



# AGENDA

## NOTICE OF REGULAR MEETING

TIME: 6 p.m.

PLACE: Teleconference

DATE: Tuesday, April 7, 2020

Pursuant to Governor Newsom's Executive Orders N-25-20, N-29-20, and N-33-20 issued to address the COVID-19 pandemic, the Board meeting will be held via Webex teleconference.

The District Boardroom will be closed to the public.

The public may observe and comment by electronic means as described on Page 3.

**See Page 3 of the Agenda Packet for Teleconference Access Information**

**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 on the teleconference call 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. The President of the Board will recognize each speaker, at which time the speaker should introduce him/herself, and then proceed with his/her comment. Written comments received by 5 p.m. on the day of the meeting will be read into the meeting record.
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 March 3, 2020

**Recommended Action:** Approve by Motion

7.B. Approve Special Meeting Minutes of March 25, 2020

**Recommended Action:** Approve by Motion

7.C. Adopt Revised Candidates' Statement Costs Policy and Rescind Resolution No. 11-17

**Recommended Action:** Adopt Policy by Resolution

7.D. Affirm Use of Clean Water Revival Facilities and Demineralized Recycled Water Policy

**Recommended Action:** Approve by Motion

7.E. Approve Termination of Emergency Action for the District Office Flooding Emergency and Rescind Resolution No. 53-18

**Recommended Action:** Approve by Resolution

7.F. Approve Termination of Emergency Action for the Jeffrey G. Hansen Water Recycling Plant Electrical Power Supply Failure Emergency and Rescind Resolution No. 16-19

**Recommended Action:** Approve by Resolution

8. **BOARD BUSINESS**

8.A. Approve Continuation of District's State of Emergency in Response to COVID-19 Pandemic by General Manager and Find that the Need for the District's State of Emergency Still Exists

**Recommended Action:** Approve by Motion

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**

The Board will convene its closed session on a separate teleconference line and return to the open teleconference line for Item 11 when the closed session is completed.

10.A. Public Employee Performance Evaluation Pursuant to Government Code Section 54957

Title: 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 during business hours 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.*

### Webex Teleconference Access Information

Dublin San Ramon Services District  
Regular Board Meeting  
Tuesday, April 7, 2020

If the public wishes to provide comments during Agenda Item 5 – Public Comment, or on any of the agendized items, please join the meeting using the teleconference instructions below, or email written comments to the Board of Directors at [board@drsrd.com](mailto:board@drsrd.com) by 5 p.m. Tuesday, April 7, 2020. Written comments will be read into the meeting record during the public comment portion of the agenda or during discussion of the subject of the comment.

#### Webex Teleconference Meeting Instructions:

1. Dial **(510) 338-9438** from any telephone
2. Enter **627779256#** when prompted for a meeting number (access code)
3. Enter **#** when prompted for an attendee ID

#### Helpful Tips:

- Please keep your phone muted unless speaking.
- Please do not place call on hold.
- Listen for prompts to know when public comments are solicited.
- Please announce yourself and speak clearly when commenting.

Boardmembers and staff will be attending the meeting via teleconference. The Board will convene its Closed Session on a separate teleconference line and return to the open teleconference line for Agenda Item 11 when the Closed Session is completed. The open teleconference will resume for the Closed Session report and meeting adjournment.

The Boardroom is closed to the public.

All votes during the meeting will be taken by roll call vote.

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

**March 3, 2020**

**1. CALL TO ORDER**

A regular meeting of the Board of Directors was called to order at 6:01 p.m. by President Duarte.

**2. PLEDGE TO THE FLAG**

**3. ROLL CALL**

Boardmembers present at start of meeting:

President Edward R. Duarte, Vice President Ann Marie Johnson, and Director Georangean M. Vonheeder-Leopold

Directors Richard M. Halket and Madelyne A. (Maddi) Misheloff were absent.

District staff present: Dan McIntyre, General Manager; Jan Lee, Assistant General Manager; Carol Atwood, Administrative Services Manager/Treasurer; Judy Zavadil, Engineering Services Manager/District Engineer; Doug Coty, General Counsel; and Nicole Genzale, Executive Services Supervisor/District Secretary.

Operations Manager Jeff Carson entered the meeting at 6:10 p.m.

**4. SPECIAL ANNOUNCEMENTS/ACTIVITIES**

New Employee Introduction: Jeanne Quirk, Laboratory Technician

**5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:03 p.m. No public comment was received.**

**6. REPORTS**

**6.A. Reports by Staff**

- Event Calendar – General Manager McIntyre reported on the following:
  - The Santa Clara Valley Water District has confirmed its potable reuse facility tour will be held on Monday, March 30.
  - City of Pleasanton will confirm the next DSRSD/City of Pleasanton Liaison Committee meeting soon for either April 29 or 30.
  - The March 17 Board meeting will be cancelled.
- Correspondence to and from the Board on an Item not on the Agenda – None

**6.B. Joint Powers Authority and Committee Reports**

LAVWMA – February 19, 2020

President Duarte invited comments on recent JPA activities. Directors decided to make comments about the LAVWMA Board meeting during Item 8.D.

6.C. Agenda Management (consider order of items) – General Manager McIntyre advised that Board action is no longer required on Item 8.A., as all necessary purchase orders have been approved and the emergency has concluded. The Board agreed not to hold Item 8.A.

General Counsel Coty advised the Board that an item should be presented at a subsequent meeting to formally terminate the District Office Flooding Emergency.

7. CONSENT CALENDAR

Vice President Johnson MOVED for approval of the items on the Consent Calendar. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with THREE AYES and TWO ABSENT (Halket and Misheloff).

7.A. Approve Regular Meeting Minutes of February 4, 2020 – Approved

7.B. Accept Regular and Recurring Reports: Warrant List and Quarterly Financial Reports – Approved

7.C. Approve Time Extension for City of Dublin Unused Sewer Capacity Program and Rescind Resolution No. 67-16 – Approved – Resolution No. 14-20

7.D. Affirm No Changes to District Election Dates Policy – Approved

7.E. Rescind Confidentiality Policy (P700-15-2) and Resolution No. 68-07, Jury Duty and Court Witness Leave Policy (P700-15-5) and Resolution No. 75-07, Policy Changes Policy (P700-15-6) and Resolution No. 69-07, Smoking Policy (P700-15-9) and Resolution No. 73-07, Use of District Property, Vehicles and Equipment Policy (P700-15-10) and Resolution No. 71-07, and Use of Private Autos on District Business Policy (P700-15-11) and Resolution No. 60-07 – Approved – Resolution No. 15-20, Resolution No. 16-20, Resolution No. 17-20, Resolution No. 18-20, Resolution No. 19-20, Resolution No. 20-20

7.F. Adopt Revised Prohibition Against Harassment, Discrimination and Retaliation Policy and Rescind Resolution No. 53-15 – Approved – Resolution No. 21-20

7.G. Approve Change of Location for Regular Meetings of the Board of Directors and Rescind Resolution No. 54-18 – Approved – Resolution No. 22-20

7.H. Award Technical Services Agreements to D.W. Nicholson Corporation and GSE Construction Company, Inc. for On-Call Mechanical Services (FY 2020–2022) and Authorize the General Manager to Exercise up to Two Additional One-Year Terms to the Agreements – Approved – Resolution No. 23-20 and Resolution No. 24-20

7.I. Approve Amendment to the Capital Improvement Program (CIP) Ten-Year Plan for Fiscal Years 2020 through 2029 and Two-Year Budget for Fiscal Years 2020 and 2021 to Add the District Office Accessibility Improvements Project (CIP 20-A029) – Approved – Resolution No. 25-20

