



AGENDA

NOTICE OF REGULAR MEETING

TIME: 6 p.m.

PLACE: Shannon Community Center, Ambrose Hall
11600 Shannon Avenue, Dublin, CA 94568

DATE: Tuesday, January 7, 2020

Our mission is to protect public health and the environment by providing reliable and sustainable water, recycled water, and wastewater services in a safe, efficient, and fiscally responsible manner.

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

5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC)

At this time those in the audience are encouraged to address the Board on any item of interest that is within the subject matter jurisdiction of the Board and not already included on tonight's agenda. Comments should not exceed five minutes. Speaker cards are available from the District Secretary and should be completed and returned to the Secretary prior to addressing the Board. The President of the Board will recognize each speaker, at which time the speaker should proceed to the lectern, introduce him/herself, and then proceed with his/her comment.

6. REPORTS

- 6.A. Reports by Staff
 - Event Calendar
 - Correspondence to and from the Board
- 6.B. Joint Powers Authority and Committee Reports
- 6.C. Agenda Management (consider order of items)

7. CONSENT CALENDAR

Matters listed under this item are considered routine and will be enacted by one Motion, in the form listed below. There will be no separate discussion of these items unless requested by a Member of the Board or the public prior to the time the Board votes on the Motion to adopt.

- 7.A. Approve Regular Meeting Minutes of December 17, 2019
Recommended Action: Approve by Motion
- 7.B. Adopt Revised Director Travel and Expenses Policy and Rescind Resolution No. 12-17
Recommended Action: Adopt Policy by Resolution

8. BOARD BUSINESS

- 8.A. Approve Continuation of Emergency Action Procurement by General Manager for Repair of the District Office and Find that the Need for the District Office Flooding Emergency Still Exists
Recommended Action: Approve by Motion
- 8.B. Approve Amendment to the Capital Improvement Program Two-Year Budget for Fiscal Years Ending 2020 and 2021 for the Corporation Yard and Administration Facilities Project (CIP 16-A005) and Award Construction Agreement to D.W. Nicholson Corporation for the Field Operations Facility (FOF) Electrical Improvements Project (CIP 16-A005)
Recommended Action: Adopt by Resolutions (2)
- 8.C. Approve Board Committees and Joint Powers Authority Assignments for Calendar Year 2020
Recommended Action: Approve by Motion
- 8.D. Receive Presentation on Regional Water Quality Control Board Nutrients Watershed Permit
Recommended Action: Receive Presentation

9. BOARD MEMBER ITEMS

- Submittal of Written Reports for Day of Service Events Attended by Directors
- Request New Agenda Item(s) Be Placed on a Future Board or Committee Agenda

10. CLOSED SESSION

- 10.A. Public Employee Performance Evaluation Pursuant to Government Code Section 54957
Title: General Manager
- 10.B. Conference with Labor Negotiators – Pursuant to Government Code Section 54957.6
Agency Designated Representative: Carl P.A. Nelson, General Counsel
Unrepresented Employee: General Manager

11. REPORT FROM CLOSED SESSION

12. ADJOURNMENT

All materials made available or distributed in open session at Board or Board Committee meetings are public information and are available for inspection at the front desk of the DSRSD Field Operations Facility at 7035 Commerce Circle, Pleasanton, 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**

December 17, 2019

1. CALL TO ORDER

A regular meeting of the Board of Directors was called to order at 6:02 p.m. by President Misheloff.

2. PLEDGE TO THE FLAG

3. ROLL CALL

Boardmembers present at start of meeting:

President Madelyne A. (Maddi) Misheloff, Vice President Edward R. Duarte, Director Ann Marie Johnson, and Director Richard M. Halket.

District staff present: Dan McIntyre, General Manager; Carol Atwood, Administrative Services Manager/Treasurer; Judy Zavadil, Engineering Services Manager/District Engineer; Jeff Carson, Operations Manager; Carl P.A. Nelson, General Counsel; and Nicole Genzale, Executive Services Supervisor/District Secretary.

Director Vonheeder-Leopold entered the meeting at 6:04 p.m.

4. SPECIAL ANNOUNCEMENTS/ACTIVITIES

New Employee Introduction:

- Josh Gentry, Maintenance Worker I

5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:04 p.m. No public comment was received.

6. REPORTS

6.A. Reports by Staff

- Event Calendar – General Manager McIntyre had nothing to report.
- Correspondence to and from the Board on an Item not on the Agenda – None

6.B. Joint Powers Authority and Committee Reports

LAVWMA – November 20, 2019

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

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

7. CONSENT CALENDAR

President Misheloff inquired about an account balance reported in the Legislative budget in the Warrant List Item 7.B. Administrative Services Manager Atwood stated she would review the balance and send an update to the Board.

Director Halket MOVED for approval of the items on the Consent Calendar. Vice President Duarte SECONDED the MOTION, which CARRIED with FIVE AYES.

- 7.A. Regular Meeting Minutes of November 19, 2019 – Approved
- 7.B. Accept Regular and Recurring Reports: Warrant List and Quarterly Financial Reports – Approved
- 7.C. Approve Proclamation Honoring Retiring City of Dublin City Manager Chris L. Foss – Approved
- 7.D. Approve Amendment No. 11 to Agreement of February 8, 2002 with Bold, Polisner, Maddow, Nelson & Judson for District General Counsel – Approved – Resolution No. 42-19
- 7.E. Authorize Execution of Quit Claim of Easement of Property and Pipeline Easement with S and V, LLC for Aloft Hotel at Grafton Plaza (DP-16-284) – Approved
- 7.F. Award Construction Agreement to Garney Pacific, Inc. for the San Ramon Pump Station Flow Diversion Project (CIP 16-R018) – Approved – Resolution No. 43-19
- 7.G. Authorize Execution of Task Order No. 4 with TJC & Associates, Inc. for Design Services for the Potable Water Pump Station Standby Generators/Emergency Response Project (CIP 16-W012) – Approved

8. BOARD BUSINESS

- 8.A. Approve Continuation of Emergency Action Procurement by General Manager for Repair of the District Office and Find that the Need for the District Office Flooding Emergency Still Exists

Engineering Services Manager Zavadil reviewed the item for the Board. She reported that construction at the District Office continues, and that completion is now expected in March, rather than February, due to furniture delays.

Vice President Duarte MOVED to Approve Continuation of Emergency Action Procurement by General Manager for Repair of the District Office and Find that the Need for the District Office Flooding Emergency Still Exists. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES.

- 8.B. Approve Proclamation Honoring Retiring District General Counsel Carl P.A. Nelson

Director Halket MOVED to Approve the Proclamation Honoring Retiring District General Counsel Carl P.A. Nelson. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES.

President Misheloff presented the Proclamation to General Counsel Nelson and the Board congratulated and thanked him for his years of service. Mr. Nelson stated it has been an honor and a privilege to serve DSRSD.

- 8.C. Accept the Annual Report on Rate Stabilization Funds (RSF) and Confirm Transfers from the Regional Wastewater Operating (Fund 300) to the Regional Wastewater RSF (Fund 305), from the Regional Wastewater RSF (Fund 305) to the Regional Wastewater Replacement (Fund 310), and the Local Wastewater RSF (Fund 205) to the Local Wastewater Operating (Fund 200)

Administrative Services Manager Atwood reviewed the item for the Board.

Director Halket MOVED to Accept the Annual Report on Rate Stabilization Funds (RSF) and Confirm Transfers from the Regional Wastewater Operating (Fund 300) to the Regional Wastewater RSF (Fund 305), from the Regional Wastewater RSF (Fund 305) to the Regional Wastewater Replacement (Fund 310), and the Local Wastewater RSF (Fund 205) to the Local Wastewater Operating (Fund 200). Director Johnson the MOTION, which CARRIED with FIVE AYES.

- 8.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. 30-19

President Misheloff read the following statement: "In 2016, the Legislature added a provision to the Brown Act that requires that prior to taking final action on a salary schedule that includes local agency executives, which as defined includes the District's General Manager and the District's three Senior Managers, "[t]he legislative body shall orally report a summary of [the] recommendation for ... final action on ... salary schedules... of a local agency executive. The salary schedule that is before the Board in Item 8.D. includes the respective salaries of the three Senior Managers as adjusted, effective December 16, 2019, by a cost of living adjustment of 2.75%, as is specified in their respective Personal Services Agreements as amended to date. The Board approved Amendments No. 1 to each of the three Senior Manager's respective Personal Services Agreements, following an oral report, on November 7, 2017, which report appears in the minutes of the November 7, 2017 Board meeting."

Administrative Services Manager Atwood reviewed the item for the Board.

Director Halket MOVED to adopt Resolution No. 44-19, Adopting a Pay Schedule in Accordance with California Code of Regulations, Title 2, Section 570.5, and Rescinding Resolution No. 30-19, with the Correction to the Adopted Pay Schedule to Replace the Effective Date of December 17, 2018 with the Correct Effective Date of December 16, 2019. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES.

- 8.E. Accept Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2019 with Independent Auditor's Report and Memorandum on Internal Control and Required Communications for the Fiscal Year Ended June 30, 2019

Administrative Services Manager Atwood introduced Mr. David Alvey, CPA-Vice President from Maze and Associates, the firm that conducted the annual audit. Mr. Alvey provided an overview of the District's audit and reported the District received a clean opinion which is the highest level of assurance that an agency can receive. Copies of the District's Comprehensive Annual

Financial Report for the Fiscal Year Ended June 30, 2019, with Independent Auditor's Report and Memorandum on Internal Control and Required Communications for the Fiscal Year Ended June 30, 2019, were handed out to the Board.

The Board, consultant, and staff discussed a few areas of the report, including fluctuations in operating cash flow, Board decisions regarding long-term investments such as OPEB (Other Post Employment Benefits), and the sensitivity of the net OPEB liability, which can dramatically swing, positive or negative, with just a 1% change in the current discount rate. The Board also requested consistency in the chart format for OPEB presentations in the next report. The Board noted there was no action to take at present based on the audit results, but the above areas need to be continuously monitored. The Board acknowledged the positive report and thanked Mr. Alvey.

Director Johnson MOVED to Accept the Comprehensive Annual Financial Report for the Fiscal Year Ended June 30, 2019 with Independent Auditor's Report and Memorandum on Internal Control and Required Communications for the Fiscal Year Ended June 30, 2019. Vice President Duarte SECONDED the MOTION, which CARRIED with FIVE AYES.

8.F. Authorize Execution of Task No. 11 with Zone 7 Water Agency to the Tri-Valley Intergovernmental Reciprocal Services Master Agreement for Tri-Valley Potable Reuse Preliminary Studies and Community Outreach and Education

Engineering Services Manager Zavadil reviewed the item for the Board. She stated that Zone 7 Water Agency will approve the task order at its Board meeting tomorrow evening, and she anticipates both the Cities of Pleasanton and Livermore to approve it at their respective Board meetings in January.

