

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

August 16, 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, Director Madelynne (Maddi) A. Misheloff, and Director Georgean M. Vonheeder-Leopold.

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

4. CLOSED SESSION

Deferred to end of meeting under Item 13.

A. Conference with District's Real Property Negotiators – Pursuant to Government Code Section 54956.8.

Property: 11099 Brittany Lane, Dublin, Assessor's Parcel Number 941-0100-007-54

Agency Negotiator: Dan McIntyre, General Manager

Judy Zavadil, Engineering Services Manager

Rhodora Biagtan, Principal Engineer – Supervisory

Carl P.A. Nelson, General Counsel

Negotiating Parties: N-Dublin Family Partnership

Under Negotiation: Price, Terms and Conditions

5. REPORT FROM CLOSED SESSION

Deferred to end of meeting under Item 14.

6. SPECIAL ANNOUNCEMENTS/ACTIVITIES

General Manager McIntyre reported that the California Association of Sanitation Agencies conference that he attended last week in Monterey went well. He also noted that the candidate filing period for the District Board of Directors seats currently up for election has been extended by five days for non-incumbents and so will expire tomorrow, August 17, at 5:00 p.m. An election will not be held if there are no non-incumbent filers by the deadline.

7. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:03 p.m.

There was no public comment received.

8. REPORTS

A. Reports by General Manager and Staff

- Event Calendar – General Manager McIntyre reported on the following:
 - o The annual Dublin Chamber of Commerce BBQ will be held tomorrow at the Heritage Park and Museum.
 - o A letter from City of Dublin Mayor Haubert was received today regarding item 11.A.
- Correspondence to and from the Board on an Item not on the Agenda – None

B. Agenda Management (consider order of items) – General Manager McIntyre recommended that Closed Session Items 4 and 5 be deferred to the end of the meeting under Items 13 and 14. The Board agreed to move the items as recommended.

C. Joint Powers Authority and Committee Reports

Special LAVWMA

August 15, 2016

President Howard invited comments on recent LAVWMA activities. Director Duarte shared highlights from the meeting, noting that City of Pleasanton is requesting Alameda County LAFCo give retroactive approval of extension of wastewater services, LAVWMA's operations coming in under budget this past year, and concern regarding development of a new Workday building in Pleasanton and the developer's discovery of two District water mains near its foundation. The Board and staff briefly discussed concerns regarding the water main matter, and the status of fees collection for the applicable DUE's (dwelling unit equivalents) in that LAVWMA service area. General Manager McIntyre stated he will include an update on the project and status of fees collection in an upcoming General Manager Report.

9. APPROVAL OF MINUTES – Regular Meeting of August 2, 2016

Director Vonheeder-Leopold MOVED for the approval of the August 2, 2016 minutes. Director Duarte SECONDED the MOTION, which CARRIED with FOUR AYES, and ONE ABSTENTION (Misheloff).

10. CONSENT CALENDAR

Director Duarte MOVED for approval of the item on the Consent Calendar. Director Misheloff SECONDED the MOTION, which CARRIED with FIVE AYES.

A. Accept the Following Regular and Recurring Reports: Water Supply and Conservation, Warrant List, and Upcoming Board Business – Approved.

11. BOARD BUSINESS

A. Videotaping Board Meetings (CIP 16-A004)

General Manager McIntyre introduced Community Affairs Supervisor Sue Stephenson who reviewed the item for the Board, including a background of the approved project, the boardroom's current videotaping capabilities and constraints, and the four videotaping options presented in the item. She conveyed the current project funding will be adequate to conduct an assessment and design proposal, but will not be enough to fully fund the necessary improvements.

The Board and staff discussed the options in an effort to gain a basic understanding of what each could offer, as well as how far the current project budget of \$100,000 could support the improvement efforts. There is no operating budget currently appropriated for the project long-term since there is no definitive direction on what those improvements might be. The Board acknowledged that an enhancement of the boardroom's current broadcasting capabilities should be made and directed staff to have the design work done, expressing its understanding that additional funding will likely be necessary to complete the appropriate improvements, which will be based on the Board's determination at a future meeting.