8. BOARD BUSINESS

8.A. NOT HELD – 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

8.B. Receive Presentation on Actuarial Valuation of Other Post-Employment Benefit (OPEB) Programs Report and Provide Direction regarding California Employers' Retiree Benefit Trust (CERBT) Asset Allocation Strategies

Accountant Kiki Bian reviewed the item for the Board. She gave a presentation (handed out to the Board) "Actuarial Valuation of Other Post-Employment Benefits as of June 30, 2019" that covered the following:

- the District's OPEB history, beginning in 2008 with its initial investment of \$9.1 million
- the District's funded ratio performance currently at 118% of target
- changes of 2019 valuation due to lower medical rates than assumed, stronger investment performance, and a more conservative discount rate than anticipated rate of return of selected strategy
- an OPEB valuation report summary
- the three CERBT strategies and their respective expected rates of return (Strategy 1 – 7.59%, Strategy 2 – 7.01%, Strategy 3 – 6.22%)
- staff recommendation that the District continues CERBT Strategy 2 for the upcoming two-year valuation period and fund the ADC (Actuarially Determined Contributions) for FYE 2020 and FYE 2021 as recommended by the actuarial valuation

The Board and staff discussed aspects of the presentation, including the conditions leading to achieving 118% funding and the approach for payments to the trust in the next two years. The Board acknowledged the District's careful planning and actions taken to date have resulted in the District being in a far healthier position than several neighboring agencies. The Board directed staff to "stay the course" and continue Asset Allocation Strategy 2 offered by the CERBT Program, per the staff recommendation.

8.C. Support Proposed DERWA (Dublin San Ramon Services District – East Bay Municipal Utility District Recycled Water Authority) Operations and Maintenance Budget for Fiscal Year Ending 2021

Operations Manager Carson reviewed the item for the Board. He confirmed certain projects included in the budget will be handled by District staff, such as sand filter rehabilitation and UV (ultraviolet) light disinfection. In addition, staff gave a status on the wastewater diversion project in San Ramon with Central Contra Costa Sanitary District, noting construction will begin in April.

Director Vonheeder-Leopold MOVED to Support Proposed DERWA (Dublin San Ramon Services District – East Bay Municipal Utility District Recycled Water Authority) Operations and Maintenance Budget for Fiscal Year Ending 2021. Vice President Johnson SECONDED the MOTION, which CARRIED with THREE AYES and TWO ABSENT (Halket and Misheloff).

**8.D. Discuss and Provide Direction on LAVWMA (Livermore-Amador Valley Water Management Agency) Operational Reporting and Financial Reporting**

General Manager McIntyre reviewed the item for the Board. The Board and staff discussed the level of effort (staff time and resources) necessary to complete the quarterly reporting due to additional reporting and commentary regularly requested by certain LAVWMA Boardmembers, which well exceeds the agreed upon requirements. They discussed possible reporting options such as converting to an annual report or a combination of quarterly and annual, noting that any change to the scheduled reporting would require an amendment to the agreement. The Board directed staff to produce the next quarterly report adhering only to the agreement requirements and assess the response from the LAVWMA Boardmembers.

Vice President Johnson and Director Vonheeder-Leopold reported that they attended the February 19 LAVWMA Board meeting and explained that the LAVWMA Board is considering moving the regular meeting location from DSRSD to the City of Pleasanton Council Chambers going forward.

**9. BOARDMEMBER ITEMS**

**• Submittal of Written Reports for Day of Service Events Attended by Directors**

Director Vonheeder-Leopold submitted written reports to Executive Services Supervisor/District Secretary Genzale. She reported that she attended the Alameda County Special Districts Association Executive Committee meeting at the Castro Valley Sanitary District on Wednesday, February 12, the California Association of Sanitation Agencies (CASA) Board of Directors teleconference meeting on Thursday, February 13, the State of the City Address by Mayor Clarkson at the San Ramon Marriot and the LAVWMA Board meeting on Wednesday, February 19, and the CASA Washington DC Policy Forum February 24– 26. She summarized the activities and discussions at the meetings.

Vice President Johnson submitted a written report to Executive Services Supervisor/District Secretary Genzale. She reported that she also attended the LAVWMA Board meeting on February 19. She summarized the activities and discussions at the meeting under Item 8.D.

President Duarte submitted a written report to Executive Services Supervisor/District Secretary Genzale. He reported that he also attended the State of the City Address by Mayor Clarkson on February 19. He summarized the activities and discussions at the meeting.

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

**10. ADJOURNMENT**

President Duarte adjourned the meeting at 6:50 p.m.

Submitted by,

Nicole Genzale, CMC  
Executive Services Supervisor/District Secretary

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

**March 25, 2020**

**1. CALL TO ORDER**

A special meeting of the Board of Directors was called to order at 6 p.m. by President Duarte.

After the call to order, President Duarte announced that pursuant to Governor Newsom's Executive Orders N-25-20, N-29-20, and N-33-20 issued to address the COVID-19 pandemic, this Board meeting is being held via Webex teleconference. The District Boardroom is closed to the public; however, the public may observe and comment by calling in to the teleconference meeting per the instructions on page 2 of the agenda. Per Government Code section 54953, sub. (b)(2), all votes taken this evening will be done by a roll call vote due to the attending Directors participating via teleconference.

**2. PLEDGE TO THE FLAG**

**3. ROLL CALL**

**Boardmembers present at start of meeting:**

President Edward R. Duarte, Vice President Ann Marie Johnson, Director Richard M. Halket, and Director Georgean M. Vonheeder-Leopold.

Director Madelyne A. (Maddi) Misheloff was absent.

**District staff present:** Dan McIntyre, General Manager; Assistant General Manager Jan Lee; Doug Coty, General Counsel; and Nicole Genzale, Executive Services Supervisor/District Secretary.

**4. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:01 p.m. No public comment was received.**

**5. BOARD BUSINESS**

**5.A. Adopt Confirmation and Ratification of the Dublin San Ramon Services District's COVID-19 Declaration of Emergency**

General Manager McIntyre reviewed the item for the Board.

The Board and staff discussed the status of District operations regarding facility construction and staffing. Mr. McIntyre confirmed construction is proceeding at the Regional Wastewater Treatment Plant and only punch list items remain at the repaired District Office, but the move back to the District Office has been deferred given the Executive Orders issued. He reported that most staff are working remotely and the few that are onsite are on adjusted or rotating schedules. He advised that the District will hold, at a minimum, one more teleconference Board meeting on Tuesday, April 7, as April 7 is the earliest date the shelter-in-place order could possibly be terminated. The District's emergency declaration item will be brought back to the Board for approval at each regular meeting until terminated.

The Board and staff then discussed the relationship between the Governor's and the Counties' orders, and the added complication that the District is subject to both Alameda County and Contra Costa County orders due to its service area being in both counties. General Counsel Coty acknowledged this matter is complex with more to be understood, but outlined some general differences:

- The Governor's order relies on the identification of 16 critical infrastructure sectors but does not provide much detail, whereas the Counties' orders provided more direction on determining essential versus non-essential workers. He noted both appear to give the District some discretion in this area.
- The State's order does not have a termination date, whereas the Counties' orders do.
- A Governor's order would generally be the controlling order, but County orders may impose more stringent restrictions (but not less) than a statewide order due to more severe local conditions.