Director Vonheeder-Leopold MOVED to authorize Execution of Task No. 11 with Zone 7 Water Agency to the Tri-Valley Intergovernmental Reciprocal Services Master Agreement for Tri-Valley Potable Reuse Preliminary Studies and Community Outreach and Education. Vice President Duarte SECONDED the MOTION, which CARRIED with FIVE AYES.

8.G. Selection of President and Vice President of the Board of Directors for 2020

President Misheloff opened the floor for nominations for the 2020 Board of Directors President and Vice President.

Director Halket MOVED to NOMINATE and ELECT Vice President Duarte as the 2020 Board President and Director Johnson as the 2020 Board Vice President. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES.

Director Misheloff passed the gavel to President Duarte who then presided over the remainder of the meeting. President Duarte thanked Director Misheloff for a job well done and presented her with an engraved plaque on behalf of the Board and staff that read "In Sincere Appreciation for your Unwavering and Devoted Service as President of the Board of Directors in 2019." Director Misheloff stated it was her honor to be President this last year.

9. BOARDMEMBER ITEMS

- Submittal of Written Reports for Day of Service Events Attended by Directors

Director Misheloff submitted a written report to Executive Services Supervisor/District Secretary Genzale. She reported that she attended the Dublin City Council meeting on Tuesday, November 19, 2019 and gave the “State of the District” presentation. She summarized the activities and discussions at the meeting.

Director Vonheeder-Leopold submitted written reports to Executive Services Supervisor/District Secretary Genzale. She reported that she attended the California Association of Sanitation Agencies Board of Directors Strategic Planning meeting December 4-December 6 in Sacramento, and the Alameda County California Special Districts Association chapter meeting on Wednesday, December 11 at the Castro Valley Sanitation District. She summarized the activities and discussions at the meetings.

Director Halket wished everyone a Merry Christmas.

- Request New Agenda Item(s) Be Placed on a Future Board or Committee Agenda – None

10. CLOSED SESSION

At 6:43 p.m. the Board went into Closed Session.

10.A. Anticipated Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2): One Potential Case

11. REPORT FROM CLOSED SESSION

At 7:02 p.m. the Board came out of Closed Session. President Duarte announced that there was no reportable action.

12. ADJOURNMENT

President Duarte adjourned the meeting at 7:02 p.m.

Submitted by,

Nicole Genzale, CMC
Executive Services Supervisor/District Secretary



TITLE: Adopt Revised Director Travel and Expenses Policy and Rescind Resolution No. 12-17

RECOMMENDATION:

Staff recommends the Board of Directors adopt, by Resolution, the revised Director Travel and Expenses policy and rescind Resolution No. 12-17.

SUMMARY:

The Board adopted the Day of Service and Director Travel and Expenses policies in 2005. The purpose of the Director Travel and Reimbursement policy of the Board of Directors of Dublin San Ramon Services District is to establish guidelines for reimbursement of travel and related expenses incurred by Directors in the performance of official duties in accordance with Government Code Sections 53232.2 and 53232.3 (Attachment 1) as specified in Government Code Section 61047 (Attachment 2), part of the Community Services District Law, and declare that each Director shall exhibit good judgment in the matter of travel and incidental expenses and shall have proper regard for the propriety and economy of conducting District business.

The current Director Travel and Expenses policy (P100-17-2) governs the reimbursement of Directors' expenditures incurred when they are on District business, and specifies that travel to and attendance shall be consistent with the approved budget. It provides that travel by Directors on District business within California and Nevada is pre-approved. The policy also states that expenses incurred in connection with activities and/or events that are not eligible for compensation under the Day of Service policy may, with prior Board approval, qualify for reimbursement. Such events include the activities of civic and charitable organizations that are determined by the Board to be in the best interest of the District, but do not include political activities or events.

In previous years, there has been an annual Board item requesting approval of Director attendance at certain conferences and meetings and approval of reimbursements for Director expenses when attending meetings eligible for a day of service and monthly Chamber of Commerce (Chamber) lunch meetings. The recently revised Day of Service policy (P100-19-2), approved on September 3, 2019, now lists all eligible events and provides pre-approval on an ongoing basis, and thereby discontinues the need to approve such attendance as part of an annual item. However, the Day of Service policy does not provide pre-approval of reimbursement of costs of attending the monthly Chamber lunch meetings.

The Director Travel and Expenses policy as revised (Attachment 3) authorizes reimbursements for Director travel and related expenses incurred in connection with Director attendance at meetings, conferences, events, and activities on an ongoing basis, provided that attendance has been pre-approved by the Board, either because the activity was listed as compensable in the Day of Service policy, or because the activity was approved for reimbursement of expenses at a Board meeting held prior to the event, thereby eliminating the need to annually approve such reimbursement. The revised policy also makes a few minor updates to improve clarity:

- Include a purpose statement
- Apply standard formatting used for District policies, by assigning section numbers and renumbering subsections
- Add monthly Chamber lunch meetings as eligible for reimbursement
- Denote the specific prepaid meal amounts relating to per diem rates
- Move text around for better flow

The policy is scheduled for review again in 2024 if the Board adopts a revised policy this year.

Originating Department: Administrative Services	Contact: N. Genzale	Legal Review: Yes
Cost: Actual expenses	Funding Source: Various depending on meeting	
Attachments: <input type="checkbox"/> None <input type="checkbox"/> Staff Report <input checked="" type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Task Order <input type="checkbox"/> Proclamation <input checked="" type="checkbox"/> Other (see list on right)	Attachment 1 – Government Code Sections 53232 et seq. Attachment 2 – Government Code Section 61047 Attachment 3 – Marked-up Director Travel and Expense policy	



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GOVERNMENT CODE - GOV

TITLE 5. LOCAL AGENCIES [50001 - 57550] (*Title 5 added by Stats. 1949, Ch. 81.*)

DIVISION 2. CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 55821] (*Division 2 added by Stats. 1949, Ch. 81.*)

PART 1. POWERS AND DUTIES COMMON TO CITIES, COUNTIES, AND OTHER AGENCIES [53000 - 54999.7] (*Part 1 added by Stats. 1949, Ch. 81.*)

CHAPTER 2. Officers and Employees [53200 - 53299] (*Chapter 2 added by Stats. 1949, Ch. 81.*)

ARTICLE 2.3. Compensation [53232 - 53232.4] (*Article 2.3 added by Stats. 2005, Ch. 700, Sec. 3.*)

53232. For the purposes of this article, the following terms have the following meanings:

- (a) "Governing body" means the board of supervisors in the case of a county or a city and county, the city council or board of trustees in the case of a city, and the board of directors or other governing body in the case of a special district.
- (b) "Legislative body" has the same meaning as specified in Section 54952.
- (c) "Local agency" means a city, county, city and county, charter city, charter county, charter city and county, or special district.
- (d) "Meeting" has the same meaning as specified in subdivision (a) of Section 54952.2.

(Added by Stats. 2005, Ch. 700, Sec. 3. Effective January 1, 2006.)

53232.1. (a) When compensation is otherwise authorized by statute, a local agency may pay compensation to members of a legislative body for attendance at the following occurrences:

- (1) A meeting of the legislative body.
- (2) A meeting of an advisory body.
- (3) A conference or organized educational activity conducted in compliance with subdivision (c) of Section 54952.2, including, but not limited to, ethics training required by Article 2.4 (commencing with Section 53234).

(b) A local agency may pay compensation for attendance at occurrences not specified in subdivision (a) only if the governing body has adopted, in a public meeting, a written policy specifying other types of occasions that constitute the performance of official duties for which a member of the legislative body may receive payment.

(c) This section shall not apply to any local agency that pays compensation in the form of a salary to members of a legislative body, including, but not limited to, those local agencies whose legislative bodies' compensation is subject to Section 36516 or 36516.1, subparagraph (B) or (C) of paragraph (2) of subdivision (a) of Section 21166 or Section 22840 of the Water Code, Section 11908.1 of the Public Utilities Code, Section 6060 of the Harbors and Navigation Code, or subdivision (b) of Section 1 or Section 5 of Article XI of the California Constitution.

(Added by Stats. 2005, Ch. 700, Sec. 3. Effective January 1, 2006.)

53232.2. (a) When reimbursement is otherwise authorized by statute, a local agency may reimburse members of a legislative body for actual and necessary expenses incurred in the performance of official duties, including, but not limited to, activities described in Article 2.4 (commencing with Section 53234).

(b) If a local agency reimburses members of a legislative body for actual and necessary expenses incurred in the performance of official duties, then the governing body shall adopt a written policy, in a public meeting, specifying the types of occurrences that qualify a member of the legislative body to receive reimbursement of expenses relating to travel, meals, lodging, and other actual and necessary expenses.

(c) The policy described in subdivision (b) may also specify the reasonable reimbursement rates for travel, meals, and lodging, and other actual and necessary expenses. If it does not, the local agency shall use the Internal

Revenue Service rates for reimbursement of travel, meals, lodging, and other actual and necessary expenses as established in Publication 463, or any successor publication.

(d) If the lodging is in connection with a conference or organized educational activity conducted in compliance with subdivision (c) of Section 54952.2, including, but not limited to, ethics training required by Article 2.4 (commencing with Section 53234), lodging costs shall not exceed the maximum group rate published by the conference or activity sponsor, provided that lodging at the group rate is available to the member of a legislative body at the time of booking. If the group rate is not available, the member of a legislative body shall use comparable lodging that is consistent with the requirements of subdivisions (c) and (e).

(e) Members of the legislative body shall use government and group rates offered by a provider of transportation or lodging services for travel and lodging when available.

(f) All expenses that do not fall within the adopted travel reimbursement policy or the Internal Revenue Service reimbursable rates as provided in subdivision (c), shall be approved by the governing body, in a public meeting before the expense is incurred, except as provided in subdivision (d).

(g) If a member of a legislative body chooses to incur additional costs that are above the rates established pursuant to this section and those costs have not been approved pursuant to subdivision (f), then the member of a legislative body may do so at his or her own expense.

(h) This section shall not supersede any other laws establishing reimbursement rates for local agencies.

(Amended by Stats. 2006, Ch. 643, Sec. 10. Effective January 1, 2007.)

53232.3. (a) If a local agency reimburses members of a legislative body for actual and necessary expenses incurred in the performance of official duties, then a local agency shall provide expense report forms to be filed by the members of the legislative body for reimbursement for actual and necessary expenses incurred on behalf of the local agency in the performance of official duties. Reimbursable expenses shall include, but not be limited to, meals, lodging, and travel.

(b) Expense reports shall document that expenses meet the existing policy, adopted pursuant to Section 53232.2, for expenditure of public resources.

(c) Members of a legislative body shall submit expense reports within a reasonable time after incurring the expense, as determined by the legislative body, and the reports shall be accompanied by the receipts documenting each expense.

(d) Members of a legislative body shall provide brief reports on meetings attended at the expense of the local agency at the next regular meeting of the legislative body.

