

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

August 2, 2016

1. CALL TO ORDER

A regular meeting of the Board of Directors was called to order at 6:00 p.m. by President D.L. (Pat) Howard.

2. PLEDGE TO THE FLAG

3. ROLL CALL

Boardmembers present at start of meeting:

President D.L. (Pat) Howard, Vice President Richard M. Halket, Director Edward R. Duarte, and Director Georange M. Vonheeder-Leopold.

Director Madelyne (Maddi) A. Misheloff was absent.

Recusals:

Director Vonheeder-Leopold - Item 9.C Director Vonheeder-Leopold stated that she would recuse herself from any participation in any discussions, decisions, or voting on the Health Insurance Contribution for Calendar Year 2017 for Board of Directors, Item 9.C, to ensure that she neither influence nor attempt to influence another member of the DSRSD Board regarding any matters pertinent to the item, consistent with applicable provisions of the Government Code, because she receives health benefits as a retired Boardmember of Dublin San Ramon Services District.

Director Vonheeder-Leopold departed from the Boardroom at approximately 6:14 p.m. before Item 9.C. She returned to the Board meeting at 6:17 p.m. after the conclusion of discussion of Item 9.C.

District staff present: Dan McIntyre, General Manager; John Archer, Administrative Services Manager/Treasurer; Dan Lopez, Interim Operations Manager; Rhodora Biagtan, Principal Engineer-Supervisory; Carl P.A. Nelson, General Counsel; and Nicole Genzale, Executive Services Supervisor/District Secretary.

4. SPECIAL ANNOUNCEMENTS/ACTIVITIES – None

5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:01 p.m.

Speaker: Ms. Dawn Benson, Boardmember Valley Children's Museum. Ms. Benson invited the Boardmembers and staff to the unveiling of a new museum exhibit called The Imagination Playground, and safety fair, to be held on Saturday August 20, 2016 at Emerald Glen Park.

6. REPORTS

A. Reports by General Manager and Staff

- Event Calendar – General Manager McIntyre reported on the following:
 - o The California Association of Sanitation Agencies annual conference will be held in Monterey August 10-12, 2016. Boardmembers Duarte and Vonheeder-Leopold and a few staff members will be attending.
- Correspondence to and from the Board on an Item not on the Agenda – None

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

C. Joint Powers Authority and Committee Reports – None

7. APPROVAL OF MINUTES – Regular Meeting of July 19, 2016

Director Vonheeder-Leopold MOVED for the approval of the July 19, 2016 minutes. Director Duarte SECONDED the MOTION, which CARRIED with FOUR AYES, and ONE ABSENT (Misheloff).

8. CONSENT CALENDAR

Director Duarte MOVED for approval of the items on the Consent Calendar. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FOUR AYES, and ONE ABSENT (Misheloff).

A. Authorize Task Order No. 2 for Professional Records Management Consulting Services with Records Control Services – Approved

B. Affirm No Changes to Emergency Response Plan (ERP) Policy (P300-12-1) – Approved

C. Affirm No Changes to Sewer System Overflows Policy (P600-12-1) – Approved

9. BOARD BUSINESS

A. Public Hearing: Adopt Engineer's Report and Direct Levy of Annual Assessments in the Dougherty Valley Standby Charge District 2001 -1 for Fiscal Year 2016-2017

Administrative Services Manager Archer reviewed the item for the Board.

President Howard declared the Public Hearing open.

Hearing no comments from the public, Vice President Halket MOVED to close the Public Hearing. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FOUR AYES, and ONE ABSENT (Misheloff).

The Board and staff discussed various aspects of the annual assessment and Engineer's Report, including how the District processes the assessment as a pass-through of State Water Project costs related to Dougherty Valley on behalf of Zone 7 Water Agency (Zone), the difference in methodology for billing costs to customers in Dougherty Valley (Contra Costa County) versus customers in the Zone's service area (Alameda County), and speculations as to how to handle the assessment in the future given the maximum assessment limit has been reached. Staff also clarified that the assessment for customers in the Zone's service area are billed via property taxes and are subject to increases as deemed necessary by the Zone. The Board requested that staff begin research on ways to handle this assessment and associated fees going forward, and present information to the Board at a future meeting.

Vice President Halket MOVED to adopt Resolution No. 49-16, adopting Engineer's Report and Directing the Levy of Annual Assessments in the Dublin San Ramon Services District Dougherty Valley Standby Charge District 2001-1 for Fiscal Year 2016-2017. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FOUR AYES, and ONE ABSENT (Misheloff).

- B. Approve Health Insurance Contribution for Calendar Year 2017 for Stationary Engineers Local 39, Professional, Mid-Management, Confidential and Senior Management Employees

Administrative Services Manager Archer reviewed the item for the Board.

Vice President Halket MOVED to adopt Resolution No. 50-16, Fixing the Employer Contribution at an Equal Amount for Employees and Annuitants Under the Public Employees' Medical and Hospital Care Act for Stationary Engineers Local 39, Professional, Mid-Management, Confidential, and Senior Management Employees. Director Duarte SECONDED the MOTION, which CARRIED with FOUR AYES, and ONE ABSENT (Misheloff).

- C. Approve Health Insurance Contribution for Calendar Year 2017 for Board of Directors

Administrative Services Manager Archer reviewed the item for the Board.

Director Duarte MOVED to adopt Resolution No. 51-16, Fixing the Employer Contributions at an Equal Amount for Employees and Annuitants Under the Public Employees' Medical and Hospital Care Act for Board of Directors. Vice President Halket SECONDED the MOTION, which CARRIED with THREE AYES, TWO ABSENT (Misheloff, Vonheeder-Leopold).

- D. Approve Response to Contra Costa County Grand Jury Report 1606 – “Reclaiming Our Water”

General Manager McIntyre introduced Principal Engineer Rhodora Biagtan who reviewed the item for the Board. Ms. Biagtan gave a presentation on the proposed response to the Grand Jury.

The Board and staff discussed various aspects of the proposed response and surmised possible impetuses for the Grand Jury's investigation of this particular topic. The Board commented that the proposed response was appropriate and informative and agreed upon its submittal to the Grand Jury.

Vice President Halket MOVED to approve the response to Contra Costa Grand Jury Report 1606 – “Reclaiming Our Water.” Director Duarte SECONDED the MOTION, which CARRIED with FOUR AYES, and ONE ABSENT (Misheloff).

10. BOARDMEMBER ITEMS

Vice President Halket commented on recent publications regarding the Dublin's new aquatic center, which is currently under construction and slated to open in summer 2017, and concerns he suspects revolve around not only water conservation, but traffic and noise congestion, too. He also noted recent publications and information received regarding proposed legislation for assessment of connection charges for adding “mother-in-law” units to residential properties. General Counsel Nelson explained the nature of the legislation he was referring to. Vice President Halket requested that staff agendize this matter for a future Board meeting to discuss the effects of this legislation on the District. General Manager McIntyre agreed to do so once the legislation has been implemented.

11. CLOSED SESSION

At 6:38 p.m. the Board went into Closed Session.

- A. Conference with Legal Counsel – Existing Litigation Pursuant to Subdivision (d)(1) of Section 54956.9 (Hendrix Litigation)

12. REPORT FROM CLOSED SESSION

At 6:48 p.m. the Board came out of Closed Session. President Howard announced that there was no reportable action.

13. ADJOURNMENT

President Howard adjourned the meeting at 6:49 p.m.

Submitted by,

Nicole Genzale, CMC
Executive Services Supervisor