WATER/WW SYSTEMS OPERATOR I	CWWSO1	12/24/12	73-11	4,989	5,238	5,500	5,775	6,063	28.7827	30.2192	31.7308	33.3173	34.9788
WATER/WW SYSTEMS OPERATOR II	CWWSO2	12/24/12	73-11	5,738	6,023	6,324	6,641	6,973	33.1038	34.7481	36.4846	38.3135	40.2288
WATER/WW SYSTEMS OPERATOR III	CWWSO3	12/24/12	73-11	6,311	6,627	6,957	7,305	7,670	36.4096	38.2327	40.1365	42.1442	44.2500
WATER/WW SYSTEMS OPERATOR IV	CWWSO4	12/24/12	73-11	6,941	7,289	7,654	8,035	8,437	40.0442	42.0519	44.1577	46.3558	48.6750
WATER/WW SYSTEMS OPERATOR IV - ON CALL	CWW4OC	12/24/12	73-11	7,115	7,470	7,845	8,237	8,648	41.0481	43.0962	45.2596	47.5212	49.8923
WATER/WW SYSTEMS OPERATOR V	CWWSO5	12/24/12	73-11	7,470	7,845	8,237	8,648	9,079	43.0962	45.2596	47.5212	49.8923	52.3788
WATER/WW SYSTEMS OPERATOR VI	CWWSO6	12/24/12	73-11	7,845	8,237	8,648	9,079	9,533	45.2596	47.5212	49.8923	52.3788	54.9981
WWTP OPERATOR I	CWTPO1	12/24/12	73-11	5,738	6,023	6,324	6,641	6,973	33.1038	34.7481	36.4846	38.3135	40.2288
WWTP OPERATOR II	CWTPO2	12/24/12	73-11	6,311	6,627	6,957	7,305	7,670	36.4096	38.2327	40.1365	42.1442	44.2500
				MONTHLY SALARY					BI-WEEKLY PAY RATE				
Job Classification	Job Code	Effective	Resolution#	STEP A	STEP B	STEP C	STEP D	STEP E	STEP A	STEP B	STEP C	STEP D	STEP E
				3,347.08	3,514.62	3,690.46	3,874.62	4,068.46	3,667.38	3,850.62	4,043.54	4,245.69	4,458.00
ACCOUNTANT II	PACCT2	12/24/12	74-11	7,252	7,615	7,996	8,395	8,815	3,672.00	3,855.23	4,047.69	4,249.85	4,462.62
ADMINISTRATIVE ANALYST II	PADAN2	12/24/12	74-11	7,946	8,343	8,761	9,199	9,659	3,456.00	3,628.62	3,810.46	4,000.62	4,200.92
ASSISTANT ENGINEER	PASENG	12/24/12	74-11	7,956	8,353	8,770	9,208	9,669	4,183.38	4,392.46	4,611.69	4,842.46	5,084.77
ASSISTANT PLANNER	PASPLN	12/24/12	74-11	7,488	7,862	8,256	8,668	9,102	4,456.15	4,678.62	4,912.62	5,158.62	5,417.08
ASSOCIATE CIVIL ENGINEER - SME	PAESME	12/24/12	74-11	9,064	9,517	9,992	10,492	11,017	3,776.77	3,965.54	4,163.54	4,371.69	4,590.46
ASSOCIATE ENGINEER-SUPERVISOR	MASENG	12/24/12	75-11	9,655	10,137	10,644	11,177	11,737	3,155.54	3,313.38	3,479.08	3,652.62	3,835.38
ASSOCIATE PLANNER	PASOPL	12/24/12	74-11	8,183	8,592	9,021	9,472	9,946	3,770.77	3,959.08	4,156.62	4,364.31	4,582.15
BUYER	PBUYER	12/24/12	74-11	6,837	7,179	7,538	7,914	8,310	3,514.15	3,690.00	3,874.15	4,068.00	4,271.54
CLEAN WATER PROGRAMS SPECIALIST	PCWPSP	12/24/12	74-11	8,170	8,578	9,006	9,456	9,928	4,473.23	4,696.62	4,932.00	5,178.92	5,437.85
COMMUNITY AFFAIRS SPECIALIST II	PCAFS2	12/24/12	74-11	7,614	7,995	8,394	8,814	9,255	4,026.00	4,226.77	4,438.15	4,660.62	4,893.69
COMMUNITY AFFAIRS SUPERVISOR	MCASUP	12/24/12	75-11	9,692	10,176	10,686	11,221	11,782	3,981.23	4,180.15	4,389.23	4,608.92	4,840.15
CUSTOMER SERVICES SUPERVISOR	MCSSUP	12/24/12	75-11	8,723	9,158	9,616	10,098	10,603	3,701.08	3,885.69	4,080.00	4,284.00	4,498.15
DISTRICT ENGINEER / ASSISTANT GENERAL MANAGER	DEAGM	12/24/12	78-11					17,109	3,450.92	3,623.08	3,804.46	3,994.62	4,194.46
ELECTRICAL AND INSTRUMENTATION SUPERVISOR	MEISUP	12/24/12	75-11	8,626	9,057	9,510	9,986	10,487	5,339.08	5,605.85	5,886.46	6,180.00	6,489.23
EMPLOYEE DEVELOPMENT SPECIALIST	PEEDSP	12/24/12	74-11	8,019	8,419	8,840	9,282	9,746	4,772.77	5,011.38	5,261.54	5,524.15	5,801.08
ENVIRONMENTAL CHEMIST II	PENCH2	12/24/12	74-11	7,477	7,850	8,243	8,655	9,088	4,342.15	4,558.15	4,787.08	5,025.69	5,276.77
ENVIRONMENTAL SERVICES ADMINISTRATOR	MESADM	12/24/12	75-11	11,568	12,146	12,754	13,390	14,060	3,795.69	3,985.85	4,185.23	4,394.31	4,613.54
EXECUTIVE SERVICES SUPERVISOR	MESSUP	12/24/12	75-11	10,341	10,858	11,400	11,969	12,569	4,789.38	5,028.00	5,279.54	5,544.00	5,820.92
FIELD OPERATIONS SUPERVISOR	MFOSUP	12/24/12	75-11	9,408	9,876	10,372	10,889	11,433	3,873.69	4,067.54	4,270.62	4,484.31	4,708.62
FINANCIAL ANALYST	PFINAN	12/24/12	74-11	8,224</									

DSRSD Pay Schedule

Pursuant to CCR Title 2 570.5

EXHIBIT "A"

Job Classification	Job Code	Effective	Resolution#	MONTHLY SALARY					BI-WEEKLY PAY RATE				
				STEP A	STEP B	STEP C	STEP D	STEP E	STEP A	STEP B	STEP C	STEP D	STEP E
HUMAN RESOURCES ANALYST II	HHRAN2	12/24/12	76-11	8,013	8,414	8,835	9,275	9,740	3,698.31	3,883.38	4,077.69	4,280.77	4,495.38
HUMAN RESOURCES SUPERVISOR	MHRSUP	12/24/12	75-11	10,182	10,689	11,223	11,785	12,373	4,699.38	4,933.38	5,179.85	5,439.23	5,710.62
INFORMATION SERVICES SUPERVISOR	MISSUP	12/24/12	75-11	11,259	11,821	12,413	13,034	13,686	5,196.46	5,455.85	5,729.08	6,015.69	6,316.62
INFORMATION TECHNOLOGY ANALYST II	PITAN2	12/24/12	74-11	8,568	8,996	9,446	9,919	10,414	3,954.46	4,152.00	4,359.69	4,578.00	4,806.46
LABORATORY SUPERVISOR	MLBSUP	12/24/12	75-11	9,492	9,965	10,465	10,986	11,537	4,380.92	4,599.23	4,830.00	5,070.46	5,324.77
MECHANICAL SUPERVISOR	MMESUP	12/24/12	75-11	8,440	8,862	9,304	9,771	10,258	3,895.38	4,090.15	4,294.15	4,509.69	4,734.46
OPERATIONS MANAGER	OM	12/24/12	79-11										7,501.38
ORGANIZATIONAL SERVICES MANAGER (<i>Interim</i>)	HRMPIO	07/09/13	33-13										6,171.23
PRINCIPAL ENGINEER - SME	PPESME	12/24/12	74-11	10,851	11,393	11,963	12,561	13,189	5,008.15	5,258.31	5,521.38	5,797.38	6,087.23
PRINCIPAL ENGINEER-SUPERVISOR	MPRENG	12/24/12	75-11	11,685	12,268	12,881	13,526	14,202	5,393.08	5,662.15	5,945.08	6,242.77	6,554.77
SAFETY OFFICER	PSAFOF	12/24/12	74-11	8,443	8,865	9,308	9,774	10,262	3,896.77	4,091.54	4,296.00	4,511.08	4,736.31
SENIOR CIVIL ENGINEER - SME	PSESME	12/24/12	74-11	9,914	10,409	10,929	11,477	12,051	4,575.69	4,804.15	5,044.15	5,297.08	5,562.00
SENIOR CIVIL ENGINEER-SUPERVISOR	MSCESU	12/24/12	75-11	10,621	11,153	11,710	12,296	12,909	4,902.00	5,147.54	5,404.62	5,675.08	5,958.00
SENIOR ELECTRICAL ENG - SUPERVISOR	MSREES	12/24/12	75-11	10,621	11,153	11,710	12,296	12,909	4,902.00	5,147.54	5,404.62	5,675.08	5,958.00
SENIOR ENVIRONMENTAL CHEMIST	PSRECH	12/24/12	74-11	8,170	8,578	9,006	9,456	9,928	3,770.77	3,959.08	4,156.62	4,364.31	4,582.15
SENIOR MECHANICAL ENG - SUPERVISOR	MSRMES	12/24/12	75-11	10,621	11,153	11,710	12,296	12,909	4,902.00	5,147.54	5,404.62	5,675.08	5,958.00
SENIOR PLANNER	PSRPLN	12/24/12	74-11	8,944	9,392	9,862	10,354	10,872	4,128.00	4,334.77	4,551.69	4,778.77	5,017.85
WWTP OPERATIONS SUPERVISOR	MWTPOS	12/24/12	75-11	11,568	12,146	12,754	13,390	14,060	5,339.08	5,605.85	5,886.46	6,180.00	6,489.23

RESOLUTION NO. 39-13

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT
ADOPTING A PAY SCHEDULE IN ACCORDANCE WITH CALIFORNIA CODE OF REGULATIONS, TITLE
2, SECTION 570.5

WHEREAS, the California Public Employees Retirement System ("PERS") recently adopted the California Code of Regulations, Title 2, Section 570.5 on August 10, 2011; and

WHEREAS, the California Code of Regulations, Title 2, Section 570.5 requires the District's Board of Directors approve and adopt all pay schedules; and

WHEREAS, the Regulations require that the pay schedule be made public without reference to another document in disclosure of the pay rate.

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

- (1) That the attached pay schedule titled DSRSD Pay Schedule, set forth in Exhibit "A" attached hereto and incorporated herein by reference is approved and adopted.
- (2) That the pay schedule approved and adopted by this resolution shall be periodically updated by the Board of Directors, in accordance with the California Code of Regulations requirements.

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 3rd day of September 2013, and passed by the following vote:

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

NOES: 0

ABSENT: 1 - Director Dawn L. Benson


Dawn L. Benson, President

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

DSRSRD Pay Schedule

Pursuant to CCR Title 2 570.5

In accordance with Board-approved resolutions and the District's established payroll procedures (26 pay periods per year, 14 days per pay period).
Time base for each pay rate: Full time employee (1.0 FTE), 40 hours per work week.

Job Classification	Job Code	Effective	Resolution#	MONTHLY SALARY					HOURLY PAY RATE				
				STEP A	STEP B	STEP C	STEP D	STEP E	STEP A	STEP B	STEP C	STEP D	STEP E
ACCOUNT CLERK	CACCK1	12/24/12	73-11	4,337	4,554	4,781	5,021	5,271	25,0212	26,2731	27,5527	28,8673	30,4096
ACCOUNTANT CLERK II	CACOK2	12/24/12	73-11	4,770	5,009	5,260	5,523	5,800	27,5192	28,3881	30,3462	31,8655	33,4615
ACCOUNTANT I	PACCT1	12/24/12	74-11	6,644	6,976	7,325	7,691	8,076	38,3308	40,2462	42,2896	44,3712	46,5923
ACCOUNTING TECHNICIAN I	CACTC1	12/24/12	73-11	5,290	5,555	5,833	6,125	6,430	30,5192	32,0481	33,6519	35,3365	37,0962
ACCOUNTING TECHNICIAN II	CACTC2	12/24/12	73-11	5,818	6,109	6,415	6,737	7,073	33,5654	35,2442	37,0096	38,8673	40,8053
ADMINISTRATIVE ANALYST I	PADAN1	12/24/12	74-11	7,274	7,637	8,020	8,421	8,842	41,9654	44,0596	46,2692	48,5827	51,0115
ADMINISTRATIVE ASSISTANT I - CONFIDENTIAL	CADAS1	12/24/12	73-11	4,386	4,604	4,836	5,078	5,330	26,3038	26,5615	27,9000	29,2962	30,7500
ADMINISTRATIVE ASSISTANT I - CONFIDENTIAL	HADAS1	12/24/12	76-11	5,038	5,289	5,554	5,831	6,121	30,0654	30,5135	32,0423	33,6404	35,3135
ADMINISTRATIVE ASSISTANT II - CONFIDENTIAL	CADAS2	12/24/12	73-11	4,825	5,068	5,320	5,586	5,865	27,8365	29,2385	30,6522	32,2269	33,8365
ADMINISTRATIVE ASSISTANT II - CONFIDENTIAL	HADAS2	12/24/12	76-11	5,538	5,815	6,106	6,412	6,733	31,9500	33,5481	35,2269	36,9823	38,8442
ADMINISTRATIVE TECHNICIAN	CADMTC	12/24/12	73-11	5,668	5,953	6,250	6,533	6,891	32,7000	34,3442	36,0577	37,8935	39,7558
ADMINISTRATIVE TECHNICIAN - CONFIDENTIAL	HADMTC	12/24/12	76-11	5,903	6,199	6,506	6,833	7,176	34,0558	35,7635	37,5346	39,4212	41,4000
CO-GENERATION SPECIALIST	CCOGSP	12/24/12	73-11	7,609	7,992	8,390	8,811	9,250	43,8981	46,1077	48,4038	50,8327	53,3654
COMMUNITY AFFAIRS SPECIALIST I	PCAFS1	12/24/12	74-11	6,972	7,320	7,687	8,071	8,475	40,2231	42,2308	44,3481	46,5635	48,8942
CONSTRUCTION INSPECTOR	CCOIN1	12/24/12	73-11	6,513	6,837	7,180	7,539	7,915	37,7550	39,4442	41,4842	43,4842	45,6635
CONSTRUCTION INSPECTOR II	CCOIN2	12/24/12	73-11	7,162	7,520	7,899	8,292	8,705	41,3192	43,3846	45,5712	47,8385	50,2212
CUSTOMER FIELD REPRESENTATIVE I	CCFDR1	12/24/12	73-11	4,933	5,181	5,440	5,712	5,996	28,4596	29,8904	31,3846	32,9538	34,5923
CUSTOMER FIELD REPRESENTATIVE II	CCFDR2	12/24/12	73-11	5,425	5,697	5,984	6,283	6,596	31,2981	32,6673	34,5231	36,2481	38,0538
CUSTOMER SERVICES REPRESENTATIVE I	CCCSR1	12/24/12	73-11	4,309	4,525	4,751	4,989	5,238	24,8596	26,1058	27,4096	28,7827	30,2192
CUSTOMER SERVICES REPRESENTATIVE II	CCCSR2	12/24/12	73-11	4,741	4,979	5,225	5,485	5,761	27,3519	28,7250	30,1442	31,6442	33,2365
ELECTRICIAN	CCSRP3	12/24/12	73-11	5,693	6,268	6,582	6,912	7,256	34,3165	35,731	39,8769	41,8615	44,0904
ENGINEERING TECHNICIAN / GIS SPECIALIST I	CELECT	12/24/12	73-11	7,000	7,350	7,718	8,103	8,509	40,3846	42,4038	44,5261	46,7481	49,0904
ENGINEERING TECHNICIAN / GIS SPECIALIST II	CENTC1	12/24/12	73-11	5,962	6,261	6,574	6,903	7,247	34,3962	36,1212	37,9269	39,8250	41,8096
ENVIRONMENTAL CHEMIST I	CENTC2	12/24/12	73-11	6,559	6,886	7,231	7,592	7,971	37,8404	39,7269	41,7173	43,8000	45,9865
FLEET MECHANIC	PENCH1	12/24/12	74-11	6,848	7,190	7,549	7,928	8,324	39,5077	41,4809	43,5519	45,7385	48,0231
ENVIRONMENTAL COMPLIANCE INSPECTOR I - CLEAN WATER	CECIC1	12/24/12	73-11	6,301	6,614	6,946	7,295	7,656	36,3519	38,1577	40,0731	42,0865	44,1865
ENVIRONMENTAL COMPLIANCE INSPECTOR I - PRE-TREATMENT	CECIP1	12/24/12	73-11	6,301	6,614	6,946	7,295	7,656	36,3519	38,1577	40,0731	42,0865	44,1865
ENVIRONMENTAL COMPLIANCE INSPECTOR II - CLEAN WATER	CECIC2	12/24/12	73-11	6,933	7,278	7,642	8,024	8,424	39,9981	41,9885	44,0885	46,2923	48,6000
ENVIRONMENTAL COMPLIANCE INSPECTOR II - PRE-TREATMENT	CECIP2	12/24/12	73-11	6,933	7,278	7,642	8,024	8,424	39,9981	41,9885	44,0885	46,2923	48,6000
GIS ANALYST I	PGISA1	12/24/12	74-11	7,680	8,064	8,469	8,892	9,335	44,3077	46,5231	48,8596	51,3000	53,8558
HUMAN RESOURCES ANALYST I	HHRAN1	12/24/12	76-11	7,334	7,701	8,066	8,490	8,914	42,3115	44,4288	46,6500	48,9808	51,4269
HUMAN RESOURCES TECHNICIAN ..	HHRTC	12/24/12	76-11	5,903	6,199	6,506	6,833	7,176	34,0558	35,7635	39,4212	41,4000	
INFORMATION SYSTEMS TECHNICIAN I	CISTC1	12/24/12	73-11	5,684	5,967	6,286	6,579	6,909	32,7923	34,4250	36,1500	37,9558	
INFORMATION SYSTEMS TECHNICIAN II	CISTC2	12/24/12	73-11	6,236	6,548	6,876	7,219	7,580	35,9769	37,7769	39,6692	41,6481	43,7308
INFORMATION TECHNOLOGY ANALYST I	PITAN1	12/24/12	74-11	7,840	8,231	8,642	9,075	9,529	45,2308	47,4865	49,8577	52,3568	54,9750
INSTRUMENTATION TECHNICIAN	CINSTC	12/24/12	73-11	7,155	7,514	7,888	8,284	8,698	41,2788	43,3500	45,5077	47,7923	50,1808
JUNIOR ENGINEER	PURENG	12/24/12	74-11	7,282	7,646	8,028	8,429	8,851	42,0115	44,1115	46,3154	48,6288	51,0635
JUNIOR PLANNER	PJRPIN	12/24/12	74-11	6,250	6,563	6,891	7,237	7,599	36,0577	37,8635	39,7558	41,7519	43,8404
LABORATORY TECHNICIAN	CLBCTC	12/24/12	73-11	5,991	6,291	6,605	6,936	7,282	34,5635	36,2942	38,1058	40,0154	
MAINTENANCE WORKER I	CMTWK1	12/24/12	73-11	5,073	5,325	5,592	5,871	6,165	29,2673	30,7212	32,2615	33,8712	35,5673
MAINTENANCE WORKER II	CMTWK2	12/24/12	73-11	5,578	5,859	6,151	6,459	6,780	32,1808	33,8019	35,4865	37,2635	39,1154
MECHANIC I	CMECH1	12/24/12	73-11	5,852	6,144	6,452	6,773	7,113	33,7615	35,4462	37,2231	39,0750	41,0365
MECHANIC II	CMECH2	12/24/12	73-11	6,435	6,757	7,095	7,451	7,823	37,1250	38,9821	40,9327	42,9865	45,1327
OPERATIONS CONTROL SYSTEM SPECIALIST	CMECCC	12/24/12	73-11	6,597	6,927	7,274	7,637	8,020	38,0566	39,9635	41,9654	44,0596	46,2692
OPERATIONS CONTROL SYSTEM SPECIALIST	COPCSS	12/24/12	73-11	7,637	8,020	8,420	8,842	9,283	46,2692	48,5769	51,0115	53,5558	

EXHIBIT A

DSRSD Pay Schedule
Pursuant to CCR Title 2 570.5

Job Classification	Job Code	Effective	Resolution#	MONTHLY SALARY					HOURLY PAY RATE				
				STEP A	STEP B	STEP C	STEP D	STEP E	STEP A	STEP B	STEP C	STEP D	STEP E
OPERATOR IN TRAINING	CWTPOT	12/24/12	73-11	4,989	5,238	5,500	5,775	6,063	28,782	30,219	31,730	33,317	34,978
PROCESS LEAD WWTP OPERATOR IV	CWTP04	12/24/12	73-11	7,289	7,654	8,035	8,437	8,859	42,051	44,157	46,355	48,675	51,109
PROCESS LEAD WWTP OPERATOR V	CWTP05	12/24/12	73-11	7,654	8,035	8,437	8,859	9,302	44,157	46,355	48,675	51,109	53,665
SAFETY TECHNICIAN	CSAFT	12/24/12	73-11	5,991	6,291	6,605	6,936	7,282	34,563	36,294	38,105	40,015	42,011
SENIOR ACCOUNTING TECHNICIAN	CSEACTC	12/24/12	73-11	6,402	6,722	7,087	7,410	7,780	36,934	38,780	40,713	42,750	44,884
SENIOR ELECTRICAL/ELECTR TECHNICIAN	CSEETC	12/24/12	73-11	7,873	8,267	8,679	9,112	9,567	45,421	47,694	50,071	52,569	55,194
SENIOR ELECTRICIAN	CSRELECT	12/24/12	73-11	7,701	8,086	8,489	8,914	9,360	44,428	46,650	48,975	51,426	54,000
SENIOR ENG TECH / GIS SPECIALIST	CSENTC	12/24/12	73-11	7,213	7,575	7,952	8,352	8,768	41,613	43,701	45,876	48,184	50,584
SENIOR ENVR COMPL INSPECTOR	CSRECI	12/24/12	73-11	7,626	8,006	8,407	8,825	9,268	43,996	46,188	48,501	50,913	53,469
SENIOR INSTRUMENTATION/CONTROLS TECHNICIAN	CSRTECH	12/24/12	73-11	8,400	8,821	9,252	9,725	10,212	48,461	50,890	53,434	56,105	58,915
SENIOR MECHANIC	CSRMEC	12/24/12	73-11	7,081	7,433	7,807	8,196	8,604	40,851	42,882	45,043	47,284	49,638
SENIOR MECHANIC -CRANE CERTIFIED	CSRMCC	12/24/12	73-11	7,256	7,619	8,007	8,400	8,820	41,861	43,955	46,153	48,461	50,884
SENIOR WWTP OPERATOR I	CSTWPO	12/24/12	73-11	6,941	7,289	7,654	8,035	8,437	40,044	42,051	44,157	46,355	48,675
WATER/WW SYSTEMS OPERATOR I	CWWSO1	12/24/12	73-11	4,989	5,238	5,500	5,775	6,083	28,782	30,219	31,730	33,317	34,978
WATER/WW SYSTEMS OPERATOR II	CWWSO2	12/24/12	73-11	5,738	6,023	6,324	6,641	6,973	33,103	34,748	36,484	38,313	40,228
WATER/WW SYSTEMS OPERATOR III	CWWSO3	12/24/12	73-11	6,311	6,627	6,957	7,305	7,670	36,409	38,232	40,136	42,144	44,250
WATER/WW SYSTEMS OPERATOR IV	CWWSO4	12/24/12	73-11	6,941	7,289	7,654	8,035	8,437	40,044	42,051	44,157	46,355	48,675
WATER/WW SYSTEMS OPERATOR IV- ON CALL	CWWSO5	12/24/12	73-11	7,115	7,470	7,845	8,237	8,648	9,079	43,096	45,259	47,521	49,892
WATER/WW SYSTEMS OPERATOR V	CWWSO6	12/24/12	73-11	7,845	8,237	8,648	9,079	9,533	45,259	47,521	49,892	52,378	54,998
WATER/WW SYSTEMS OPERATOR VI	CWTP01	12/24/12	73-11	5,738	6,023	6,324	6,641	6,973	33,103	34,748	36,484	38,313	40,228
WWTP OPERATOR I	CWTP02	12/24/12	73-11	6,311	6,627	6,957	7,305	7,670	36,409	38,232	40,136	42,144	44,250
BI-WEEKLY SALARY													
Job Classification	Job Code	Effective	Resolution#	MONTHLY SALARY					BI-WEEKLY PAY RATE				
				STEP A	STEP B	STEP C	STEP D	STEP E	STEP A	STEP B	STEP C	STEP D	STEP E
ACCOUNTANT II	PACCT2	12/24/12	74-11	7,252	7,615	7,996	8,395	8,815	3,347	3,514	3,690	3,874	4,068
ADMINISTRATIVE ANALYST II	PADAN2	12/24/12	74-11	7,946	8,343	8,761	9,199	9,659	3,667	3,830	3,955	4,245	4,458
ASSISTANT ENGINEER	PASENG	12/24/12	74-11	7,956	8,353	8,770	9,208	9,669	3,617	3,855	3,989	4,249	4,462
ASSISTANT PLANNER	PASPLN	12/24/12	74-11	7,488	7,862	8,256	8,668	9,102	3,456	3,628	3,810	4,000	4,200
ASSOCIATE CIVIL ENGINEER - SME	PAESME	12/24/12	74-11	9,064	9,517	9,992	10,492	11,017	4,183	4,332	4,611	4,842	5,084
ASSOCIATE ENGINEER-SUPERVISOR	MASENG	12/24/12	75-11	9,655	10,137	10,644	11,177	11,707	4,456	4,615	4,912	5,158	5,417
ASSOCIATE PLANNER	PASOPL	12/24/12	74-11	8,183	8,592	9,021	9,474	9,946	3,776	3,995	4,163	4,371	4,590
BUYER	PBUYER	12/24/12	74-11	6,837	7,179	7,538	7,914	8,310	3,155	3,313	3,479	3,652	3,835
CLEAN WATER PROGRAMS SPECIALIST	PCWPSP	12/24/12	74-11	8,170	8,578	9,006	9,456	9,928	3,770	3,939	4,156	4,364	4,582
COMMUNITY AFFAIRS SPECIALIST II	PCAFS2	12/24/12	74-11	7,614	7,995	8,394	8,814	9,255	3,514	3,690	3,874	4,068	4,271
COMMUNITY AFFAIRS SUPERVISOR	MCASUP	12/24/12	75-11	9,692	10,176	10,686	11,221	11,782	4,473	4,636	4,932	5,178	5,437
CUSTOMER SERVICES SUPERVISOR	CMSSUP	12/24/12	75-11	8,723	9,158	9,616	10,098	10,603	4,026	4,226	4,438	4,660	4,893
DISTRICT ENGINEER/ ASSISTANT GENERAL MANAGER	DEAGM	12/24/12	78-11	8,626	9,057	9,510	9,986	10,487	3,981	4,180	4,389	4,608	4,896
ELECTRICAL AND INSTRUMENTATION SUPERVISOR	MEISUP	12/24/12	75-11	8,626	9,057	9,510	9,986	10,487	3,981	4,180	4,389	4,608	4,896
EMPLOYEE DEVELOPMENT SPECIALIST	PEEDSP	12/24/12	74-11	8,019	8,419	8,840	9,282	9,746	3,701	3,885	4,080	4,284	4,498
ENVIRONMENTAL CHEMIST II	PENCH2	12/24/12	74-11	7,477	7,850	8,243	8,655	9,083	3,450	3,623	3,804	4,046	4,194
ENVIRONMENTAL SERVICES ADMINISTRATOR	MESADM	12/24/12	75-11	11,568	12,146	12,754	13,390	14,060	5,339	5,605	5,836	6,180	6,489
EXECUTIVE SERVICES SUPERVISOR	MESSUP	12/24/12	75-11	10,341	10,858	11,400	11,969	12,569	4,772	5,011	5,261	5,524	5,801
FIELD OPERATIONS SUPERVISOR	MFOSUP	12/24/12	75-11	9,408	9,876	10,372	10,889	11,433	4,342	4,638	4,737	5,025	5,276
FINANCIAL ANALYST	PFINAN	12/24/12	74-11	8,224	8,636	9,068	9,521	9,986	3,795	3,985	4,185	4,394	4,613
FINANCIAL SERVICES SUPERVISOR	FSMFO	12/24/12	75-11	10,377	10,894	11,439	12,012	12,612	4,789	5,028	5,279	5,544	5,820
GENERAL MANAGER	GM	07/01/13	2-12						23,433				10,815
GIS ANALYST II	PGISA2	12/24/12	74-11	7,614	7,985	8,394	8,814	9,255	3,873	4,067	4,270	4,484	4,708
GRAPHIC DESIGNER	PGRPTC	12/24/12	74-11						3,514	3,660	3,874	4,066	4,271