(e) All documents related to reimbursable agency expenditures are public records subject to disclosure under the California Public Records Act (Chapter 3.5 (commencing with Section 6250) of Division 7 of Title 1).

(Added by Stats. 2005, Ch. 700, Sec. 3. Effective January 1, 2006.)

53232.4. Penalties for misuse of public resources or falsifying expense reports in violation of expense reporting policies may include, but are not limited to, the following:

(a) The loss of reimbursement privileges.

(b) Restitution to the local agency.

(c) Civil penalties for misuse of public resources pursuant to Section 8314.

(d) Prosecution for misuse of public resources, pursuant to Section 424 of the Penal Code.

(Added by Stats. 2005, Ch. 700, Sec. 3. Effective January 1, 2006.)


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GOVERNMENT CODE - GOV
TITLE 6. DISTRICTS [58000 - 62262] (*Title 6 added by Stats. 1951, Ch. 331.*)

DIVISION 3. COMMUNITY SERVICES DISTRICTS [61000 - 61250] (*Division 3 repealed and added by Stats. 2005, Ch. 249, Sec. 3.*)

PART 2. INTERNAL ORGANIZATION [61020 - 61070] (*Part 2 repealed and added by Stats. 2005, Ch. 249, Sec. 3.*)

CHAPTER 3. Board of Directors [61040 - 61048] (*Chapter 3 repealed and added by Stats. 2005, Ch. 249, Sec. 3.*)

61047. (a) The board of directors may provide, by ordinance or resolution, that each of its members may receive compensation in an amount not to exceed one hundred dollars (\$100) for each day of service. A member of the board of directors shall not receive compensation for more than six days of service in a month.

(b) The board of directors, by ordinance adopted pursuant to Chapter 2 (commencing with Section 20200) of Division 10 of the Water Code, may increase the amount of compensation that may be received by members of the board of directors.

(c) The board of directors may provide, by ordinance or resolution, that its members may receive their actual and necessary traveling and incidental expenses incurred while on official business. Reimbursement for these expenses is subject to Sections 53232.2 and 53232.3.

(d) A member of the board of directors may waive any or all of the payments permitted by this section.

(e) For the purposes of this section, a "day of service" means any of the following:

(1) A meeting conducted pursuant to the Ralph M. Brown Act, Chapter 9 (commencing with Section 54950) of Part 1 of Division 2 of Title 5.

(2) Representation of the district at a public event, provided that the board of directors has previously approved the member's representation at a board of directors' meeting and that the member delivers a written report to the board of directors regarding the member's representation at the next board of directors' meeting following the public event.

(3) Representation of the district at a public meeting or a public hearing conducted by another public agency, provided that the board of directors has previously approved the member's representation at a board of directors' meeting and that the member delivers a written report to the board of directors regarding the member's representation at the next board of directors' meeting following the public meeting or public hearing.

(4) Representation of the district at a meeting of a public benefit nonprofit corporation on whose board the district has membership, provided that the board of directors has previously approved the member's representation at a board of directors' meeting and the member delivers a written report to the board of directors regarding the member's representation at the next board of directors' meeting following the corporation's meeting.

(5) Participation in a training program on a topic that is directly related to the district, provided that the board of directors has previously approved the member's participation at a board of directors' meeting, and that the member delivers a written report to the board of directors regarding the member's participation at the next board of directors' meeting following the training program.

(Added by Stats. 2005, Ch. 249, Sec. 3. Effective January 1, 2006.)



Policy

Policy No.: <u>P100-17-2</u>	Type of Policy: Board Business
Policy Title: <u>Board of</u> Director Travel and Expenses	
Policy Description:	Reimbursement of travel and related expenses incurred by Directors <u>while on District business</u> in the performance of official duties
Approval Date: <u>3/21/2017</u>	Last Review Date: <u>1/7/2020</u>
Approval Resolution No.: <u>12-17</u>	Next Review Date: <u>2021</u>
Rescinded Resolution No.: <u>4-13</u>	Rescinded Resolution Date: <u>12-17</u>

It is tThe purpose of this policy of the Board of Directors of Dublin San Ramon Services District: is to establish guidelines for reimbursement of travel and related expenses incurred by Directors in the performance of official duties in accordance with Government Code Sections 53232.2 and 53232.3 as specified in Government Code Section 61047, part of the Community Services District Law, and declare

4. that each Director shall exhibit good judgment in the matter of travel and incidental expenses and shall have proper regard for the propriety and economy of conducting District business.

1. General

2. Directors may receive Tereimbursement for reasonable and actual travel and/or incidental expenditures of Directors incurred when they are on District business in the performance of official duties and upon submittal of the monthly Director Expense Sheet and supporting documentation in conformance with this policy.

2. Services Allowed for Reimbursement

Reimbursement of travel and related expenses shall meet the following criteria:

3. a. That tTravel to and from and attendance at conferences and meetings by Directors shall be consistent with the approved budget of the District.
4. b. That tTravel on District business within the States of California and Nevada is pre-approved by adoption of this policy; travel on District business in locations other than California and Nevada require specific Board approval.
- c. Expenses incurred in connection with monthly Chamber of Commerce lunch meetings are

Policy No.: P100-17-2

Policy Title: ~~Board of~~ Director Travel and Expenses

pre-approved by adoption of this policy. Such meetings provide opportunities to develop positive relationships with the local business community, when participation is determined by the Board to be in the best interest of the District.

5. ~~d.~~ That eExpenses incurred in connection with activities and/or events that are not eligible for compensation under the Day of Service policy may, with prior Board approval, qualify for reimbursement under this policy. Such events include activities of civic and charitable organizations when participation that are is determined by the Board to be in the best interest of the District. Expenses incurred in connection with partisan or nonpartisan political activities or events are not eligible for reimbursement.

3. Expenses Allowed for Reimbursement

6. ~~That e~~Expenditures of Directors for travel shall be allowed in general accordance with the following criteria:

- a. Registration Fees: A registration or similar fee charged by the organizers of any conference, convention, or meeting ~~is allowable~~.
- b. Lodging: Amounts equivalent to the cost of ~~conference rate if available at the time of booking and if one has been established~~ a standard single occupancy room at the ~~hotel or motel facility~~ at which the conference or meeting is held, or comparable nearby lodging ~~are allowable~~.
- c. Transportation:
 - Air Travel: Amounts equivalent to the cost of coach class round-trip airfare from Oakland, San Jose, Sacramento or San Francisco to an airport reasonably near the destination ~~are allowable~~.
 - Rental Cars: The cost of a mid-size rental car at ~~a~~the destination ~~is allowable~~.
 - Private Automobiles: Travel to and from ~~a~~the destination using ~~a~~ private automobiles is allowable at the IRS mileage rate (travel to and from the District for the purpose of attending Board meetings is not eligible for reimbursement). ~~This applies so long as the amount so calculated does not exceed limited to~~ the cost of ~~a~~ pre-purchased round-trip coach class airfare plus ground transportation that would be incurred for the same trip. ~~If that is the case, the expense shall be limited to the cost of pre-purchased round-trip coach class airfare plus estimated ground transportation.~~ When more than one District official travels in the same private automobile, allowance will be made to only the owner or lessor of the vehicle used. No credit for airfare or the avoided cost of a second automobile shall be paid to the second person. If the General Manager determines that air transportation is not feasible due to work schedules, time involved or other similar reasons, an allowance for the use of a private automobile shall be determined on the basis of the IRS mileage rate and shall not be subject to the limitation specified herein.

Policy No.: P100-17-2

Policy Title: ~~Board of~~ Director Travel and Expenses

- ~~Tolls and Parking: Tolls, parking and other similar charges are allowable; parking shall be at “non-valet” and “long-term” rates when available.~~
- ~~Public Transportation / Taxis: Expenses for public transportation or private “for hire” ground transportation at the destination, to and ~~for~~ from the destination and ~~for~~ to ~~or~~ and from the departure airport ~~are allowable.~~~~
- ~~Meals: Actual and reasonable costs of meals while traveling are allowable up to the ~~limits set herein average California city per diem rate. Notification of this rate, along with a breakdown by meal, will be forwarded to the Board each December for the upcoming calendar year.~~ Directors shall exercise discretion in the selection of restaurants and when incurring costs for meals. No costs for any alcoholic beverages shall be eligible for reimbursement. ~~A maximum daily reimbursement for meals while traveling is hereby established at the average California city per diem rate. The maximum daily per diem will be reduced in the following amounts to reflect pre-paid meals: \$12 for breakfast, \$16 for lunch and \$34 for dinner.~~ The maximum daily reimbursement shall also be reduced by the amount associated with the meals that a Director would normally have taken on his ~~or~~ her personal behalf before departure or after ~~their~~ his/her return.~~
- ~~d. Incidental Expenses: Reasonable incidental expenditures related to travel or the conduct of District business in amounts less than \$10 per item are allowable without receipt. These include items such as parking at meters, baggage handling, ~~use of hotel fax services,~~ phone charges, ~~etc.~~ and other similar expenses.~~

~~7. If a receipt is lost, the Director shall so note that on ~~their~~ his/her expense ~~report sheet~~ along with a brief explanation and ~~their~~ estimate of the expense. In such cases copies of credit card statements and/or checking account charges that show the date and amount of the charge and the payee are acceptable substitutes. The General Manager, or designee, shall apply reasonable discretion, as supported by the evidence of the situation, and determine the actual amount to be reimbursed.~~

4. Expenses Not Allowed for Reimbursement

~~8. a. No reimbursement is allowed for any direct or incremental expenses of family members or guests traveling with a Director. An example of an unallowable incremental expense is such as the added cost of upgrading a room or a rental car to accommodate a non-District traveling companion.~~

~~9. b. Expenses unrelated to approved travel or event attendance. Allowable expenses as specified herein are only reimbursable only for the time while the conference, business meeting, or other District business activity is occurring, with reasonable allowance for the need to arrive in advance of or depart after a conference or business meeting.~~

~~10. Receipts (other than meals) must be provided prior to reimbursement unless otherwise provided herein.~~

Policy No.: P100-17-2

Policy Title: ~~Board of~~ Director Travel and Expenses

5. Review and Approval

~~11. The principal responsibility for compliance with this policy rests with each Director. The General Manager, or designee, shall review all expenses submitted for reimbursement for to determine conformance with this policy prior to approving payment. When necessary, reasonable discretion in approving reimbursements related to unusual circumstances may be exercised that are not in strict accordance with this policy but that were necessary and prudent and were incurred in performance of official duties while furthering the interests of the District. If a Director disagrees with the General Manager's determination, the Director submitting the reimbursement request expenses for reimbursement shall refer the matter to the Board for consideration, by submitting the matter as an agenda item make a request at a regular Board meeting, not later than 60 days after the day for which reimbursement is requested, to schedule an agenda item to review the determination at a future regular Board meeting. The submittal of an expense sheet by a Director shall be deemed a representation by that Director that the request, in the exercise of his or her judgment, complies with the terms of this policy, that any required approval of the Board was obtained at a Board meeting in advance of the activity or event, that any required written report has been submitted at the next Board meeting following the activity or event, and that the Director has considered any issues that the General Manager has identified. If the matter is referred to the Board of Directors, the Board shall approve the expense sheet unless the Board believes it substantially deviates from this policy.~~