The Board and staff acknowledged that additional orders could still be issued causing further social and operational adjustments. General McIntyre conveyed that the District has not received input or concerns from customers regarding the COVID-19 emergency.

Vice President Johnson MOVED to adopt Resolution No. 26-20, Confirming and Ratifying the COVID-19 Declaration of Emergency. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FOUR AYES and ONE ABSENT (Misheloff) per roll call vote.

6. ADJOURNMENT

President Duarte thanked all District staff and wished them and their families well during this most trying time. He added that we will get through this and sent his best and prayers to everyone. The Boardmembers echoed his sentiments. He adjourned the meeting at 6:16 p.m.

Submitted by,

Nicole Genzale, CMC  
Executive Services Supervisor/District Secretary



**TITLE:** Adopt Revised Candidates' Statement Costs Policy and Rescind Resolution No. 11-17

**RECOMMENDATION:**

Staff recommends the Board of Directors adopt, by Resolution, the revised Candidates' Statement Costs policy and rescind Resolution No. 11-17.

**SUMMARY:**

On May 21, 2019, the Board of Directors adopted Ordinance No. 345 establishing the District's by-division system for electing Directors in conformance with the California Voting Rights Act (CVRA). Ordinance No. 345 converted the District's voting system from "at-large" to "by-division" and established voting divisions (identified as 1,2,3,4 and 5) within the District's jurisdictional area. This conversion means that candidates in future elections will be elected by the voters in the division he or she resides in rather than voters Districtwide. The "Scarlet" map (Attachment 1), adopted by Ordinance No. 345, shows the locations of the five new divisions. Four divisions are wholly situated in one County (either Alameda or Contra Costa County), and one division is partially situated in both.

Upon the Board's request, staff presented the Candidates' Statement Costs policy at the September 3, 2019 Board meeting to discuss possible updates in preparation for the 2020 election. The Board directed staff to revise the policy to accomplish the following objectives and present it to the Board for approval:

- All candidates will pay no more than a total pro rata share of \$250 for costs incurred by the Counties to print, handle, translate, and mail the candidate's statement. This change will ensure dual-county division candidates are not made to pay more than single-county division candidates (\$500 vs. \$250) if they wish to publish a statement in both Counties.
- The Counties will charge dual-county division candidates a statement deposit only one time. A candidate will file at his or her home County and pay the \$250 deposit, then present the receipt of payment and the candidate statement to the second County's Elections Official who will waive collection of the second deposit from the candidate and instead will bill the District the full cost.

The Elections Officials in Alameda and Contra Costa Counties have confirmed that they can accommodate the procedural changes requested by the District, and advised the District to include this directive in the resolution the Board will adopt to consolidate the District's election with the Counties in the Statewide Election.

The Candidates' Statement Costs policy as revised (Attachment 2) incorporates the changes noted above and makes a few minor updates to improve clarity:

- Include a purpose statement and reference to by-division elections
- Apply standard formatting used for District policies, by assigning section numbers and renumbering subsections
- Remove unnecessary/outdated language

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: Additional \$250 for each candidate statement cost waived by Alameda and Contra Costa Counties	Funding Source: Legislative Administration Overhead Account 900.10.10.000.3.340	
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 – Marked-up Candidates' Statement Costs policy Attachment 2 –DSRSD Map for By-Division Elections (Scarlet Map)	10 of 35



Policy No.: <u>P100-17-1</u>	Type of Policy: Board Business
<b>Policy Title:</b> Candidate's Statement Costs	
<b>Policy Description:</b> Establish <del>C</del> candidate's cost to file a candidate's statement for election to the District Board	
Approval Date: <u>3/21/2017</u> <u>4/7/2020</u>	Last Review Date: <u>2017</u> <u>2020</u>
Approval Resolution No.: <u>11-17</u>	Next Review Date: <u>2021</u> <u>2024</u>
Rescinded Resolution No.: <u>20-13</u> <u>11-17</u>	Rescinded Resolution Date: <u>6/4/2013</u> <u>3/21/2017</u>

~~It is~~The purpose of the~~this~~ policy of the Board of Directors of Dublin San Ramon Services District: ~~is to~~  
establish the cost of the publication of a candidate's statement by a candidate for election to the District  
Board pursuant to Elections Code Section 13307, as specified in the Uniform District Election Law to which  
community services districts are subject in accordance with Government Code Section 61008, part of the  
Community Services District Law; the California Voting Rights Act, and pursuant to the federal Voting Rights  
Act of 1965 ("the Act"), as amended.

## 1. Section 1. General Provisions

~~—~~ Each candidate at the General Election for the Office of Director of the District may file a candidate's statement, as provided for in Elections Code Section 13307 ~~of the Elections Code~~, with the Elections Official in the County from whom the candidate obtains the nomination papers and other forms required for nomination to the Office of Director~~in which the candidate resides and the candidate's District election division situates (divisions may be located wholly in either Alameda County or Contra Costa County, or partially in both Counties)~~, from whom the candidate obtains the nomination papers and other forms required for nomination to the Office of Director. ~~Additionally, each~~A candidate in a dual-county election division (divisions may be located wholly in either Alameda or Contra Costa County, or partially in both) may also file a candidate's statement in the alternate County subject to the same limitations, payment provisions, and policies detailed in this policy Resolution No. 11-17. The candidate's statement may include the name, age, and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate ~~himself or herself~~. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5 p.m. of the next working day after the close of the nomination period.

## 2. Section 2. Foreign Language Policy

~~—~~ The Elections Official shall provide a language translation of the candidate's statement when 11 of 35

Policy No.: P100-17-1

Policy Title: Candidate's Statement Costs

required by ~~the Act~~federal law, or Elections Code Section 13307(b).

### 3. Section 3. Advance Deposit and Payment

a. Pursuant to Elections Code Section 13307(d), a local agency may estimate the total cost of printing, handling, translating, and mailing the candidate's statement filed pursuant to this section, including costs incurred as a result of complying with ~~the Act~~any applicable law, and ~~may require each candidate filing a statement to pay the estimated pro-rata share~~. The collection of such amount is as described in subsections 3(b) and 3(c) below.

b. **For candidates filing a candidate's statement for an election division that is located wholly in one County (Alameda or Contra Costa County),** ~~The District Secretary is hereby authorized and directed to provide for collection, by the Elections Official, from each non-indigent candidate who files such a statement, a deposit in the amount of \$250 to represent the candidate's pro rata share as described in subsection 3(a) above of the cost of printing, handling, translating, and mailing the candidate's statement, including costs incurred as a result of complying with the Act, and Elections Code Section 13307(b);~~ and collection of such amount shall be a condition of having the candidate's statement included in the voter's pamphlet.

c. **For candidates filing a candidate's statement for an election division that is located partially in two both -Counties (Alameda and Contra Costa County),** ~~the District Secretary is hereby authorized and directed to provide for the collection, by the Elections Official of the candidate's home County (County in which the candidate resides), from each non-indigent candidate who files such a statement, a deposit in the amount of \$250 to represent the candidate's pro rata share as described in subsection 3(a) above. Collection of such amount shall be a condition of having the candidate's statement included in the voter's pamphlet.~~

~~The District Secretary is also hereby authorized and directed to waive collection by the Elections Official of the second County (County in which the candidate does not reside) of a deposit from a candidate wishing to file a candidate's statement, provided the candidate presents in person to the Elections Official the receipt showing payment of the required deposit to the first County and a copy of the candidate statement. Upon this verification, the second County will waive collection of a deposit and will include the statement in the voter's pamphlet. The second County is directed to bill the full cost of the candidate's statement directly to the District.~~

d. If the actual costs in Alameda County or Contra Costa County exceed ~~the deposit amount \$250~~, for the printing, handling, translating, and mailing of the candidate's statement in said County, then the proper officers of the District are hereby authorized and directed to pay the difference between the ~~deposit amount \$250~~ and the ~~actual cost to required deposit in that County~~.