DSRSD Pay Schedule
Pursuant to CCR Title 2 570.5

Job Classification	Job Code	Effective	Resolution#	MONTHLY SALARY					BI-WEEKLY PAY RATE				
				STEP A	STEP B	STEP C	STEP D	STEP E	STEP A	STEP B	STEP C	STEP D	STEP E
HUMAN RESOURCES ANALYST II	HHRAN2	12/24/12	76-11	8,013	8,414	8,835	9,275	9,740	3,698.31	3,883.38	4,077.69	4,280.77	4,495.38
HUMAN RESOURCES SUPERVISOR	MHRSUP	12/24/12	75-11	10,182	10,689	11,223	11,785	12,373	4,699.38	4,933.38	5,179.85	5,439.23	5,710.62
INFORMATION SERVICES SUPERVISOR	MISSUP	12/24/12	75-11	11,259	11,821	12,413	13,034	13,686	5,196.46	5,455.85	5,729.08	6,015.69	6,316.62
INFORMATION TECHNOLOGY ANALYST II	PITAN2	12/24/12	74-11	8,568	8,996	9,446	9,919	10,414	3,954.46	4,152.00	4,359.69	4,578.00	4,806.46
LABORATORY SUPERVISOR	MLBSUP	12/24/12	75-11	9,492	9,965	10,485	10,986	11,537	4,380.92	4,599.23	4,830.00	5,070.46	5,324.46
MECHANICAL SUPERVISOR	MMESUP	12/24/12	75-11	8,440	8,862	9,304	9,771	10,258	3,895.38	4,090.15	4,294.15	4,509.69	4,734.46
OPERATIONS MANAGER	OM	12/24/12	79-11						16,253				7,501.38
ORGANIZATIONAL SERVICES MANAGER (Interim)	HRMPIO	07/09/13	33-13						13,371				6,171.23
PRINCIPAL ENGINEER - SME	PPESME	12/24/12	74-11	10,851	11,393	11,963	12,561	13,189	5,008.15	5,258.31	5,521.38	5,797.38	6,087.23
PRINCIPAL ENGINEER-SUPERVISOR	MPRENG	12/24/12	75-11	11,685	12,268	12,881	13,526	14,202	5,393.06	5,662.15	5,945.08	6,242.77	6,554.77
SAFETY OFFICER	PSAFOF	12/24/12	74-11	8,443	8,865	9,308	9,774	10,262	3,896.77	4,091.54	4,296.00	4,511.08	4,736.31
SENIOR CIVIL ENGINEER - SME	PSESME	12/24/12	74-11	9,914	10,409	10,929	11,477	12,051	4,575.69	4,804.15	5,044.15	5,297.08	5,562.00
SENIOR CIVIL ENGINEER-SUPERVISOR	MSCESU	12/24/12	75-11	10,621	11,153	11,710	12,296	12,909	4,902.00	5,147.54	5,404.62	5,675.08	5,958.00
SENIOR ELECTRICAL ENG - SUPERVISOR	MSREES	12/24/12	75-11	10,621	11,153	11,710	12,296	12,909	4,902.00	5,147.54	5,404.62	5,675.08	5,958.00
SENIOR ENVIRONMENTAL CHEMIST	PSRECH	12/24/12	74-11	8,170	8,578	9,006	9,456	9,928	3,770.77	3,969.08	4,156.62	4,364.31	4,582.15
SENIOR MECHANICAL ENG - SUPERVISOR	MSRMES	12/24/12	75-11	10,621	11,153	11,710	12,296	12,909	4,902.00	5,147.54	5,404.62	5,675.08	5,958.00
SENIOR PLANNER	PSRPLN	12/24/12	74-11	8,944	9,392	9,852	10,354	10,872	4,128.00	4,334.77	4,551.69	4,778.77	5,017.85
WWTP OPERATIONS SUPERVISOR	MWTPPOS	12/24/12	75-11	11,568	12,146	12,754	13,390	14,060	5,339.08	5,605.85	5,886.46	6,180.00	6,489.23

**Dublin San Ramon Services District
Summary & Recommendation**

Reference General Manager	Type of Action Appointment	Board Meeting of October 15, 2013				
Subject Appoint Mr. John Archer as Treasurer						
<input checked="" type="checkbox"/> Motion	<input type="checkbox"/> Minute Order	<input type="checkbox"/> Resolution				
REPORT:	<input checked="" type="checkbox"/> Verbal	<input type="checkbox"/> Presentation	<input checked="" type="checkbox"/> Staff	B. Michalczyk	<input type="checkbox"/> Other	<input type="checkbox"/> Board Member

Recommendation:

The General Manager recommends that the Board, by Motion, appoint Mr. John Archer to the position of Treasurer effective October 18, 2013, which appointment shall remain effective until another Treasurer is appointed by the Board.

Summary:

The Government Code, as it relates to Community Services Districts, requires the Board to appoint a Treasurer. The Board may appoint anyone of its choosing to the Treasurer position, excepting only a Member of the Board of Directors; the appointee serves at the pleasure of the Board.

Ms. Lori Rose currently serves as Treasurer, a position she has held since 2005 (and before that served as the Finance Officer for four years before the Community Services District Act was revised to require a Treasurer). On today's agenda, the Board is considering a Personal Services Agreement with Mr. Archer to appoint him as the Financial Services Manager on an interim basis, the same position held by Ms. Rose. It would be logical that Mr. Archer be appointed as Treasurer as well.

The duties of the Treasurer are distinct and apart from the duties of the Financial Services Manager and are specified by statute (Attachment 1). In the role of Treasurer, Mr. Archer reports directly to the Board.

Committee Review			Legal Review	Staff Review		
COMMITTEE ---	DATE ---	RECOMMENDATION ---	Not Required	ORIGINATOR B. Michalczyk	DEPARTMENT Executive	REVIEWED BY
ATTACHMENTS <input checked="" type="checkbox"/> <i>None</i>						
<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 \$0	<input type="checkbox"/> Funding Source A. B.		Attachments to S&R 1. Treasurer Summary of Statutory Duties 2. 3.			

ATTACHMENT 1 to S&R

TREASURER
SUMMARY OF STATUTORY DUTIES

1. Serve as depository and have custody of all District funds;
2. Audit and draw warrants on the treasury for all legal claims presented;
3. Pay warrants in order received;
4. When a warrant cannot be paid, endorse it as such and allow it to accrue interest until such time as it can be paid;
5. Adhere to an accounting and auditing system that completely and at all times shows the District's financial condition and which adheres to generally accepted accounting principles;
6. Draw checks in accordance with procedures adhering to generally accepted accounting principles, ensure that bond principle and salaries be paid when due, pay claims and demands that conform to the District's approved budget;
7. Use the bank designated by the Board as depository of District money; and
8. Make quarterly or more frequent written reports to Board regarding receipts, disbursements and account balances controlled by the Treasurer.

**Dublin San Ramon Services District
Summary & Recommendation**

Reference General Manager	Type of Action Accept Report	Board Meeting of October 15, 2013
Subject Upcoming Board Calendar		
<input checked="" type="checkbox"/> Motion	<input type="checkbox"/> Minute Order	<input type="checkbox"/> Resolution
REPORT:	<input type="checkbox"/> Verbal	<input type="checkbox"/> Presentation

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 ---	DATE ---	RECOMMENDATION ---	Not Required	ORIGINATOR BLM	DEPARTMENT Executive	REVIEWED BY
ATTACHMENTS <input type="checkbox"/> <i>None</i>						
<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 \$0	<input type="checkbox"/> Funding Source A. B.		Attachments to S&R 1. Upcoming Board Calendar 2. 3.			

TENTATIVE BOARD ITEMS

10/11/2013 9:44:47 AM

Board Mtg	Agenda Item	Water	WWC	Finance	Personnel	Ext. Aff.
11/5/2013						
	Approve Corporation Yard Lease Agreement					
	Approve Fifth Supplemental Agreement to the Agreement for Wastewater Disposal Services with Pleasanton					
	1st Reading: Code Revision to Eliminate Expiration of Capacity Rights					
	Closed Session - Conference with Legal Counsel Anticipated Litigation. Significant exposure to litigation pursuant to paragraph (2) or (3) of subdivision (d) of Government Code Section 54956.9: One case.					
	Closed Session - Conference Involving a Joint Powers Agency Pursuant to Gov Code Section 54956.96 (DSRSD-EBMUD Recycled Water Authority (DERWA))					
	Closed Session - Conference with Real Property Negotiator - Pursuant to Gov Code Section 54956.8 Real Property. Property: Water Supply Contract					
	Approve Budget Increase for DAFT Rehabilitation Project (CIP 06-3103)					
	Review Live Broadcasting and Video Recording of Board Meetings					10/17/2013
11/19/2013						
	Closed Session-Conf with Labor Negotiators Pursuant to Gov Code Sect 54957.6. Agency Designated Representative: General Manager. Unrepresented Employee: Interim Engineering Services Manager					
	Closed Session - Public Employee Performance Review - Discuss District Secretary / Treasurer Performance Evaluation					
	Requirement for On-Call Performance Bonds					
	Approve Lease Agreement with AT&T for Cell Tower at Reservoir 1A					
	Approve Power Sharing Agreement with AT&T for R300					
	2nd Reading: Code Revision to Eliminate Expiration of Capacity Rights					
	Approve Personal Services Agreement for Interim Engineering Services Manager					
	DSRSD Financing Corporation					

Board Mtg	Agenda Item	Water	WWC	Finance	Personnel	Ext. Aff.
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11/19/2013	Annual Rate Stabilization Fund Transfer Calculation			11/13/2013		
	Employer/Employee Organization Relations Resolution - Update				11/11/2013	

**Dublin San Ramon Services District
Summary & Recommendation**

Reference District Engineer	Type of Action Award Agreement	Board Meeting of October 15, 2013				
Subject WWTP Fencing and Security - Phase I (CIP 12-P004): Award Construction Agreement to McGuire and Hester						
<input type="checkbox"/> Motion	<input type="checkbox"/> Minute Order	<input checked="" type="checkbox"/> Resolution				
REPORT:	<input type="checkbox"/> Verbal	<input type="checkbox"/> Presentation	<input checked="" type="checkbox"/> Staff	D. Requa	<input type="checkbox"/> Other	<input type="checkbox"/> Board Member

Recommendation:

The District Engineer recommends the Board of Directors, by Resolution, reject the lowest bid, and award the construction agreement for WWTP Fencing and Security – Phase I (CIP 12-P004) to McGuire and Hester, the responsible bidder who submitted the lowest responsive bid, in the amount of \$477,000.

Summary:

The bid period for the WWTP Fencing and Security – Phase I Project began on August 15, 2013 and a total of four (4) bids were received on September 19, 2013. The engineer's estimate for the work was \$275,000. The bids ranged from \$442,000 to \$509,000 (Attachment 1 to S&R).

Staff feels that all of the bid prices are fair and the plans were complete as the bid grouping was very tight. Staff interviewed the bidders as to why the bids came in so much higher than the engineer's estimate. The bulk of the variation is associated with the slide repairs and the paving work that was included in the contract. The cost for landscaping and fencing is approximately 45% of the overall bid, and well within the original anticipated cost.

Per Section 00460, Part C of the Contract Documents, the contractor is required to have a Workers' Compensation Experience Modification Rate of 1.0 or less. The contractor with the apparent lowest bid did not meet this requirement. Staff recommends the lowest bid be rejected on the grounds that they did not meet the requirements set forth in the Contract Documents.

The contractor with the second low bid was received from McGuire and Hester, in the amount of \$477,000. McGuire and Hester's Workers' Compensation Experience Modification Rate is currently 0.94. Staff recommends that the contract be awarded to McGuire and Hester as their bid met all contract requirements.

The contract time for the Project is sixty (60) calendar days and is estimated to be completed in December 2013 weather permitting. The Project is funded by Wastewater Replacement (Fund 310) funds. There are adequate funds available for the project.

Committee Review			Legal Review	Staff Review		
COMMITTEE ---	DATE ---	RECOMMENDATION ---	Yes	ORIGINATOR S. Delight	DEPARTMENT Engineering	REVIEWED BY
ATTACHMENTS <input type="checkbox"/> <i>None</i>						
<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 \$477,000 plus change order contingency	<input checked="" type="checkbox"/> Funding Source A. Wastewater Replacement Fund 310 (100%) B.		Attachments to S&R 1. Bid Results 2. 3.			

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT APPROVING AND AUTHORIZING EXECUTION OF AGREEMENT TO MCGUIRE AND HESTER FOR CONSTRUCTION OF WWTP FENCING AND SECURITY - PHASE I (CIP 12-P004) AND DIRECTING RETURN OF SECURITY DEPOSITS

WHEREAS, certain improvements are needed for the facilities that serve current customers of Dublin San Ramon Services District (DSRSD); and

WHEREAS, these facility improvements will enhance security and aesthetics of the WWTP; and

WHEREAS, the California Environmental Quality Act (CEQA) requirements for the WWTP Fencing and Security – Phase I (“the Project”) were satisfied through an Initial Study/Mitigated Negative Declaration that was adopted by the Board for Stage 4 Expansion on August 17, 1999; and

WHEREAS, on August 15, 2013 the District Secretary advertised for bid for WWTP Fencing and Security – Phase I (CIP 12-P004); and

WHEREAS, pursuant to said advertisement, four (4) bids were received for the performance of said work and filed with the District Secretary; and

WHEREAS, the Instructions to Bidders specified that the contract award is to be made based upon the lowest responsive bid by a responsible bidder whose total base bid yields the lowest contract price; and

WHEREAS, the lowest bid was noncompliant, and staff therefore recommends that the bid be rejected, in that the bidder did not meet the Workers’ Compensation Experience Modification Rate requirements; and

WHEREAS, McGuire and Hester submitted the lowest compliant bid, and it is the intention and desire of this Board to accept its bid of \$477,000.

Res. No. _____

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 CEQA requirements for this project were initially satisfied through an Initial Study/Mitigated Negative Declaration adopted by the Board August 17, 1999, and no substantial changes have been proposed in the Project, and DSRSD is not aware of any new information or any substantial changes with respect to the circumstances under which the Project is being undertaken that would require revisions to the Initial Study/Mitigated Negative Declaration.
2. The apparent low bid provided by O'Grady Paving, Inc. is hereby rejected for failure to have, at time of award, a Workers' Compensation Experience Modification Rate as specified in Section 00460, Part C, of the Notice Inviting Bids.
3. The bid of McGuire and Hester, in the amount of \$477,000, is hereby accepted, and said bidder is hereby found and declared to be a responsible bidder for said work.
4. That certain agreement titled "Agreement for the Construction of WWTP Fencing and Security – Phase I (CIP 12-P004)" "Exhibit A", by and between Dublin San Ramon Services District, a California public agency, and McGuire and Hester, a copy of which agreement is on file in the Office of the General Manager, to which copy reference is hereby made for the full particulars thereof, is hereby approved, and the General Manager and District Secretary are hereby authorized and directed to execute, and to attest thereto, respectively, said agreement for and on behalf of Dublin San Ramon Services District.

Res. No. _____

5. The District Secretary is hereby authorized and directed to return to all unsuccessful bidders, and to the successful bidder upon execution by it of the aforementioned agreement, all securities guaranteeing execution of the Agreement upon award.

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 15th day of October 2013, and passed by the following vote:

AYES:

NOES:

ABSENT:

Dawn L. Benson, President

ATTEST: _____
Nancy G. Hatfield, District Secretary

SECTION 00500**AGREEMENT FOR THE CONSTRUCTION OF****WWTP Fencing and Security – Phase I (CIP 12-P004)**

THIS AGREEMENT, made and concluded, in duplicate, this ____ day of _____, 20____, between the Dublin San Ramon Services District ("District"), Dublin, California, and McGuire and Hester, 9009 Railroad Avenue, Oakland, CA 94603 ("Contractor").

W I T N E S S E T H:

1. That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the District, and under the conditions expressed in the two bonds, bearing even date with these presents, and hereunto annexed, the Contractor agrees with the District, at his/her own proper cost and expense, to do all the work and furnish all the materials necessary to construct and complete in good workmanlike and substantial manner the project entitled: **WWTP Fencing and Security – Phase I (CIP 12-P004)** in strict conformity with the Contract Documents (collectively defined in Section 01090-2.0), prepared therefor, which said plans and specifications are hereby specially referred to and by said reference made a part hereof.

2. Now, therefore, in consideration of the mutual covenants and agreements of the parties herein contained and to be performed, the Contractor hereby agrees to complete the work in accordance with the terms and conditions stipulated in the Contract Documents for the sum of Four Hundred Seventy-Seven Thousand Dollars (\$477,000) computed in accordance with Contractor's accepted proposal dated September 19, 2013, which accepted proposal is incorporated herein by reference thereto as if herein fully set forth. Compensation shall be based upon any lump sum bid items plus the unit prices stated in the Bid Schedule times the actual quantities or units of work and materials performed or furnished. The further terms, conditions, and covenants of this Agreement are set forth in the Contract Documents, each of which is by this reference made a part hereof. Payments are to be made to the Contractor in accordance with the provisions of the Contract Documents in legally executed and regularly issued warrants of the District, drawn on the appropriate fund or funds as required by law and order of the District thereof.

3. The District hereby promises and agrees with the Contractor to employ, and does hereby employ, the Contractor to provide the materials and to do the work according to the terms and conditions herein contained and referred to, for the prices aforesaid, and hereby contracts to pay the same at the time, in the manner and upon the conditions above set forth; and the said parties for themselves, their heirs, executors, administrators, successors and assigns, do hereby agree to the full performance of the covenants herein contained.

4. The Contractor and any subcontractor performing or contracting any work shall comply with all applicable provisions of the California Labor Code for all workers, laborers and mechanics of all crafts, classifications or types, including, but not limited to the following:

(a) The Contractor shall comply with all applicable provisions of Section 1810 to 1815, inclusive, of the California Labor Code relating to working hours. The Contractor shall, as a penalty to the District, forfeit the sum of twenty-five dollars (\$25) for each

worker employed in the execution of the Contract by the Contractor or by any subcontractor for each calendar day during which such worker is required or permitted to work more than eight (8) hours in any one calendar day and forty (40) hours in any one calendar week, unless such worker receives compensation for all hours worked in excess of eight (8) hours at not less than 1-1/2 times the basic rate of pay.

(b) Pursuant to the provision of California Labor Code, Sections 1770 et. seq., the Contractor and any subcontractor under him shall pay not less than the prevailing rate of per diem wages as determined by the Director of the California Department of Industrial Relations. Pursuant to the provisions of California Labor Code Section 1773.2, the Contractor is hereby advised that copies of the prevailing rate of per diem wages and a general prevailing rate for holidays, Saturdays and Sundays and overtime work in the locality in which the work is to be performed for each craft, classification, or type of worker required to execute the Contract, are on file in the office of the District, which copies shall be made available to any interested party on request. The Contractor shall post a copy of said prevailing rate of per diem wages at each job site.

(c) As required by Section 1773.1 of the California Labor Code, the Contractor shall pay travel and subsistence payments to each worker needed to execute the Work, as such travel and subsistence payments are defined in the applicable collective bargaining agreements filed in accordance with this Section.

(d) To establish such travel and subsistence payments, the representative of any craft, classification, or type of workman needed to execute the contracts shall file with the Department of Industrial Relations fully executed copies of collective bargaining agreements for the particular craft, classification or type of work involved. Such agreements shall be filed within ten (10) days after their execution and thereafter shall establish such travel and subsistence payments whenever filed thirty (30) days prior to the call for bids.

(e) The Contractor shall comply with the provisions of Section 1775 of the California Labor Code and shall, as a penalty to the District, forfeit up to fifty dollars (\$50) for each calendar day, or portion thereof, for each worker paid less than the prevailing rate of per diem wages for each craft, classification, or type of worker needed to execute the Contract. The Contractor shall pay each worker an amount equal to the difference between the prevailing wage rates and the amount paid worker for each calendar day or portion thereof for which a worker was paid less than the prevailing wage rate.

(f) As required under the provisions of Section 1776 of the California Labor Code, Contractor and each subcontractor shall keep an accurate payroll record, showing the name, address, social security number, work classification, and straight time and overtime hours worked each day and week, and the actual per diem wages paid to each journeyman, apprentice, worker, or other employee employed by him or her in connection with the public work. Said payroll shall be certified and shall be available for inspection at all reasonable hours at the principal office of the Contractor on the following basis:

(1) A certified copy of an employee's payroll record shall be made available for inspection or furnished to the employee or his or her authorized representative on request.

(2) A certified copy of all payroll records enumerated in Paragraph 4(f),

herein, shall be made available for inspection or furnished upon request to the District, the Division of Labor Standards Enforcement, and the Division of Apprenticeship Standards of the Department of Industrial Relations.

(3) A certified copy of all payroll records enumerated in Paragraph 4(f), herein, shall be made available upon request by the public for inspection or for copies thereof; provided, however, that a request by the public shall be made through either the District, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement. If the requested payroll records have not been provided pursuant to subparagraph 4(f)(2) herein, the requesting party shall, prior to being provided the records, reimburse the costs of preparation by the Contractor, subcontractors, and the entity through which the request was made. The public shall not be given access to the records at the principal offices of the Contractor.

The certified payroll records shall be on forms provided by the Division of Labor Standards Enforcement or shall contain the same information as the forms provided by the division.

Each Contractor shall file a certified copy of the records, enumerated in Paragraph 4(f) with the entity that requested the records within ten (10) days after receipt of a written request. Any copy of records made available for inspection as copies and furnished upon request to the public or any public agency by the District, the Division of Apprenticeship Standards, or the Division of Labor Standards Enforcement shall be marked or obliterated in such a manner as to prevent disclosure of an individual's name, address, and social security number. The name and address of the Contractor awarded the Contract or performing the Contract shall not be marked or obliterated. The Contractor shall inform the District of the location of the records enumerated under Paragraph 4(f) including the street address, city and county, and shall, within five (5) working days, provide a notice of change of location and address. The Contractor shall have ten (10) days in which to comply subsequent to receipt of written notice specifying in what respects the Contractor must comply with this Paragraph 4(f). In the event that the Contractor fails to comply within the 10-day period, he or she shall, as a penalty to the state or the District, forfeit twenty-five dollars (\$25.00) for each calendar day, or portion thereof, for each worker, until strict compliance is effectuated. Upon the request of the Division of Apprenticeship Standards or the Division of Labor Standards Enforcement, these penalties shall be withheld from progress payments then due. Responsibility for compliance with Paragraph 4(f) lies with the Contractor.

(g) The Contractor and any subcontractors shall, when they employ any person in any apprenticeable craft or trade, apply to the joint apprenticeship committee administering the apprenticeship standards of the craft or trade in the area of the construction site for a certificate approving the Contractor or subcontractor under the apprenticeship standards for the employment and training of apprentices in the area or industry affected; and shall comply with all other requirements of Section 1777.5 of the California Labor Code. The responsibility of compliance with California Labor Code Section 1777.5 during the performance of this Contract rests with the Contractor. Pursuant to California Labor Code Section 1777.7, in the event the Contractor willfully fails to comply with the provisions of California Labor Code Section 1777.5, the

Contractor shall be denied the right to bid on any public works contract for up to three (3) years from the date noncompliance is determined and be assessed civil penalties.