6. Administration

~~12. The General Manager, or designee, shall administer this policy and shall institute appropriate accounting and control procedures to ensure the policy is being followed.~~

~~13. This policy supersedes all previously adopted District policies related to reimbursement for travel and incidental expenses.~~

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT REVISING THE DIRECTOR TRAVEL AND EXPENSES POLICY AND RESCINDING RESOLUTION NO. 12-17

WHEREAS, on December 6, 2005, the Board revised the policy for the reimbursement of travel and related expenses incurred by Directors while on District business, to conform with two statutes that became effective January 1, 2006: SB 135 (Kehoe), which revised the Community Services District Law, and AB 1234 (Salinas), which required local agencies to adopt a written policy concerning the types of occurrences that qualify a member of a legislative body to receive reimbursement of expenses for travel, meals, and lodging , and impose related requirements, including the filing of expense reports, in order to provide reimbursement for such expenses; and

WHEREAS, on June 16, 2009, the Board adopted a Director Travel and Expenses policy, which in turn was revised during the four-year reviews on February 19, 2013, and March 21, 2017; and

WHEREAS, on September 3, 2019, the Board revised the Day of Service policy to more clearly classify activities and events as eligible or ineligible for compensation as a day of service consistent with California Government Code Section 61047, part of the Community Services District Law, and to provide pre-approval of the eligible events listed in the policy, thereby discontinuing the need for an annual Board item to pre-approve attendance of meetings and conference; and

WHEREAS, revising the Director Travel and Expenses policy to pre-approve travel and other expenses associated with certain events not pre-approved in the Day of Service policy but incurred in the performance of official duties would eliminate the need for the Board to annually pre-approve such events as eligible for reimbursement of travel and other expenses.

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 revised Director Travel and Expenses policy, attached as Exhibit "A," is hereby adopted; and Resolution No. 12-17, attached as Exhibit "B," is hereby rescinded.

Res. No. _____

ADOPTED by the Board of Directors of Dublin San Ramon Services District, a public agency in the State of California, Counties of Alameda and Contra Costa, at its regular meeting held on the 7th day of January, 2020, and passed by the following vote:

AYES:

NOES:

ABSENT:

Edward R. Duarte, President

ATTEST: _____
Nicole Genzale, District Secretary



Policy

Policy No.:	Type of Policy: Board Business
Policy Title: Director Travel and Expenses	
Policy Description: Reimbursement of travel and related expenses incurred by Directors in the performance of official duties	
Approval Date: 1/7/2020	Last Review Date: 2020
Approval Resolution No.:	Next Review Date: 2024
Rescinded Resolution No.: 12-17	Rescinded Resolution Date: 3/21/2017

The purpose of this policy of the Board of Directors of Dublin San Ramon Services District is to establish guidelines for reimbursement of travel and related expenses incurred by Directors in the performance of official duties in accordance with Government Code Sections 53232.2 and 53232.3 as specified in Government Code Section 61047, part of the Community Services District Law, and declare that each Director shall exhibit good judgment in the matter of travel and incidental expenses and shall have proper regard for the propriety and economy of conducting District business.

1. General

Directors may receive reimbursement for reasonable and actual travel and/or incidental expenditures of Directors incurred in the performance of official duties and upon submittal of the monthly Director Expense Sheet and supporting documentation in conformance with this policy.

2. Services Allowed for Reimbursement

Reimbursement of travel and related expenses shall meet the following criteria:

- a. Travel to and from and attendance at conferences and meetings by Directors shall be consistent with the approved budget of the District.
- b. Travel on District business within the States of California and Nevada is pre-approved by adoption of this policy; travel on District business in locations other than California and Nevada require specific Board approval.
- c. Expenses incurred in connection with monthly Chamber of Commerce lunch meetings are pre-approved by adoption of this policy. Such meetings provide opportunities to develop

Policy No.:

Policy Title: Director Travel and Expenses

positive relationships with the local business community, when participation is determined by the Board to be in the best interest of the District.

- d. Expenses incurred in connection with activities and/or events that are not eligible for compensation under the Day of Service policy may, with prior Board approval, qualify for reimbursement under this policy. Such events include activities of civic and charitable organizations when participation is determined by the Board to be in the best interest of the District. Expenses incurred in connection with partisan or nonpartisan political activities or events are not eligible for reimbursement.

3. Expenses Allowed for Reimbursement

Expenditures of Directors for travel shall be allowed in general accordance with the following criteria:

- a. Registration Fees: A registration or similar fee charged by the organizers of any conference, convention, or meeting.
- b. Lodging: Amounts equivalent to the cost of a standard single occupancy room at the facility at which the conference or meeting is held, or comparable nearby lodging.
- c. Transportation:
 - Air Travel: Amounts equivalent to the cost of coach class round-trip airfare from Oakland, San Jose, Sacramento or San Francisco to an airport reasonably near the destination.
 - Rental Cars: The cost of a mid-size rental car at the destination.
 - Private Automobiles: Travel to and from the destination using a private automobile is allowable at the IRS mileage rate (travel to and from the District for the purpose of attending Board meetings is not eligible for reimbursement), limited to the cost of a pre-purchased round-trip coach class airfare plus ground transportation that would be incurred for the same trip. When more than one District official travels in the same private automobile, allowance will be made to only the owner or lessor of the vehicle used. No credit for airfare or the avoided cost of a second automobile shall be paid to the second person. If the General Manager determines that air transportation is not feasible due to work schedules, time involved or other similar reasons, an allowance for the use of a private automobile shall be determined on the basis of the IRS mileage rate and shall not be subject to the limitation specified herein.
 - Tolls and Parking: Tolls, parking and other similar charges are allowable; parking shall be at "non-valet" and "long-term" rates when available.
 - Public Transportation / Taxis: Expenses for public transportation or private "for hire" ground transportation at the destination, to and from the destination and to and from the departure airport.
- Meals: Actual and reasonable costs of meals while traveling are allowable up to the average California city per diem rate. Notification of this rate, along with a breakdown by meal, will be forwarded to the Board each December for the upcoming calendar year. Directors shall exercise

Policy No.:**Policy Title:** Director Travel and Expenses

discretion in the selection of restaurants and when incurring costs for meals. No costs for any alcoholic beverages shall be eligible for reimbursement. The maximum daily reimbursement shall also be reduced by the amount associated with the meals that a Director would normally have taken on his/her personal behalf before departure or after his/her return.

- d. **Incidental Expenses:** Reasonable incidental expenditures related to travel or the conduct of District business in amounts less than \$10 per item are allowable without receipt. These include items such as parking at meters, baggage handling, phone charges, and other similar expenses.

If a receipt is lost, the Director shall so note that on his/her expense sheet along with a brief explanation and estimate of the expense. In such cases copies of credit card statements and/or checking account charges that show the date and amount of the charge and the payee are acceptable substitutes. The General Manager, or designee, shall apply reasonable discretion, as supported by the evidence of the situation, and determine the actual amount to be reimbursed.

4. Expenses Not Allowed for Reimbursement

- a. Direct or incremental expenses of family members or guests traveling with a Director, such as the added cost of upgrading a room or a rental car to accommodate a non-District traveling companion.
- b. Expenses unrelated to approved travel or event attendance. Allowable expenses as specified herein are reimbursable only for the time while the conference, business meeting, or other District business activity is occurring, with reasonable allowance for the need to arrive in advance of or depart after a conference or business meeting.

5. Review and Approval

The principal responsibility for compliance with this policy rests with each Director. The General Manager, or designee, shall review all expenses submitted for reimbursement to determine conformance with this policy prior to approving payment. When necessary, reasonable discretion in approving reimbursements related to unusual circumstances may be exercised that are not in strict accordance with this policy but that were necessary and prudent and were incurred in performance of official duties while furthering the interests of the District. If a Director disagrees with the determination, the Director submitting the expenses for reimbursement shall make a request at a Board meeting, not later than 60 days after the day for which reimbursement is requested, to schedule an agenda item to review the determination at a future regular Board meeting. The submittal of an expense sheet by a Director shall be deemed a representation by that Director that the request, in the exercise of his or her judgment, complies with the terms of this policy, that any required approval of the Board was obtained at a Board meeting in advance of the activity or event, that any required written report has been submitted at the next Board meeting following the activity or event, and that the Director has considered any issues that the General Manager has identified. If the matter is referred to the Board of Directors, the Board shall approve the expense sheet unless the Board believes it substantially deviates from this policy.

Policy No.:	Policy Title: Director Travel and Expenses
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6. Administration

The General Manager, or designee, shall administer this policy and shall institute appropriate accounting and control procedures to ensure the policy is being followed.

RESOLUTION NO. 12-17

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT ADOPTING THE REVISED DIRECTOR TRAVEL AND EXPENSES POLICY AND RESCINDING RESOLUTION NO. 4-13

WHEREAS, on February 19, 2013, the Board adopted a revised Director Travel and Expenses policy; and

WHEREAS, all District policies are reviewed at least every four years.

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:

That the revised Director Travel and Expenses policy, attached as Exhibit "A" be adopted, and Resolution No. 4-13 is hereby rescinded, and attached as Exhibit "B."

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 21st day of March 2017, and passed by the following vote:

AYES: 5 - Directors Madelyne A. Misheloff, D.L. (Pat) Howard, Edward R. Duarte, Georgean M. Vonheeder-Leopold, Richard M. Halket

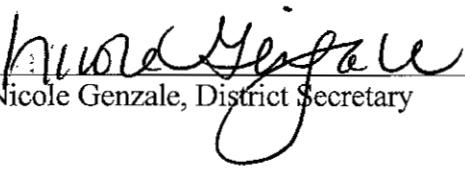
NOES: 0

ABSENT: 0



Richard M. Halket, President

ATTEST:


Nicole Genzale, District Secretary



TITLE: Approve Continuation of Emergency Action Procurement by General Manager for Repair of the District Office and Find that the Need for the District Office Flooding Emergency Still Exists

RECOMMENDATION:

Staff recommends the Board of Directors approve, by Motion, a continuation of the Emergency Action as declared in Board Resolution No. 53-18 and find that there exists a need for continuing the District Office flooding emergency which the Board last confirmed on December 17, 2019.

SUMMARY:

On November 11, 2018, the District Office flooded due to a leak in the building's fire service line. The General Manager, as the District's Emergency Manager per the District's Emergency Response Plan policy, immediately proclaimed a District State of Emergency to reduce potential further property damage due to water exposure and to minimize the time to restore core business operations.