Policy No.: P100-17-1

Policy Title: Candidate's Statement Costs

—eD. If the actual cost of the candidate's statement in either Alameda County or Contra Costa County is less than the ~~deposit amount \$250~~ ~~deposit for the printing, handling, translating, and mailing of the candidate's statement in said County, then~~ the District Secretary is hereby authorized and directed to make necessary arrangements to refund the amount of the deposit which exceeds said actual cost to the candidate.

4. **Section 4. Indigent Candidates**

aA. As provided in Elections Code Section 13309 ~~of the Elections Code~~, a candidate who alleges to be indigent and unable to pay in advance the requisite deposit for submitting a candidate's statement shall submit a certified statement of financial worth, and such other verifying documentation as the District shall reasonably require, to be used by the District in determining whether or not he or she is eligible to submit a candidate's statement without payment of the deposit in advance. Upon receipt of a statement of financial worth, the District shall promptly determine, in its sole discretion, whether or not the candidate is indigent and shall notify the candidate in writing of its findings. If it is determined that the candidate is not indigent, the candidate shall, within three working days of the notification, either withdraw the candidate's statement or pay the requisite deposit in accordance with the provisions of this Resolution policy.

—bB. The proper officers of the District are hereby authorized and directed to pay the costs incurred by the District for printing, handling, translating, and mailing the statements for candidates determined by the District to be indigent.

—**Section 5. Additional Materials.**

—Other than the candidate's statement, no candidate will be permitted to include additional materials in the sample ballot package.

—**Section 6. Rescinding Previous Policy.**

—The revised policy on Candidate's Statement Costs, attached as "Exhibit A," is hereby adopted and ~~Resolution No. 20-13 attached as "Exhibit B," is hereby rescinded and shall no longer be of any force and effect after the date of adoption hereof.~~

—**Section 7. Application.**

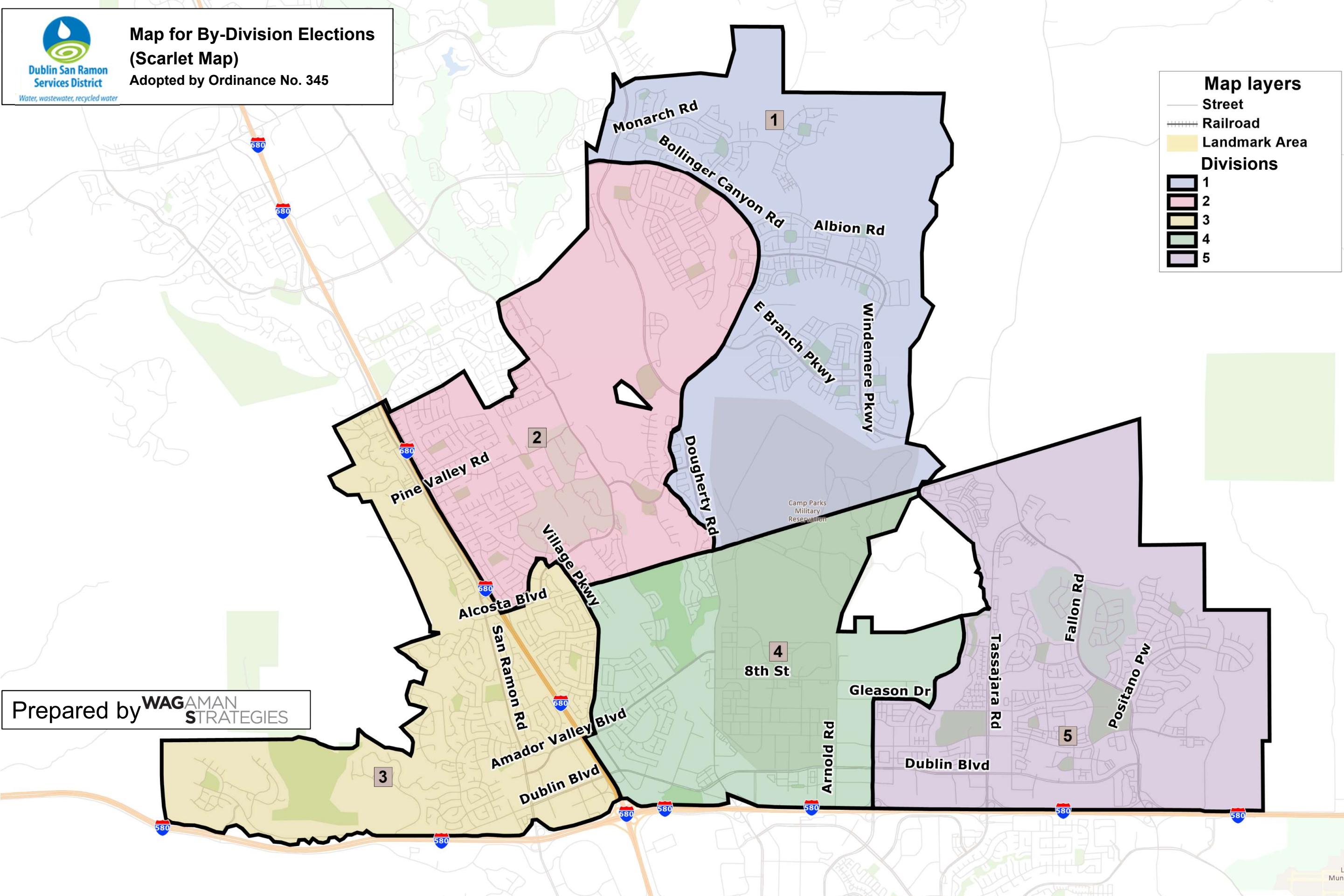
—The provisions of this Resolution shall govern all elections for the District's Board of Directors held after the adoption of this Resolution unless and until this Resolution is rescinded, superseded, or otherwise modified by an action taken by the Board.

—**Section 68. Certification and Notice to Counties**

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**Policy No.:** P100-17-1**Policy Title:** Candidate's Statement Costs

\_\_\_\_\_The District Secretary shall ~~attest to passage and adoption of this Resolution and~~ provide this policy and a certified copyies of the Resolution adopting this policy to the Elections Officials of the Counties of Alameda and Contra Costa. The District Secretary shall also provide this policy and the Resolution authorizing consolidation of the District Election with the November Statewide General Election to the Elections Officials of the Counties of Alameda and Contra Costa.



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

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT REVISING THE CANDIDATE'S STATEMENT COST POLICY AND RESCINDING RESOLUTION NO. 11-17

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WHEREAS, on March 21, 2017, by Resolution No. 11-17, the Board adopted a revised Candidates' Statement Costs policy to decrease the cost charged to candidates to place a candidate statement in the voter pamphlet from \$450 to \$250 in order to stimulate increased interest and ability of community members to run for open Board seats for future DSRSD elections; and

WHEREAS, the policy allows the Elections Official in the Counties of Alameda and Contra Costa to collect such deposit representing the candidate's pro rata share of the Counties' cost to print, handle, translate, and mail the voter pamphlet; and

WHEREAS, the Board determined upon adoption of Ordinance No. 345 on May 21, 2019, the ordinance which transitioned the District from an "at-large" election system to a "by-division" election system under the California Voting Rights Act, that candidates running for the Board of Directors representing a division located in both Counties would incur higher costs if electing to submit a candidate statement for both Counties; and

WHEREAS, to ensure equitable cost for all candidates, the Board resolved that the policy be revised to direct the Counties not to charge candidates representing a division located in both Counties a second filing fee of \$250 if the candidate can prove payment for such filing in the first county, and to charge the full cost to the District instead.