(h) In accordance with the provisions of Article 5, Chapter 1, Part 7, Division 2 (commencing with Section 1860), and Chapter 4, Part 1, Division 4 (commencing with Section 3700) of the California Labor Code, the Contractor is required to secure the payment of compensation to its employees and for that purpose obtain and keep in effect adequate Workers' Compensation Insurance. If the Contractor, in the sole discretion of the District satisfies the District of the responsibility and capacity under the applicable Workers' Compensation Laws, if any, to act as self-insurer, the Contractor may so act, and in such case, the insurance required by this paragraph need not be provided.

The Contractor is advised of the provisions of Section 3700 of the California Labor Code, which requires every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that Code and shall comply with such provisions and have Employer's Liability Limits of \$1,000,000 per accident before commencing the performance of the Work of this Contract.

The Notice to Proceed with the Work under this Contract will not be issued, and the Contractor shall not commence work, until the Contractor submits written evidence that it has obtained full Workers' Compensation Insurance coverage for all persons whom it employs or may employ in carrying out the Work under this Contract. This insurance shall be in accordance with the requirements of the most current and applicable state Workers' Compensation Insurance Laws. In accordance with the provisions of Section 1861 of the California Labor Code, the Contractor in signing this Agreement certifies to the District as true the following statement: "I am aware of the provisions of Section 3700 of the Labor Code which requires every employer to be insured against liability for Workers' Compensation or to undertake self-insurance in accordance with the provisions of that Code, and I will comply with such provisions before commencing the performance of the Work of this Contract."

A subcontractor is not allowed to commence work on the project until verification of Workers' Compensation Insurance coverage has been obtained and verified by the Contractor and submitted to the Construction Manager for the District's review and records.

(i) In accordance with the provisions of Section 1727 of the California Labor Code, the District, before making payment to the Contractor of money due under a contract for public works, shall withhold and retain therefrom all wages and penalties which have been forfeited pursuant to any stipulation in the Contract, and the terms of Chapter 1, Part 7, Division 2 of the California Labor Code (commencing with Section 1720). But no sum shall be withheld, retained or forfeited, except from the final payment, without a full investigation by either the Division of Labor Standards Enforcement or by the District.

5. It is further expressly agreed by and between the parties hereto that should there be any conflict between the terms of this Agreement and the Bid Proposal of said Contractor, then this Agreement shall control, and nothing herein contained shall be considered as an acceptance of the said terms of said Proposal conflicting herewith.

6. The Contractor agrees to provide and maintain insurance coverage, and to indemnify and save harmless the parties named and in the manner set forth in Section 00800-2.0, **LIABILITY**

& INSURANCE.

The duty of Contractor to indemnify and save harmless, as set forth herein, shall include a duty to defend as set forth in Section 2778 of the California Civil Code; provided, however, that nothing herein shall be construed to require Contractor to indemnify against any responsibility or liability in contravention of Section 2782 of the California Civil Code.

7. The Contractor shall diligently prosecute the Work so that it shall be substantially completed within the time specified in Section 00800-1.1, **Time Allowed for Completion.**

8. Except as otherwise may be provided in other provisions of the Contract Documents, Contractor hereby expressly guarantees for one (1) full year from the date of the Substantial Completion of the Work under this Agreement and acceptance thereof by the District, to repair or replace any part of the Work performed hereunder which constitutes a defect resulting from the use of inferior or defective materials, equipment or workmanship. If, within said period, any repairs or replacements in connection with the Work are, in the opinion of the District, rendered necessary as the result of the use of inferior or defective materials, equipment or workmanship, Contractor agrees, upon receipt of notice from District, and without expense to District, to promptly repair or replace such material or workmanship and/or correct any and all defects therein. If Contractor, after such notice, fails to proceed promptly to comply with the terms of this guarantee, District may perform the work necessary to effectuate such correction and recover the cost thereof from the Contractor and/or its sureties.

In special circumstances where a particular item of work or equipment is placed in continuous service before Substantial Completion of the Work, the correction period for that item may start to run from an earlier date. This date shall be agreed upon by the Contractor and District on or before the item is placed in continuous service.

Any and all other special guarantees which may be applicable to definite parts of the Work under this Agreement shall be considered as an additional guarantee and shall not reduce or limit the guarantee as provided by Contractor pursuant to this paragraph during the first year of the life of such guarantee.

9. The Contractor shall provide, on the execution of this Agreement, a good and sufficient corporate surety bond in the penal sum of one hundred percent (100%) of amount bid, which bond shall be on the form provided by the District in Section 00610, **BOND OF FAITHFUL PERFORMANCE**, and be conditioned upon the faithful performance of all work required to be performed by the Contractor under this Agreement. Said bond shall be liable for any and all penalties and obligations which may be incurred by Contractor under this Agreement. The corporate surety bond shall be issued by a corporate surety approved by the District's counsel. The corporate surety shall be authorized to conduct business in California. At its discretion, the District may request that a certified copy of the certificate of authority of the insurer issued by the Insurance Commissioner of the State of California be submitted by the Surety to the District. At its discretion, the District may also require the insurer to provide copies of its most recent annual statement and quarterly statement filed with the Department of Insurance pursuant to Article 10 (commencing with Section 900) of Chapter 1 of Part 2 of Division 1 of the Insurance Code.

10. In addition to the bond required under Paragraph 9, hereof, Contractor shall furnish a good and sufficient corporate surety bond in the penal sum of one hundred percent (100%) of amount of Bid, which bond shall be on the form provided by the District in Section 00620, **PAYMENT BOND**, and conform strictly with the provisions of Chapter 7, Title 15, Part 4, Division

3, of the Civil Code of the State of California, and all amendments thereto. The corporate surety bond shall be issued by a corporate surety approved by the District's counsel. The corporate Surety shall be authorized to conduct business in California. At its discretion, the District may request that a certified copy of the certificate of authority of the insurer issued by the Insurance Commissioner of the State of California be submitted by the Surety to the District. At its discretion, the District may also require the insurer to provide copies of its most recent annual statement and quarterly statement filed with the Department of Insurance pursuant to Article 10 (commencing with Section 900) of Chapter 1 of Part 2 of Division 1 of the Insurance Code.

11. The Contractor may substitute securities for the amounts retained by the District to ensure performance of the work in accordance with the provisions of Section 22300 of the Public Contract Code.

12. Contractor covenants that Contractor is licensed in accordance with the provisions of the Contractors' License Law of California as provided in Section 00010, **NOTICE INVITING BIDS**.

13. The Contractor shall be provided the time period specified in Section 01340-2.0, **MATERIAL AND EQUIPMENT SUBSTITUTIONS**, for submission of data substantiating a request for a substitution of an "or equal" item.

14. As required by Section 6705 of the California Labor Code and in addition thereto, whenever work under the Contract involves the excavation of any trench or trenches five (5) feet or more in depth, the Contractor shall submit in advance of excavations, a detailed plan showing the design of shoring, bracing, sloping, or other provisions to be made for worker protection from the hazard of caving ground during the excavation of such trench or trenches. If such plan varies from the shoring system standards established by the Construction Safety Orders of the Division of Industrial Safety in Title 8, Subchapter 4, Article 6, California Code of Regulations, the plan shall be prepared by a registered civil or structural engineer employed by the Contractor, and all costs therefore shall be included in the price named in the Contract for completion of the Work as set forth in the Contract Documents. Nothing in this Section shall be deemed to allow the use of a shoring, sloping, or other protective system less effective than that required by the Construction Safety Orders. Nothing in this Section shall be construed to impose tort liability on the District, the Design Consultant, Construction Manager nor any of their agents, consultants, or employees. The District's review of the Contractor's excavation plan is only for general conformance to the California Construction Safety Orders.

Prior to commencing any excavation, the Contractor shall designate in writing to the Construction Manager the "competent person(s)" with the authority and responsibilities designated in the Construction Safety Orders.

15. In accordance with Section 7104 of the Public Contract Code, whenever any work involves digging trenches or other excavations that extend deeper than four (4) feet below the surface, the provisions of Section 00700-7.2, **Differing Site Conditions**, shall apply.

16. In accordance with Section 7103.5 of the Public Contract Code, the Contractor and subcontractors shall conform to the following requirements. In entering into a public works contract or a subcontract to supply goods, services, or materials pursuant to a public works contract, the Contractor or subcontractor offers and agrees to assign to the District all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act [Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code], arising from purchases of goods,

materials or services pursuant to this Contract or the subcontract. Such assignment shall be made and become effective at the time the District tenders final payment to the Contractor, without further acknowledgment by the parties.

17. In accordance with Section 4552 of the Government Code, the Contractor shall conform to the following requirements. In submitting a Bid to the District, the Contractor offers and agrees that if the Bid is accepted, it will assign to the District all rights, title, and interest in and to all causes of action it may have under Section 4 of the Clayton Act (15 U.S.C. Section 15) or under the Cartwright Act [Chapter 2 (commencing with Section 16700) of Part 2 of Division 7 of the Business and Professions Code], arising from purchase of goods, materials, or services by the Contractor for sale to the District pursuant to the Bid. Such assignment shall be made and become effective at the time the Authority tenders final payment to the Contractor.

18. Pursuant to Public Contract Code Section 7100, the acceptance by the Contractor of an undisputed payment made under the terms of the Contract shall operate as, and shall be, a release to the District, and their duly authorized agents, from all claim of and/or liability to the Contractor arising by virtue of the contract related to those amounts. Disputed contract claims in stated amounts may be specifically excluded by the Contractor from the operation of the release.

19. In accordance with California Business and Professions Code Section 7030, the Contractor is required by law to be licensed and regulated by the Contractors' State License Board which has jurisdiction to investigate complaints against contractors if a complaint regarding a patent act or omission is filed within four (4) years of the date of the alleged violation. A complaint regarding a latent act or omission pertaining to structural defects must be filed within ten (10) years of the date of the alleged violation. Any questions concerning the Contractor may be referred to the Registrar, Contractors' State License Board, P.O. Box 26000, Sacramento, California 95826.

IN WITNESS WHEREOF, the parties hereto have executed this agreement on the date first set forth above.

CONTRACTOR

By: _____

Title: _____

Dublin San Ramon Services District

By: _____
Bert Michalczyk, General Manager

ATTEST:

Nancy G. Hatfield, District Secretary

*** END OF SECTION ***



DUBLIN SAN RAMON SERVICES DISTRICT

**Results of Bid Opening for
WWTP Fencing & Security – Phase I (CIP 12-P004)
September 19, 2013 – 10:00 a.m.**

Engineer's Estimate: \$275,000

No.	Name of Bidder	Bid Amount
1.	O'Grady Paving, Inc., Mountain View, CA	\$442,000
2.	McGuire and Hester, Oakland, CA	\$477,000
3.	Roebbelin Contracting, Inc., El Dorado Hills, CA	\$493,463
4.	Calstate Construction, Inc., Fremont, CA	\$509,900

Sub-Contractors:

1. O'Grady Paving, Inc.

Marina Landscape	Pleasanton, CA	Landscaping
Luminart	Pleasanton, CA	Concrete
Cyclone	San Martin, CA	Fencing
Retaining Wall Co.	Tracy, CA	Retaining Wall

2. McGuire and Hester

All Steel	Lathrop, CA	Fencing
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3. Roebbelin Contracting, Inc.

Rock Morgan Ent.	Ione, CA	Demo, Earthwork, Grading & Paving
Marina Landscape	Anaheim, CA	Landscape & Irrigation
Specialize Graphics	Concord, CA	Monument Sign

4. Calstate Construction, Inc.

McKim	Gilroy, CA	Concrete/AC Paving
Freedom	Sacramento, CA	Fencing
Marina	Anaheim, CA	Landscape
Spec Graphics	Concord, CA	Signage
Crown	Alameda, CA	CMU

**Dublin San Ramon Services District
Summary & Recommendation**

Reference Personnel Committee	Type of Action Reconsider Prior Board Decision	Board Meeting of October 15, 2013			
Subject Reconsideration of the Board's Prior Decision Related to the Safety Officer Position					
<input type="checkbox"/> Motion	<input type="checkbox"/> Minute Order	<input checked="" type="checkbox"/> Resolution			
REPORT:	<input type="checkbox"/> Verbal	<input type="checkbox"/> Presentation	<input type="checkbox"/> Staff	Personnel Cmte.	<input checked="" type="checkbox"/> Board Member

Recommendation:

The Personnel Committee recommends that the Board, by Resolution, reaffirm its June 4, 2013 decision regarding refilling and budgeting for the position of District Safety Officer. The General Manager's recommendation presented on June 4, 2013 to refill the position remains unchanged for reasons expressed in the Staff Report to the Personnel Committee. If the Board takes no action, the Board's June 4, 2013 decision will stand and staff will continue to implement that policy direction.

Summary:

On June 4, 2013 the Board approved operating budgets for FYE 2014 and FYE 2015 and an increase in authorized staff for FYE 2014 and beyond. That action included budget for, and the re-filling of, the Safety Officer position that has been vacant since the retirement of the prior incumbent in August 2010. On October 1, 2013 the Board voted to reconsider its prior decision regarding the Safety Officer and also voted to refer the matter to its Personnel Committee for further deliberation. The Personnel Committee met to discuss the matter on October 7, 2013; an excerpt from the minutes of that Committee meeting are included (Attachment 1).

Also attached are:

- As directed by the Committee, an alternate form Resolution to rescind the Board's approval of the Safety Officer if the majority of the Board were to not agree with the Committee's recommendation;
- As directed by the Committee, copies of relevant safety and security related job classifications at EBMUD;
- Staff Report of October 4, 2013 to the Personnel Committee; and
- Relevant material from the Board's October 1, 2013 meeting related to the matter (minutes from that meeting are included as agenda Item 7 on this agenda).

Committee Review		Legal Review	Staff Review			
COMMITTEE Personnel	DATE 10/07/13	RECOMMENDATION Approve	Not Required	ORIGINATOR BLM	DEPARTMENT Executive	
ATTACHMENTS <input type="checkbox"/> <i>None</i>						
<input type="checkbox"/> Resolution	<input type="checkbox"/> Minute Order	<input type="checkbox"/> Task Order	<input checked="" type="checkbox"/> Staff Report	<input type="checkbox"/> Ordinance		
<input type="checkbox"/> Cost \$0	<input type="checkbox"/> Funding Source A. B.	Attachments to S&R 1. Excerpt from 10/07/13 Personnel Committee Notes 2. Alternate resolution rescinding approval of Safety Officer 3. Relevant EBMUD job classifications 4. Staff report of 10/04/13 to Personnel Committee 5. Relevant material from October 1, 2013 Board agenda packet				
H:\Board\10-15-13\Reconsideration of Safety Officer\Reconsideration of Safety Officer 101513 S&R.docx						

RESOLUTION NO. _____

**RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT
REAFFIRMING ITS PRIOR APPROVAL AND FUNDING FOR THE DISTRICT SAFETY OFFICER
POSITION**

WHEREAS, the Board of Directors adopted Resolution No. 22-13 which resolution approved annual operating budgets for Fiscal Years Ending 2014 and 2015; and

WHEREAS, Resolution No. 22-13 authorized the hiring of a Safety Officer, an existing classification in the Professional Employees Bargaining Unit, that was last filled and funded in FYE 2010 and which has remained unfilled and unfunded since that time; and

WHEREAS, Resolution No. 22-13 authorized the gradual increase of District staffing by an additional four full time equivalent positions over the course of FYE 2014 and FYE 2015, one of which positions is the Safety Officer; and

WHEREAS, in accordance with the Board adopted Guidelines for Conducting District Business, Director Duarte requested that the Board reconsider its approval of and funding for the Safety Officer during FYE 2014 and FYE 2015; and

WHEREAS, by motion on October 1, 2013 the Board approved reconsideration of its approval of and funding for the Safety Officer during FYE 2014 and FYE 2015; and

WHEREAS, the reconsideration of Board's approval of and funding for the Safety Officer during FYE 2014 and FYE 2015 was reviewed by the Board's Personnel Committee on October 7, 2013; and

WHEREAS, the Personnel Committee's findings and recommendation were presented to and discussed by the Board of Directors on October 15, 2013; and

WHEREAS, after consideration of all aspects associated with the Safety Officer position, the Board desires to reaffirm its prior approval of and funding for the Safety Officer position in the FYE 2014 and FYE 2015 operating budgets.

Res. No. _____

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT, a public agency located in the Counties of Alameda and Contra Costa, California, that the Board hereby reaffirms its decision rendered in Resolution No. 22-13 approving and funding the Safety Officer position in the FYE 2014 and FYE 2015 operating budgets.

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 15th day of October 2013, and passed by the following vote:

AYES:

NOES:

ABSENT:

Dawn L. Benson, President

ATTEST: _____
Nancy G. Hatfield, District Secretary

EXCERPT FROM PERSONNEL COMMITTEE NOTES

OCTOBER 7, 2013

RELATED TO RECONSIDERATION OF DISTRICT SAFETY OFFICER

D-3 Reconsideration of the Board's Prior Decision Related to the Safety Officer Position

General Manager Michalczyk explained the chronology of events that have led to today's discussion of this topic. He explained that the Board voted to reconsider its prior decision regarding the Safety Officer position and that the Board also referred the matter to the Personnel Committee for further discussion. He stated that the next steps would be for the Committee to formulate a recommendation to the Board related to the matter and that that recommendation would be presented to the full Board on October 15, 2013 for a decision.

Mr. Michalczyk noted that the staff report prepared for the Committee's use in its discussion provides information related to issues that the Board's October 1, 2013 discussion touched on or in response to questions asked at that Board meeting. This information includes:

- Safety Officer Position History;
- Responsibilities and Full Time Nature of the Position;
- Recent CSRMA Inspections;
- Private Sector Salary Information;
- Benefits of Lowering the District's Ex-Mod; and
- Analysis of the Citadel Proposal.

Director Benson stated that she had been thinking about the subject a great deal since the Board meeting of October 1, 2013. She also stated that she had researched how EBMUD staffs its safety and security functions. She stated that EBMUD manages safety, security, emergency preparedness and environmental compliance with four separate managers and associated technical staff. Director Benson provided copies of various job descriptions at EBMUD; she asked that these be provided to the full Board. She also provided information regarding EBMUD's salary schedules for safety and security staff noting that the salary ranges were in the \$10,000 / month range. Director Benson stated that she believes that despite the title of the position under consideration ("Safety Officer") that it is important to understand that the position's responsibilities are multifaceted and also include security, emergency preparedness and environmental compliance. She suggested that at some point in the future perhaps the title of the position should be changed to better reflect the broad scope of responsibilities.

Director Howard stated that he was supportive of the Board's original decision related to the Safety Officer position and motioned to allow reconsideration because he had an open mind and wanted to hear what Director Duarte had to say and present.

The Committee asked staff to explain how busy the existing Safety Technician is at the District.

Interim Organizational Manager Gallardo explained what the incumbent Safety Technician does. She explained several of the actual duties as presented in the staff report to the Committee. She went on to explain that as that position's supervisor she knows that the incumbent is performing in accordance with standards and is working very hard but is still losing ground on tasks that need to be done. Ms. Gallardo went on to explain that there is a very large backlog of items that continues to grow. She stated that in her opinion the answer is not more administrative or technical staff but the need for professional level expertise that can manage and guide the District's safety, security and emergency preparedness programs.

The Committee reviewed the information in the Committee Staff Report related to issues raised and questions asked at the prior Board meeting. The Committee discussed the interwoven nature of the responsibilities of the position noting that it is not limited to safety but encompasses a broad range of responsibilities including security, emergency preparedness and environmental compliance. The Committee discussed the nature of the safety function at an operating facility where real-time solutions need to be formulated to address issues when they arise. The Committee concurred that that sort of effort

requires a constant on-site presence and that the Wastewater Treatment Plant cannot be shut down while outside experts are brought in to address an apparent safety issue that arises.

Director Benson asked the employees present if they would like to say anything.

Human Resources Analyst Hoffman stated that she has seen and reviewed the files for the cases that have negatively affected the District's Ex-Mod rating and that it is clear to her that the District is strongly in need of a full-time professional, on-site safety presence. She stated that she has seen that the Safety Technician is overwhelmed with what needs to be done and that it is a matter of needing professional-level expertise to drive systemic program development and implementation rather than more technician-level help.

Associate Civil Engineer Kolodzie, who is also the Professional Employees Bargaining Unit Vice President, stated that past experience at the District clearly demonstrates that there is a sufficient need for a full time, on-site professional level Safety Officer. He noted that the need for one has not gone away since the last Safety Officer retired and the data and experience since then clearly shows that it is as important as ever for the District to re-staff the position. He also stated that his previous experience in the oil industry shows there is often a short-term effort to reduce staffing costs by eliminating or reducing the cost of safety professionals in organizations; but experience shows that the long-term costs from un-avoided accidents, fines levied by regulators, etc., will far outweigh the short-term cost savings.

Human Resources Technician Lawson stated that she agrees with the statements made by Mr. Kolodzie and Ms. Hoffmann. She has been employed at the District for 12 years and is very familiar with the cases that have resulted in the decline of the District's Ex-Mod rating. She very much supports re-filling the position and believes it will go a long way to bring the District back to the safety record it had before the last Safety Officer retired.

Community Affairs Supervisor Stephenson stated that she believes a Safety Officer is needed for a facility that is operating 24/7. She stated that bringing on a consultant may help with administrative tasks and training but it will not address the underlying problems the District now faces. She also stated that from a risk management perspective she is very concerned that the Board is reconsidering a decision that they already made. She stated that she believes that the debate the Board is now having and the statements being made could be interpreted as the District scaling back from its commitment to keep employees safe and that this will work against the District if in the future there were to be a serious accident and legal action was initiated.

The Committee thanked staff for their input and the information provided to them to help support their discussion of this matter.

Director Howard stated that he has carefully considered Director Duarte's concerns and the alternative proposal that Director Duarte provided, as well as the Board's role in setting policy rather than becoming involved in management level decisions, and that on balance he supports re-affirming the original Board decision on the matter.

Director Benson concurred with affirming the original Board decision adding that in some situations contracting out can work but for the District's safety situation she believes that function needs to be inside the organization.

So as to bring the matter to closure by a vote of the Board, the Committee recommended that the Board re-affirm its June 4, 2013 decision to refill the Safety Officer position; the resolution in the agenda Committee agenda package is to be presented to the Board for an "up or down" vote. The Committee also asked that a resolution to rescind that June 4, 2013 decision also be included in the Board's agenda packet in the event the majority of the Board does not accept the Committee's recommendation.

RESOLUTION TO RESCIND APPROVAL OF AND FUNDING FOR SAFETY OFFICER

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT AMENDING THE ANNUAL OPERATING BUDGETS FOR FISCAL YEARS ENDING 2014 AND 2015 AND RESCINDING ITS PRIOR APPROVAL AND FUNDING FOR THE DISTRICT SAFETY OFFICER POSITION

WHEREAS, the Board of Directors adopted Resolution No. 22-13 which resolution approved annual operating budgets for Fiscal Years Ending 2014 and 2015; and

WHEREAS, Resolution No. 22-13 authorized the hiring of a Safety Officer, an existing classification in the Professional Employees Bargaining Unit, that was last filled and funded in FYE 2010 and which has remained unfilled and unfunded since that time; and

WHEREAS, Resolution No. 22-13 authorized the gradual increase of District staffing by an additional four full time equivalent positions over the course of FYE 2014 and FYE 2015, one of which positions includes the Safety Officer; and

WHEREAS, in accordance with the Board adopted Guidelines for Conducting District Business, Director Duarte requested that the Board reconsider its approval of and funding for the Safety Officer during FYE 2014 and FYE 2015; and

WHEREAS, by motion on October 1, 2013 the Board approved reconsideration of its approval of and funding for the Safety Officer during FYE 2014 and FYE 2015; and

WHEREAS, the reconsideration of Board's approval of and funding for the Safety Officer during FYE 2014 and FYE 2015 was reviewed by the Board's Personnel Committee; and

WHEREAS, the Personnel Committee's findings and recommendation were presented to and discussed by the Board of Directors; and

WHEREAS, Board policy P700-13-1 "Staff Organization" states, in part, that the General Manager is authorized to organize staff at all levels within the organization within Board adopted budget and approved full time equivalent staffing levels and, as such, specific direction to the General Manager is also required to implement this Board decision; and

Res. No. _____

WHEREAS, after consideration of all aspects associated with the Safety Officer position, the Board desires to amend the FYE 2014 and FYE 2015 operating budgets to rescind its prior inclusion of and funding for the Safety Officer in those budgets and instead provide funding for contract services related to safety.

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

1. The Expense Budgets for Fiscal Years Ending 2014 and 2015 are hereby revised to be as shown with operating expenses exclusive of Administrative Cost Allocations as shown in the following table:

Fund Name	FYE 2014 Operating Expenses	FYE 2015 Operating Expenses
Local Sewer Enterprise	\$1,610,077	\$1,662,440
Local Sewer Replacement	381,640	488,300
Local Sewer Expansion	253,433	265,347
Regional Sewer Enterprise	13,423,706	13,528,792
Regional Sewer Replacement	412,300	143,350
Regional Sewer Expansion	7,047,518	7,035,891
Water Enterprise	17,237,168	17,765,427
Water RSF	50,000	50,000
Water Replacement	307,698	289,688
Water Expansion	3,741,737	3,860,821
Administrative Cost Center	6,480,443 ¹	6,887,316 ²
OPEB	708,422	764,050
Dougherty Valley Standby District	1,429,211	1,429,211
Total Operating Expenses	\$53,083,352¹	\$54,170,633²

2. The maximum number of full time equivalent (FTE) positions as shown in the following table are hereby revised to be as shown. At no time shall the number of regular and limited term FTE positions exceed that shown below without prior Board approval. Furthermore, the total of the salaries for regular positions as shown in the budget shall not be increased through conversion of limited term positions to permanent positions without prior Board approval.

¹ Defunding the Safety Officer represents a \$11,352 budget reduction in FYE 2014 (0.02% budget reduction).

² Defunding the Safety Officer represents a \$114,898 budget reduction in FYE 2015 (0.21% budget reduction).

Res. No. _____

Position Type	FYE 2014	FYE 2015
Regular FTE	111.00	112.00
Limited Term FTE	0.00	0.00
Total FTE Positions	111.00	112.00

3. As an exception to Board Policy P700-13-1, the General Manager is specifically precluded from filling the Safety Officer position.
4. All other provisions of Resolution No. 22-13 remain unchanged.