Per the District's Purchasing policy, in case of an emergency and in accordance with Public Contract Code Section 22050, the General Manager may let contracts for any amount without giving notice for bids for repair or replacement of a public facility, and procure the necessary equipment, services, and supplies for those purposes. Resolution No. 53-18 was adopted by the Board of Directors on November 20, 2018, approving emergency action procurement by the General Manager for restoration of the District Office.

The District Office Renovation Project (CIP 19-A005), which is a part of the Capital Improvement Program (CIP), includes the restoration of the building, as well as renovations for the District Office. The building restoration work will be reimbursed through an insurance claim, and the renovation work will be paid through CIP project budgets. A summary of the contracts entered under the emergency action is attached.

The District Office is closed until further notice. Displaced District Office staff are now assigned to the Field Operations Facility. District administrative operations and customer service have been hampered in the following ways:

- The Board's customary meeting place for Board meetings is unavailable for use, inconveniencing the public who might wish to attend Board meetings;
- Customer service functions related to "in-person" bill payment have been suspended;
- There is minimal meeting space for staff for internal meetings, to meet with developer representatives and contractors, and to confer with other agency personnel;
- Natural work efficiencies are degraded with District Office staff working in ad hoc workspaces at the Field Operations Facility;
- Many supervisory staff have lost use of their individual offices for confidential meetings pertaining to performance management, coaching, and recruiting; and
- Through relocation of staff to the Field Operations Facility Training Room, space for large group training activities has been lost.

Based on the above consequences of the District Office being closed for restoration and repair, staff is requesting the Board of Directors find that there still exists a need for continuing the State of Emergency reflected by Board Resolution No. 53-18. Per the Public Contract Code, at every regularly scheduled meeting following the initial emergency action, the Board shall review and determine by a four-fifths vote, the need to continue the emergency action. Staff, therefore, recommends that the Board of Directors confirm the need to continue the State of Emergency.

Originating Department: Engineering Services	Contact: J. Ching	Legal Review: Not Required
Cost: \$0	Funding Source: Insurance Claim	
Attachments: <input type="checkbox"/> None <input type="checkbox"/> Staff Report <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Task Order <input type="checkbox"/> Proclamation <input checked="" type="checkbox"/> Other (see list on right)	Attachment 1 – Summary of Contracts	23 of 57

**District Office Renovation
Summary of Contracts**

Vendor	Service/Contract Type	Contract Amount
Restoration Management Company	Emergency Restoration, Contents Inventory and Storage	\$ 579,387.74
VIP Security	Building Security	\$ 16,750.00
Cal Engineering & Geology / HDR	Engineering Services for Concrete Slab Repair	\$ 91,328.28
Overaa Construction	Construction Services for Fire Riser and Concrete Slab Repair	\$ 224,374.46
ID Architecture	Architectural Design Services, Construction Management Services	\$ 167,750.00
Sausal Corporation	Design-Build Services	\$ 4,187,206.00
Swinerton Management and Consulting	Construction Management	\$ 413,858.00
Omega/RHP Environmental	Environmental/Abatement Monitoring	\$ 12,885.46
CORT Furniture	Office Furniture Rental (FOF)	\$ 121,508.36
Sam Clar Office Furniture	New Office Furniture	\$ 427,212.65
Total Contract Amount		\$ 6,242,260.95



TITLE: Approve Amendment to the Capital Improvement Program Two-Year Budget for Fiscal Years Ending 2020 and 2021 for the Corporation Yard and Administration Facilities Project (CIP 16-A005) and Award Construction Agreement to D.W. Nicholson Corporation for the Field Operations Facility (FOF) Electrical Improvements Project (CIP 16-A005)

RECOMMENDATION:

Staff recommends the Board of Directors approve, by two (2) separate Resolutions, the following actions:

1. A budget increase to the Capital Improvement Program Two-Year Budget for Fiscal Years Ending 2020 and 2021 to increase the Corporation Yard and Administration Facilities Project (CIP 16-A005) budget by \$250,000, from \$7,868,548 to \$8,118,548 and an increase to the Local Expansion Fund Limit.
2. Award a construction agreement for the Field Operations Facility (FOF) Electrical Improvements Project (CIP 16-A005) to D.W. Nicholson Corporation, the lowest responsive, responsible bidder, in the amount of \$577,600.

SUMMARY:

The existing Field Operations Facility (FOF) does not have a backup power system, which makes it susceptible to PG&E power outages. FOF is the hub for Field Operations personnel and houses the SCADA (Supervisory Control and Data Acquisition) control station and SCADA servers. In the event of a power outage (such as a PG&E Public Safety Power Shutoff), staff cannot use SCADA to monitor and control the water distribution system. A design contract with ArcSine Engineers was issued in December 2016 to design a standby power system for FOF. The scope of work included design of a backup generator and uninterruptable power supply (UPS) to support critical SCADA communications needed to operate the potable water distribution system during a power outage. Other tasks included evaluation and testing of existing panel boards (120/240-volt and 480-volt), light-emitting diode (LED) lighting upgrades in the warehouse, performing safety studies, and testing of existing protective devices.

Staff recommends the Board award the construction contract for the Field Operations Facility (FOF) Electrical Improvements Project ("FOF Project") to D.W. Nicholson Corporation. The bid period for the Project began on November 13, 2019, and four bids ranging from \$577,600 to just over \$1,000,000 were received on December 19, 2019. The engineer's construction cost estimate for the base bid was \$513,000. The low bid was received from D.W. Nicholson Corporation and contained no irregularities. The contract time for the project is 160 calendar days and is estimated to be completed by July 2020. Attachment 1 provides a summary of the bid results.

The funding source for this work is the Corporation Yard and Administration Facilities Project (CIP 16-A005, "Project"), which has an approved budget of \$7,868,548. This Project also funded initial building purchase and tenant improvements in 2016. The current unencumbered remaining budget is \$531,000. Staff recommends a budget increase of \$250,000, bringing the total project budget to \$8,118,548. The increased budget will cover the construction contract, staff time, and change order contingency. Exhibit A to the resolution shows the project worksheet. The Project is split between Water Replacement (Fund 610 – 55%), Water Expansion (Fund 620 – 30%), Local Wastewater Replacement (Fund 210 – 10%), and Local Wastewater Expansion (Fund 220 – 5%). Staff is also requesting an adjustment to the Local Wastewater Expansion fund limit to include the fund's share of the requested increase of \$12,500, from \$39,285 to \$51,785.

Originating Department: Engineering Services	Contact: S. Delight	Legal Review: Not Required
Cost: \$577,600 – Construction Contract	Funding Source: Water Replacement (Fund 610) – 55% Water Expansion (Fund 620) – 30% Local Wastewater Replacement (Fund 210) – 10% Local Wastewater Expansion (Fund 220) – 5%	
Attachments: <input type="checkbox"/> None <input type="checkbox"/> Staff Report <input checked="" type="checkbox"/> Resolutions (2) <input type="checkbox"/> Ordinance <input type="checkbox"/> Task Order <input type="checkbox"/> Proclamation <input checked="" type="checkbox"/> Other (see list on right)	Attachment 1 – Bid Results	25 of 57



**Dublin San Ramon
Services District**

Water, wastewater, recycled water

**Results of Bid Opening for
Field Operations Facility (FOF) Electrical Improvements (CIP 16-A005)
Thursday, December 19, 2019 @ 2 p.m.**

Engineer's Estimate:	\$ 513,000
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No.	Name of Bidder, City, State	Bid Amount
1	D.W. Nicholson Corporation, Hayward, CA	\$ 577,600
2	SilMan Venture Corp dba SilMan Industries, San Leandro, CA	\$ 604,408
3	Ray's Electric, Oakland, CA	\$ 808,180
4	Becker Electric, Inc., San Francisco, CA	\$ 1,010,466

Contractor/Subcontractor	Contractor License No.	PWC Registration No.	Location	Trade	Amount of Work to be Performed
D.W. Nicholson Corporation					
None listed					\$ -
SilMan Venture Corp dba SilMan Industries					
Sabah International Inc.	381218	10000-01018	Pleasanton, CA	Relocate fire system battery and system recertification	\$ 2,500
TelStar Instruments	422364	10000-00899	Concord, CA	Programming/SCADA	not listed
Ray's Electric					
Power Systems Testing Co.	306378	1000000898	Livermore, CA	equipment	\$ 8,000
Becker Electric Inc.					
None listed					\$ -

RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT APPROVING AN AMENDMENT TO THE CAPITAL IMPROVEMENT PROGRAM (CIP) TEN-YEAR PLAN AND AN INCREASE TO THE LOCAL WASTEWATER EXPANSION (FUND 220) CAPITAL IMPROVEMENT PROGRAM FUND BUDGET FOR FISCAL YEAR ENDING 2020 THE CORPORATION YARD AND ADMINISTRATIVE FACILITIES PROJECT (CIP 16-A005)

WHEREAS, the Board of Directors adopted the current Capital Improvement Program (CIP) Two-Year Budget for Fiscal Years Ending 2020 and 2021 ("CIP Budget") on July 2, 2019, authorizing project and fund budgets to meet the District's capital infrastructure needs; and

WHEREAS, the CIP Budget included the Corporation Yard and Administrative Facilities Project (CIP 16-A005) ("Project") with a budget of \$7,868,548; and

WHEREAS, staff recommends adjusting the CIP Budget by increasing the Project budget by \$250,000, from \$7,868,548 to \$8,118,548; and

WHEREAS, the CIP Budget included a total allocation of \$39,285 for Local Wastewater Expansion (Fund 220); and

WHEREAS, staff recommends an increase to the fund budget for the Local Wastewater Expansion (Fund 220) by \$12,500, from \$39,285 to \$51,785.

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 Corporation Yard and Administrative Facilities Project (CIP 16-A005) budget increase by \$250,000 from \$7,868,548 to \$8,118,548 is hereby approved and incorporated into the CIP Two-Year Budget for Fiscal Years Ending 2020 and 2021 in accordance with the project description sheet (Exhibit "A").

2. The fund budget for the Local Wastewater Expansion (Fund 220) for Fiscal Year Ending 2020 is hereby increased by \$12,500 from \$39,285 to \$51,785.

Res. No. _____

ADOPTED by the Board of Directors of Dublin San Ramon Services District, a public agency in the State of California, Counties of Alameda and Contra Costa, at its regular meeting held on the 7th day of January, 2020, and passed by the following vote:

AYES:

NOES:

ABSENT:

Edward R. Duarte, President

ATTEST: _____
Nicole Genzale, District Secretary

DSRSD CIP 10-Year Plan for FYEs 2020 through 2029

CATEGORY: GENERAL

Water Replacement (Fund 610)

CIP No. 16-A005 Corporation Yard and Administrative Facilities

Funding Allocation: 55% **610** 30% **620** 10% **210** 5% **220**

Project Manager: Steve Delight

Status: Continuing Project

Project Summary:

The lease with the US Army for the Field Operations Division (FOD) temporary facilities at Camp Parks terminated in October 2016. In March 2016, the District acquired a commercial building and warehouse at 7035 Commerce Circle in Pleasanton for approximately \$4.9 million. The property is located adjacent to the LAVWMA pump station. Infrastructure including building security, HVAC improvements and control systems, new materials bins, business and SCADA networks, and fencing and parking improvements were completed in spring/summer 2016 and FOD moved to the facility in August 2016. Renovations including a new lobby, new locker rooms, a new mudroom, and kitchen/breakroom improvements along with all new flooring and 1st floor furniture was completed in April 2017. A backup generator, new automatic transfer switchgear, and new uninterruptable power supply (UPS) for the SCADA system and select building loads will be installed in 2020.