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 Candidates' Statement Costs policy, renamed the Candidate's Statement Cost policy and attached as Exhibit "A," is hereby adopted and effective immediately; and Resolution No. 11-17, attached as Exhibit "B," is hereby rescinded and of no further force or effect.

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 April, 2020, and passed by the following vote:

AYES:

NOES:

ABSENT:

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Edward R. Duarte, President

ATTEST: \_\_\_\_\_  
Nicole Genzale, District Secretary



<b>Policy No.:</b> <a href="#">Click here to enter text.</a>	<b>Type of Policy:</b> Board Business
<b>Policy Title:</b> Candidate's Statement Cost	
<b>Policy Description:</b> Establish candidate's cost to file a candidate's statement for election to the District Board	
<b>Approval Date:</b> 4/7/2020	<b>Last Review Date:</b> 2020
<b>Approval Resolution No.:</b> <a href="#">Click here to enter text.</a>	<b>Next Review Date:</b> 2024
<b>Rescinded Resolution No.:</b> 11-17	<b>Rescinded Resolution Date:</b> 3/21/2017

The purpose of this policy of the Board of Directors of Dublin San Ramon Services District is to establish the cost of the publication of a candidate's statement by a candidate for election to the District Board pursuant to Elections Code Section 13307, as specified in the Uniform District Election Law to which community services districts are subject in accordance with Government Code Section 61008, part of the Community Services District Law; the California Voting Rights Act, and the federal Voting Rights Act of 1965, as amended.

## 1. General

Each candidate at the General Election for the Office of Director of the District may file a candidate's statement, as provided for in Elections Code Section 13307, with the Elections Official in the County from whom the candidate obtains the nomination papers and other forms required for nomination to the Office of Director. A candidate in a dual-county election division (divisions may be located wholly in either Alameda or Contra Costa County, or partially in both) may also file a candidate's statement in the alternate County subject to the same limitations, and policies detailed in this policy. The candidate's statement may include the name, age, and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5 p.m. of the next working day after the close of the nomination period.

## 2. Foreign Language Policy

The Elections Official shall provide a language translation of the candidate's statement when required by federal law, or Elections Code Section 13307(b).

Policy No.:

Policy Title: Candidate's Statement Cost

### 3. Advance Deposit and Payment

- a. Pursuant to Elections Code Section 13307(d), a local agency may estimate the total cost of printing, handling, translating, and mailing the candidate's statement filed pursuant to this section, including costs incurred as a result of complying with any applicable law, and may require each candidate filing a statement to pay the estimated pro-rata share. The collection of such amount is as described in subsections 3(b) and 3(c) below.
- b. **For candidates filing a candidate's statement for an election division that is located wholly in one County (Alameda or Contra Costa County),** the District Secretary is hereby authorized and directed to provide for collection, by the Elections Official, from each non-indigent candidate who files such a statement, a deposit in the amount of \$250 to represent the candidate's pro rata share as described in subsection 3(a) above and collection of such amount shall be a condition of having the candidate's statement included in the voter's pamphlet.
- c. **For candidates filing a candidate's statement for an election division that is located partially in both Counties (Alameda and Contra Costa County),** the District Secretary is hereby authorized and directed to provide for the collection, by the Elections Official of the candidate's home County (County in which the candidate resides), from each non-indigent candidate who files such a statement, a deposit in the amount of \$250 to represent the candidate's pro rata share as described in subsection 3(a) above. Collection of such amount shall be a condition of having the candidate's statement included in the voter's pamphlet.

The District Secretary is also hereby authorized and directed to waive collection by the Elections Official of the second County (County in which the candidate *does not* reside) of a deposit from a candidate wishing to file a candidate's statement, provided the candidate presents in person to the Elections Official the receipt showing payment of the required deposit to the first County and a copy of the candidate statement. Upon this verification, the second County will waive collection of a deposit and will include the statement in the voter's pamphlet. The second County is directed to bill the full cost of the candidate's statement directly to the District.

- d. If the actual costs in Alameda County or Contra Costa County exceed the deposit amount for the printing, handling, translating, and mailing of the candidate's statement in said County, then the proper officers of the District are hereby authorized and directed to pay the difference between the deposit amount and the actual cost to that County.
- e. If the actual cost of the candidate's statement in Alameda County or Contra Costa County is less than the deposit amount for the printing, handling, translating, and mailing of the candidate's statement in said County, then the District Secretary is hereby authorized and directed to make necessary arrangements to refund the amount of the deposit which exceeds said actual cost to the candidate.

**Policy No.:****Policy Title:** Candidate's Statement Cost**4. Indigent Candidates**

- a. As provided in Elections Code Section 13309, a candidate who alleges to be indigent and unable to pay in advance the requisite deposit for submitting a candidate's statement shall submit a certified statement of financial worth, and such other verifying documentation as the District shall reasonably require, to be used by the District in determining whether or not he or she is eligible to submit a candidate's statement without payment of the deposit in advance. Upon receipt of a statement of financial worth, the District shall promptly determine, in its sole discretion, whether or not the candidate is indigent and shall notify the candidate in writing of its findings. If it is determined that the candidate is not indigent, the candidate shall, within three working days of the notification, either withdraw the candidate's statement or pay the requisite deposit in accordance with the provisions of this policy.
- b. The proper officers of the District are hereby authorized and directed to pay the costs incurred by the District for printing, handling, translating, and mailing the statements for candidates determined by the District to be indigent.

**5. Additional Materials**

Other than the candidate's statement, no candidate will be permitted to include additional materials in the sample ballot package.

**6. Notice to Counties**

The District Secretary shall provide this policy and a certified copy of the Resolution adopting this policy to the Elections Officials of the Counties of Alameda and Contra Costa. The District Secretary shall also provide this policy and the Resolution authorizing consolidation of the District Election with the November Statewide General Election to the Elections Officials of the Counties of Alameda and Contra Costa.

RESOLUTION NO. 11-17

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT ADOPTING REVISED CANDIDATES' STATEMENT COSTS POLICY REGARDING CANDIDATES' STATEMENTS TO BE FILED BY CANDIDATES FOR ELECTION TO THE DISTRICT BOARD AND AUTHORIZING THE BILLING FOR AND COLLECTION OF CERTAIN COSTS AND RESCINDING RESOLUTION NO. 20-13

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WHEREAS, Section 13307 of the Elections Code authorizes the filing, at the time of filing nomination papers, of a candidate's statement of no more than 200 words by candidates for the District's Board of Directors and further authorizes the District to require each candidate who files such a statement to pay in advance a sum not greater than the estimated prorated costs of printing, handling, translating and mailing such statements, if any, incurred by the District; and

WHEREAS, it is in the best interests of the District to require non-indigent candidates who choose to file such a statement to deposit a reasonable sum for these services and for the District to pay the additional costs, if any, incurred as a result of providing such services; and

WHEREAS, Elections Code Section 13307(b), together with the federal Voting Rights Act of 1965, as amended (herein referred to as "the Act"), requires the County Elections Official in the Alameda County portion of the District's service area to provide Spanish, Chinese, Vietnamese, and Tagalog translation of any candidate's statement and further requires that in the Contra Costa County portion of the District's service area, the County Elections Official shall, upon a candidate's request, provide a Spanish translation of any candidate's statement.