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 15th day of October 2013, and passed by the following vote:

AYES:

NOES:

ABSENT:

Dawn L. Benson, President

ATTEST: _____
Nancy G. Hatfield, District Secretary

H:\Board\10-15-13\Reconsideration of Safety Officer\Attachment 2 - RESO Deauthorize Safety Officer.docx



CLASS DESCRIPTION

TITLE MANAGER OF WORKPLACE HEALTH AND SAFETY	CLASS CODE 1701	ESTABLISHED 6/28/98 REVISED
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DEFINITION

Under general direction, plans, manages and coordinates workplace health and safety and workers' compensation programs for the District; organizes and manages a technical support group to provide effective client services in multiple program areas; directs compliance auditing and reporting, workplace safety, industrial hygiene and safety training activities; and performs related work as required.

DISTINGUISHING CHARACTERISTICS

This single position class is responsible for ensuring District-wide compliance with OSHA regulations. Responsibilities include supervising and coordinating compliance auditing and reporting and program development and implementation for a variety of workplace safety, industrial hygiene and training activities. It is at the section supervisor level. It is distinguished from Regulatory Compliance Officer, which is a division manager, responsible for regulatory planning and analysis, environmental compliance and workplace health and safety programs.

EXAMPLES OF DUTIES (Illustrative only)

1. Plans, organizes and supervises the work of the Workplace Health and Safety section; assigns, reviews and evaluates the work of staff and provides for their training and development.
2. Plans and manages comprehensive District-wide programs to ensure compliance with OSHA regulations governing workplace health and safety and to provide effective client services within a diverse organization.
3. Plans, implements and manages a variety of workplace safety, industrial hygiene, workers' compensation and safety training programs to prevent injury and occupational illness and control related costs and to provide technical support to District staff.
4. Directs workplace health and safety studies to assess risks and develop remedial strategies and procedures.
5. Coordinates and directs District-wide safety, accident prevention, accident investigation and analysis, operations analysis, and training needs assessment activities to maximize workplace health and safety and ensure compliance with relevant regulations.
6. Coordinates and directs workplace health and safety regulatory compliance and reporting for the District.
7. Directs technical evaluation and interpretation of regulatory guidelines; coordinates the communication of related information to all District staff.
8. Monitors and evaluates current and proposed regulations and legislation to assess impact on District operations; develops technically sound, cost-effective solutions for compliance and workplace health and safety issues.

EXAMPLES OF DUTIES (continued)

9. Directs the preparation and review of a wide variety of regulatory and technical reports; directs the update of biannual business plans.
10. Represents the District and works closely with staff, regulatory agencies and public and private organizations to present information, provide assistance and resolve problems.
11. Directs the development and implementation of management systems, procedures and standards for workplace health and safety program evaluation.
12. Performs related duties as assigned.

CLASSIFICATION REQUIREMENTS**Knowledge and Skills**

Thorough Knowledge of: Principles and practices of program administration; principles and practices of employee supervision.

General Knowledge of: Federal, State and local laws and regulations governing workplace health and safety; principles and practices of workplace safety, industrial hygiene and accident prevention as related to water and wastewater treatment operations.

Skill in: Developing, implementing and managing a comprehensive workplace health and safety program for the District; organizing and managing a technical support group to provide effective client services in diverse program areas; analyzing and evaluating complex workplace health and safety technical and administrative problems, evaluating alternatives and reaching sound conclusions; coordinating District resources in a multi-disciplinary approach to resolving issues regarding workplace health and safety; supervising and evaluating the work of staff; providing liaison and coordination with District staff, regulatory agencies and public and private organizations; making clear, concise and effective written, graphic and oral presentations of complex and/or controversial information; establishing and maintaining effective working relationships with District staff, regulatory agencies and others contacted in the course of the work; and exercising sound, independent judgment within general policy guidelines.

Education and Experience: Any combination of education and experience that has led to the acquisition of the knowledge and skills listed above. Typical ways of acquiring these are: Possession of a Bachelor's degree from an accredited college or university in industrial hygiene, safety engineering, environmental health, business administration, engineering or a related field and five years of progressively responsible experience in workplace health and safety or technical support services management work. Possession of a Master's degree is desirable and may be substituted for one year of the required experience.

Other Requirements: Must possess the physical characteristics to perform the critical and important duties of the job. May be required to be clean shaven on a scheduled basis as required to wear respiratory protection equipment. Must be willing to work overtime as needed. Must possess a valid California driver's license.

WORKING CONDITIONS

Environmental Conditions: Office environment using a computer.

Physical Conditions: Essential and marginal functions may require maintaining physical condition necessary for sitting or standing for prolonged periods of time.



EXEMPT CLASS DESCRIPTION

TITLE MANAGER OF SECURITY AND EMERGENCY PREPAREDNESS	CLASS CODE 1540	ESTABLISHED 7-1-03 REVISED
<u>RESPONSIBILITIES AND DUTIES</u>		
<p>Under general direction, plans, develops, evaluates, and manages comprehensive, District-wide security operations and emergency preparedness and response; coordinates policy development, strategic planning, operational response, and management, supervisory, and employee training in security measures; procedures and emergency preparedness to ensure protection of system water quality, District facilities, and employees; serves as the primary contact with and develops and coordinates District protocols for communications with local, state, and federal law enforcement and emergency response agencies regarding matters of security and emergency preparedness including the establishment and maintenance of reciprocal aide agreements; oversees procurement and management of security contracts; directs and supervises assigned professional, technical and clerical staff.</p>		
<p>Manages the District's Security Operations and Emergency Preparedness Section and administers programs to address strategic planning and emergency operational response to protect and secure District physical assets, water quality, and employees; sets priorities to meet District goals and objectives; develops and presents for Board review and consideration, recommendations regarding program policy, initiatives, and periodic operational reports; directs the preparation, updates, training and practice drills, and communication of the District's Emergency Operations Plan (EOP).</p>		
<p>Recommends, coordinates the development, and implements policies, procedures, and practices to ensure appropriate security and emergency preparedness and response measures for District wide facilities, employees, and equipment; coordinates the integration of security planning, training in security procedures, communication protocols, and capital improvement project planning and execution with District management and supervisory staff; researches, evaluates, recommends, and coordinates the District's application of contemporary and emerging security protection and emergency preparedness and response methods and practices.</p>		
<p>Provides leadership for standing committees and special purpose management groups such as the Emergency Operations Team and Security Committee on policy and procedure administration in matters of security operations and emergency preparedness and response; directs the periodic update of District wide plans relating to business continuity and emergency preparedness and response; consults with managers and supervisors to address potential security issues associated with new or modified facilities, work processes, or in the progress and status of capital projects.</p>		
<p>Serves as the central and primary contact with law enforcement agencies in establishing and maintaining communication protocols regarding sharing of confidential and highly sensitive information, coordination of training, conducting investigations of threats or damage or theft of property, response to specific security incidents, and negotiating and developing contracts and agreements for enhanced security on District property. Provides timely information to the Board of Directors and General Manager on emerging security issues and the District's response and readiness.</p>		
<p>Directs and participates in the continuous evaluation of the adequacy of District recovery plans to restore water and wastewater service; directs and participates in periodic inspections of security systems and emergency response plans and practices at District facilities; initiates changes in plans, priorities, and strategies consistent with available resources; and ensures that any identified deficiencies are resolved in a timely manner.</p>		
<p>Plans, directs and evaluates Security and Emergency Preparedness Section staff activities and maintains high employee morale and employee productivity; ensures employees' safety; oversees the administration of employee and visitor identification and access control systems.</p>		

RESPONSIBILITIES AND DUTIES - CONTINUED

Directs ongoing assessment of District wide security contract requirements including private security guards, consultant services, and specialized equipment; manages the procurement and administration of all security contracts and the evaluation of their services.

Performs administrative duties such as budget preparation and control, employee selection, training and evaluation, and report preparation.

Prepares a variety of periodic or special reports and makes presentations requiring a high degree of communication skills.

TYPICAL QUALIFICATIONS**Education and Experience:**

Any combination of education and experience which has provided the desirable competency which typically requires a Bachelor's degree in business or public administration, criminal science or a closely related field and EITHER several years of progressively responsible supervisory experience in local, state, or federal law enforcement, or military security operations that included some emergency preparedness and response management responsibility OR, significant management or supervisory experience in industrial or commercial security administration that included responsibility for the protection of multiple facilities, assets, and personnel from unauthorized activities, emergencies and disasters.

Competency:

Technical competency in contemporary principles and practices of security operations applicable to high rise office buildings and industrial facilities including water and wastewater; video surveillance equipment, information systems, mechanical and electronic access control systems, scanners, and biometric technology based identification systems. Technical competency in contemporary principles, protocols, and practices of emergency preparedness operations planning, response, and resource mobilization and coordination including the incident command center approach to managing events; law enforcement agency protocols and practices in communications, investigations, evidence, physical protection of personnel and facilities, and crime prevention. Managerial competency in planning, organizing, directing and controlling the activities of staff and consultant resources, and in preparing and administering budgets. Competency in establishing effective and cooperative working relationships with other department managers and their staffs, customers, community groups, the Board, local, state, and federal law enforcement and emergency response agencies, other governmental agencies, and professional organizations; preparing and presenting clear, concise and persuasive communications.

License, Certificate or Credential: Must possess a valid California license and have a satisfactory driving record.

Other Requirements: Must be willing to work during emergency situations and be subject to recall during those times.

EXEMPT CLASS DESCRIPTION

TITLE MANAGER OF REGULATORY COMPLIANCE	CLASS CODE 1574	ESTABLISHED 7-1-94 REVISED 10-20-03
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RESPONSIBILITIES AND DUTIES

Under administrative direction as a division manager, plans, directs, organizes and controls District-wide regulatory action and related corporate support programs through subordinate managers who are subject matter experts in the following areas:

- ◆ Workplace health and safety
- ◆ Environmental compliance
- ◆ Security and emergency planning and preparedness

Establishes division's regulatory compliance and related programs and priorities to meet District regulatory compliance goals and objectives; plans, directs and evaluates a wide variety of security and emergency planning and preparedness, workplace health and safety and environmental compliance programs; promotes high employee morale; ensures employee safety.

Develops and directs the implementation of goals, objectives, policies, procedures and work standards for the division; prepares and administers the division budget; directs the selection, supervision and evaluation of staff and the effective use of personnel within the division; provides for their technical training and development and ensures employee safety; assists in setting department program and project priorities and in strategic planning; directs the preparation of and presents a wide variety of reports and presentations regarding program activities; directs the development and implementation of management systems, procedures and standards for program evaluation; oversees the acquisition and evaluation of specialized contract services in support of division program functions.

Coordinates District programs with regulatory agencies to ensure District knowledge and understanding of, and compliance with, applicable regulatory guidelines; represents the District and works closely with regulatory agencies and public and private organizations to provide information and technical assistance and to facilitate cooperative and timely resolution of issues and problems; coordinates and assists in the development and implementation of operational procedures that ensure technically sound and cost-effective compliance of District operations and systems;

Directs the review and analysis of new and changing emergency and regulatory legislation and regulations; coordinates legislative strategy and planning to advance responsible environmental legislation consistent with District operational requirements; coordinates and manages multi-disciplinary response teams to analyze legislative initiatives and resolve critical compliance issues impacting existing and future District operations

Provides for ongoing staff education and development to inform District staff of environmental and workplace health and safety regulatory and legislative issues; directs the development and implementation of relevant training and educational programs; provides comprehensive support to all District work units regarding future, pending, and existing regulatory compliance issues and supports interagency response efforts.

RESPONSIBILITIES AND DUTIES - CONTINUED

Manages capital programs and projects in support of regulatory compliance, security and emergency preparedness.

TYPICAL QUALIFICATIONS**Education and Experience:**

Any combination of education and experience which has provided the desirable competency which typically requires possession of a Master's degree from an accredited college or university in a scientific or engineering discipline, or related field and several years of progressively responsible management or supervisory experience that includes administering regulatory compliance efforts such as those required to meet permitting, licensing, operation, or maintenance of major urban water and wastewater systems. An additional year of qualifying supervisory or management experience may be substituted for the Master's degree requirement.

Competency:

Technical competency in the principles and practices of environmental planning and the application and interpretation of federal, State and local laws and regulations governing water and wastewater treatment, emergency planning and preparedness, occupational health and safety and related aspects of District operations. Technical competency in the political and legislative process of local, State, and Federal government; and the principles and practices governing public participation and information exchange in formulating and adopting public policy. Technical competency in directing, coordinating and monitoring environmental compliance, emergency preparedness, and workplace safety programs; regulatory agency functions, organizations and procedures; and in providing liaison and coordination with outside agencies and public jurisdictions.

Managerial competency in developing and administering programs and budgets, managing projects, and supervising and developing employees. Managerial competency in making clear, concise and effective written, graphic, and oral presentations of complex and/or controversial information; establishing and maintaining effective working relationships with District officials, regulatory agencies, special interest groups and others contacted in the course of the work; in exercising sound, independent judgment within general policy guidelines. Managerial competency in analyzing complex technical and administrative problems, evaluating alternative solutions, and adopting effective courses of action.

License, Certificate or Credential: Must possess a valid California license and have a satisfactory driving record.

Other Requirements: Must be willing to work during emergency situations and be subject to recall during those times.



CLASS DESCRIPTION

TITLE SECURITY AND EMERGENCY PREPAREDNESS SPECIALIST	CLASS CODE 2578	ESTABLISHED 7-1-03 REVISED
<u>DEFINITION:</u>		
<p>Under direction, implements and maintains assigned elements of the District's security operations and emergency management program including preparedness and response to incidents of unauthorized activity or natural disasters such as fire, earthquakes, floods and District plant operational emergencies including major accidents or other catastrophic events; participates in actual disaster events during and following the event; provides lead direction to assigned staff; performs other duties as required.</p>		
<u>DISTINGUISHING CHARACTERISTICS:</u>		
<p>This single position class is distinguished by responsibility for the implementation and ongoing maintenance of District emergency preparedness and operations plan(s) and procedures, and pre-disaster response and mitigation programs under the direction of the Manager of Security and Emergency Preparedness. Additional responsibilities include supporting the development and maintenance of security preparedness and response policies, procedures, and day-to-day security administration. During emergency operations, the incumbent supports the District's response under the direction of the Emergency Operations Director (Director of Operations and Maintenance).</p>		
<u>EXAMPLES OF DUTIES</u> (Illustrative only)		
<ol style="list-style-type: none">1. Prepares and maintains assigned elements of the District's master Emergency Operations Plan and related District emergency plans; produces and distributes the Emergency Operations Plan.2. Coordinates preparedness and response planning and procedures for specific drills and practice events with impacted District departments, local and state government agencies, and other community groups.3. Provides advice and technical assistance to operating departments on the special conditions regarding the operating and resource requirements that would be imposed in the event of catastrophic disaster; designs, tests, and oversees the installation and set up of equipment for use in emergency operation center vehicles and other specialized applications.4. Conducts post-disaster evaluations and produces after action reports and recommendations to improve readiness and response tactics and strategies.5. Coordinates with representatives of federal, state, and local emergency response agencies on specific incidents, practice events, and drills to improve integration of resources and response tactics and to ensure a single point of contact; identifies areas where communications improvement is warranted and assists in problem resolution; acts as District representative in local, state, and regional disaster planning and exercises.6. Coordinates and evaluates simulated field and office practice drills and exercises on a routine schedule and establishes a process to evaluate preparedness and response including the adequacy and readiness of personnel and equipment resources; leads and coordinates assigned standing committees that have responsibility for specific elements within the overall District Emergency Operations Plan.7. Organizes and directs training on policies and practices to be followed during an emergency operation or a disaster for employees, supervisors and managers.		

8. Assists in the identification and development of required or revised strategies, procedures and needed resources to properly manage District security systems in such areas as access control, electronic surveillance, patrolling, incident investigation and reporting, and communications with law enforcement agencies.

9. Participates in the review of and makes recommendations to improve draft specifications for the acquisition of security system hardware and software purchases for electronic or physical security devices.

10. Contacts and coordinates communications with federal law enforcement agencies regarding specific events or general security issues as assigned by the Manager of Security and Emergency Preparedness or in their absence.

11. Provides lead direction to technical and/or clerical staff on a project basis or as assigned; assists in the preparation of the budget for the work unit including development of recommendations and supporting analyses to substantiate requests for additional resources; performs other administrative tasks as assigned.

12. Maintains awareness and understanding of contemporary developments in methods, technology, equipment and other resources used in emergency preparedness, response, training and physical plant security systems.

13. Provides support to the Emergency Operations Team as assigned.

14. Represents District to local, county and state emergency response organizations and to the public.

15. Provides recommendations on improvements to District recovery plans to restore water and wastewater service and assists in their implementation.

CLASSIFICATION REQUIREMENTS

Knowledge, Skills and Abilities:

Thorough knowledge of: Planning, development, implementation and assessment of emergency management programs and response strategies relative to man-made or natural disasters; emergency recovery planning and methodologies; elements involved in the development of master emergency operations plan resources, communication, equipment, facilities and others.

Working knowledge of: Principles and practices of organization, administration and training; modern office methods and procedures; local, state and federal laws and regulations regarding emergency services and hazardous materials management; Office of Emergency Services' Incident Command Center approach to emergency response; programs involving federal and state disaster assistance and post-disaster mitigation project funds.

General Knowledge of: modern security systems, procedures, communications protocols, and technology applicable to high rise office buildings and industrial facilities including water and wastewater.

Skill in: Coordinating various emergency preparedness and response activities in a cooperative relationship with the District departments and with other governmental agencies and community groups; developing and maintaining comprehensive master emergency plans, policies and procedures; speaking and writing effectively; training others and conducting simulated emergency drills and exercises.

Ability to: Perform efficiently and effectively under emergency conditions; prepare budget and project schedules; establish and maintain cooperative relations with others; provide effective leadership in a non supervisory capacity; use good judgment in making quick decisions under pressure; analyze and resolve problems; and perform routine administrative office tasks and supervise assigned staff.

Education and Experience: Any combination of education and experience that has led to the acquisition of the knowledge, skills and abilities as indicated above. Typical ways of acquiring these knowledge, skills and abilities are:

Completion of four years of college resulting in graduation or its equivalent, preferably with major work in business or public administration, engineering, one of the sciences, or a closely related field and three years of progressively responsible experience in emergency preparedness planning, training, and response management in a staff or supervisory capacity. Required experience will have included some responsibility for investigation and reporting of unauthorized activities or violations of regulations.

License, Certificate or Credential: Must possess a valid California driver's license and a satisfactory driving record.

Other Requirements: Must be willing to work during emergency situations and be subject to recall during those times.

TITLE	CLASS CODE	EFFECTIVE DATE
RISK MANAGEMENT ASSISTANT	4712	2-27-89
<u>DEFINITION</u>		
<p>Under general supervision, assists in the development and implementation of the District's Risk Management Program; performs various technical and clerical duties related to liability claims, claims settlements, insurance policies, investigation, monitoring and maintenance of data by operating a microcomputer; performs other related duties as required.</p>		
<u>DISTINGUISHING CHARACTERISTICS</u>		
<p>The individual in this class performs both technical and clerical duties in the development and implementation of the District's Risk Management and Loss Prevention program. Clerical duties will include routine typing, filing and answering telephone calls. Assignments require considerable contact and coordination with District as well as outside personnel and the exercise of independent judgment within prescribed framework. The incumbent will make field inspection of District facilities and operations involving claims, disputes and other matters. The ability to use a microcomputer is essential. This class is distinguished from the Risk Management Administrator which entails responsibility for the overall development and implementation of the District's risk management and loss prevention program.</p>		
<u>EXAMPLES OF DUTIES (Illustrative only)</u>		
<p>1. Reviews liability claims, accident reports, property damage reports and other documents for accuracy and completeness and gathers information to verify, clarify, document or determine liability issues; sets up files, logs information, types reports, letters, correspondence, memos as assigned, determines which claims to pay and which claims to reject, may negotiate settlements as assigned.</p>		
<p>2. Reviews insurance policies, endorsements, binders and other certificates submitted by vendors, contractors, developers, consultants and others for accuracy and completeness and performs follow-up actions to insure compliance with District requirements; reviews District contracts and specifications regarding insurance requirements.</p>		
<p>3. Performs general office work including typing documents, maintaining files, filing and preparing data on special projects, and other standard office procedures.</p>		
<p>4. Operates standard office equipment including personal computer, calculator, typewriter, copy machine and other office equipment including camera.</p>		
<p>5. As required, visits facilities to inspect properties and buildings to gather information on claims and to determine areas of risk and makes appropriate recommendations; meets with District personnel, contractors, claimants, brokers, repair firms and other organizations to obtain pertinent information or coordinate activities.</p>		
<p>6. Researches, compiles, summarizes and maintains manual and computerized data and information from various sources inside and outside the District to develop statistical and general information needed for correspondences, technical reports, annual reports, budget preparation and execution, loss or damage trend analysis and other documents.</p>		
<p>7. Investigates and researches information on claims and litigation, including interrogatories and production of records; takes photos and obtains police and fire department reports; represents District in Small Claims Court as necessary.</p>		
<p>8. Assists in administering self-insured property loss account, budget, and loss procedures for use by other departments,</p>		

9. Operates a microcomputer including performing tasks related to data entry and data correction.

10. Maintains a microcomputer information system and works with programmers to enhance the current claim information program to ensure a reliable and flexible claim management computer program.

11. Answers telephone calls from various sources and interprets procedures related to self-insured property account, claims procedures, statutes and applicable policies; schedules tours and inspections of District facilities by broker representatives, underwriters, insurance company representatives and others.

CLASSIFICATION REQUIREMENTS

Knowledges, Skills, and Abilities

Working Knowledge of: Methods and techniques used in assessing liability claims for property damage and accidents; principles, procedures and practices in loss prevention or reduction; fundamentals of risk management; applicable federal, state and local laws and regulations pertaining to negligence, insurance and motor vehicles; use of personal computer software for record keeping and data analysis.

General Knowledge of: Common methods of compiling, analyzing and evaluating data and information; techniques of communicating information in an easily understandable form; and techniques used in effective coordination of multiple activities.

Skill in: Assessing general and automobile liability arising out of construction, maintenance and vehicle operation activities; writing effective correspondence and reports; conducting investigations of accidents; analyzing facts and circumstances and deriving logical conclusions; working under deadlines and coordinating several concurrent assignments; and providing technical assistance to management staff District wide.

Ability to: Establish and maintain effective working relationships with District personnel, other organizations, the public and others; establish own work priority and work with minimum supervision; properly handle sensitive matters; communicate effectively, orally and in writing; keep abreast of changes in the risk management field.

Education and Experience: Any combination of education and experience which has led to the acquisition of the knowledges, skills and abilities as indicated above. Typical ways of acquiring these knowledges, skills and abilities are:

Completion of the twelfth grade or its equivalent and two years of technical experience in adjusting claims, investigation of liability, loss prevention or property and liability insurance.

License, Certificate, or Credential: Must possess a California driver's license and have a satisfactory driving record.

Other Requirements: Must possess physical characteristics to perform the critical and important duties of the job including sufficient physical agility to inspect District facilities and construction sites. Must be willing to work overtime as needed.

Memorandum

To: Personnel Committee
From: Bert Michalczyk
General Manager
Date: October 4, 2013
Subject: Reconsideration of Board's Prior Decision Related to Safety Officer Position

Background

On June 4, 2013 the Board approved operating budgets for FYE 2014 and FYE 2015 and an increase in authorized staff for FYE 2014 and beyond. That action included budget for the re-filling of the Safety Officer position that has been vacant since the retirement of the prior incumbent in August 2010. The budget was approved 5-0; as such, the matter is decided Board policy.

However, in accordance with the Guidelines for Conducting District Business, Director Duarte requested a Board reconsideration of the Safety Officer position. The matter was presented to the Board on October 1, 2013 for discussion and direction. The matter was re-opened on a 4-1 vote (Director Halket "No"). After discussion, a motion was passed on a 3-2 vote (Directors Halket and Howard "No") to refer the matter to the Personnel Committee for further review. As staff understands the motion, the matter that was referred to the Committee was to consider:

- Reducing the authorized staff for the two fiscal years by 1.0 FTE;
- Adjusting the operating budget as appropriate to provide safety services by contract; and
- Specifically precluding hiring of a Safety Officer.

The above three matters would be the subject of a resolution to be considered by the full Board.

If it is the Board's pleasure to do so, other actions will be required, such as revisions to the Strategic Work Plan that calls for hiring the position. Revisions to the Strategic Work Plan would require a motion of the Board.

Status of Recruitment

The Board authorized hiring of the position at any time after October 1, 2013. Accordingly, the recruitment process was started. The District is currently prepared to make an offer to the top-ranked candidate determined in accordance with the District's recruitment policy and rules. That process was administratively put on hold by the General Manager in consideration of Director Duarte's desire to have the Board reconsider the position.

Material Previously Provided to Board

Attached to this memorandum for the Committee's reference is the complete October 1, 2013 packet of material presented to the Board. The attachment includes the information provided by Director Duarte for the Board's and now the Committee's consideration.

Additional Information in Response to Board Discussion

The following material is provided to assist the Committee with its deliberations. This information is provided because the Board's discussion touched on these subjects or because questions related to the subject were specifically raised at the October 1, 2013 meeting.

Safety Officer Position History The Safety Officer, as a professional level position, dates to FYE 2002. The position was essentially staffed on a continuous and full time basis until FYE 2010 when the then-incumbent Safety Officer retired. Management, in consultation with the Board, tactically chose to not immediately refill the position at that time due to the severe economic climate and the resultant financial pressure the District was under. It should be noted that the position was not abolished; rather it simply remained unfilled. The plan was to take a calculated risk for a few years to allow time for the economy and the District finances to recover and then re-fill the position once the District had a more stable financial status.

Responsibilities of and Full-Time Nature of the Position The position is responsible for all aspects of the following District programs:

- Safety;
- Environmental compliance (CUPA, EPA, BAAQMD);
- Security; and
- Emergency Preparedness.

The full time nature of duties include expert, onsite project management of the District's safety program, working with staff in the field to observe and evaluate site- and industry-specific hazards, develop solutions with staff and management for effective and safe work conditions within the specifications of state and federal laws (including engineering and administrative controls), working to develop positive business relationships with partner agencies and inspection representatives, developing training that addresses site-specific hazards, which is a requirement under CalOSHA for a variety of mandatory safety programs, and working to develop, maintain and update, as appropriate, the District's Emergency Preparedness and Business Continuity Plans. The Safety Officer is also a key member of the Communications workgroup comprised of District staff from various divisions designed to ensure effective communication methods are maintained for both operational and emergency purposes (such as in a disaster, performance of confined space work, etc.). The Safety Officer also participates in Tri-Valley and greater regional communication workgroups to ensure adequate communication capabilities during emergencies. Similarly, the Safety Officer is a partner and key member to maintain security at all District facilities. For these reasons and more, the Safety Officer position requires a great deal of onsite, day-to-day contact with staff in all departments to ensure effective project management, communication, and the ability to respond immediately to safety and security issues.