Speaker: Dr. Marshall Kamena, President of Tri-Valley Community Television. Dr. Kamena presented the services offered by TVCTV and read a recommendation letter sent to the Board by City of Dublin Mayor David Haubert.

Director Vonheeder-Leopold MOVED to authorize staff to proceed with conducting the needs assessment to develop the cost for the audio and lighting improvements, and to report the results to the Board. Director Misheloff SECONDED the MOTION, which CARRIED with FIVE AYES.

The Board and staff then further discussed the various services offered by the options presented. Regardless of the option ultimately selected, the Board expressed a desire for quality, efficiency and cost effectiveness. The Board requested that staff continue to research the options presented using an "apples to apples" comparison approach and bring the additional information to the Board at a future meeting.

B. Adopt Revised Day of Service Policy and Rescind Resolution No. 9-14

General Manager McIntyre reviewed the item for the Board.

The Board and staff discussed the proposed changes. General Counsel Nelson explained the statute that directs the submittal of Boardmember Item written reports, and that it does not provide for exceptions if the report is late, nor does it direct verbal reports be made by Boardmembers at board meetings, however, they are useful for updating other Boardmembers and the public. They also discussed what is meant by a Boardmember attending an event in an "official capacity." The Board also discussed the reasoning for and process by which event attendance is annually approved in advance by the Board, and the Board's desire to make prudent decisions on what events are deemed compensable.

Director Duarte MOVED to adopt Resolution No. 52-16, Revising the Day of Service Policy and Rescinding Resolution No. 9-14. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES.

C. Adopt Revised District Safety Programs Policy and Rescind Resolution No. 74-07

General Manager McIntyre introduced interim Operations Manager Lopez who reviewed the item for the Board.

Vice President Halket MOVED to adopt Resolution No. 53-16, Revising the District Safety Programs Policy and Rescinding Resolution No. 74-07. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES.

D. Approve the FYE17 Legislative Advocacy Agenda

General Manager McIntyre introduced Community Affairs Supervisor Stephenson who reviewed the item for the Board. She also explained that BAB2E (Bay Area Biosolids to Energy) was inadvertently omitted and should be included on the proposed agenda.

The Board was in agreement with the proposed agenda and requested that any activity regarding the Delta should be approached cautiously.

Vice President Halket MOVED for approval of the FYE17 Legislative Advocacy Agenda, with the amendment to add an item for legislation of funding for BAB2E. Director Duarte SECONDED the MOTION, which CARRIED with FIVE AYES.

12. BOARDMEMBER ITEMS

Director Duarte submitted a written report to Executive Services Supervisor Genzale. He reported that he attended the California Association of Sanitation Agencies (CASA) annual conference in Monterey last week. He summarized the activities and discussions at the meeting.

Director Vonheeder-Leopold submitted a written report to Executive Services Supervisor Genzale. She reported that she also attended the CASA annual conference in Monterey last week, as well as the CASA Board of Directors Meeting on August 11. She summarized the activities and discussions at the meetings.

13. CLOSED SESSION

At 7:14 p.m. the Board went into Closed Session.

Item 4 was held before Item 13.A.

- A. Consultation with Dan McIntyre, Security Operations Manager
Pursuant to Government Code Section 54957 – Threat to Public Services or Facilities
- B. Conference with Legal Counsel – Anticipated Litigation [Significant exposure to litigation]
Pursuant to paragraph (2) of subdivision (d) of Section 54956.9: (Two cases)

(circumstances need not be disclosed pursuant to paragraph (1) of subdivision (e) of Government Code Section 54956.9)

14. REPORT FROM CLOSED SESSION

At 8:06 p.m. the Board came out of Closed Session. President Howard announced that there was no reportable action.

15. ADJOURNMENT

President Howard adjourned the meeting at 8:07 p.m.

Submitted by,

Nicole Genzale, CMC
Executive Services Supervisor