CEQA: Building renovation covered by City of Pleasanton EIR; materials bin work - CEQA NOE filed by DSRSD

Reference: Field Operations Division Corporation Yard Study, January 2009.

Fund Allocation Basis: Fund split is based upon the estimated Field Operations cost split between potable water, recycled water and sewer activities.

10-Year Cash Flow and Estimated Project Cost:

Prior	FYE 20	FYE 21	FYE 22	FYE 23	FYE 24	FYE 25	FYE 26	FYE 27	FYE 28	FYE 29	Future
7,180,299	938,249	0	0	0	0	0	0	0	0	0	0

Total Estimated Project Cost **\$8,118,548**

Current Adopted Budget **\$7,868,548**

Increase/(Decrease) **\$250,000**



RESOLUTION NO. _____

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT APPROVING AN AGREEMENT WITH D.W. NICHOLSON CORPORATION FOR CONSTRUCTION OF THE FIELD OPERATIONS FACILITY (FOF) ELECTRICAL IMPROVEMENTS PROJECT (CIP 16-A005)

WHEREAS, the Board of Directors adopted the current Capital Improvement Program (CIP) Two-Year Budget for Fiscal Years Ending 2020 and 2021 ("CIP Budget") on July 2, 2019, authorizing project and fund budgets to meet the District's capital infrastructure needs; and

WHEREAS, the CIP Budget included the Corporation Yard and Administrative Facilities Project (CIP 16-A005) which includes the procurement of a standby generator and associated improvements for the Field Operations Facility; and

WHEREAS, a Notice of Exemption for the Project per California Environmental Quality Act (CEQA) Guidelines 15301 (a)(b), 15303 (d) and 15304 (f) was filed on November 9, 2018; and

WHEREAS, on November 13, 2019, the District Secretary advertised for bids for the Field Operations Facility (FOF) Electrical Improvements Project ("FOF Project") in accordance with the District's Purchasing policy, resulting in four bids received for the performance of work for the FOF Project; and

WHEREAS, D.W. Nicholson Corporation is the lowest responsive, responsible bidder, and it is the intention and desire of this Board to accept said bid of Five Hundred Seventy-Seven Thousand Six Hundred Dollars (\$577,600).

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 bid of D.W. Nicholson Corporation in the amount of \$577,600 is hereby selected for said work.
2. That certain agreement titled "Agreement for the Construction of Field Operations Facility (FOF) Electrical Improvement (CIP 16-A005)" (Exhibit "A"), by and between Dublin San Ramon Services District, a California public agency, and D.W. Nicholson Corporation is hereby approved, and the General Manager and District Secretary are hereby authorized and directed to execute, and to attest thereto respectfully, said agreement for and on behalf of the Dublin San Ramon Services District.

Res. No. _____

3. 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 7th day of January, 2020, and passed by the following vote:

AYES:

NOES:

ABSENT:

Edward R. Duarte, President

ATTEST: _____
Nicole Genzale, District Secretary

SECTION 00500

AGREEMENT FOR THE CONSTRUCTION OF

FIELD OPERATIONS FACILITY (FOF) ELECTRICAL IMPROVEMENTS (CIP 16-A005)

THIS AGREEMENT, made and concluded, in duplicate, this ____ day of _____, 20____, between the Dublin San Ramon Services District ("District"), Dublin, California, and D.W. Nicholson Corporation, Hayward, CA 94545, (510) 887-0900 ("Contractor").

WITNESSETH:

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: **Field Operations Facility (FOF) Electrical Improvements (CIP 16-A005)** 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 **Five Hundred Seventy-Seven Thousand Six Hundred (\$577,600)** dollars computed in accordance with Contractor's accepted proposal dated December 19, 2019, 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: _____
Daniel McIntyre, General Manager

ATTEST:

Nicole Genzale, District Secretary

***** END OF SECTION *****

00500-8



TITLE: Approve Board Committees and Joint Powers Authority Assignments for Calendar Year 2020

RECOMMENDATION:

Staff requests that the Board President make recommendations on the 2020 Committee structure, assignments and Mission Statements, and Joint Powers Authority (JPA) member assignments, and that the Board of Directors approve, by Motion, the Board President's recommendations.

SUMMARY:

Each year the newly selected Board President presents a recommendation for Boardmember assignments to the various Board Committees and JPAs. On December 17, 2019, in accordance with the Election and Rotation of Board Officers policy, the Board selected Director Edward Duarte as the new Board President. The first option would be to keep the Committees and assignments the same as 2019. A summary of the 2019 Committee structure is presented under "Option #1" below.

Option #1 – Approve maintaining the current Committee structure and assignments for 2020, as outlined below:

- Five Liaison Committees:
 - Tri-Valley Water Liaison
 - Zone 7 Water Agency Liaison
 - City of Pleasanton Liaison
 - City of Dublin Liaison
 - City of San Ramon/Central Contra Costa Sanitary District (Central San)
- DSRSD-EBMUD Recycled Water Authority (DERWA)
- Livermore-Amador Valley Water Management Agency (LAVWMA)

This option is shown in the Proposed 2020 Committee/JPA Assignments and Mission Statements (Attachment 1) and includes updated meeting schedules for the listed bodies. The Liaison Committees meet on dates coordinated with the other agencies. The JPAs meet per the pre-designated schedule by the JPAs.

Option #2 – Approve an alternate Committee structure and assignments for 2020, for which an updated 2020 Committee/JPA Assignments and Mission Statements document will be completed by staff and deemed final; whereby extensive changes may call for presentation and final ratification at the next Board meeting.

Guidelines on the roles of Committees, Liaison Committees and JPAs can be found in Chapters 7 and 8 of the Guidelines for Conducting District Board Business policy (see excerpts in Attachment 2).

In accordance with Regulation 18702.5 of the Fair Political Practices Commission (FPPC), a FPPC Form 806 (Agency Report of Public Official Appointments) will be posted on the District website upon approval of formal Board Committee and JPA assignments (see draft form in Attachment 3 reflecting Option #1).

Originating Department: Office of the General Manager	Contact: D. McIntyre	Legal Review: Yes
Cost: \$195 per Boardmember per day of service	Funding Source: Administrative Overhead (Fund 900)	
Attachments: <input type="checkbox"/> None <input type="checkbox"/> Staff Report <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Task Order <input type="checkbox"/> Proclamation <input checked="" type="checkbox"/> Other (see list on right)	<p>Attachment 1 – Proposed 2020 Committee/JPA Assignments and Mission Statements</p> <p>Attachment 2 – Excerpts from Guidelines for Conducting District Business policy</p> <p>Attachment 3 – Draft FPPC Form 806</p>	

PROPOSED 2020 COMMITTEE/JPA ASSIGNMENTS AND MISSION STATEMENTS**LIAISON COMMITTEES**

TRI-VALLEY WATER LIAISON COMMITTEE	
Members:	Misheloff, Vonheeder-Leopold
Alternates:	Johnson (First); Duarte, Halket
Committee Mission:	The mission of the Tri-Valley Water Liaison Committee is to confer and coordinate multi-agency efforts and programs that focus on Tri-Valley water issues. The participating agencies are: DSRSD, Zone 7 Water Agency, California Water Services Company, and the cities of Dublin, Livermore, Pleasanton and San Ramon.
Type of Committee Meeting Schedule:	Liaison. Meetings are held quarterly when mutually agreed upon by the participating agencies.

CITY OF DUBLIN LIAISON COMMITTEE	
Members:	Misheloff, Vonheeder-Leopold
Alternates:	Halket (First); Duarte, Johnson
Committee Mission:	The mission of the City of Dublin Liaison Committee is to confer and coordinate on programs that focus on the District's service to, relationship with, and communication with all of our customers in Dublin, including residents, businesses, schools (including Dublin Unified School District), and major institutional customers.
Type of Committee Meeting Schedule:	Liaison. Liaison to City of Dublin. Meetings are held when needed, on the afternoon of Board meeting dates when possible, or when mutually agreed upon by the participating agencies.

CITY OF PLEASANTON LIAISON COMMITTEE	
Members:	Halket, Johnson
Alternates:	Misheloff (First); Duarte, Vonheeder-Leopold
Committee Mission:	The mission of the City of Pleasanton Liaison Committee is to confer and coordinate on programs that focus on the District's service to, relationship with, and communication with Pleasanton.
Type of Committee Meeting Schedule:	Liaison. Liaison to City of Pleasanton. Meetings are held when needed, on the afternoon of Board meeting dates when possible, or when mutually agreed upon by the participating agencies.

CITY OF SAN RAMON AND CENTRAL CONTRA COSTA SANITARY DISTRICT LIAISON COMMITTEE	
Members:	Duarte, Johnson
Alternates:	Vonheeder-Leopold (First); Halket, Misheloff
Committee Mission:	The mission of the City of San Ramon and Central Contra Costa Sanitary District Liaison Committee is to confer and coordinate on programs that focus on the District's service to, relationship with, and communication with all of our customers in San Ramon, including residents, businesses, schools (including San Ramon Valley Unified School District), and major institutional customers.
Type of Committee Meeting Schedule:	Liaison. Liaison to City of San Ramon and Central Contra Costa Sanitary District. Meetings are held when needed, on the afternoon of Board meeting dates when possible, or when mutually agreed upon by the participating agencies.

ZONE 7 WATER AGENCY LIAISON COMMITTEE	
Members:	Duarte, Halket
Alternates:	Vonheeder-Leopold (First); Johnson, Misheloff
Committee Mission:	The mission of the Zone 7 Water Agency (Zone 7) Liaison Committee is to confer and coordinate programs that focus on the District's service from, relationship with, and communication with Zone 7.
Type of Committee Meeting Schedule:	Liaison. Liaison to Zone 7 Water Agency. Meetings are held when needed, on the afternoon of Board meeting dates when possible, or when mutually agreed upon by the participating agencies.

JOINT POWERS AUTHORITIES

DERWA JPA	
Members:	Duarte, Vonheeder-Leopold
Alternates:	Misheloff (First); Halket, Johnson
JPA Mission:	The DSRSD-EBMUD Recycled Water Authority (DERWA) is a Joint Powers Authority that was formed in 1995 between DSRSD and EBMUD. DERWA's mission is to provide a safe, reliable, and consistent supply of recycled water, and to maximize the amount of recycled water delivered. The San Ramon Valley Recycled Water Program (SRVRWP) was created in 1995 and currently provides recycled water to customers in Dublin and San Ramon. Future phases will extend recycled water delivery to portions of Blackhawk and Danville.
Type of Body Meeting Schedule:	Legislative. Board meetings are normally scheduled for the fourth Monday of odd calendar months.