The budget justification form for this position that describes the need for and the duties of the position is also attached for the Committee's information.

Recent CSRMA Inspections The Board's discussion touched on the sufficiency of the District's safety program over the past few years during the time the District took a calculated risk to operate without a Safety Officer. The District's workers compensation and liability insurance provider, CSRMA, conducts periodic risk control audits of its program members every three years. The District received the audit report findings for its most recent inspection in May 2012. In that report, a number of risk control practices were cited on a continuum of minor (1) to catastrophic (4). Of the 20 items cited in the report findings, 14 items were noted as "major" (3). Due to the complex nature of the work required to reduce the event probability factor, several of these items are either on hold or have not been addressed due to lack of staff time and expertise. By way of contrast, the report from three years prior noted only a few minor (1) items that were quickly handled¹.

Salary from private sector One of the concerns expressed was the salary associated with the position. The salary has been negotiated with the Professional Employee's Bargaining Unit and as such cannot be unilaterally changed without reopening that MOU. Nevertheless, the question of the market data for the position has been raised. As is understood, reliable and truly comparable private sector data can be difficult to obtain. However, given the ongoing recruitment for the Safety Officer position, the District now has some data from the applications regarding private sector compensation for safety

¹ The District was also recognized by CSRMA as the "Loss Control Program of the Year" in 2006.

professionals. The following table summarizes the self-reported data abstracted from the resumes received from the 35 most highly ranked candidates:

	All Data	California	Bay Area	Public	Private	Non Profit
Average	\$ 7,155	\$ 7,633	\$ 7,778	\$ 5,533	\$ 8,024	\$ 7,273
Median	\$ 7,200	\$ 7,200	\$ 7,433	\$ 5,800	\$ 7,667	\$ 6,797
60th Percentile	\$ 7,386	\$ 7,667	\$ 7,933	\$ 6,000	\$ 8,582	\$ 7,793
High	\$ 11,333	\$ 11,333	\$ 11,333	\$ 9,600	\$ 11,333	\$ 10,416
Low	\$ 3,000	\$ 5,000	\$ 5,000	\$ 3,000	\$ 3,500	\$ 5,083
Data points	\$ 35	\$ 26	\$ 24	\$ 11	\$ 20	\$ 4

The target hiring salary for the Safety Officer is \$8,865 per month (B-Step of the District salary table). It should be noted that the PEBU MOU calls for position salaries to be set at the 60th percentile level on a total compensation basis. The data does not exist to allow a total compensation (all forms of remuneration) comparison, but as can be seen, the target District Safety Officer salary (\$8,865) is within approximately 3% of the 60th percentile salary level for private sector positions (\$8,582).

Benefit of Lowering the Ex Mod During the Board discussion, reference was made to the chart included in the agenda package showing the trend in the District's worker compensation Experience Modification (or "Ex Mod"). The Ex Mod is a factor that is applied to the baseline worker compensation premium to reflect the loss history experience of the agency over the prior three years.

- An Ex Mod of 1.00 essentially means the agency has an average worker compensation loss history and there is no premium adjustment;
- An Ex Mod greater than one represents a poorer than average loss history (with a commensurate upward premium adjustment); and
- An Ex Mod less than one represents a favorable loss history (with a commensurate downward premium adjustment).

In FYE 2003 (the earliest fiscal year for which Ex Mod data is readily available and which was one year after the District first hired a professional level Safety Officer) the District's Ex Mod was 1.13, meaning the District was paying a 13% surcharge on its base worker compensation premium. Over the ensuing period into FYE 2010 during which time the District continuously employed a full time Safety Officer, the Ex Mod was gradually reduced to 0.58, meaning the District was receiving a 42% discount on its base worker compensation premium. Since then, the Ex Mod has steadily crept up to its current level of 0.75. The table below shows the positive impact that a favorable Ex Mod has on the District's worker compensation premiums. Of course the Ex Mod represents the totality of the District's safety program and it does not necessarily follow that the sole cause for the changes in Ex Mod was the presence or absence of a Safety Officer, but the Safety Officer position is certainly a positive contributing factor.

As can be seen, the positive Ex Mod trend between FYE 2003 and FYE 2010 represented a workers compensation premium saving of \$139,450 per year. Similarly, the negative Ex Mod trend since FYE 2010 (the last year of a full time Safety Officer) represents a workers compensation premium increase of \$43,100 per year.

Fiscal Year	Base WC Premium ²	Ex Mod.	Actual EWC Premium	Difference from FYE 2010 ³
FYE 2003	\$253,547	1.13	\$286,510	\$139,450
FYE 2010	\$253,547	0.58	\$147,060	
FYE 2014	\$253,547	0.75	\$190,160	\$43,100

² The actual FYE 2014 baseline premium is used as a "standard" baseline premium to isolate the effect of the Ex Mod in different fiscal years; the actual baseline premium is dependent upon number of employees, size of payroll and overall industry wide underwriting experience.

³ Last year the District had a full time Safety Officer

Analysis of Citadel Proposal Director Duarte solicited a proposal to provide consultant services related to the District's safety program; that proposal was included as Attachment 3 to the October 1, 2013 Board agenda package. There was some discussion of how the cost in that proposal compared to the approach of re-filling the District Safety Officer position. The following table summarizes the costing of that proposal and compares it to the use of the Safety Officer as approved by the Board in each of the two years in the currently approved budget cycle.

As can be seen, overall, the costing and hours devoted to the effort are fairly similar in FYE 2014. In FYE 2015 there are significantly fewer hours proposed to be provided by Citadel which leads directly to the lower cost projection. Overall hourly rates are at approximately the same level with the District Safety Officer position being about 15% -20% less on an hourly rate basis.

It should also be noted that the Citadel proposal seems to only include efforts related to safety while the District's Safety Officer position is additionally responsible for environmental compliance, security and emergency preparedness.

	Citadel	District Safety Officer ⁴	Difference
YEAR 1 (FYE 2014)			
Hours Provided	1,020	1,310	290
Labor Cost	\$103,570	\$115,690	\$12,120
Hourly Rate	\$102 / hour	\$88 / hour	(\$14 / hour)
YEAR 2 (FYE 2015)			
Hours Provided	520	1,750	1,250
Labor Cost	\$62,080	\$161,950	\$99,870
Hourly Rate	\$119 / hour	\$93 / hour	(\$26 / hour)

General Manager Recommendation

First of all, I support the Board critically examining any aspect of the District's business in an effort to save money, increase efficiency or in any other way improve the service that we provide to our customers. I also respect Director Duarte's prerogative to request a re-consideration of the Safety Officer position and share his general concern that the District must continually and critically examine all expenses, including labor costs and ensure that we are paying appropriate compensation and receiving value.

However, when I consider the overall pros and cons raised during this discussion my original recommendation to re-fill the Safety Officer position in FYE 2014 remains unchanged for the following reasons:

- The overall cost of an in-house Safety Officer is in line with a consultant's proposal when one considers the hourly rates, the number of hours provided and the need for time to manage environmental compliance, security and emergency preparedness;
- The duties of the Safety Officer are not limited to "safety" but extend also to environmental compliance, security and emergency preparedness;
- The District has a nine-year history demonstrating that the Safety Officer is a full time position;
- When benchmarked against other organizations the District's safety function is currently understaffed;
- Our operation and its safety security and emergency preparedness needs are more akin to a chemical manufacturing facility than a construction environment and, as such, a continual daily presence is needed, as is the expertise to address unique "one time" issues that arise;

⁴ Assumes, as per budget, that the position would be staffed for 9 months in FYE 2014 (allowing for three month recruitment period) and full time for FYE 2015. "Full time" assumed to be 1,750 hours per full year on the job (2,080 hours less vacation and holidays) but does not include any allowance for uncompensated overtime (it is an exempt position).

- Not filling the Safety Officer position when it became vacant in 2010 was a tactical decision to buy time to allow the District to address the severe financial pressures of the time;
- There is, I believe, a correlation between the presence of a Safety Officer and the District's Ex Mod rating that translates directly to real savings in the District's insurance premiums;
- Recent safety inspections have shown a negative trend;
- Our employees are our most valuable asset and we owe a duty to them and their families to keep them as safe as we can while they are on the job;
- We owe a similar duty to our ratepayers to minimize losses from accidents as well as to be prepared for them and to be ready to serve during, and to be able to quickly recover from, emergencies that the District might have to face;
- This position was extensively debated by senior management and staff during the budget process and was ranked by consensus as the number one staffing deficiency at the District; and
- In an industrial work place, the safety function is most effective when it is "embedded" into the organization so that the employees view the safety professional as one of their own sharing their own interests and collaborating with them to address issues in a workable and safe manner.

In consideration of the points above and the accountability the General Manager has to the Board, the community and our employees for safety, environmental compliance, security and emergency preparedness, I do not believe I can successfully meet those expectations over a continuing and long term period without a professional level safety position.

Process Going Forward – Personnel Committee

The Guidelines for Conducting District Business provide that the Committee can make one of five recommendations to the Board as follows:

- An **Approve** recommendation 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 **Disapprove** recommendation 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.
- **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.

Given the circumstances associated with this matter the Committee should strive to make either an "Approve" or "Disapprove" recommendation. If the Committee cannot reach a consensus a "Neutral" recommendation or "No" recommendation would be appropriate.

To assist the Committee with its deliberations, staff has prepared two "straw man" resolutions – one for "approve" one for "disapprove"; both are attached. Of course the Committee can direct modifications to either or both of those draft resolutions. If the discussion leads to a "neutral" recommendation or "No" recommendation it would be best to provide forms of both resolutions to the full Board so that the matter can affirmatively be brought to closure on October 15, 2013.

Process Going Forward – Board of Directors

The following is what staff sees as the Board's decision making process going forward:

- The Committee's deliberations and conclusions will be documented in the Committee's notes and made available to the Board for its information;

- The matter will be re-agendized for Board consideration on October 15, 2013 with the Committee and General Manager recommendations identified;
- After deliberation, the Board should ideally render its decision by adopting a resolution; and
- Notwithstanding the above, no action on the part of the Board on October 15, 2013 preserves the previous Board decision to increase staffing levels to accommodate this position and the budget resources to do so.

Attachments:

1. Justification form for Safety Officer
2. Resolution rescinding approval of the Safety Officer position
3. Resolution re-affirming Safety Officer position
4. Complete October 1, 2013 Board agenda packet material related to the Safety Officer

cc: Michelle Gallardo

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STAFF JUSTIFICATION

Action:	Add Full Time, Regular Position		
Position Title:	Safety Officer	Division Name:	HR/Safety
Supervisor:	Michelle Gallardo	Full Time Equivalent:	1.0
Start Date:	10/1/2013		
Justification:	<p>The District has over ten safety programs that are in need of regulatory updates to be compliant with both Federal and State laws, as well as implementation of safety standards and policies and other subject-matter expertise in the field of health, safety, security and emergency preparedness. The duties of the Safety Technician encompass mostly administrative and only some field functions of the safety unit, but does not entirely satisfy the scope of work necessary to maintain an efficient and fully-compliant safety program. The position of Safety Officer has not been filled since the then incumbent elected to participate in the District's Voluntary Resignation Program, a program designed to encourage employees to separate from employment to save limited District resources. During the past three (3) years staff has contracted with CSRMA's Risk Advisor to perform some program-related work; however this approach has been much less successful than anticipated and particularly for Field and Maintenance supervisory staff. A subject-matter expert onsite with project management experience in safety policy implementation and evaluation is badly needed to integrate industry work practices within the specifications of the law. Furthermore, staff engineers are voicing concern about having contract management work brought in-house creating an increased liability for front-end review of contracts for safety compliance, as well as pre and post inspections for work completed.</p>		
Alternatives:	Continue to utilize consultants. However, the reality is that consultants do not have day-to-day interaction with staff or site-specific knowledge and are often ineffective when real time decisions are needed in the field. Also, safety consultants are not always involved in all contracts for work at the District, and staff knowledge of specific safety regulations is, at times, limited.		
Funding & Cost:	900.20.26.000.1.100; estimated \$177,000 salary and benefits ⁵		
Supplementary Information:	District safety programs are out of date, some with a high level of risk (in terms of both cost and to prevent accidents from lack of knowledge), and to bring the District into compliance additional staff time is needed to develop, implement, and evaluate work practices and multi-employer safety requirements to conform with CalOSHA standards.		

⁵ Note – this is the “full year” salary at E-Step of the job classification series; budget was approved for nine month in FYE 2014 and 12 months in FYE 2015. Target is to fill position at B-Step of the salary scale (or at about \$154,000 for a 12 month period – benefits included)



**Dublin San Ramon Services District
Summary & Recommendation**

Reference Director Duarte	Type of Action Reconsider Prior Board Decision	Board Meeting of October 1, 2013			
Subject Reconsideration of the Board's Prior Decision Related to the Safety Officer Position					
<input checked="" type="checkbox"/> Motion	<input type="checkbox"/> Minute Order	<input type="checkbox"/> Resolution			
REPORT:	<input type="checkbox"/> Verbal	<input type="checkbox"/> Presentation	<input type="checkbox"/> Staff	Director Duarte	<input checked="" type="checkbox"/> Other

Recommendation:

Director Duarte requests that the Board reconsider its prior decision to authorize an increase in District staff related to the Safety Officer position. The Board should first consider, by Motion, the request to re-open the discussion. If the discussion is re-opened, the Board should receive a presentation, discuss the position, as well as the budget to support that position and, by Motion, conceptually approve:

- A reduction of authorized District staff by 1.0 Full Time Equivalent Safety Officer;
- Make appropriate revisions to the FYE 2014 and FYE 2015 operating budgets related to funding of that position; and
- Direct staff to proceed with the procurement of safety consulting services.

If the Board takes no action staff will continue to implement the direction previously given in the budget approval resolution.

Summary:

On June 4, 2013 the Board approved operating budgets for FYE 2014 and FYE 2015 and an increase in authorized staff for FYE 2014 and beyond. That action included budget for and the re-filling of the Safety Officer position that has been vacant since the retirement of the prior incumbent in August 2010. The budget was approved 5-0; as such, the matter is decided Board policy (Attachment 1). Nevertheless, in accordance with the Guidelines for Conducting District Business, any Board Member may request an item be agendized for consideration by the Board (Attachment 2). In conversations with the General Manager, Director Duarte reiterated the position he expressed on June 4th that the Board should reconsider the Safety Officer position and continued to express his view that the duties of the Safety Officer can be provided in a manner that is more cost effective than by the re-filling of the position, while maintaining adequate safety oversight of the District's operation. In accordance with the Board Guidelines, Director Duarte intended to request Board reconsideration of the Safety Officer position at the Board meeting of September 17, 2013. However, the Board meeting of September 17th was cancelled. Staff has completed the recruitment process and is waiting to make a formal offer of employment. As the Board was aware of Director Duarte's concern, in the spirit of the Board Guidelines, staff decided to place the item on this agenda.

To facilitate the Board's deliberations the following material is provided:

- Material provided by Director Duarte related to this matter (Attachment 3);
- Material that supported the budget and that supports staff's recommendation to re-fill the Safety Officer position (Attachment 4);
- A copy of the job description for the Safety Officer (Attachment 5); and
- Supplemental information developed or solicited to support the Board's discussion at this meeting - Statement from CSRMA Risk Control Advisor, Safety staffing comparisons to other agencies and "Ex-Mod" historical data (Attachment 6).

Committee Review			Legal Review	Staff Review		
COMMITTEE ---	DATE -----	RECOMMENDATION -----	Not Required	ORIGINATOR BLM	DEPARTMENT Executive	REVIEWED BY
ATTACHMENTS <input type="checkbox"/> None						
<input 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 TBD	<input checked="" type="checkbox"/> Funding Source A. B.			Attachments to S&R 1. Budget Approval Resolution 2. Excerpt from Board Guidelines 3. Material Provided by Director Duarte 4. Material that Supported the Budget and that Supports the Staff Recommendation 5. Safety Officer Job Description 6. Supplemental Information		
H:\Board\10-01-13\Reconsideration of Safety Officer\Reconsideration of Safety Officer S&R.docx						

RESOLUTION NO. 22-13

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT
ADOPTING THE ANNUAL OPERATING BUDGETS FOR FISCAL YEARS ENDING 2014 AND 2015

WHEREAS, the District is required to adopt an operating budget by September 1; and

WHEREAS, the budgets as presented provide a financial plan that supports the Board's policy objectives for the next two fiscal years as expressed in the District Strategic Plan; and

WHEREAS, said budgets incorporate expenditures for operating the District to efficiently provide high quality wastewater and water services to the communities it serves in an environmentally and fiscally responsible manner; and

WHEREAS, each Board Committee reviewed strategic expenditures as part of its review of the District Strategic Plan; and

WHEREAS, the Finance Committee, which has responsibility for budget oversight to ensure the organization's financial health, has examined the proposed budgets for Fiscal Years Ending 2014 and 2015; and

WHEREAS, on May 21, 2013 the Board of Directors of Dublin San Ramon Services District examined the proposed budgets for Fiscal Years Ending 2014 and 2015 and provided final guidance in the adoption thereof.

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

1. The Expense Budgets for Fiscal Years Ending 2014 and 2015 are hereby adopted with operating expenses exclusive of Administrative Cost Allocations as shown in the following table:

Fund Name	FYE 2014 Operating Expenses	FYE 2015 Operating Expenses
Local Sewer Enterprise	\$1,610,077	\$1,662,440
Local Sewer Replacement	381,640	488,300
Local Sewer Expansion	253,433	265,347
Regional Sewer Enterprise	13,423,706	13,528,792
Regional Sewer Replacement	412,300	143,350
Regional Sewer Expansion	7,047,518	7,035,891
Water Enterprise	17,237,168	17,765,427
Water RSF	50,000	50,000
Water Replacement	307,698	289,688
Water Expansion	3,741,737	3,860,821
Administrative Cost Center	6,491,795	7,002,215
OPEB	708,422	764,050
Dougherty Valley Standby District	1,429,211	1,429,211
Total Operating Expenses	\$53,094,704	\$54,285,531

2. Revenue estimates are approved as follows:

Fund Name	FYE 2014 Revenues	FYE 2015 Revenues
Local Sewer Enterprise	\$2,105,748	\$2,149,299
Local Sewer Rate Stabilization	3,815	2,901
Local Sewer Replacement	498,695	660,203
Local Sewer Expansion	845,977	1,006,124
Regional Sewer Enterprise	19,228,838	19,917,394
Regional Sewer Rate Stabilization	30,642	31,783
Regional Sewer Replacement	2,369,921	2,255,759
Regional Sewer Expansion	15,445,210	14,421,106
Water Enterprise	23,633,363	24,336,793
Water Rate Stabilization	514,047	524,658
Water Replacement	2,546,110	2,385,000
Water Expansion	4,045,957	7,834,063
Administrative Cost Center	1,167,489	1,179,647
OPEB	719,629	775,313
Dougherty Valley Standby District	1,429,211	1,429,211
Total Revenue Estimates	\$74,584,652	\$78,909,255

3. Replacement transfers shall be made in order to achieve reserve targets calculated in accordance with the District's adopted Financial Reserves Policy (Resolution No. 16-11) and are hereby approved as follows:

Fund	FYE 2014 Replacement Transfers		FYE 2015 Replacement Transfers	
	From	To	From	To
Local Sewer Enterprise	287,000		287,000	
Local Sewer Replacement		287,000		287,000
Regional Sewer Enterprise	2,516,580		2,574,461	
Regional Sewer Replacement		2,516,580		2,574,461
Water Enterprise	2,458,000		2,501,000	
Water Replacement		2,458,000		2,501,000
Total	\$5,261,580	\$5,261,580	\$5,362,461	\$5,362,461

4. A transfer shall be made in order to provide funding for the ratepayer share of the 2011 Water Bonds debt service in accordance with policy direction from the adoption of Resolution No. 24-11 and is hereby approved as follows:

Fund	FYE 2014 Debt Service Transfer		FYE 2015 Debt Service Transfer	
	From	To	From	To
Water Enterprise	675,000		675,000	
Water Expansion		675,000		675,000
Total	\$675,000	\$675,000	\$675,000	\$675,000

5. Allocation of the Administrative Cost Center's net costs shall be as follows:

Fund Name	FYE 2014 Allocation %	FYE 2015 Allocation %
Local Sewer Enterprise	9.42%	9.49%
Local Sewer Expansion	1.81%	1.80%
Regional Sewer Enterprise	51.35%	51.16%
Regional Sewer Expansion	0.46%	0.53%
Water Enterprise	33.57%	33.54%
Water Expansion	3.39%	3.48%
Total	100.00%	100.00%

6. The threshold to capitalize assets purchased or constructed is established at \$10,000 or greater.

7. The maximum number of full time equivalent (FTE) positions as shown in the following table are hereby approved. At no time shall the number of regular and limited term FTE positions exceed that shown below without prior Board approval. Furthermore, the total of the salaries for regular positions as shown in the budget shall not be increased through conversion of limited term positions to permanent positions without prior Board approval.

Position Type	FYE 2014	FYE 2015
Regular FTE	112.00	113.00
Limited Term FTE	0.00	0.00
Total FTE Positions	112.00	113.00

8. The Board authorizes and directs the General Manager, in conformance with the District Code, Board Policy, Memoranda of Understanding and District Rules and Procedures, to take prudent and appropriate steps to control personnel costs as needed to achieve the adopted expense budgets for Fiscal Years Ending 2014 and 2015.

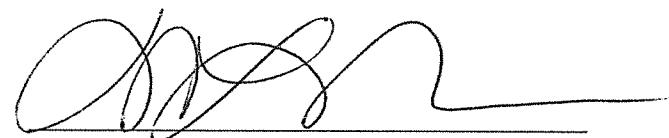
9. The Board authorizes and directs the General Manager to transfer \$1,817,335.51 from the Water Expansion fund to the CERBRT Trust before June 30, 2013. This transfer from the Water Expansion fund is deemed a partial repayment of the Temporary Infrastructure Charge payable from capacity fees for the benefit of Water Ratepayers. This payment to the CERBRT Trust is for the purpose of relieving the Water Enterprise fund's liability for prior costs associated with retiree benefits. With this action, Section 3 of Resolution Number 54-06 is satisfied.

ADOPTED by the Board 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 4th day of June 2013, and passed by the following vote:

AYES: 5 – Directors Richard M. Halket, Georange M. Vonheeder-Leopold, Edward R. Duarte, D.L. (Pat) Howard, Dawn L. Benson

NOES: 0

ABSENT: 0



Dawn L. Benson, President

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

ATTACHMENT 2
EXCERPT FROM BOARD GUIDELINES

Items Originating from or of Interest to a Director

Chapter 8; Page 27

Any Director may request that an item be placed on a future Board agenda during the Board Member Items portion of a Board meeting. If time allows, a committee may review the matter prior to discussion by the Board. The Director who originated the item contacts the General Manager to more fully explain the issue so that staff can prepare a Summary and Recommendation (which allows the Board to discuss the matter). The Director who placed the item on the agenda is cited as the reference and is expected to lead the discussion.

September 26, 2013

TO: Directors Benson, Vonheeder-Leopold, Halket, & Howard

CC: Bert Michalczyk, Nancy Hatfield, Nicole Genzale

FR: Director Ed Duarte

RE: Safety Officer Position

As previously noted, I am asking that the Board review and discuss the position of Safety Officer as provided in the 2013-2014 budget that we recently approved. My reasons for asking this discussion are as follows:

1. Regardless of the fact that the current MOU allows it, the entire compensation package is entirely way out of line compared to the private sector. The fact that other agencies pay comparable salaries should not be the sole reason for spending that amount of money.
2. I have contacted three local contractors who all have over 100 employees doing similar work, and NONE of them come close to paying those kinds of salaries and benefits.
3. More importantly, the fact that the district has been able to function without this position for over two years is proof positive that we can do without it.
4. There is an alternative option of hiring a consulting safety firm who could provide all the safety services and training we need at less than half the cost.

I do want to be perfectly clear about one thing, I am not advocating that we not spend money on a Safety Program. As a contractor, I am very aware how important this issue can be to an organization like ours. Rather, I think it is imperative that we as directors monitor our staff's operations and contribute expertise and commentary when appropriate, if we see something that could possibly be improved.

As discussed in previous meetings, we know that DSRSD is moving towards an emphasis in Operations and Maintenance as opposed to infrastructure expansion. That is why it is important that we keep staffing levels to the appropriate levels commensurate with the need to operate safely and efficiently. Given the size of our operation, I do not believe an FTE is justified.

I will make a very short presentation to illustrate my point and then the board can discuss.

Finally, if my points are considered, there will not be any need to amend the budget, as a lesser expenditure will simply result in an under run expense on that line item.

I appreciate the opportunity for my commentary.



DUBLIN SAN RAMON SERVICES DISTRICT SAFETY PROGRAM



Introduction



- ▲ Employee-owned company founded in 1993, Corporate Offices in Los Angeles with offices throughout the state, with a local office located in San Jose, California. We've worked throughout the United States and Internationally.
- ▲ Citadel provides a wide range of Environmental, Health, Safety & Sustainability Consulting Services



Our Team Members

The Citadel Management team that will assist DSRSD includes:

▲ Mark Drollingger, M.Eng, CSP, CHMM

▲ Director of Environmental Geology and Engineering - Project Manager and Certified Safety Professional

▲ Natasha Stratton, MS, CSST

▲ Safety Manager and Senior Industrial Hygienist – Program Development and Training Coordinator

▲ Nalinna Rasu, CHMM, CAC

▲ Compliance Manager- Program Development and Quality Control

▲ In addition, professional registration and certifications for Citadel's staff include: Ph.D., CIH, PE, PG, CSP, CHMM, CAC, REA and many others.



Types of Projects



Safety Experience

- Citadel's safety experience includes comprehensive identification of safety hazards and occupational safety compliance for the US Dept. of Veteran Affairs Central Plant facilities in Los Angeles and San Diego.

Job Hazard Analysis & Safety Training

- Job Hazard Analysis and Safety training for Aerospace Contractors (PPG and Woodward HRT).