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:

Section 1. General Provisions.

Each candidate at the General Election for the Office of Director of the District may file a candidate's statement, as provided for in Section 13307 of the Elections Code, with the Elections Official in either Alameda County or Contra Costa County from whom the candidate obtains the nomination papers and other forms required for nomination to the Office of Director. Additionally, each candidate may also file a candidate's statement in the alternate County subject to the same limitations, payment provisions, and policies detailed in this Resolution No. 11- 17. The candidate's statement may include the name, age and occupation of the candidate and a brief description of no more than 200 words of the candidate's education and qualifications expressed by the candidate himself or herself. The statement shall not include the party affiliation of the candidate, nor membership or activity in partisan political organizations. The statement may be withdrawn, but not changed, during the period for filing nomination papers and until 5:00 p.m. of the next working day after the close of the nomination period.

Section 2. Foreign Language Policy.

A. The Elections Official shall provide a language translation of the candidate's statement when required by the Act, or Elections Code Section 13307(b).

Section 3. Advance Deposit and Payment.

A. Pursuant to Elections Code Section 13307(d), a local agency may estimate the total cost of printing, handling, translating, and mailing the candidate's statement filed pursuant to this section, including costs incurred as a result of complying with the Act.

B. The District Secretary is hereby authorized and directed to provide for collection, by the Elections Official in each County, from each non-indigent candidate who files such a statement, a deposit in the amount of \$250 to represent the candidate's pro rata share of the cost of printing, handling, translating, and mailing the candidate's statement, including costs incurred as a result of

complying with the Act, and Elections Code Section 13307(b) and collection of such amount shall be a condition of having the candidate's statement included in the voter's pamphlet.

C. If the actual costs in either Contra Costa County or Alameda County exceeds \$250, for the printing, handling, translating, and mailing of the candidate's statement in said County, then the proper officers of the District are hereby authorized and directed to pay the difference between the \$250 and the required deposit in that County.

D. If the actual cost of the candidate's statement in either County is less than the \$250 deposit, the District Secretary is hereby authorized and directed to make necessary arrangements to refund the amount of the deposit which exceeds said actual cost to the candidate.

Section 4. Indigent Candidates.

A. As provided in Section 13309 of the Elections Code, a candidate who alleges to be indigent and unable to pay in advance the requisite deposit for submitting a candidate's statement shall submit a certified statement of financial worth, and such other verifying documentation as the District shall reasonably require, to be used by the District in determining whether or not he or she is eligible to submit a candidate's statement without payment of the deposit in advance. Upon receipt of a statement of financial worth, the District shall promptly determine, in its sole discretion, whether or not the candidate is indigent and shall notify the candidate in writing of its findings. If it is determined that the candidate is not indigent, the candidate shall, within three working days of the notification, either withdraw the candidate's statement or pay the requisite deposit in accordance with the provisions of this Resolution.

B. The proper officers of the District are hereby authorized and directed to pay the costs incurred by the District for printing, handling, translating, and mailing the statements for candidates determined by the District to be indigent.

Section 5. Additional Materials.

Other than the candidate's statement, no candidate will be permitted to include additional materials in the sample ballot package.

Section 6. Rescinding Previous Policy.

The revised policy on Candidates' Statement Costs, attached as Exhibit A, is hereby adopted and Resolution No. 20-13, attached as Exhibit B, is hereby rescinded and shall no longer be of any force and effect after the date of adoption hereof.

Section 7. Application.

The provisions of this Resolution shall govern all elections for the District's Board of Directors held after the adoption of this Resolution unless and until this Resolution is rescinded, superseded, or otherwise modified by an action taken by the Board.

Section 8. Certification and Notice to Counties.

The District Secretary shall attest to passage and adoption of this Resolution and provide certified copies to the Elections Officials of the Counties of Alameda and Contra Costa.

ADOPTED by the Board of Directors of Dublin San Ramon Services District at its regular meeting held on the 21st of March 2017, and passed by the following vote:

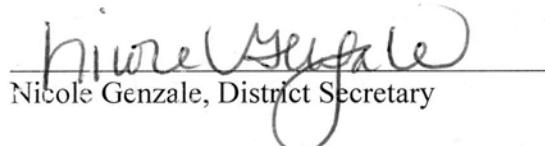
AYES: 5 - Directors Edward R. Duarte, Georgean M. Vonheeder-Leopold, Madelyne A. Misheloff, D.L.(Pat) Howard, Richard M. Halket

NOES: 0

ABSENT: 0

  
Richard M. Halket, President

ATTEST:

  
Nicole Genzale, District Secretary



**TITLE:** Affirm Use of Clean Water Revival Facilities and Demineralized Recycled Water Policy

**RECOMMENDATION:**

Staff recommends the Board of Directors approve, by Motion, affirmation of no changes to the Use of Clean Water Revival Facilities and Demineralized Recycled Water policy (P300-16-1).

**SUMMARY:**

The Board of Directors has adopted District policies in the areas of Board Business, General, Operations, Finance, Purchasing, Service, and Personnel. By long-standing practice, the Board reviews each policy once every four years to determine its applicability and continuing usefulness. This ensures that all policies are reviewed at least one time during each Boardmember's term of office. Additionally, it serves as an opportunity for each Boardmember in the first term of office to become acquainted with all the Board policies.

Staff recently reviewed the Use of Clean Water Revival Facilities and Demineralized Recycled Water Policy (P300-16-1) and determined that no changes were needed or applicable at this time. The policy supports working with other water users in the Tri-Valley area to identify and implement acceptable ways to productively use all the facilities constructed in the 1990's as part of the District's Clean Water Revival project. For convenience of the Board, a copy of the current policy, with updated review history, is attached..

If affirmed, the policy will be scheduled for subsequent review in 2024.

Originating Department: Engineering Services	Contact: J. Zavadil	Legal Review: Not Required
Cost: \$0	Funding Source: N/A	
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 – Use of Clean Water Revival Facilities and Demineralized Recycled Water policy (P300-16-1)	



<b>Policy No.:</b> <b>P300-16-1</b>	<b>Type of Policy:</b> Operations
<b>Policy Title:</b> Use of Clean Water Revival Facilities and Demineralized Recycled Water	
<b>Policy Description:</b> Use of recycled water produced by District's reverse osmosis treatment facility.	
<b>Approval Date:</b> 4/5/2016	<b>Last Review Date:</b> <u>2016</u> <u>2020</u>
<b>Approval Resolution No.:</b> 19-16	<b>Next Review Date:</b> <u>2020</u> <u>2024</u>
<b>Rescinded Resolution No.:</b> 56-11 and 45-02	<b>Rescinded Resolution Date:</b> 10/4/2011 and 10/17/2002

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

1. In partnership with Zone 7 and the other Tri-Valley water retailers, to develop a potable reuse water supply project through the use of the District's existing and planned reverse osmosis facilities.
2. To commission those District Clean Water Revival Facilities constructed in the 1990's that are still suitable and feasible for use to provide a potable reuse water supply for the purposes of a potable reuse water supply.
3. For those District Clean Water Revival Facilities built in the 1990's that are no longer suitable and/or feasible to support a potable reuse water supply, to work with Zone 7, the Tri-Valley water retailers, and other actual and potential water users in the Tri-Valley area to identify and implement acceptable ways to productively use all the facilities constructed in the 1990's as part of the District's Clean Water Revival project and the valuable high quality water those facilities can produce. Examples of ways the facilities and water could be used include, but are not necessarily limited to:
  - Demineralization of the high-salt groundwater of the Livermore-Amador Valley Groundwater Basin;
  - Treatment of potable water to improve quality;
  - Salt reduction in support of existing and expanded landscape irrigation with recycled water;
  - Further demineralization of reject water from the Zone 7 well head demineralization program;
  - Salt reduction in support of agricultural irrigation with recycled water;
  - Treatment of recycled water for irrigation purposes;
  - Conveyance of brine from groundwater demineralization facilities; and
  - Manufacturing, cooling, decorative or other municipal, commercial or industrial uses.