LAWVMA JPA	
Members:	Johnson, Misheloff
Alternates:	Duarte (First); Halket, Vonheeder-Leopold
JPA Mission:	The Livermore-Amador Valley Water Management Agency (LAVVMA) is a Joint Powers Agency created in 1974 by the cities of Livermore and Pleasanton and the Dublin San Ramon Services District for the purpose of discharging their treated wastewater to San Francisco Bay. Operations began in September 1979 with expansions in 1983, 1987 and 2003 bringing it to its current maximum discharge capacity of 41.2 mgd. The wastewater is conveyed via a 16-mile pipeline from Pleasanton to San Leandro and enters the East Bay Dischargers Authority (EBDA) system for dechlorination and discharge through a deepwater outfall to the San Francisco Bay.
Type of Body Meeting Schedule:	Legislative. Board meetings are held quarterly on the third Wednesday of February, May, August, and November.

TYPES OF COMMITTEES AND COMMITTEE COMMUNICATION

Deliberative Committees

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

Liaison Committees

Liaison committees enable the board to receive information from other agencies and to convey the board's policy positions to those agencies. There are two types of liaison committees: *traditional liaison committees* (e.g., board committees that meet with a subset of the members of the legislative bodies of the City of Dublin, City of San Ramon, and Zone 7 Water Agency), and *de facto liaison committees* that represent the district on the board of the joint powers authorities (JPAs) with which the district is involved (e.g., DERWA and LAVWMA). Unless specifically charged by the board with doing so, liaison committees do not deliberate or recommend changes to district policy.

Communications from Committees

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

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

board and committee meetings and allowable discussions

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

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

- The first alternative is to ensure that no two committees consider the same policy matters. This is the reason for developing a mission statement within the charter of each committee.

- The second alternative entails creating a new committee specific to a major topic of importance as a separate deliberative committee and carving out the subject matter of the new committee from the existing deliberative committees. This approach avoids the same issue being addressed serially in more than one deliberative committee, so that a majority of directors would not have deliberated on the same topic except at a board meeting. While this approach could sidestep many Brown Act issues, there may be practical difficulties in actually carrying it out, given possible interrelationships of the subject matter of a new committee with the traditional committees.
- The third alternative is to have a given subject handled in its entirety by the board and thereby avoid any separate committee deliberations. This has been the district's past practice for certain labor negotiations and broad policy-level issues (such as the district's position on groundwater injection).

OPEN VERSUS CLOSED SESSION DISCUSSIONS

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

Open Session Discussions

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

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

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

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

Closed Session Discussions

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

**PROCESSING MATTERS THAT REQUIRE
BOARD ACTION**

Any matter requiring board action will be presented initially to the board for consideration without committee review or involvement unless it is specifically identified as a matter that may be initially considered by a committee. When so presented, the board may:

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

If a matter is referred to committee by the board, it will be handled in accordance with the normal process for handling committee items.

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

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

The following matters may be considered by a committee without a formal referral from the board:

Development of committee charters

- Rates and fees (finance or related committee)
- Labor relations matters (personnel or related committee)
- District budgetary issues within the charter of a committee
- District operational issues within the charter of a committee
- Informational items requested by the committee
- Issues that a committee may wish to preliminarily explore ahead of formal consideration
- Issues that staff may wish to preliminarily explore with an appropriate committee ahead of formal consideration

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

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

Administrative Matters

- Proclamations
- Warrant list
- Notifications (availability of ethics training, etc.)
- Board organizational matters (appointment of president or vice president)
- Appointment of committee

Board Oversight

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- Performance evaluations (general manager, general counsel, treasurer, district secretary)
- Mandated reports (e.g., annual \$100 list of expenses, annual aged receivables report)
- Consideration of conference attendance/day of service payments to a director

Procedural Streamlining

- Second reading of an ordinance
- Rejection of routine claims
- Acceptance of projects
- Acceptance of developer improvements
- Intention to levy assessments in existing assessment districts (mandated notification step in anticipation of formal action later)

- Routine construction project awards (e.g., project approved, under budget, no bid irregularities, no contractor issues, no public concern)
- Items accomplished within previous direction given by board (e.g., labor MOUs that conform to negotiating direction, revisions to items as previously directed by board)
- Follow-up on action items previously presented in workshops for discussion

District-Wide Matters

- Items with over-arching policy implications (e.g., budgeting, strategic planning)⁴
- Items spanning the adopted charter of two or more committees
- General informational items that keep the board current on a matter or allow members to discuss the implications of continuing with a previously agreed upon course of action
- Presentations requested by the board
- Actions required by law (e.g., consolidation of district elections, amending conflict of interest codes)

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Matters to Protect the District's Interest

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

⁴ Individual components may go to a committee whose charter covers that area.

PLACING AN ITEM ON AN AGENDA

Items Originating from the General Manager

Many items on the agenda originate with the general manager and district staff. The following types of items are typical:

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

Items Originating from or of Interest to a Director

A director may ask that a new item be placed on a future committee or board agenda during the board member Items portion of a board meeting or during the committee comments portion of a committee meeting. However, in such cases, the advance notice requirements of the Brown Act only allow the committee to decide to place such a matter on a future agenda; the matter cannot be discussed at the meeting at which it was first mentioned.

If the director originating an item wishes the item to be discussed by the committee or board when he/she brings it up, the director should contact the general manager to explain the issue so that the agenda can be properly prepared to allow discussion. The director who placed the item on the agenda is cited as the reference and is expected to lead the discussion.

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

Items Originating from the Public

During the public comment portion of a board or committee meeting, members of the public may ask to have an item placed on a future board or committee agenda. If the board or committee desires to have the item placed on a future agenda, it will direct the general manager to do so through a properly seconded and approved motion. The committee or board may not discuss the matter brought up by the public at the same meeting at which it is first mentioned.

**Agency Report of:
Public Official Appointments**

Attachment 3 to S&R

A Public Document

1. Agency Name

Dublin San Ramon Services District

Division, Department, or Region (If Applicable)

California Form 806

For Official Use Only

Designated Agency Contact (Name, Title)

Nicole Genzale, District Secretary

Area Code/Phone Number

925-875-2203

E-mail

genzale@dssrd.com

Date Posted:

1/8/20

(Month, Day, Year)

2. Appointments

Agency Boards and Commissions	Name of Appointed Person	Appt Date and Length of Term	Per Meeting/Annual Salary/Stipend
Tri-Valley Water Liaison Committee	<p>► Name <u>Misheloff, Madelyne</u> (Last, First)</p> <p>Alternate, if any <u>Johnson, Ann Marie</u> (Last, First)</p> <p>Duarte, Ed Halket, Richard</p>	<p>► <u>1 / 7 / 20</u> Appt Date</p> <p>► <u>12 months</u> Length of Term</p>	<p>► Per Meeting: \$ <u>195</u></p> <p>► Estimated Annual:</p> <p><input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>
Tri-Valley Water Liaison Committee	<p>► Name <u>Vonheeder-Leopold, Georgan</u> (Last, First)</p> <p>Alternate, if any <u>Johnson, Ann Marie</u> (Last, First)</p> <p>Duarte, Ed Halket, Richard</p>	<p>► <u>1 / 7 / 20</u> Appt Date</p> <p>► <u>12 months</u> Length of Term</p>	<p>► Per Meeting: \$ <u>195</u></p> <p>► Estimated Annual:</p> <p><input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>
City of Dublin Liaison Committee	<p>► Name <u>Misheloff, Madelyne</u> (Last, First)</p> <p>Alternate, if any <u>Halket, Richard</u> (Last, First)</p> <p>Duarte, Ed Johnson, Ann Marie</p>	<p>► <u>1 / 7 / 20</u> Appt Date</p> <p>► <u>12 months</u> Length of Term</p>	<p>► Per Meeting: \$ <u>195</u></p> <p>► Estimated Annual:</p> <p><input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>
City of Dublin Liaison Committee	<p>► Name <u>Vonheeder-Leopold, Georgan</u> (Last, First)</p> <p>Alternate, if any <u>Halket, Richard</u> (Last, First)</p> <p>Duarte, Ed Johnson, Ann Marie</p>	<p>► <u>1 / 7 / 20</u> Appt Date</p> <p>► <u>12 months</u> Length of Term</p>	<p>► Per Meeting: \$ <u>195</u></p> <p>► Estimated Annual:</p> <p><input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>

3. Verification

I have read and understand FPPC Regulation 18702.5. I have verified that the appointment and information identified above is true to the best of my information and belief.

Nicole Genzale

District Secretary /
Executive Services Supervisor

Signature of Agency Head or Designee

Print Name

Title

(Month, Day, Year)

Comment:

**Agency Report of:
Public Official Appointments
Continuation Sheet**

California Form 806

A Public Document

Page 2 of 4

1. Agency Name

Dublin San Ramon Services District

Date Posted: 1/8/20
(Month, Day, Year)

2. Appointments

Agency Boards and Commissions	Name of Appointed Person	Appt Date and Length of Term	Per Meeting/Annual Salary/Stipend
City of Pleasanton Liaison Committee	<p>► Name <u>Halket, Richard</u> (Last, First)</p> <p>Alternate, if any <u>Misheloff, Madelyne</u> (Last, First) Duarte, Ed Vonheeder-Leopold, Georgean</p>	<p>► <u>1 / 7 / 20</u> Appt Date</p> <p>► <u>12 months</u> Length of Term</p>	<p>► Per Meeting: \$ <u>195</u></p> <p>► Estimated Annual:</p> <p><input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>
City of Pleasanton Liaison Committee	<p>► Name <u>Johnson, Ann Marie</u> (Last, First)</p> <p>Alternate, if any <u>Misheloff, Madelyne</u> (Last, First) Duarte, Ed Vonheeder-Leopold, Georgean</p>	<p>► <u>1 / 7 / 20</u> Appt Date</p> <p>► <u>12 months</u> Length of Term</p>	<p>► Per Meeting: \$ <u>195</u></p> <p>► Estimated Annual:</p> <p><input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>
City of San Ramon and Central Contra Costa Sanitary District Liaison Committee	<p>► Name <u>Duarte, Ed</u> (Last, First)</p> <p>Alternate, if any <u>Vonheeder-Leopold, Georgean</u> (Last, First) Halket, Richard Misheloff, Madelyne</p>	<p>► <u>1 / 7 / 20</u> Appt Date</p> <p>► <u>12 months</u> Length of Term</p>	<p>► Per Meeting: \$ <u>195</u></p> <p>► Estimated Annual:</p> <p><input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>
City of San Ramon and Central Contra Costa Sanitary District Liaison Committee	<p>► Name <u>Johnson, Ann Marie</u> (Last, First)</p> <p>Alternate, if any <u>Vonheeder-Leopold, Georgean</u> (Last, First) Halket, Richard Misheloff, Madelyne</p>	<p>► <u>1 / 7 / 20</u> Appt Date</p> <p>► <u>12 months</u> Length of Term</p>	<p>► Per Meeting: \$ <u>195</u></p> <p>► Estimated Annual:</p> <p><input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>
Zone 7 Water Agency Liaison Committee	<p>► Name <u>Duarte, Ed</u> (Last, First)</p> <p>Alternate, if any <u>Vonheeder-Leopold, Georgean</u> (Last, First) Johnson, Ann Marie Misheloff, Madelyne</p>	<p>► <u>1 / 7 / 20</u> Appt Date</p> <p>► <u>12 months</u> Length of Term</p>	<p>► Per Meeting: \$ <u>195</u></p> <p>► Estimated Annual:</p> <p><input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>
Zone 7 Water Agency Liaison Committee	<p>► Name <u>Halket, Richard</u> (Last, First)</p> <p>Alternate, if any <u>Vonheeder-Leopold, Georgean</u> (Last, First) Johnson, Ann Marie Misheloff, Madelyne</p>	<p>► <u>1 / 7 / 20</u> Appt Date</p> <p>► <u>12 months</u> Length of Term</p>	<p>► Per Meeting: \$ <u>195</u></p> <p>► Estimated Annual:</p> <p><input checked="" type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>