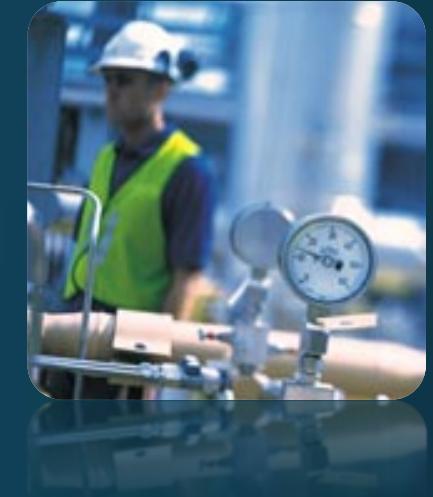
Health & Safety Plan Development

- Developing written health and safety plans for construction and industrial projects, tail-gate safety meetings, IIPP development and implementation with significant safety experience in refineries, education and construction.

Program Development

For the DSRSD, Citadel will develop a comprehensive safety program that will include:

- ✓ Reviewing on-site safety manuals, SOPs, and other relevant materials (estimated effort 60 hours)
- ✓ Identifying safety related gaps in written and operational procedures for the operator, maintenance and office employees (estimated effort 40 hours)
- ✓ Identifying training needs, developing the programs and implementing both in-person and on-line training to meet those needs (estimated effort 60 hours)
- ✓ Providing a qualified safety person to be present on-site for 2 days a week to monitor the program and provide safety direction (estimated effort 800 hours)
- ✓ Providing safety management for the DSRSD safety committee (estimated effort 60 hours)



Cost Estimate



1st Year

1. Review Manuals	60 hours	\$ 7,230.00
2. Define Gaps	40 hours	\$ 4,280.00
3. Provide Training	60 hours	\$ 7,520.00
4. Safety Person	800 hours	\$ 76,100.00
5. Safety Management	60 hours	\$ 8,440.00

Total: 1020 hours

Total: \$103,570.00

Reimbursables/Expenses

Total: \$ 8,900.00

Total: \$112,470.00

2nd Year

- After year 1, eliminating tasks 1 & 2, saves approximately \$11,510.00/year
- Reducing task 4 to 1 day per week saves approximately \$38,050.00
- Annual cost estimate beginning in year 2 is approximately \$62,080.00/year

ATTACHMENT 4

CHRONOLOGY OF AND MATERIAL THAT SUPPORTED THE BUDGET AND THAT SUPPORTS THE STAFF RECOMMENDATION

Item	Date	Source	Reference	Description
1	3-12-13	Board Meeting Minutes	4A Two Pages	Excerpt related to revised Mission and Vision Statements <i>(Conceptual endorsement of the specific inclusion of safety in each)</i>
2	3-19-13	Board Meeting Minutes	4B Two Pages	Excerpt related to revised Core Values and Strategic Goals <i>(Conceptual endorsement of the specific inclusion of safety in each)</i>
3	4-8-13	Personnel Committee Minutes	4C One Page	Excerpt related to discussion of Strategic Goals <i>(Endorsement of "vigilant safety program and management attention on the importance of safety in the workplace)</i>
4	5-7-13	Board Meeting Minutes	4D Two Pages	Excerpt related to discussion of Strategic Goals <i>(Endorsement of draft Strategic goals as developed by Committees)</i>
5	5-13-13	Personnel Committee Minutes	4E One Page	Excerpt related to discussion of Strategic Work Plan <i>(Endorsement of Item 4.2.1 "Fill Safety Officer Position")</i>
6	5-21-13	Board Meeting Minutes	4F Three Pages	Excerpt related to "workshop" discussion of Operating Budget <i>(Discussion of Safety Officer position and direction to staff)</i>
7	6-4-13	Board Meeting Minutes	4G Two Pages	Excerpt related to Board approval of: <ul style="list-style-type: none">• Operating Budget• Strategic Plan• Strategic Work Plan
8	6-4-13	Excerpt from Staff Report Related to Operating Budget	4H Five Pages	<ul style="list-style-type: none">• Budget Development Process (<i>summary of concerns related to Safety Officer</i>)• Staffing Summary• Staffing Detail (<i>justification provided for Safety Officer</i>)• Position Listing by Department• Presentation slide related to proposed staffing
9	6-4-13	Excerpts from Approved Strategic Plan	4I Five Pages	<ul style="list-style-type: none">• Mission Statement (<i>Addition of "safety" to the Mission</i>)• Vision Statement (<i>Addition of Safety to the Vision</i>)• Core Values (<i>Addition of Safety as a Core Value</i>)• Strategic Goal & Descriptions (<i>Continuation of a Safe Working Environment as a Goal</i>)• Strategic Work Plan (<i>Hiring of the Safety Officer</i>)

3. Professional Employees Bargaining Unit

4. Employees Bargaining Unit

Additional Attendee: Michelle Gallardo, Human Resources Supervisor
Carl P.A. Nelson, General Counsel
Jack Hughes, Liebert Cassidy Whitmore

B. Conference with Real Property Negotiator – Pursuant to Government Code Section 54956.8

Property: Water Supply

Agency Negotiator: Bert Michalczyk, General Manager
David Requa, Assistant General Manager/District Engineer
Lori Rose, Financial Services Manager
Dan Gallagher, Operations Manager
Carl P.A. Nelson, General Counsel

Negotiating Parties: City of Pleasanton

Under Negotiation: Terms and Conditions

C. Conference Involving a Joint Powers Agency Pursuant to Government Code

Section 54956.96 (DSRSD-EBMUD Recycled Water Authority (DERWA))

Discussion Will Concern: Conference with Real Property Negotiator – Pursuant to Government Code Section 54956.8

Property: Water Supply Contract

Negotiating Parties: City of Pleasanton & DERWA

Under Negotiation: Price & Terms

Local Agency Representatives of Joint Powers Agency Board:

Director Halket

Director Vonheeder-Leopold

Other Attendees: Bert Michalczyk, General Manager

David Requa, Assistant General Manager/District Engineer

Lori Rose, Financial Services Manager

Dan Gallagher, Operations Manager

Carl P.A. Nelson, General Counsel

7. REPORT FROM CLOSED SESSION

At 5:36 p.m. the Board came out of Closed Session. President Benson announced that there was no reportable action.

5. BOARD BUSINESS

A. Discuss the Fourth Edition of the District's Five Year Strategic Plan – FYE 2014 – 2018

General Manager Michalczyk introduced the discussion on the District's Strategic Plan for FYEs 2014 – 2018 and explained that tonight the Board would focus on the mission, vision, core values, and logo.

Mr. Michalczky showed the current Mission Statement which is:

“Our mission is to efficiently provide high quality wastewater and water services to the communities we serve in an environmentally and fiscally responsible manner.”

Directors discussed their thoughts and opinions about the Mission Statement and tentatively arrived at the following revised Mission Statement:

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

Directors next discussed the proposed revised Vision Statement, which managers reviewed and made suggestions for Board review. The Board decided to edit, delete, and move some statements to the goals and/or work plan section of the Strategic Plan. The Board tentatively agreed to the following as a vision statement for the next five years:

In the next five years, the District will:

1. Maintain long-term financial stability with appropriate rate and fee structures that support at least a credit rating of AA;
2. Develop additional and more reliable water sources for the communities we serve;
3. Diversify use of biosolids in an environmentally sound manner;
4. Develop and promote a culture of safe operations District wide;
5. Deliver utility services more efficiently and effectively by continuing to work with regional partner agencies on Tri-Valley integration;
6. Maintain a highly qualified, motivated and innovative workforce to ensure a high performing organization;
7. Enhance our public information, education and outreach methods to ensure public awareness of issues important to the communities we serve; and
8. Continue our partnership with Camp Parks as development occurs.

During the review of the Mission and Vision Statements, Directors focused on some key areas that included the importance of working cohesively with Camp Parks on the various phases of major development at Dublin Crossings; the importance of staff safety, public safety and emergency preparedness; the importance of seeking alternative water supplies other than the Delta from which the District receives the majority of its water via wholesaler Zone 7; and the importance of seeking opportunities for diversification of the District's biosolids.

Due to time constraints, Directors agreed to discuss the Core Values and Goals in the Strategic Plan at their next regular meeting on Tuesday, March 19, 2013. At

B. Committee Reports

Wastewater

March 13, 2013

Special DERWA

March 13, 2013

President Benson 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.

C. Agenda Management (consider order of items)

President Benson mentioned that V.P. Vonheeder-Leopold needed to leave the meeting to attend the Dublin City Council meeting at 7:00 p.m. Directors agreed to move Board Business Item 9.C ahead of Items 9.A and 9.B.

7. APPROVAL OF MINUTES – Regular Meeting of *March 5, 2013* and Special Meeting – Workshop of *March 12, 2013*

V.P. Vonheeder-Leopold MOVED for the approval of the March 5, 2013 minutes. Director Duarte SECONDED the MOTION, which CARRIED with FIVE AYES.

Director Howard MOVED for the approval of the March 12, 2013 minutes. V.P. Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES.

8. CONSENT CALENDAR

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

A. Second Amended and Restated Memorandum of Agreement Western Recycled Water Coalition Federal Legislative – Approved – Resolution No. 9-13

B. Upcoming Board Calendar – Approved

9. BOARD BUSINESS

C. Continued Discussion of the Fourth Edition of the District's Five Year Strategic Plan – FYE 2014 - 2018

General Manager Michalczky reviewed that at the Special Board meeting on March 12, 2013 Directors discussed and agreed that the draft Mission and Vision Statements reflected the discussion of March 12, 2013. He noted that once the complete review and revisions to the Strategic Plan are made, the Board will approve the document in full.

Mr. Michalczky explained the next area for discussion was the Core Values.

Directors then reviewed and discussed the proposed Core Values and overall agreed with the suggested edits and deletions made by District managers for Board consideration. The Board tentatively agreed to the following Core Values for the next five years:

<i>Core Value</i>	<i>Core Value Question</i>
<i>Protect Public Health and the Environment</i>	<i>Does the decision protect public health and the environment?</i>
<i>Sustain Financial Stability</i>	<i>Does the decision sustain or contribute to the financial stability of the District?</i>
<i>Be Open and Transparent</i>	<i>Is the decision being made in an appropriately open and transparent manner and has it considered public input?</i>
<i>Fairness, Respect, Honesty and Ethics</i>	<i>Does the decision treat all concerned fairly, respectfully, honestly and ethically?</i>
<i>Operate Safely</i>	<i>Does the decision promote a safe environment for the community and the workforce?</i>
<i>Provide High Quality Customer Service</i>	<i>Does the decision reflect high quality customer service?</i>
<i>Provide Sustainable, Efficient, Reliable and Secure Services</i>	<i>Does the decision maintain or enhance the District's sustainability, efficiency, reliability and security?</i>
<i>Perform at a High Standard</i>	<i>Does the decision or action lead to a high-performing, highly qualified, motivated, safe and innovative workforce and an adaptable organization?</i>

Mr. Michalczky then referred the discussion to the agenda packet materials, "Attachment 6 - Preliminary Issues Identified Related to Goals for the Next Five Years" and explained that he would like to hear the Board engage in a conceptual level discussion on the listed issues. These items originated from discussions and emails with Directors and staff over the past several months. Mr. Michalczky stated that he had placed each item into one of the seven Strategic Plan elements. He invited Board discussion.

Directors reviewed and discussed the items in Attachment 6 and gave direction to staff for possible goals for the revised Strategic Plan.

Mr. Michalczky stated that staff will develop the goals further based on this discussion and, as needed, the proposed goals will be discussed with the Committees and the Board over the next several weeks as they are refined.

V.P. Vonheeder-Leopold departed from the meeting at approximately 6:50 p.m. to attend the Dublin City Council meeting.

Excerpt from Minutes of

Personnel Committee
Meeting of April 8, 2013
Page 2

4C

D-4 Strategic Goal Development and Review

General Manager Michalczyk reported that staff, in response to input received from the Board on March 12 and March 19, 2013, has drafted goals for the Fourth Edition to the District's Strategic Plan. Staff has also identified possible tasks for the Strategic Plan Work Plan that will be used to accomplish the Goals the Board ultimately sets.

Mr. Michalczyk stated that the Board's various Committees will be reviewing the draft Goals during April with a target date of May 7, 2013 for presentation of all the goals to the full Board. Accordingly, the purpose of the discussion at this Committee meeting is a detailed review of the goals and the goal statements. In addition, any input the Board may have to the list of possible Strategic Plan Work Plan tasks would be appropriate so staff can incorporate the Committee's ideas into the Work Plan as it is being developed.

Mr. Michalczyk reported that the Charter of the Personnel Committee aligns with the following Strategic Element which the Committee discussed:

- 4.0 Personnel Organization

With regard to Element 4.0 and after discussion, the Committee endorsed the Goals and goal statements as drafted. The Committee asked, however, that a few of the Goals be re-ordered to signal the strategic importance of the goals. The Committee asked that the goals be in the following order:

- 4.1 Ensure Effective Workforce Succession;
- 4.2 Provide a Safe, Non-Hostile and Collegial Work Place;
- 4.3 Recruit and Retain a High Performing Workforce;
- 4.4 Optimize District Organizational Structure and Staffing to Improve Productivity while Achieving the Mission; and
- 4.5 through 4.8 as proposed in the draft.

The Committee discussed several of the possible Work Plan tasks expressing its support for and the importance of those tasks.

- Maintaining a vigilant safety program and management attention on the importance of safety in the workplace;
- Capturing the institutional knowledge of existing employees before they depart;
- Developing a transition plan for a new senior management team;
- Assessing bench strength in critical areas and taking steps to ensure the District can achieve its Mission; and
- Planning for the hiring of a new General Manager within the timeframe of this Strategic Plan.

1 of 1

Customer Services Supervisor Goldman discussed some of the specifics about the water and sewer product options and getting the information out to District customers.

General Manager Michalczyk noted that by approving the proposed agreement the Board will agree to allow HomeServe to offer both the water and sewer lateral insurance products to District customers.

V.P. Vonheeder-Leopold MOVED to adopt Resolution No. 17-13, approving an Agreement for Marketing Services with HomeServe USA Corp., for Emergency Repair of Domestic Infrastructure and Related Systems. Director Duarte SECONDED the MOTION, which CARRIED with THREE AYES, ONE NAY (Halket), ONE ABSENT (Howard).

B. Receive a Presentation for a New District Logo Design

Organizational Services Manager Gordon stated that on March 12, 2013 at their workshop, the Board agreed to have staff bring back some logo designs for their consideration. Ms. Gordon stated that Graphics Designer Joyce Chang would show four logo designs for the Board to consider and to provide staff with feedback. Staff is also interested in developing a tagline to accompany an updated logo and presented the Board with numerous options.

Graphics Designer Joyce Chang presented four logo designs to the Board. She noted that two colors for a logo would be more cost effective than three colors. The Board preferred a circular logo as opposed to a square or rectangle design. They did comment that the options were all very modern looking. The Board selected one possible logo design and noted their preferences for a few possible taglines.

Ms. Gordon stated that given the Board's direction, staff will further focus and develop the preferred logo design with a water drop and the tagline and return to a future meeting for presentation and consideration.

C. Review the Proposed Goals for the Fourth Edition of the District's Five-Year Strategic Plan (FY 2014 to FY 2018)

General Manager Michalczyk explained that tonight he was presenting the Strategic Plan goals that have been formulated with each of the Committees. He noted that the purpose tonight is for the full Board to review all the goals and determine if they are acceptable. Staff is working on the Work Plan Items, the "to do" list, which the Committees will be discussing starting next week.

Mr. Michalczyk then reviewed with the Board "Attachment 2 to the Summary and Recommendation – Strategic Goals and Description," specifically Tables 1 through 7.

The Board accepted the recommended goals of the Committees as contained in the agenda packet materials and directed staff to develop Work Plan Items to support the goals. The Strategic Plan will be presented to the Board for adoption on June 4, 2013.

10. BOARDMEMBER ITEMS

Director Duarte reported that he attended the April 24 – 26, 2013 CASA conference held in Newport Beach. He discussed the variety of excellent sessions he attended ranging in topics from personnel, earthquake preparedness, and biosolids. Director Duarte stated that this conference was a very good use of his time.

Director Duarte also commented that on Monday, April 29, 2013 he and V.P. Vonheeder-Leopold, the Wastewater Committee Members, attended the Neighborhood Meeting at the WWTP.

V.P. Vonheeder-Leopold reported that she also attended the April 24 – 26, 2013 CASA conference held in Newport Beach. She discussed the several meetings and activities that she attended and about the recent change in the business structure of CASA, noting Ms. Bobbi Larson's new role. She complimented DSRSD Operations Manager Dan Gallagher and Administrative Analyst Louanne Ivy for their presentation on the chemical consortium.

V.P. Vonheeder-Leopold also commented that she saw the recent notice from CCCSD announcing plans to increase customers' sewer rates July 1, 2013 from \$371 to \$405 per year per single family unit and on July 1, 2014 increase the rates up to \$439 per year. She commented that the District's rates are set at approximately \$360 per year.

President Benson commented that she attended the Alameda County Board of Supervisors meeting today where the District was honored by the Supervisors with a proclamation "Proclaiming May as Water Awareness Month."

11. CLOSED SESSION

At 7:35 p.m. the Board went into Closed Session. General Counsel Nelson announced that Dave Requa would not be attending the Closed Sessions as noted.

A. Conference with Real Property Negotiator – Pursuant to Government Code Section 54956.8

Property:	Water Supply
Agency Negotiator:	Bert Michalczyk, General Manager David Requa, Assistant General Manager/District Engineer Lori Rose, Financial Services Manager Dan Gallagher, Operations Manager Carl P.A. Nelson, General Counsel
Negotiating Parties:	City of Pleasanton

Excerpt from Minutes of

Personnel Committee

Meeting of May 13, 2013

Page 2

4E

The Committee noted the progress being made on the various tasks in the current Strategic Plan Work Plan and noted that there will be updates once the Board adopts the Fourth Edition to the Strategic Plan.

D-4 Committee Review of Strategic Work Plan

General Manager Michalczyk reminded the Committee that the District is in the process of revising its Strategic Plan and that the Board has already thoroughly reviewed the Mission, Vision, Core Values and Goals. The last element to be developed is the Strategic Plan Work Plan. The Work Plan is a document developed and implemented by staff and is not approved by the Board. However, the resources needed to accomplish the Work Plan must be included in the FYE 2014 and FYE 2015 operating budgets that the Board does approve. Accordingly, it is appropriate for the Board and its Committees to review the Work Plan. As such, development of the Work Plan is an iterative process. If the Board is not supportive of the resource needs, the operating budget will be adjusted as directed and the Strategic Goals will require revision (in scope and/or schedule) to reflect the reduced resources as decided by the Board.

The Committee reviewed the portion of the Work Plan that lies within the charter responsibilities of the Committee. The Committee specifically discussed the following tasks:



- 4.2.1 Fill Safety Officer function;
- 4.2.12 Continue to formally recognize employees at events such as the annual recognition event and other similar venues and opportunities;
- 4.3.1 Assess impact of Affordable Care Act on District;
- 4.3.5 Maintain an empowerment program (currently the District's Total Quality Improvement "TQI" initiative) assuring that staff at all levels is prepared, empowered, and willing to make decisions that affect their work;
- 4.4.1 Regularly review organizational structures to identify opportunities for efficiencies and better alignment at least as often as whenever a key vacancy occurs; and
- 4.4.2 Periodically assess alternative staffing strategies to meet the Mission on an ongoing basis given current economic conditions and labor markets.

After discussion, the Committee agreed to endorse the Work Plan as presented together with the resources identified in the Work Plan that will be needed to accomplish the tasks.

D-5 Format for FYE 2013 Performance Assessment – General Manager

General Manager Michalczyk reported that at the January 2013 Personnel Committee meeting, the Committee asked that it be presented with a proposed structure for the General Manager's evaluation. Mr. Michalczyk proposed that the following be included in the evaluation:

4E

1 of 1

Customer Services Supervisor Vicki Goldman explained the specifics about securing registers from the Elster Company that are compatible with the new Sensus Flex Net AMI meter reading system. Ferguson Water Works has assisted District staff to have the Elster Company agree to manufacture compatible AMI meter registers before Elster stops manufacturing that type of component. Ferguson will also install the approximately 4,900 units at cost for the District.

Director Duarte MOVED to approve issuing a purchase order to Ferguson Water Works for the purchase and installation of new registers to approximately 4,900 AMCO meters in the amount of \$365,152. Director Howard SECONDED the MOTION, which CARRIED with FIVE AYES.

D. Upcoming Board Calendar – Approved

9. BOARD BUSINESS

A. Review Operating Budgets for Fiscal Years Ending 2014 and 2015

Financial Services Manager Rose reported that this evening Financial Services Supervisor John Archer would give the Board a presentation on the Operating Budgets for Fiscal Years Ending 2014 and 2015. She credited Mr. Archer and his staff for preparing and coordinating the budgets while she was on leave.

Financial Services Supervisor Archer presented the Operating Budgets for Fiscal Years Ending 2014 and 2015. He noted that Directors also have before them in the agenda packet detailed explanations of assumptions made in the budgets as contained in the Staff Report as well as the line item detail for each budget year. Mr. Archer stated his opinion that this is a budget reflective of a District moving forward on a sound financial footing.

In his presentation, Mr. Archer discussed the following topics: 1) budget process development; 2) revenue from water rates, regional and local sewer rates, and capacity reserve fees; 3) notable new expenses; 4) personnel costs; 5) proposed new staff positions including Safety Officer, Operations Control System Specialist, Assistant Engineer, and IT Analyst; 6) capital spending to include CIP projects and capital outlay; 7) fund highlights; 8) debt coverage; 9) working capital targets vs. projected targets; and 10) the partial repayment of the Temporary Infrastructure Charge (TIC).

General Manager Michalczyk thanked Mr. Archer for his presentation and stated that he shares Mr. Archer's opinion that this is the best budget picture within the last five years. He complimented the entire organization for having the discipline to stay the course for the past several years. He noted that there are a few places in the budget where Board policy guidelines are not quite met but that in each case the District is heading towards meeting those targets. He stated he is pleased

with the overall financial health of the District and that on June 4, 2013 he will recommend Board approval.

V.P. Vonheeder-Leopold thanked staff for the presentation and invited Board questions and discussion. She asked for an explanation of the partial repayment of the (TIC).

Financial Services Manager Rose responded that she would be happy to summarize the repayment of the TIC and noted that this information was also in the Finance Committee notes. Ms. Rose stated that the proposal at the June 4, 2013 meeting will be approval of a partial repayment of the TIC for approximately \$1.8 million. The proposal will be to use Water Expansion funds to pay off the Water Enterprise fund OPEB (other post-employment benefits) liability. When the OPEB trust was set up, all of the District's funds were able to fully fund their liability for prior costs with the exception of the Water Enterprise fund. The unfunded amount has been amortized over a period of years and one-half of the property taxes received have been earmarked to reduce that Water Enterprise fund liability. The Water Enterprise fund's OPEB liability is a water customer, water rate obligation. The TIC is a loan from ratepayers to the development community. The proposal would be to take funds from the Water Expansion fund to pay off that OPEB liability. The advantages for the District are that the trust fund balance will be increased by \$1.8 million, which will have a positive impact on the going forward OPEB contribution (the "Normal" of going forward amount that is paid for by each fund on an annual basis as the benefits are earned). The next actuarial study of the OPEB fund is scheduled for August 2013 for the period ending June 30, 2013. This action would fully fund past OPEB liabilities as they are currently estimated in the most recent actuarial study and will also allow all of the property tax money to remain in the Water Rate Stabilization fund thereby improving cash flow and building reserves.

Director Halket stated that the OPEB trust is a decision the District made some time back. Most governments are paying down their OPEB liabilities from current revenues. He stated that he was pleased that the District will have fully funded its OPEB liability by this payment and that this is a good thing for the ratepayers.

Director Duarte commented on the five proposed staff positions. He asked about the mechanics of hiring a staff member.

Mr. Michalczky explained that once the budget is approved, then this would give staff the authority to hire those positions.

Director Duarte asked questions specifically about the proposed Safety Officer position and the associated salary and benefits. He expressed his view that the salary and benefit levels were excessive for the position. He expressed his concern about the public's perception of the District and what it pays employees

in general. Director Duarte did state that he is supportive of this District and its employees but he has issue with the proposed salary and benefits.

Organizational Services Manager Gordon explained the importance and need for filling this position once again because after 2009 during the economic downturn the incumbent left the position and it remained vacant to save costs.

Directors had a lengthy discussion about the salary and benefits of the Safety Officer and the other proposed staff positions.

Mr. Michalczky summarized that in the context of this discussion on the budget, that he believes the Board has the following possible options. On June 4, 2013 the Board could: 1) approve the budget as proposed with the staff positions; 2) approve the budget as proposed without some or all of the newly proposed staff positions; 3) direct staff to open up salary discussions with the Professional Employees Bargaining Unit (the unit representing the Safety Officer and the Assistant Engineer) by opening up that MOU; or 4) direct staff to propose a different safety classification at a lower salary level that would still have to be negotiated with the bargaining unit. Mr. Michalczky stated that any time MOUs are opened up before their expiration that there can arise risks related to being unable to successfully conclude the negotiations. He emphasized that he and Ms. Gordon feel that filling the Safety Officer position is extremely important.

V.P. Vonheeder-Leopold stated that staff needed some clear direction on the proposed budget.

V.P. Vonheeder-Leopold MOVED to direct staff to present the same budget for consideration on June 4, 2013 as was presented tonight, with the inclusion of the four staff positions. Director Howard SECONDED the MOTION, which CARRIED with FIVE AYES.

B. Review Strategic Plan

General Manager Michalczky reported that given discussions with the Board and its Committees over the last few months related to the Strategic Plan that he believes the Board has reached consensus on a revised Mission Statement, Vision, Statement, Core Values, and Strategic Goals. These will be presented to the Board for consideration at the June 4, 2013 meeting. Mr. Michalczky explained that before the Board tonight is the Strategic Work Plan; this is staff's plan of how to achieve the Strategic Goals. The Work Plan, as a staff implementation effort, does not require Board approval. Nevertheless, Mr. Michalczky requested that the Board endorse the Work Plan because resources are needed in the budget to accomplish the various tasks in the Work Plan. In light of the Board's discussion of Item 9.A. on the agenda, he specifically highlighted Work Plan items 4.3.1 through 4.3.4 under the "Recruit and Retain a High Performing Workforce" goal. He stated that staff would need direction on these tasks in the Work Plan if the

update was already included in the Ten-Year plan. For the CIP Budget, the fund limits and cash flows are all good with the potential exception of Fund 610, which is below the target level due to the Central Dublin Recycled Water project and the new meters project. However, the fund is projected to recover fully in the third year.

