

**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; Jan Lee, Assistant General Manager; 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