**Agency Report of:
Public Official Appointments
Continuation Sheet**

California Form 806

A Public Document

Page 3 of 4

1. Agency Name

Dublin San Ramon Services District

Date Posted: 1/8/20
(Month, Day, Year)

2. Appointments

Agency Boards and Commissions	Name of Appointed Person	Appt Date and Length of Term	Per Meeting/Annual Salary/Stipend
DERWA (DSRSD-EBMUD Recycled Water Authority)	<p>► Name <u>Duarte, Ed</u> (Last, First)</p> <p>Alternate, if any <u>Misheloff, Madelyne</u> (Last, First)</p> <p>Halket, Richard Johnson, Ann Marie</p>	<p>► <u>1 / 7 / 20</u> Appt Date</p> <p>► <u>12 months</u> Length of Term</p>	<p>► Per Meeting: \$ <u>195</u></p> <p>► Estimated Annual:</p> <p><input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input checked="" type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>
DERWA (DSRSD-EBMUD Recycled Water Authority)	<p>► Name <u>Vonheeder-Leopold, Georgean</u> (Last, First)</p> <p>Alternate, if any <u>Misheloff, Madelyne</u> (Last, First)</p> <p>Halket, Richard Johnson, Ann Marie</p>	<p>► <u>1 / 7 / 20</u> Appt Date</p> <p>► <u>12 months</u> Length of Term</p>	<p>► Per Meeting: \$ <u>195</u></p> <p>► Estimated Annual:</p> <p><input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input checked="" type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>
LAVWMA (Livermore-Amador Valley Water Management Agency)	<p>► Name <u>Johnson, Ann Marie</u> (Last, First)</p> <p>Alternate, if any <u>Duarte, Ed</u> (Last, First)</p> <p>Halket, Richard Vonheeder-Leopold, Georgean</p>	<p>► <u>1 / 7 / 20</u> Appt Date</p> <p>► <u>12 months</u> Length of Term</p>	<p>► Per Meeting: \$ <u>195</u></p> <p>► Estimated Annual:</p> <p><input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input checked="" type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>
LAVWMA (Livermore-Amador Valley Water Management Agency)	<p>► Name <u>Misheloff, Madelyne</u> (Last, First)</p> <p>Alternate, if any <u>Duarte, Ed</u> (Last, First)</p> <p>Halket, Richard Vonheeder-Leopold, Georgean</p>	<p>► <u>1 / 7 / 20</u> Appt Date</p> <p>► <u>12 months</u> Length of Term</p>	<p>► Per Meeting: \$ <u>195</u></p> <p>► Estimated Annual:</p> <p><input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input checked="" type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>
ACSDA (Alameda County Special Districts Association)	<p>► Name <u>Vonheeder-Leopold, Georgean</u> (Last, First)</p> <p>Alternate, if any _____ (Last, First)</p>	<p>► <u>7 / 11 / 18</u> Appt Date</p> <p>► <u>2 years, until 2020</u> Length of Term</p>	<p>► Per Meeting: \$ <u>195</u></p> <p>► Estimated Annual:</p> <p><input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input checked="" type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>
CASA (California Association of Sanitation Agencies)	<p>► Name <u>Vonheeder-Leopold, Georgean</u> (Last, First)</p> <p>Alternate, if any _____ (Last, First)</p>	<p>► <u>8 / 9 / 18</u> Appt Date</p> <p>► <u>3 years, until 2021</u> Length of Term</p>	<p>► Per Meeting: \$ <u>195</u></p> <p>► Estimated Annual:</p> <p><input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input checked="" type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>

**Agency Report of:
Public Official Appointments
Continuation Sheet**

California Form 806

A Public Document

Page 4 of 4

1. Agency Name

Dublin San Ramon Services District

Date Posted: 1/8/20
(Month, Day, Year)

2. Appointments

Agency Boards and Commissions	Name of Appointed Person	Appt Date and Length of Term	Per Meeting/Annual Salary/Stipend
CCSDA (Contra Costa Special Districts Association)	<p>► Name <u>Duarte, Ed</u> (Last, First)</p> <p>Alternate, if any _____ (Last, First)</p>	<p>► <u>1 / 22 / 18</u> Appt Date</p> <p>► <u>2 years, until 2020</u> Length of Term</p>	<p>► Per Meeting: \$ <u>195</u></p> <p>► Estimated Annual:</p> <p><input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input checked="" type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>
Alameda LAFCo (Local Agency Formation Commission)	<p>► Name <u>Vonheeder-Leopold, Georgan</u> (Last, First)</p> <p>Alternate, if any _____ (Last, First)</p>	<p>► <u>5 / 10 / 17</u> Appt Date</p> <p>► <u>Ends 5/3/21</u> Length of Term</p>	<p>► Per Meeting: \$ <u>100</u></p> <p>► Estimated Annual:</p> <p><input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input checked="" type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>
	<p>► Name _____ (Last, First)</p> <p>Alternate, if any _____ (Last, First)</p>	<p>► <u> / / </u> Appt Date</p> <p>► <u> </u> Length of Term</p>	<p>► Per Meeting: \$ _____</p> <p>► Estimated Annual:</p> <p><input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>
	<p>► Name _____ (Last, First)</p> <p>Alternate, if any _____ (Last, First)</p>	<p>► <u> / / </u> Appt Date</p> <p>► <u> </u> Length of Term</p>	<p>► Per Meeting: \$ _____</p> <p>► Estimated Annual:</p> <p><input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>
	<p>► Name _____ (Last, First)</p> <p>Alternate, if any _____ (Last, First)</p>	<p>► <u> / / </u> Appt Date</p> <p>► <u> </u> Length of Term</p>	<p>► Per Meeting: \$ _____</p> <p>► Estimated Annual:</p> <p><input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>
	<p>► Name _____ (Last, First)</p> <p>Alternate, if any _____ (Last, First)</p>	<p>► <u> / / </u> Appt Date</p> <p>► <u> </u> Length of Term</p>	<p>► Per Meeting: \$ _____</p> <p>► Estimated Annual:</p> <p><input type="checkbox"/> \$0-\$1,000 <input type="checkbox"/> \$2,001-\$3,000</p> <p><input type="checkbox"/> \$1,001-\$2,000 <input type="checkbox"/> _____ Other</p>



TITLE: Receive Presentation on Regional Water Quality Control Board Nutrients Watershed Permit

RECOMMENDATION:

Staff recommends the Board of Directors receive a presentation on the Regional Water Quality Control Board (RWQCB) Nutrients Watershed Permit.

SUMMARY:

The amount of nutrients (nitrogen and phosphorus) in the San Francisco Bay (SF Bay) are a growing concern as these nutrients have the potential to have adverse impact on the aquatic environment in the SF Bay. Secondary treated effluent from wastewater treatment plants contributes an estimated 62% of the nutrients entering the SF Bay.

Historically, the SF Bay has not been adversely impacted by nutrient loading. However, there are concerns this historic resilience to the effects of nutrients may be weakening. Bay Area Clean Water Agencies (BACWA) and RWQCB have been working collaboratively on scientific studies to understand the impact of current and future nutrient loads. These studies will inform RWQCB on the need for and level of nutrient limits in future wastewater plant effluent discharge permits.

On April 9, 2014, RWQCB issued Order No. R2-2014-0014, *Waste Discharge Requirements for Nutrients from Municipal Wastewater Discharges to San Francisco Bay* (Watershed Permit). The Watershed Permit sets forth a regional framework to facilitate collaboration on studies that will inform future management decisions and regulatory strategies. The Waste Discharge Requirements reissuance Order No. R2-2019-2017 was adopted by RWQCB on May 8, 2019 and became effective July 1, 2019. The order expires on June 30, 2024. It is expected that the Watershed Permit to be issued in 2024 will contain some nutrient limits and that wastewater agencies will have from 5 to 10 years from the issue date of that permit to comply with those limits. While the 2019 Watershed Permit contains no nutrient limits, RWQCB and BACWA have reached an agreement where BACWA will contribute \$2.2 million each year to fund scientific studies. The Livermore-Amador Valley Water Management Agency (LAVWMA) share is approximate \$45,000 per year.

The volume of nutrients that DSRSD contributes to the SF Bay is currently reduced approximately 39% due to the volume of wastewater that is recycled annually. The reduction will increase or decrease as a function of recycled water demands. If more customers use recycled water, nutrient loads to the SF Bay decrease.

The 2017 DSRSD Wastewater Master Plan identified several improvements to the wastewater plant processes which could reduce the wastewater plant's nutrient loads, to address potential future nutrient limits that might be imposed by RWQCB in 2024 and 2029. Those projects were estimated in 2017 to cost between \$43.5 to \$104.7 million depending on the level of nutrient reduction required by future Watershed Permits.

An assumed level of \$42 million in nutrient removal projects is built into the 2020–2029 Capital Improvement Program. These projects are anticipated to be constructed in the 2029–2031 timeframe. Ratepayers would be responsible for 80% of those costs through the capital replacement and improvement program from Regional Wastewater Replacement (Fund 310), and the remaining 20% of costs would be the responsibility of new development through the expansion program from Regional Wastewater Expansion (Fund 320).

Originating Department: Operations	Contact: J. Carson	Legal Review: Not Required
Cost: \$0	Funding Source: N/A	
Attachments: <input checked="" type="checkbox"/> None <input type="checkbox"/> Staff Report <input type="checkbox"/> Resolution <input type="checkbox"/> Ordinance <input type="checkbox"/> Task Order <input type="checkbox"/> Proclamation <input type="checkbox"/> Other (see list on right)	57 of 57	