Mr. Requa explained that when the Board adopts the CIP Budget they have essentially approved four actions: 1) total project budgets; 2) work can start in any year; 3) total expenditures cannot exceed what is established in the fund limit; and, 4) authorize the General Manager to file appropriate exemptions for those projects exempt under CEQA. Mr. Requa acknowledged Senior Civil Engineer – Subject Matter Expert Steve Delight who was present at the meeting and credited him for his large part in preparing the CIP Budget.

President Benson declared the Public Hearing open.

Hearing no comments from the public, Director Halket MOVED to CLOSE the Public Hearing. V.P. Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES.

Director Halket MOVED to adopt Resolution No. 21-13, adopting the Capital Improvement Program Two-Year Budget for Fiscal Years Ending 2014 and 2015. Director Howard SECONDED the MOTION, which CARRIED with FIVE AYES.

B. Public Hearing: Adopt Operating Budgets for Fiscal Years Ending 2014 and 2015

Treasurer Rose reported that the Operating Budgets for Fiscal Years Ending 2014 and 2015 were presented to the Board in detail at the May 21, 2013 meeting. The only significant change since that meeting was the inclusion of the \$1.8 million dollars in the Temporary Infrastructure Charge (TIC) repayment. The transfer from the Water Rate Stabilization fund to the Other Post-Employment Benefits (OPEB) fund was also eliminated because it is no longer needed since the TIC repayment was used to pay off the Water fund OPEB liability. She acknowledged Financial Analyst Herman Chen and Financial Services Supervisor John Archer who had a large workload in preparing the budgets.

Director Howard commented that the Board vetted the budgets in detail at the last meeting and that he was pleased with them.

Director Duarte commented that staff has done an excellent job and, as Director Howard stated, the budgets were reviewed extensively at the last meeting.

President Benson declared the Public Hearing open.

Hearing no comments from the public, Director Halket MOVED to CLOSE the Public Hearing. Director Duarte SECONDED the MOTION, which CARRIED with FIVE AYES.

Director Halket MOVED to adopt Resolution No. 22-13, adopting the Annual Operating Budgets for Fiscal Years Ending 2014 and 2015. V.P. Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES.

C. Approve the Fourth Edition of the District's Five Year Strategic Plan – Sustaining Success – FYE 2014 – 2018

General Manager Michalczyk presented the Strategic Plan for consideration by the Board. He noted that the document has been reviewed by Committees and the Board over the last several months at 15 separate public meetings and that the Plan incorporates all of their input. The Strategic Plan will serve as a roadmap for the District in the next five years as the agency transitions from a growth organization to one that focuses on operations and maintenance. Mr. Michalczyk thanked the Board for their hard work and input into this Strategic Plan and recommended its approval.

Hearing no comments, President Benson asked for a motion.

Director Duarte MOVED to adopt Resolution No. 23-13, approving the Fourth Edition of the Strategic Plan – Sustaining Success – FYE 2014 to FYE 2018. V.P. Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES.

D. Presentation on Asset Management Program for the Wastewater Collection System

District Engineer Requa first acknowledged Principal Engineer – Supervisory Garry Lee who was unable to be at tonight's meeting for his leadership in the Asset Management Program. Mr. Requa noted that the District's collection system portion of the Asset Management Program is the first part to be deployed. This is because of the availability of historical data and the proven methods for collecting and analyzing data as it relates to managing the collection system. The Field Operations Division is using the program and dealing with deploying the proper electronic tools and equipment in the field and working out challenges. Once the first round of comprehensive data is completed over the next year or so, a final assessment can be made for the methods being used.

The Asset Management Program has integrated data from the existing Graphic Information System (GIS), Computerized Maintenance Management System (CMMS), and the Closed Circuit TV (CCTV) observations. The program addresses not only when to replace or rehabilitate collection system assets and the associated costs of those assets, but also what maintenance should be performed

Overview

The expenditure budget is summarized in the 11x17 sheets titled "Estimated Change in Net Assets". Note that the 11X17 worksheets also include calculations of all the Board reserve targets for Fiscal Years Ending (FYE) 2014 and 2015. Detailed discussions of each element of the budget follow the "Issues for Committee Discussion" section. This section is presented below to preview the areas that staff believes present the greatest challenges in the proposed budget.

Budget Development Process

The FY14 and FY 15 Operating Budgets were developed in an interactive manner over the first course of calendar year 2013. The process started with development of conservative revenue estimates for the ensuing two fiscal years along with adjustments of those estimates. Those adjustments were related to policy level decisions the Board made regarding water rates, suspension of the Temporary Infrastructure Charge ("TIC") and establishing "Normal" water supply conditions (and the associate rate schedule) for the year. Early in the process, the General Manager issued guidance for development of the expenditure budgets so that the expenditure budget would conform to policy direction given by the Board. In March and April, 2013, the budgets were prepared by staff, summarized and reviewed at various management levels for conformity to guidance previously given and adopted Board policy. During the week of May 13, 2013 each of the Board Committees reviewed the implications of the Strategic Plan being developed on the expenditure budget and endorsed those expenditures. On May 15, 2013, the Finance Committee reviewed the budget for compliance with various policy directives of the Board (fund balance minimums, maximums and targets, bond coverage tests, net gain / loss, etc.) and did so for each fund maintained by the District. On May 21, 2013 the Board reviewed the budget in a workshop setting. During that discussion the Board endorsed using a portion of the Water expansion funds that originated as TIC payments to pay off the currently known OPEB balance for the Water Enterprise fund. In addition, at that same meeting the Board discussed the General Manager's recommendation for four additional staffing positions to be added over the course of FY 13 and FY 14. Director Duarte questioned the compensation and benefit levels budgeted for those new positions, stating that he felt the salaries and benefits used in the budget were excessive as compared to what is paid in the private sector. The Board discussed Director Duarte's concerns, noting that matters of compensation are mandatory subjects of meet and confer bargaining under State law. To make changes in wages or benefits requires either re-opening existing MOU's or placing those issues on the bargaining table when the MOUs expire in late 2016. After discussion at the May 20, 2013 meeting, the Board informally directed staff to bring the budget as proposed for formal consideration on June 4, 2013 with the four staff positions as recommended but with the OPEB payoff included in the action to be taken on June 4, 2013. All Board and Committee discussions noted above were held in open session and all materials were made publically available in accordance with the Brown Act. No public comments have been received as of the deadline for publishing this agenda. A Public Hearing (notice of which was published) will be held on June 4, 2013 during which hearing the public can formally make comments directly to the Board. Any correspondence related to the budget received after the agenda is published and before the Public Hearing will be made available to the Board at the June 4, 2013 meeting. After the Public Hearing is closed the Board will discuss and consider adopting the FY 13 and FY 14 Operating Budgets.

From Budget Approval Staff Report | Staff Report | June 4, 2013

CAPITAL OUTLAY REQUESTS - FY2014/2015			2014			2015		
Division	Asset description	Total Cost	Local	Regional	Water	Local	Regional	Water
IT	Network security upgrade	44,000	7,040	15,400	21,560	-	-	-
IT	Electrical upgrade for IT systems	25,000	4,000	8,750	12,250	-	-	-
IT	License wireless point-to-point radio	40,000	-	-	-	6,400	14,000	19,600
FOD	* Vac Con Jetter / Combo Truck (with vacuum)	350,000	350,000	-	-	-	-	-
FOD	* F-350 truck w/utility bed and accessories	59,000	-	-	59,000	-	-	-
FOD	* Combination Vacuum/Jetter truck	400,000	-	-	-	400,000	-	-
FOD	* New CCTV camera w/ inclinometer & lift	43,000	-	-	-	43,000	-	-
FOD	* F-450 truck with utility bed, crane, compressor	59,000	-	-	-	29,500	-	29,500
Plant	Truck for LAWMA Operations	23,000	-	-	-	-	23,000	-
Mech Maint	Aeration Tank Spare Mixer	15,000	-	15,000	-	-	-	-
Mech Maint	EPS2 Large Pump Rehabilitation	60,000	-	60,000	-	-	-	-
Mech Maint	WWTP Waste gas modifications and rehab	30,000	-	30,000	-	-	-	-
Mech Maint	Diesel Truck CARB retrofit (2 vehicles)	32,000	-	32,000	-	-	-	-
Mech Maint	WWTP Plant Air Compressors	90,000	-	90,000	-	-	-	-
Mech Maint	* Used 75hp tractor with loader bucket	40,000	-	40,000	-	-	-	-
Mech Maint	New tier 4 dredge engine	40,300	-	40,300	-	-	-	-
Mech Maint	WWTP Primary Sludge End Collectors(4)	60,000	-	-	-	-	60,000	-
Mech Maint	* Used Bucket Truck	35,000	-	-	-	-	-	35,000
Mech Maint	FSL Mixer (2)	26,000	-	13,000	-	-	13,000	-
Mech Maint	Fleet Pool Vehicles (2)	40,000	3,200	7,000	9,800	3,200	7,000	9,800
Elec Maint	Replace panel for WWTP Aeration Blower Sys	10,000	-	10,000	-	-	-	-
Elec Maint	District Office HVAC units (3)	70,000	11,200	24,500	34,300	-	-	-
Elec Maint	Truck for Operations Control Sys Specialist	25,000	-	-	-	-	-	25,000
GRAND TOTAL OF REQUESTS			\$1,616,300	\$375,440	\$385,950	\$136,910	\$482,100	\$117,000
								\$118,900

→ Staffing

Our current staffing level in FYE13 of 109.00 Full Time Equivalent (FTE) is well below the peak staffing level of 134.0 FTE in FYE09. The current staffing level is the result of attrition and layoffs. Earlier this year the Senior Managers met to assess how this decrease in staffing has impacted the day-to-day work. Based upon this assessment, the Senior Managers recommended an increase of 6.5 positions. Of those positions, the General Manager is recommending four (Attachment B). This would still represent a decrease of 21.0 FTEs (-15.7%) since FYE09. The table below shows the staffing changes since FYE11.

Department	2011 Actual	2012 Actual	2013 Forecast	2014 Budget	2015 Budget	Change from 2011
Executive Group	5.00	5.00	5.00	5.00	5.00	-
Organizational Services	12.00	10.00	10.00	11.00	11.00	(1.00)
Financial Services	18.50	18.75	19.00	19.00	20.00	1.50
Engineering	21.00	21.00	21.00	22.00	22.00	1.00
Operations	54.00	54.00	54.00	55.00	55.00	1.00
Total	110.50	108.75	109.00	112.00	113.00	2.50

From Budget Approval Staff Report

Attachment B

New Positions	Effective Date	Additional Costs		Justification
		2014	2015	
Safety Officer	10/1/2013	\$ 123,822	\$ 176,979	A subject-matter expert with project management experience in safety policy implementation and evaluation is required to integrate industry work practices within the specifications of the law. Expertise is also required to develop, implement, and evaluate work practices and multi-employer safety requirements to conform with CalOSHA standards.
Operations Control System Specialist	1/1/2014	77,464	159,618	The District's SCADA systems are not all performing satisfactorily to meet the District's needs and requirements. Significant upgrades to the system are needed. Delay in implementation over a longer time frame would result in unnecessary operations and maintenance costs and would risk a significant reduction in SCADA system reliability. The current level of staffing is not adequate to support the recommended implementation of the SCADA Master Plan projects within a desirable time frame.
Assistant Engineer	1/1/2014	80,492	165,757	This position would be primarily responsible for development permitting activities paid for from developer fees. The District's service area is currently at approximately 60% of its ultimate development expansion. The development work is projected to continue at current levels for the next 10 years. The work is currently being covered by engineering staff also assigned capital projects. Timely response and thorough customer service to developers has been impacted due to increasing work load and priority conflicts. Inadequate staffing has also led to delays in key CIP projects and limited engineering support in evaluating operating issues such as maintaining delivered water quality and improving operational and energy efficiency. This position is required to enable the District to meet expectations for customer service to developers who pay capacity reserve fees and permit-related fees; and to effectively implement the District's CIP program and Strategic Plan Work Plan.
IT Analyst II (Network Admin)	7/1/2014	-	177,210	Technology is an integral part of everyone's job and supportive of the District's mission. New technology solutions are proposed throughout the District with an expectation that IT will deploy and support. Since losing our network engineer in 2009, we lack bench strength in network engineering, storage area network administration of 15 terabytes, and our virtualized computing platform. This shortage, continuing support for existing applications, new phone system, new District-wide wireless network and changed network security paradigm as well as continuing evolving technology will seriously impact our ability to deliver our services. This new position will allow us to fully implement and support these new integral services and provide backup to other existing services
Cost of New Positions		\$ 281,778	\$ 679,564	

4/1

3 of 5

Position Listing by Department

Attachment A

From Budget Approval Staff Report

Position	FY12 Positions Actual	Changes	FY13 Positions Actual	Changes	FY14 Positions Budgeted	Changes	FY15 Positions Budgeted
Executive Department							
General Manager	1.00		1.00		1.00		1.00
Office of the General Manager (Div 12)	1.00	-	1.00	-	1.00	-	1.00
Executive Services Supervisor	1.00		1.00		1.00		1.00
Administrative Analyst		1.00	1.00		1.00		1.00
Administrative Technician	1.00	(1.00)	-		-		-
Administrative Assistant I/II	2.00		2.00		2.00		2.00
Management (Div 15)	4.00	-	4.00	-	4.00	-	4.00
Executive Department	5.00	-	5.00	-	5.00	-	5.00
Organizational Services Department							
Organizational Serv. Manager	1.00		1.00		1.00		1.00
Administrative Assistant I/II	0.50		0.50	(0.50)	-		-
Administration (Div 20)	1.50	-	1.50	(0.50)	1.00	-	1.00
HR Supervisor	1.00		1.00		1.00		1.00
HR Analyst II	1.00		1.00		1.00		1.00
HR Technician	2.00		2.00		2.00		2.00
Administrative Assistant I/II - Conf	-		-	0.50	0.50		0.50
Human Resources (Div 22)	4.00	-	4.00	0.50	4.50	-	4.50
Community Affairs Supervisor	1.00		1.00		1.00		1.00
Graphic Designer	1.00		1.00		1.00		1.00
Community Affairs Specialist I/II	1.00		1.00		1.00		1.00
Administrative Assistant I/II - Conf	-		-	0.50	0.50		0.50
Administrative Assistant I/II	0.50		0.50	(0.50)	-		-
Public Information (Div 24)	3.50	-	3.50	-	3.50	-	3.50
Safety Officer	-		-	1.00	1.00		1.00
Safety Technician	1.00		1.00		1.00		1.00
Safety (Div 26)	1.00	-	1.00	1.00	2.00	-	2.00
Organizational Services Department	10.00	-	10.00	1.00	11.00	-	11.00
Financial Services Department							
Financial Services Manager	1.00		1.00		1.00		1.00
Administration (Div 30)	1.00	-	1.00	-	1.00	-	1.00
Financial Services Supervisor	1.00		1.00		1.00		1.00
Financial Analyst	1.00		1.00		1.00		1.00
Accountant II	1.00		1.00		1.00		1.00
Sr. Accounting Technician	1.00		1.00		1.00		1.00
Accounting Technician	1.00		1.00		1.00		1.00
Accounting (Div 31)	5.00	-	5.00	-	5.00	-	5.00
Customer Service Supervisor	1.00		1.00		1.00		1.00
Customer Service Rep III	1.00		1.00		1.00		1.00
Customer Field Rep I/II	3.00		3.00		3.00		3.00
Administrative Assistant I/II	1.00		1.00		1.00		1.00
Customer Service Rep II	2.00		2.00		2.00		2.00
Customer Service (Div 33)	8.00	-	8.00	-	8.00	-	8.00
Information Services Supervisor	1.00		1.00		1.00		1.00
IT Analyst I/II	2.00		2.00		2.00	1.00	3.00
IT Analyst (Web Programmer)	0.75	0.25	1.00		1.00		1.00
IS Technician I/II	1.00		1.00		1.00		1.00
Information Services (Div 34)	4.75	0.25	5.00	-	5.00	1.00	6.00
Financial Services Department	18.75	0.25	19.00	-	19.00	1.00	20.00

4/1

4 of 5

Budgeted Positions

Historical (Budgeted) & Proposed for 2014 & 2015

	2010	2011	2012	2013	2014	2015
FTE	131.5	110.5	108.75	109	112	113

Position Title	New or Reinstated?	Estimated Hire Date	2014	2015
Safety Officer	Reinstated	10/1/2013	\$123,822	\$176,979
Operations Control System Specialist	New	1/1/2014	77,464	159,618
Assistant Engineer	New	1/1/2014	80,492	165,757
IT Analyst II (Network Admin)	Reinstated	7/1/2014	-	177,210
		Total Cost	\$281,778	\$679,564

Step 5
H4

MISSION STATEMENT, VISION STATEMENT AND CORE VALUES

Mission Statement: The Mission Statement is what the District does.

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

Vision Statement: The Vision Statement points to where the District wants to be in the next five years.

In the next five years, the District will:

→ ④

1. *Maintain long-term financial stability with appropriate rate and fee structures that support at least a credit rating of AA;*
2. *Develop additional and more reliable water sources for the communities we serve;*
3. *Diversify use of biosolids in an environmentally sound manner;*
4. *Develop and promote a culture of safe operations District wide;*
5. *Deliver utility services more efficiently and effectively by continuing to work with regional partner agencies on Tri-Valley integration;*
6. *Maintain a highly qualified, motivated and innovative workforce to ensure a high performing organization;*
7. *Enhance our public information, education and outreach methods to ensure public awareness of issues important to the communities we serve; and*
8. *Continue our partnership with Camp Parks as development occurs.*

Core Values: The Core Values are simple key words that describe the values of the agency; they are accompanied by questions that are to be asked when major policy decisions are being considered to ascertain if the decision is in conformance to the stated values.

Core Value	Core Value Question
Protect Public Health and the Environment	<i>Does the decision protect public health and the environment?</i>
Sustain Financial Stability	<i>Does the decision sustain or contribute to the financial stability of the District?</i>
Be Open and Transparent	<i>Is the decision being made in an appropriately open and transparent manner and has it considered public input?</i>
Fairness, Respect, Honesty and Ethics	<i>Does the decision treat all concerned fairly, respectfully, honestly and ethically?</i>
Operate Safely	<i>Does the decision promote a safe environment for the community and the workforce?</i>
Provide High Quality Customer Service	<i>Does the decision reflect high quality customer service?</i>
Provide Sustainable, Efficient, Reliable and Secure Services	<i>Does the decision maintain or enhance the District's sustainability, efficiency, reliability and security?</i>
Perform at a High Standard	<i>Does the decision or action lead to a high-performing, highly qualified, motivated, safe and innovative workforce and an adaptable organization?</i>

Table 4
Personnel / Organizational Element

Objective:	Sustain a high performing, highly qualified, motivated, safe and innovative workforce and an adaptable organization.		
Strategy:	We will do this by using appropriate and sound policies, rules and procedures, offering appropriate and sustainable compensation and benefits, and providing opportunities for training, development, and professional growth, all while ensuring a safe, non-hostile and collegial workplace		
Personnel / Organization Goals			
No	Importance	Title	Description
4.1	Mission Critical	Ensure Effective Workplace Succession	Sustaining a high-performing workforce is critical to the mission and operation of the District. Like many other public agencies in California, the District is facing a “perfect storm” will lead to significant employee turnover in the time horizon of this Strategic Plan. The factors at play include: an improving economy, local and industry wide competition for certain job classifications, the fact that presently almost 30% of the workforce is essentially eligible to retire and the fact that over 45% percent of the workforce will essentially be eligible to retire within the next five years (including the entire Senior Management team). Furthermore, due to the recent economic downturn and the resultant significant down-sizing of the workforce, there is less depth in “bench strength” in many work areas who can quickly step in behind departing co-workers, indicating the need for better planning and staff development.
4.2	Mission Critical	Provide a Safe, Non-hostile and Collegial Work	Maintaining a safe, non-hostile and collegial work environment is necessary, important, and essential to a modern organization.
4.3	Important	Recruit and Retain A High Performing Workforce	To ensure the District is able to recruit and retain a high-performing workforce, the District will conduct periodic compensation and benefit studies to determine its competitiveness relative to local and regional public and private labor markets. The District will also regularly assess its corporate culture to ensure it remains an attractive place to work for potential and current employees.
4.4	Important	Optimize District Organizational Structure and Staffing to Improve Productivity while Achieving the Mission	With the potential for a number of employees to retire in the next five years, the addition of new programs due to regulatory requirements, and evolution from a construction organization to a maintenance organization, the District will continue to benefit from a gradual repositioning of some functions and reassignment of some staff to improve productivity and better meet its operational needs including workplace safety.
4.5	Best Practice	Effectively and Consistently Manage Performance	Retaining a high performing workforce is dependent on having a solid performance management program. The District needs to effectively manage employee job performance in order to sustain the high degree of workmanship and customer service our ratepayers deserve and expect.
4.6	Best Practice	Foster Positive Employee-Employer Relations	Good employee-employer relations are based on trust and consistent, up-front communications. The District will periodically update and revise its rules and regulations governing employee-employer relations to ensure ease of use and understanding and will continue to meet regularly with employee representatives to maintain good relations and discuss matters of mutual importance including matters subject to bargaining.

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21

STRATEGIC PLAN
Sustaining Success
Fourth Edition FYE 2014 to FYE 2018
Work Plan

Attachment 1 to S&R

Goal No./Task No.	Goal Statement / Work Plan Task Description	Importance To Be Started To Be Achieved				
		FYE14	FYE15	FYE16	FYE17	FYE18
3.3.3.5	Work with ACWA and other statewide agencies to implement the statewide RW policy on regional and local level	X	X	X	X	X
3.3.3.6	Support WateReuse in the development of State wide potable reuse policy and regulations	X	X	X	X	X
3.3.4	Seek Financial Assistance for Recycled Water Projects	Important Ongoing Long Term				
3.3.4.1	Resolve the allocation of Water Resources Development Act grants to DERWA as called for in various DERWA agreements	X				
3.3.4.2	Partner with Tri-Valley retailers to encourage Zone 7 to financially support recycled water expansion in a prudent and cost effective manner	X	X	X	X	X
3.3.4.3	Support and continue to participate in the Western Recycled Water Coalition seeking federal support for recycled water projects	X	X	X	X	X
4.1	ENSURE EFFECTIVE WORKFORCE SUCCESSION	Mission Critical Short Term Mid Term				
4.1.1	Develop a transition plan for a new senior management team	X				
4.1.2	Assess bench strength in critical areas and take steps (training, education, early hiring, re-assignments, etc.) to ensure the District can achieve its Mission	X				
4.1.3	Plan to hire a new General Manager within the time frame of this Strategic Plan	X	X			
4.1.4	Capture the institutional knowledge of existing employees before they depart	X	X	X	X	X
4.1.5	Take a leadership role in the ROP Water Pollution Control Program	X	X	X	X	X
4.1.6	Continue to develop and expand the existing OJT Program	X	X	X	X	X
4.1.7	Update long-term staffing plan that is compatible with revenue projections		X		X	
4.1.8	Assess training needs biennially		X		X	
4.1.9	Annually review and update electronic FOD O&M manuals	X	X	X	X	X
4.1.10	Annually review and update electronic WWTP O&M manuals	X	X	X	X	X
4.2	PROVIDE A <u>SAFE</u>, NON-HOSTILE AND COLLEGIAL WORK PLACE	Mission Critical Ongoing Continuous				

STRATEGIC PLAN
Sustaining Success
Fourth Edition FYE 2014 to FYE 2018
Work Plan

Attachment 1 to S&R

Goal No./Task No.	Goal Statement / Work Plan Task Description	Importance				
		To Be Started	To Be Achieved			
		FYE14	FYE15	FYE16	FYE17	FYE18
4.2.1	Assess District wide safety program	X				
4.2.2	Maintain a vigilant safety program and management attention on the importance of safety in the workplace	X	X	X	X	X
4.2.3	Promptly and thoroughly investigate all accidents and near misses	X	X	X	X	X
4.2.4	Routinely inspect work areas for hazards, and correct hazards when identified	X	X	X	X	X
4.2.5	Provide the necessary tools and equipment to ensure a safe work environment	X	X	X	X	X
4.2.6	Promptly investigate and take action related to allegations of workplace discrimination, harassment, or any other bias proscribed by law	X	X	X	X	X
4.2.7	Provide mandatory safety training in accordance with federal and state regulatory requirements	X	X	X	X	X
4.2.8	Provide workplace violence prevention training	X	X	X	X	X
4.2.9	Provide diversity training	X	X	X	X	X
4.2.10	Provide non-harassment training	X	X	X	X	X
4.2.11	Continue to formally recognize employees at events such as the annual recognition event and other similar venues and opportunities	X	X	X	X	X
4.3	RECRUIT AND RETAIN A HIGH PERFORMING WORKFORCE	Important Ongoing Continuous				
4.3.1	Fill Safety Officer function	X				
4.3.2	Fill Operations Control Systems Specialist position	X				
4.3.3	Fill Assistant Engineer Position	X				
4.3.4	Fill IT Analyst position		X			
4.3.4	Assess impact of Affordable Care Act on District	X	X	X	X	X
4.3.5	Review and update the New Employee Orientation Program	X			X	
4.3.6	Assess hiring practices and procedures to ensure that the District is effectively and efficiently hiring the top candidates	X				X
4.3.7	Maintain a viable suggestion program to improve business practices	X	X	X	X	X
4.3.8	Review current District work practices and Personnel work rules to reflect the cultural shift towards a maintenance organization	X	X	X	X	X

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Attachment 1 to S&R

Goal No./Task No.	Goal Statement / Work Plan Task Description	Importance To Be Started To Be Achieved				
		FYE14	FYE15	FYE16	FYE17	FYE18
4.3.9	Maintain an empowerment program (currently the District's Total Quality Improvement "TQI" initiative) assuring that staff at all levels is prepared, empowered, and willing to make decisions that affect their work	X	X	X	X	X
4.3.10	Undertake timely and appropriate compensation and benefit surveys as job classifications are modified or created and in advance of labor contract negotiations			X		
4.4	OPTIMIZE DISTRICT ORGANIZATIONAL STRUCTURE AND STAFFING TO IMPROVE PRODUCTIVITY WHILE ACHIEVING THE MISSION	Important Ongoing Continuous				
4.4.1	Regularly review organizational structures to identify opportunities for efficiencies and better alignment at least as often as whenever a key vacancy occurs	X	X	X	X	X
4.4.2	Periodically assess alternative staffing strategies to meet the Mission on an ongoing basis given current economic conditions and labor markets	X	X	X	X	X
4.5	EFFECTIVELY AND CONSISTENTLY MANAGE PERFORMANCE	Best Practice Ongoing Continuous				
4.5.1	Regularly assess, update and implement performance management program	X		X		X
4.5.2	Conduct performance evaluations for all District employees at least annually and as new employees reach the end of probationary periods	X	X	X	X	X
4.5.3	Conduct annual performance evaluations for all Board appointed positions	X	X	X	X	X
4.5.4	Assess new supervisory academy program triennially		X			X
4.6	FOSTER POSITIVE EMPLOYEE-EMPLOYER RELATIONS	Best Practice Ongoing Continuous				
4.6.1	Evaluate and update employer-employee relations resolution process	X				X
4.6.2	Meet regularly with representatives of recognized employee groups to address labor issues	X	X	X	X	X
4.6.3	Seek to resolve all grievances at the lowest possible level	X	X	X	X	X
4.7	MAINTAIN FAIR AND EQUITABLE LABOR AGREEMENTS	Important Mid Term Long Term				
4.7.1	Monitor and implement as appropriate the provisions of the enacted California pension reform legislation and meet and confer as may be needed to address issues as they arise	X	X	X	X	X



Safety Officer

Class Code:
PSAFOF

Bargaining Unit: Professional Employees Bargaining Unit

DUBLIN SAN RAMON SERVICES DISTRICT
Established Date: Mar 5, 2002
Revision Date: Nov 4, 2008

SALARY RANGE

\$48.71 - \$59.20 Hourly
\$3,896.77 - \$4,736.31 Biweekly
\$8,443.00 - \$10,262.00 Monthly
\$101,316.00 - \$123,144.00 Annually

DEFINITION:

Under general direction of the Organizational Services Manager, develops, monitors, conducts, and administers the District's safety, security, emergency preparedness, and environmental programs in compliance with federal, state, and local safety, health, and environmental regulations, as well as industry standards; assists in the administration of the risk management program; acts as the District's Safety Officer; and performs other duties as assigned.