Policy No.:	Policy Title: <u>Use of Clean Water Revival Facilities and Demineralized Recycled Water</u>
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Policy is current and no changes need to be adopted  
by the Board of Directors.

Status Quo Chronology:

Date Adopted:

April 5, 2016

Reviewed by  
Committee or Board:

Date:

Board

April 7, 2020



**TITLE:** Approve Termination of Emergency Action for the District Office Flooding Emergency and Rescind Resolution No. 53-18

**RECOMMENDATION:**

Staff recommends the Board of Directors approve, by Resolution, termination of emergency action for the District Office flooding emergency and rescind Resolution No. 53-18.

**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.

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. Per the Public Contract Code Section 22050, the Board has reviewed the need to continue the emergency action and approved continuing the emergency action by a four-fifths vote at every regularly scheduled Board meeting since the initial approval of the emergency action. Also per the Public Contract Code Section 22050, the Board shall terminate the emergency action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts.

The District obtained a temporary occupancy permit from the City of Dublin for the renovated District Office on March 24, 2020, therefore the emergency action is no longer required. Plans to move back into the District Office have been delayed due to the County of Alameda and State of California shelter-in-place orders related to the COVID-19 pandemic. Staff is currently busy focusing on providing essential services to the District's customers while meeting the orders. Full or partial occupancy of the District Office is dependent on the evolving pandemic situation.

Because restoration of the District Office renovation is complete, staff recommends the Board terminate the District Office flooding emergency.

Originating Department: Engineering	Contact: J. Zavadil	Legal Review: Not Required
Cost: \$0	Funding Source: N/A	
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 type="checkbox"/> Other (see list on right)	27 of 35	

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

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT TERMINATING  
THE DISTRICT OFFICE FLOODING EMERGENCY AND RESCINDING RESOLUTION NO. 53-18

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WHEREAS, on November 11, 2018, the District Office flooded due to a leak in the building's fire service line; and

WHEREAS, 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; and

WHEREAS, the Board of Directors adopted Resolution No. 53-18 on November 20, 2018, approving emergency action procurement by the General Manager for restoration of the District Office; and

WHEREAS, per the Public Contract Code Section 22050 the Board shall terminate the emergency action at the earliest possible date that conditions warrant; and

WHEREAS, the District obtained a temporary occupancy permit from the City of Dublin for the renovated District Office on March 24, 2020.

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 District Office flooding emergency is hereby terminated and Resolution No. 53-18, attached as Exhibit "A," is hereby rescinded.

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 April, 2020, and passed by the following vote:

AYES:

NOES:

ABSENT:

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Edward R. Duarte, President

ATTEST: \_\_\_\_\_  
Nicole Genzale, District Secretary

RESOLUTION NO. 53-18RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT APPROVING  
EMERGENCY ACTION PROCUREMENT BY THE GENERAL MANAGER FOR REPAIR OF THE DISTRICT OFFICE

WHEREAS, on November 11, 2018, the District Office sustained major damage caused by a leak in the fire service line; and

WHEREAS, the District Emergency Response Plan policy (P300-16-2) designates the General Manager as the District's Emergency Manager, charged with managing all emergency operations and making decisions to allocate resources and expend funds as necessary to meet the needs of the emergency; and

WHEREAS, the General Manager declared a District State of Emergency on November 11, 2018, and has taken action to reduce potential further property damage due to water exposure and to minimize the time to restore core business operations; and

WHEREAS, as the District's Emergency Manager, in accordance with Public Contract Code Section 22050 and the District Purchasing policy (P500-18-1), the General Manager may let contracts for any amount without giving notice for bids for repair or replacement of a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes; and

WHEREAS, the Purchasing policy, in accordance with Public Contract Code Section 22050, specifies that the Board of Directors must review any emergency action taken by the General Manager no later than seven days after the action or at its next regularly scheduled meeting if that meeting will occur no later than fourteen days after the action; and

WHEREAS, the General Manager has procured services as an emergency action to prevent further damage to, and restore the District Office.

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 Board of Directors confirms the State of Emergency declared by the General Manager on November 11, 2018.
2. The emergency action procurement by the General Manager for the prevention of further damage to, and restoration of the District Office, as stated above, is hereby approved.
3. The General Manager is authorized to enter into contracts for continuing actions to

prevent further damage to, and continue the restoration of, the District Office building and furnishings under District emergency procedures and policies.

4. The General Manager is directed to report the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids at least at every regularly scheduled meeting until the District State of Emergency is terminated.

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 special meeting held on the 20th day of November, 2018, and passed by the following vote:

AYES: 4 - Edward R. Duarte, Madelyne A. Misheloff, Richard M. Halket,  
Georgean M. Vonheeder-Leopold

NOES: 0

ABSENT: 1 - D. L. (Pat) Howard

ATTEST: Nicole Genzale  
Nicole Genzale, District Secretary

  
Georgean M. Vonheeder-Leopold, President



**TITLE:** Approve Termination of Emergency Action for the Jeffrey G. Hansen Water Recycling Plant Electrical Power Supply Failure Emergency and Rescind Resolution No. 16-19

**RECOMMENDATION:**

Staff recommends the Board of Directors approve, by Resolution, termination of emergency action for the Jeffrey G. Hansen Water Recycling Plant electrical power supply failure emergency and rescind Resolution No. 16-19.

**SUMMARY:**

Dublin San Ramon Services District (DSRSD) and East Bay Municipal Utility District (EBMUD) formed the joint power authority DSRSD-EBMUD Recycled Water Authority (DERWA) that governs the San Ramon Valley Recycled Water Program, and built the Jeffrey G. Hansen Water Recycling Plant and a backbone recycled water distribution system. The partnership also supplies recycled water to the City of Pleasanton.

On Sunday, April 7, 2019, a catastrophic power supply failure occurred at the Jeffrey G. Hansen Water Recycling Plant. This loss of power primarily affected the Effluent Pumps (EPS2), the Tertiary Influent Pumps (TIPS), the recycled water ballasted flocculation and sand filters, and supervisory control and data acquisition (SCADA) equipment in Building M, reducing production output from the water recycling plant by approximately 80 percent.

Per the District's Emergency Response Plan policy, the General Manager, as the Emergency Manager, is charged with managing all emergency operations and making decisions to allocate resources and expend funds as necessary to meet the needs of the emergency. On April 10, 2019, the General Manager proclaimed a District State of Emergency to minimize the time to restore recycled water operations. Resolution No. 16-19 was adopted by the Board of Directors on April 16, 2019, approving emergency action procurement by the General Manager for the water recycling plant. Concurrently, the DERWA Board of Directors, at a special Board meeting on April 16, 2019, authorized emergency actions and expenditures necessary to make all repairs up to \$1,000,000.