DISTINGUISHING CHARACTERISTICS:

This is a single position professional classification responsible for the development, implementation, and administration of District policies and procedures, as well as training activities in the expertise areas of safety, security, emergency preparedness, and environmental compliance. Incumbent receives general direction from the Organizational Services Manager. Incumbent exercises technical and functional supervision over lower-level positions.

ESSENTIAL FUNCTIONS:

Develops, coordinates, oversees, and participates in the day-to-day operations of programs designed to reduce risk and ensure workplace safety and facility security; performs a variety of professional level duties involved in the development, organization, implementation, and coordination of a variety of safety management programs, including security, training, safety, environmental compliance, and emergency preparedness programs.

Reviews, develops, and updates safety related policies and procedures as required by law or as necessary; maintains District safety-related manuals and documentation, including preparing and distributing appropriate communications.

Establishes and implements safety training objectives; plans, develops, schedules, conducts, or arranges for regulatory and other safety/health related training; maintain records and database; prepare reports.

Inspects and monitors District facilities for compliance with federal, state, and local safety, health, and environmental regulations, as well as industry standards.

Develops and maintains the District's Injury and Illness Prevention Program.

Conducts thorough audits and investigations and analysis of hazards, accidents, and injuries; develop findings, prepares reports, and makes recommendations.

Oversees and participates in the development and maintenance of a comprehensive security program for the District, including overseeing security and facility access badge system, training employees, creating access protocols, evaluating systems, and serving as a liaison with external vendors, law enforcement, and public safety agencies.

Develops and maintains the District's Emergency Preparedness Program, including program development and updating changes to reflect regulatory requirements; provide training and annual drills; coordinate with other agencies.

Monitors employee exposure to noise and air contaminants and enforce the use of safety equipment.

Performs related report preparation and record maintenance for Environmental Protection, Fire Protection,

Hazardous Waste Management, and Occupational Safety.

Coordinates necessary permitting for compliance with environmental and Bay Area Air Quality Management District (BAAQMD) regulations.

Develops and maintains District hazardous material business plans and petroleum storage tank permitting in compliance with Environmental and Livermore/Pleasanton Fire Departments Regulations.

Maintains a library of reference materials on training records and coordinates the acquisition of training materials, including manuals, technical resources, videos, recordings, and self-instruction workbooks.

Coordinates necessary safety certification and license obtainment and renewal for District employees.

Represents the District and assist regulatory agencies during and after audits of District operation and coordinates corrective actions and follow up.

Coordinates the collection and disposal of hazardous waste in compliance with environmental regulations.

Participates in budget preparation for the safety program by performing research, developing cost estimates, and making recommendations.

Serves as a key member of internal and external safety committee meetings.

Evaluates construction certificates for insurance and bonding to ensure adequate coverage for District liability.

Reviews and maintain vehicle and property insurance policies.

Provides assistance to a third party administrator for case management of workers' compensation cases and maintain OSHA 300 logs.

Develops and maintains the District's Emergency Preparedness and Evacuation Procedures, including annual drills.

Provides technical and functional direction to assigned staff, reviews and controls quality of work.

Trains employees in work principles, practices, methods, policies, procedures, and applicable Federal, State, and local laws, rules, and regulations.

Assists in developing work plans, procedures, and schedules.

Assists in the implementation of goals, objectives, policies, procedures, and work standards for the Division, including recommending improvements.

Provides input into budget requests and administers program budgets after adoption; may prepare and assist in the administration of various grants.

Plans, schedules, prioritizes, and assigns safety-related projects, studies, and programs in consultation with the Organizational Services Manager; communicates status of projects, studies, and programs to appropriate personnel, working cooperatively to schedule same in accordance with established priorities; instructs staff in work procedures.

Operates standard office equipment, including job-related computer hardware and software applications, facsimile equipment and multi-line telephones; may operate other department-specific equipment.

Supports Total Quality Improvement initiatives by implementing principles into daily work practices and demonstrating such support through the participation in TQI activities.

Builds and maintains positive working relationships with co-workers, other District employees, and the public.

Drives a motor vehicle.

Performs other duties as assigned.

QUALIFICATIONS:

To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Knowledge of:

Basic principles of supervision and training.

Policies, regulations, specifications, and requirements governing industrial safety, loss prevention, environmental compliance, disaster control, emergency preparedness, and accident prevention for industrial and office environments.

Principles and practices of assessments, inspections, and investigations as related to job responsibilities.

Principles and practices of employee training and instructional methods and techniques.

Practices of water system operations, wastewater treatment plant operations, and general office activities.

Rules and regulations pertaining to the handling, storage, and disposal of hazardous and toxic materials.

Practices, methods, materials, and equipment used in air and noise exposure monitoring.

Occupational hazards and standard safety procedures.

Modern office practices, methods, and computer equipment.

Applicable Federal and State laws; District, Department, and Division regulations, codes, policies, and procedures.

Recordkeeping principles and procedures.

Principles and practices of program development, implementation, review, and evaluation.

Computer applications related to the work, including word processing, spreadsheet and database applications.

English usage, grammar, spelling, vocabulary, and punctuation.

Techniques for effectively representing the District in contacts with governmental agencies, community groups, and various business, professional, educational, regulatory, and legislative organizations.

Techniques for providing a high level of customer service to public and District staff, in person and over the telephone.

Ability to:

Plan, schedule, assign, and oversee activities of an efficient safety program.

Inspect the work of others and maintain established quality control standards.

Train others in work procedures.

Analyze data and information using established criteria in order to determine consequences and to identify and select alternatives.

Oversee and participate in safety related projects, studies, and programs.

Meet the requirements to wear respiratory protection or other safety equipment.

Develop, modify, implement, and coordinate the provision of a variety of safety training pertinent to water and wastewater operations, including emergency preparedness and environmental compliance.

Investigate and analyze a variety of plant, field, and office operations in order to implement and provide effective training and safety programs for a variety of staff covering a wide spectrum of operations and areas.

Prepare and maintain both manual and automated safety logs, records, reports, and charts.

Recognize unusual, inefficient, or dangerous operating conditions.

Represent the District in matters related to safety, occupational health, emergency preparedness, and environmental compliance programs as required.

Interpret, apply, and explain complex laws, codes, regulations, and ordinances.

Effectively represent the division and the District in meetings with governmental agencies, professional, and regulatory, and legislative organizations.

Prepare clear and concise reports, correspondence, policies, procedures, and other written materials.

Make accurate arithmetic, financial, and statistical computations.

Make effective public presentations.

Understand written sentences and paragraphs in work-related documents.

Assemble data, prepare reports and notices, and maintain records of testing and findings.

Recommend and administer program and project budgets after approval.

Organize and prioritize a variety of projects and multiple tasks in an effective and timely manner; organize own work, set priorities, and meet critical time deadlines.

Maintain attention to detail and accuracy while meeting critical deadlines.

Operate modern office equipment including computer equipment and specialized software applications programs.

Modify existing policies, strategies, and/or methods to meet unusual conditions.

Identify and take appropriate action when unusual operating problems occur.

Use English effectively to communicate in person, over the telephone, and in writing.

Use tact, initiative, prudence, and independent judgment within general policy and legal guidelines.

Establish and maintain effective working relationships with those contacted in the course of the work.

Perform work in confined spaces, following required confined space entry procedures.

EDUCATION AND EXPERIENCE:

To qualify, a successful incumbent must possess both education and experience, which would provide the required knowledge and abilities. Experience may not substitute for education. However, the requirement for equivalent to a Bachelor's degree could be met by demonstrating completion of a number of higher-level educational units that would normally meet a Bachelor degree requirement. Minimum requirements to obtain the requisite knowledge and abilities are:

A Bachelors degree majoring in industrial engineering, safety engineering, occupational health, or closely related field and four (4) years of experience in the areas of workplace safety, Workers' Compensation program administration, and employee training, including at least two (2) years of which have involved administration of a comprehensive safety and accident prevention program.

CERTIFICATION, LICENSES AND REGISTRATIONS:

Possession of a Class C Driver's License required by the State of California, Department of Motor Vehicles, to perform the duties of the position. Continued maintenance of said driver's license in compliance with established District vehicle operation standards, and the ability to be insured for the operation of a vehicle/District vehicle in accordance with the terms and conditions of the District's insurance program are conditions of continuing employment. The CSRMA driving standards are included herein by reference.

Possession of a Cardiopulmonary Resuscitation and Emergency Cardiac Care Provider certificate and First Aid certificate is required within one (1) year of employment.

Certification as a Certified Safety Professional (CSP) and an Associate Risk Manager (ARM) is highly desirable.

DISASTER SERVICE WORKER

All Dublin San Ramon Services District employees are, by State and Federal law, Disaster Service Workers. The roles and responsibilities for Disaster Service Workers are authorized by the California Emergency Services Act and are defined in the California Labor Code. In the event of a declaration of emergency, any employee of the District may be assigned to perform activities which promote the protection of public health and safety or the preservation of lives and property. Such assignments may require service at locations, times, and under conditions that are significantly different than the normal work assignments and may continue into the recovery phase of the emergency. If a "Local Emergency" is declared during the employee's shift, employees will be

expected to remain at work to respond to the emergency needs of the community. If a "Local Emergency" is declared outside of the employee's shift, employees must make every effort to contact their direct supervisor or department head to obtain reporting instructions as Disaster Service Workers.

WORK ENVIRONMENT/PHYSICAL DEMANDS:

The physical demands described here are representative of those that must be met by an employee to successfully perform the essential functions of this job. The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

While performing the duties of this job, the employee is regularly required to talk, hear, taste, or smell. Specific vision abilities required by this job include close vision, distance vision, and depth perception. The noise level in the work environment is usually moderate, but the employee will be exposed to loud industrial equipment and machinery when performing job responsibilities.

Incumbents in this class are required to wear respiratory protection or other safety equipment and must comply with the Districts Shave-on-Demand Policy. The employee is occasionally exposed to confined spaces; fumes or airborne particles; toxic or caustic chemicals; extreme cold; extreme heat; and risk of electrical shock or mechanical hazards. The employee works indoors, which is temperature controlled. Works outdoors, and is subject to inclement weather. Works at heights including ladders.

STANDING

Average Frequency: Up to 1/2 hour.

Duration: Seconds to 5 minutes at a time.

Maximum Frequency: Up to 2 hours.

Duration: Seconds to 5 minutes at a time.

Surfaces: Tile, carpet, concrete, asphalt, dirt, gravel, mud, metal grating, grass, uneven terrain.

Description: Performs during trainings, visiting field sites including performing investigations and observations, performing confined space entry trainings, maintaining signage and markings including using basic tools, communicating with coworkers, contractors or public during informal meetings, operating standard office equipment, accessing files, drawers or shelves and performing other described job duties.

WALKING

Average Frequency: 1/2 hour to 1 hour.

Duration: Seconds to 10 minutes at a time.

Maximum Frequency: Up to 1 1/2 hours.

Duration: Seconds to 10 minutes at a time.

Surfaces: Tile, carpet, concrete, asphalt, dirt, gravel, mud, metal grating, grass, uneven terrain.

Description: Performs during trainings, visiting field sites including performing investigations and observations, within buildings, to and from offices, relocating files, paperwork or office supplies, using carts, or dollies, transporting video projectors, and performing other described job duties.

SITTING

Average Frequency: 7 to 8 hours.

Duration: 1/2 to 2 hours at a time.

Maximum Frequency: Average frequency is consistent.

Duration: N/A

Surfaces: Cushioned vehicle seat or office chair.

Description: Performing various desk station activities including using a computer, reading and writing, driving a vehicle, during meetings, and performing other described job duties.

KNEELING/CROUCHING/SQUATTING

Average Frequency: 2 to 4 times.

Duration: Seconds at a time.

Maximum Frequency: Average frequency is consistent.

Duration: N/A

Surfaces: Tile, carpet, concrete, asphalt, dirt, gravel, mud, metal grating, grass, uneven terrain.

Description: Performs while retrieving or positioning paperwork/files, boxes or equipment on and off lower shelves, drawers or ground level, visiting field sites including performing investigations or and equipment inspections.

CRAWLING

Average Frequency: 1 time every 6 months.

Duration: Seconds to 5 minutes at a time.

Maximum Frequency: Average frequency is consistent.

Duration: N/A

Surfaces: Tile, carpet, concrete, asphalt, dirt, gravel, metal grating.

Description: Performs while visiting field sites including performing accident investigations or equipment inspections.

LAYING ON BACK/STOMACH

Average Frequency: 1 time every 6 months.

Duration: Seconds to 5 minutes at a time.

Maximum Frequency: Average frequency is consistent.

Duration: N/A

Surfaces: Tile, carpet, concrete, asphalt, dirt, gravel, metal grating.

Description: Performs while visiting field sites including performing accident investigations or equipment inspections.

CLIMBING/BALANCING

Average Frequency: 6 to 10 times.

Duration: Seconds at a time.

Maximum Frequency: Up to 30 times.

Duration: Seconds at a time.

Surfaces: Stair or ladder steps, vehicle floorboard.

Description: Performs while ascending or descending stair steps to access plant sites; entering or exiting vehicle cabs, one step; using step, extension or vertical ladders to access manholes, reservoirs, pump stations, and performing other described job duties. A variable to using a step stool or ladder includes employee's height.

REACHING

- Above Shoulder Level:

Average Frequency: 2 times.

Duration: Seconds to 1 minute at a time.

Maximum Frequency: Up to 10 times.

Duration: Seconds to 1 minute at a time.

Description: Performs while maintaining signs in conjunction with using basic tools, accessing or placing files/paperwork and related items on and off upper shelves. Unilateral or bilateral upper extremities from less than full-to-full extensions at each occurrence. A variable to reaching above shoulder level includes employee's height.

- Between Waist and Shoulder Level:

Average Frequency: 3 to 5 hours.

Duration: Seconds to 30 minutes at a time.

Maximum Frequency: 5 to 6 hours.

Duration: Seconds to 30 minutes at a time.

Description: Performs during trainings including setups, using basic tools, while maintaining signs or markings, visiting field sites including performing investigations, utilizing a computer keyboard and input device to enter or retrieve data, which includes reaching within the primary reach zone, operating standard office equipment including a copy or fax machine, handling office supplies, driving a vehicle in conjunction with maneuvering a steering wheel, using a cart or dollies while transporting projectors and performing other described job duties. Unilateral or bilateral upper extremities from less than full-to-full extensions on each occurrence.

- Below Waist Level:

Average Frequency: 2 to 4 times.

Duration: Seconds at a time.

Maximum Frequency: Average frequency is consistent.

Duration: N/A

Description: Performs while retrieving or positioning paperwork/files, boxes or equipment on and off lower shelves, drawers or ground level, visiting field sites including performing investigations or observations.

Unilateral or bilateral upper extremities from less than full-to-full extensions on each occurrence.

PUSHING/PULLING

Average Frequency: Up to 10 minutes.

Duration: Seconds to 5 minutes at a time.

Maximum Frequency: Average frequency is consistent.

Duration: N/A

Description: Performs while opening or closing file cabinet drawers, using a four-wheel cart or dolly, transporting projectors, using basic tools to maintain signs including wrenches. Unilateral or bilateral arm use.

TWISTING/ROTATING

- Waist:

Not a job requirement.

• Neck:
Average Frequency: 1 to 2 hours.
Duration: Seconds at a time.
Maximum Frequency: Average frequency is consistent.
Duration: N/A
Description: Performs during normal body mechanics, performing general office tasks, driving, visiting field sites including performing investigations and observations, and performing other described job duties.

• Wrists:
Average Frequency: 15 to 30 minutes.
Duration: Seconds at a time.
Maximum Frequency: Average frequency is consistent.
Duration: N/A
Description: Performs while handling office supplies and paperwork, using basic tools including wrenches, pliers, screwdrivers, etc. while maintaining signs, possibly during field investigations and performing other described job duties. Unilateral or bilateral hand use.

BENDING

• Waist:
Alternated with squatting, employee preference.

• Head/Neck:
Average Frequency: 2 to 3 hours.
Duration: Seconds to 10 minutes at a time.
Maximum Frequency: Average frequency is consistent.
Duration: N/A
Description: Performs during normal body mechanics, using basic tools to maintain signs and markings, visiting field sites including performing investigations and observations, reading, writing and reviewing paperwork, operating standard office equipment, performing general office tasks and other described job duties.

• Wrists:
Average Frequency: 2 to 3 hours.
Duration: Seconds to 5 minutes at a time.
Maximum Frequency: Average frequency is consistent.
Duration: N/A
Description: Performs during normal body mechanics, handling office supplies and paperwork, driving in conjunction with maneuvering a steering wheel, using basic tools to maintain signs and markings, visiting field sites including performing investigations and performing other described job duties. Unilateral or bilateral hand use.

LIFTING/CARRYING

0 to 10 lbs.
Objects: Basic tools including tape measures, wrenches, pliers, hammers, screwdrivers etc., testing instrumentation, writing utensils, paperwork/files, telephone handset, office supplies, standard office tools, cameras, and other related items,
Average Frequency: 2 to 3 hours.
Maximum Frequency: Average frequency is consistent.
Duration: Seconds to 15 minutes at a time.
Distance: 0 to 50 yards.
Height: Ground to shoulder or above.
Description: Performs while utilizing basic tools including tape measures, wrenches, pliers, hammers, screwdrivers etc., testing instrumentation, a writing utensil to complete paperwork, using a telephone, handling paperwork or files, office supplies, and other related items.

11 to 25 lbs.
Objects: File box, supplies, fire extinguishers, SCBA equipment.
Average Frequency: 1 to 2 times per week.
Maximum Frequency: Up to 10 times, during special projects.
Duration: Seconds at a time.
Distance: Up to 15 feet.
Height: Ground to shoulder or above.
Description: Performs while retrieving and relocating a file box, supplies, fire extinguishers, SCBA equipment.

26 to 50 lbs.
Objects: File box, equipment, materials, fire extinguishers, SCBA equipment.
Average Frequency: 2 to 3 times per week.
Maximum Frequency: Up to 10 times, during special projects.
Duration: Seconds at a time.

Distance: Up to 15 feet.
Height: Ground to waist level.
Description: Performs while retrieving and relocating a file box, equipment, materials, fire extinguishers, SCBA equipment.

51 to 75 lbs.
Not a job requirement.

76 to 100 lbs.
Not a job requirement.

100+ lbs.
Not a job requirement.

SIMPLE GRASPING

Average Frequency: 2 to 3 hours.
Duration: Seconds to 15 minutes at a time.
Maximum Frequency: Average frequency is consistent.
Duration: N/A
Description: Performs while handling paperwork and files, handling office supplies, using a telephone handset, driving in conjunction with maneuvering a steering wheels using carts, dollies or transporting projectors, using a variety of basic tools to maintain signs and markings, during field investigations, and performing other described job duties. Unilateral or bilateral hand use.

POWER GRASPING

Average Frequency: 5 to 10 minutes.
Duration: Seconds at a time.
Maximum Frequency: Average frequency is consistent.
Duration: N/A
Description: Performs while retrieving and relocating a file box, fire extinguishers, confined space entry equipment, using basic tools, maintaining signs and markings including using wrenches, pliers, screwdrivers, hammers etc., and performing other described job duties. Bilateral hand use.

FINE MANIPULATION

Average Frequency: 2 1/2 to 3 hours.
Duration: Seconds to 30 minutes at a time.
Maximum Frequency: 4 to 4 1/2 hours.
Duration: Seconds to 30 minutes at a time.
Description: Performs while maintaining signs including handling hardware, using basic tools, handling instruments including performing calibrations, utilizing a computer keyboard and input device to enter or retrieve data, which includes a combination of fine manipulation and simple grasping, sorting and handling paperwork, pressing telephone buttons to make outgoing calls, operating office equipment by pressing buttons, using writing utensils to complete paperwork, using a digital camera, and performing other described job duties. Unilateral or bilateral hand use.

MACHINES/TOOLS

- Writing utensils
- Computer
- Standard office equipment including copy and fax machines, scanners and printers, laminator, shredder
- Telephone
- Standard office tools including staplers, stapler removers and other related items
- Vehicle
- Camera
- Cart or dolly
- Confined space entry equipment
- Basic tools, wrenches, tape measures, pliers, hammers, screwdrivers
- Testing instrumentation

PERSONAL PROTECTIVE EQUIPMENT

- Depending on the exposure, the employee is required to wear hearing, foot, eye, respiratory, head protection, raingear, and a Tyvex suit.
- Incumbents in this class are required to be clean-shaven as required to wear respiratory protection or other safety equipment.

WEIGHTS AND MEASURES

- None.

NOTICE: The Examples of Functions, responsibilities, work environment, physical demands etc. listed in this Job Analysis are representative only, and not exhaustive of the tasks that an employee may be required to perform.

ATTACHMENT

6

*Statement of
David Patzer
CSRMA Risk Control Advisor
September 1, 2013*

Based on 14 years experience providing risk control consulting services to the 60-plus members of CSRMA, evidence has repeatedly demonstrated that wastewater districts with either more than 40 employees or those that conduct both sewage collections and treatment (regardless of number of employees) who do not have a full time equivalent professional safety/risk control support find themselves in significant non compliance with CalOSHA employer requirements and CSRMA's Best Recommended Risk Control Practices.

Additionally, experience has shown that those agencies who attempt to meet CalOSHA's requirements for employers by sharing compliance responsibilities between multiple positions who are not experts on CalOSHA's compliance requirements have disorganized and generally ineffective compliance and employee safety programs. The complexity of CalOSHA's requirements and the number of CalOSHA regulations triggered by wastewater collections and treatment make this a failed strategy. The failure of this approach to address basic CalOSHA compliance responsibilities typically carries over into an employer's responsibility to protect the public and its contractors from the risks and hazards of the activities an agency is involved in (i.e. Confined space, excavation, traffic control, etc). This raises significant civil liability concerns and is the reason behind many of CSRMA's Best Recommended Risk Control Practices.

CalOSHA has repeatedly demonstrated an expectation that employers, as part of their business and operating expenses, budget the necessary funds to provide a safe and healthful workplace for employees. This includes complying with all of the regulations an employer's activities trigger. And, unlike a private enterprise, the CalOSHA Appeals Board takes a skeptical view on any public agency that attempts to raise a financial hardship defense to charges of non-compliance.

1 of 3

Risk Control Staffing Comparison

Source: CSRMA

AGENCY	STATISTICS			ACTIVITIES PERFORMED						Comment
	# of Emp.'s	# of Full-Time Risk Control Persons	Employees / Safety FTE	Plant Operations	Maintenance	Lab	Source Control	Collections	Admin	
Ojai VSD	19	0.5	38	X	X	X		X	X	
Carmel AWD	24	0.5	48	X	X	X	X	X	X	
Victor Valley Wastewater Reclamation	42	1	42	X	X	X	X	X	X	Duties shared between 2 people
Napa SD	47	1	47	X	X	X	X	X	X	
Oro Loma SD	48	1	48	X	X	X	X	X	X	
City of Livermore WWTP	50	1	50	X	X	X	X	X	X	Also contracts with outside safety consultant
Encina WA	51	1	51	X	X	X	X		X	
Delta Diablo SD	65	1	65	X	X	X	X	X	X	
Ventura Regional	67	0.5	134	X	X	X	X	X	X	½ staff person + consultant
South Bayside System Authority	71	1	71	X	X	X	X		X	
Monterey Regional WPCA	81	1	81	X	X	X	X	X	X	
Vallejo SFCD	84	1.5	56	X	X	X	X	X	X	
South Tahoe PUD	93	1	93	X	X	X	X	X	X	Duties shared between 2 people
Marin Area SD's (4 agencies sharing 1 FT)	100	2	50	X	X	X	X	X	X	Duties shared between 2 people
Union Sanitary District (USD)	123	2	62	X	X	X	X	X	X	
Central Contra Costa SD	256	3	85	X	X	X	X	X	X	
Median			54							
Average			64							
DSRSD FYE 2013	109	1	109	X	X	X	X	X	X	
DSRSD FYE 2014	113	2	57	X	X	X	X	X	X	

2 of 3