Per Public Contract Code Section 22050, the Board has reviewed the need to continue the emergency action and approved continuing the emergency action by a four-fifths vote at every regularly scheduled board since the initial approval of the emergency action. Also, per Public Contract Code Section 22050, the Board shall terminate the emergency action at the earliest possible date that conditions warrant so that the remainder of the emergency action may be completed by giving notice for bids to let contracts.

Because the repair of the electrical power supply failure at the Jeffrey G. Hansen Water Recycling Plant is complete, staff recommends the Board terminate the Emergency Action.

Originating Department: Operations	Contact: J. Carson	Legal Review: Not Required
Cost: \$0	Funding Source: N/A	
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 type="checkbox"/> Other (see list on right)	31 of 35	

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

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT TERMINATING THE JEFFREY G. HANSEN WATER RECYCLING PLANT ELECTRICAL POWER SUPPLY FAILURE EMERGENCY AND RESCINDING RESOLUTION NO. 16-19

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WHEREAS, on April 7, 2019, a catastrophic power supply failure occurred at the Jeffrey G. Hansen Water Recycling Plant; and

WHEREAS, 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 minimize the time to restore recycled water operations; and

WHEREAS, the Board of Directors adopted Resolution No. 16-19 on April 16, 2019, approving emergency action procurement by the General Manager for repair of the water recycling plant; and

WHEREAS, per Public Contract Code Section 22050, the Board shall terminate the emergency action at the earliest possible date that conditions warrant; and

WHEREAS, the repair of the electrical power supply failure at the Jeffrey G. Hansen Water Recycling Plant is complete.

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 Jeffrey G. Hansen Water Recycling Plant electrical power supply failure emergency is hereby terminated and Resolution No. 16-19, attached as Exhibit "A," is hereby rescinded.

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 April, 2020, and passed by the following vote:

AYES:

NOES:

ABSENT:

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Edward R. Duarte, President

ATTEST: \_\_\_\_\_  
Nicole Genzale, District Secretary

RESOLUTION NO. 16-19

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT APPROVING  
EMERGENCY ACTION PROCUREMENT BY THE GENERAL MANAGER FOR REPAIR OF THE RECYCLED WATER  
TREATMENT FACILITY

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WHEREAS, on April 7, 2019, the Recycled Water Treatment Facility experienced a catastrophic power failure due to a ground fault in the external electrical buss ducting connecting the main transformer to switchgear in Building M; and

WHEREAS, the District Emergency Response Plan policy (P300-16-2) designates the General Manager as the District's Emergency Manager, charged with managing all emergency operations and making decisions to allocate resources and expend funds as necessary to meet the needs of the emergency; and

WHEREAS, the General Manager declared a District State of Emergency on April 10, 2019, and has taken action to minimize the time to restore recycled water operations; and

WHEREAS, as the District's Emergency Manager, in accordance with Public Contract Code Section 22050 and the District Purchasing policy (P500-18-1), the General Manager may let contracts for any amount without giving notice for bids for repair or replacement of a public facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes; and

WHEREAS, the Purchasing policy, in accordance with Public Contract Code Section 22050, specifies that the Board of Directors must review any emergency action taken by the General Manager no later than seven days after the action or at its next regularly scheduled meeting if that meeting will occur no later than fourteen days after the action; and

WHEREAS, the General Manager has procured services as an emergency action to restore the Recycled Water Treatment Facility; and

WHEREAS, in the case of an emergency involving the Dublin San Ramon Services District-East Bay Municipal Utilities District Recycled Water Authority (DERWA) Program Facilities, the DSRSD General Manager is authorized to act as Director of Emergency Services on behalf of DERWA; and

WHEREAS, the DERWA Authority Manager has been notified of the emergency.

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 Board of Directors confirms the District State of Emergency declared by the General Manager on April 10, 2019.

2. The emergency action procurement by the General Manager to restore core business operations, as stated above, is hereby approved.

3. The General Manager is authorized to enter into contracts for continuing actions to restore recycled water operations at the Recycled Water Treatment Facility under District emergency procedures and policies.

4. The General Manager is directed to report the reasons justifying why the emergency will not permit a delay resulting from a competitive solicitation for bids at least at every regularly scheduled meeting until the District State of Emergency is terminated.

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 16th day of April, 2019, and passed by the following vote:

AYES: 4 - Directors Georgean M. Vonheeder-Leopold, Ann Marie Johnson,  
Richard M. Halket, Edward R. Duarte

NOES: 0

ABSENT: 1 - Director Madelyne A. Misheloff

*for Ed R. Duarte*

Madelyne A. Misheloff, President

ATTEST:

*Nicole Genzale*  
Nicole Genzale, District Secretary



**TITLE:** Approve Continuation of District's State of Emergency in Response to COVID-19 Pandemic by General Manager and Find that the Need for the District's State of Emergency Still Exists

**RECOMMENDATION:**

Staff recommends the Board of Directors approve, by Motion, a continuation of the State of Emergency response to the COVID-19 pandemic, as declared by the General Manager and confirmed and ratified by Resolution No. 26-20, and find that there exists a need for continuing the District's COVID-19 emergency which the Board last confirmed on March 25, 2020.

**SUMMARY:**

On March 4, 2020, Governor Gavin Newsom of California proclaimed a State of Emergency to exist in California as a result of the threat of COVID-19, a coronavirus. On March 13, 2020, President Donald Trump declared a National Emergency as a result of the threat of COVID-19.

On March 16, 2020, the public health officers of Alameda County, Contra Costa County, and four other Bay Area counties issued a legal order directing their respective residents to shelter-in-place at home for three (3) weeks beginning on March 17 and ending on April 7. The order limits activity, travel, and business functions to the most essential needs. On March 31, 2020, the public health officers issued a subsequent order that is effective through May 3 in seven Bay Area counties and that is more restrictive than the original order. The new order continues to provide an exception for the operations and maintenance of "Essential Infrastructure," which includes, but is not limited to, water, wastewater, and recycled water service. Exemptions are also in place for Essential Government Functions, for certain "Minimum Basic Operations," for emergency management functions, for certain narrowly prescribed "Essential Business" functions, and for certain qualifying private construction, such as housing projects meeting low-income needs.

On March 19, 2020, Governor Newsom issued Executive Order N-33-20 ordering all individuals living in California to stay home at their place of residence, with certain exceptions for critical services and other qualifying exceptions. This shelter-in-place order has no specified termination date.

On March 16, 2020, the General Manager, as the District's Emergency Manager per the Emergency Response Plan policy (P300-16-2), declared a District State of Emergency to allow for essential operations to continue, and to ensure operational flexibility in meeting the challenges of COVID-19 to the vital water and sewer services that are needed to protect public health and the environment.

On March 25, 2020, the Board of Directors approved Resolution No. 26-20, which confirmed the continuation of the District State of Emergency, and directed the General Manager to report on progress at least at every regularly scheduled meeting until the State of Emergency is terminated.

District emergency planning has been aggressively implemented. Half of the District's staff are working a vast majority of their time from home, but all critical operations needed to protect public health and the environment continue. Relocation of staff back to the District Office, and certain other projects and activities, are delayed until after the Alameda County and Statewide shelter-in-place orders are both significantly modified, suspended, or terminated.

The COVID-19 emergency continues in our service area. To assure proper staffing and support of critical operational functions, staff is requesting the Board find that there still exists a need to continue the State of Emergency reflected by Resolution No. 26-20.

Originating Department: Office of the General Manager	Contact: D. McIntyre	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)		35 of 35