

## **AGENDA**

### **NOTICE OF REGULAR MEETING**

**TIME:** 6 p.m.

**DATE:** Tuesday, October 19, 2021

**PLACE:** Regular Meeting Place  
7051 Dublin Boulevard, Dublin, CA

To allow the public the option to participate remotely during the COVID-19 pandemic, the public may listen and comment by telephone via Teams during open session as described in the Teleconference Access Information on Page 4 of the Agenda Packet.

The Boardroom is open to the public during open session. Due to the COVID-19 pandemic, meeting attendees are required to conduct a self-screening before entering District facilities. Face coverings are required.

**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: Goel, Halket, Johnson, Rubio, Vonheeder-Leopold
4. SPECIAL ANNOUNCEMENTS/ACTIVITIES
  - New Employee Introductions
5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC)

At this time, members of the public in the audience and 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. Speaker cards are available for audience members 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 introduce him/herself, and then proceed with his/her comment. Written comments of five minutes or less and received by 5 p.m. on the day of the meeting will be read into the meeting record.
6. 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 October 5, 2021  
**Recommended Action:** Approve by Motion
  - 7.B. Approve Special Meeting Minutes of October 12, 2021  
**Recommended Action:** Approve by Motion

- 7.C. Approve Director Attendance at the Water Education Foundation 37th Annual Water Summit on October 28, 2021  
**Recommended Action:** Approve by Motion

8. BOARD BUSINESS

- 8.A. First Reading of Ordinance to Revise District Ordinance No. 345 Section 4 (c) Divisions, Receive Presentation and Review Proposed Voting Area Maps Based on 2020 Decennial Census Results, and Provide Direction for Final Proposed Voting Area Maps to be Considered for Adoption on November 16, 2021  
**Recommended Action:** Introduce Ordinance, Waive Reading by Motion, Receive Presentation, and Provide Direction
- 8.B. 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
- 8.C. Approve Amendment to the Capital Improvement Program Ten Year-Plan and Two-Year Budget for Fiscal Years 2022 and 2023 to Combine Camp Parks Water Main – 12th Street, Mitchell Drive, Evans Avenue (CIP 20-W024) and Camp Parks Water Main – 5th Street, Adams to Davis Street (CIP 20-W023) Projects and Increase Project Budget and Construction Change Order Contingency  
**Recommended Action:** Approve by Resolution
- 8.D. First Reading of Ordinance Amending District Code Section 4.20.040, Potable Water Use and Protective Measures, Water Emergencies and Shortages  
**Recommended Action:** Introduce Ordinance and Waive Reading by Motion
- 8.E. Adopt Revised Auditor Selection and Service Policy and Rescind Resolution No. 34-18, and Approve Negotiation of a One-Year Extension of the Maze & Associates Contract  
**Recommended Action:** Adopt Policy by Resolution and Approve by Motion
- 8.F. Receive Presentation on San Francisco Bay Region Study of Per- and Polyfluoroalkyl Substances (PFAS) in Wastewater  
**Recommended Action:** Receive Presentation
- 8.G. Receive Presentation on Biosolids Processing, Regulations, and Trends  
**Recommended Action:** Receive Presentation

9. REPORTS

- 9.A. Boardmember Items
- Joint Powers Authority and Committee Reports
  - 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
- 9.B. Staff Reports
- Event Calendar
  - Correspondence to and from the Board

10. CLOSED SESSION

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

10.A. Conference with Labor Negotiators Pursuant to Government Code Section 54957.6

Agency Negotiators: Dan McIntyre, General Manager  
Jan Lee, Assistant General Manager  
Carol Atwood, Administrative Services Director  
Michelle Gallardo, Human Resources and Risk Manager

Employee Organizations: 1. Stationary Engineers, Local 39  
2. Mid-Management Employees Bargaining Unit  
3. Professional Employees Bargaining Unit

Additional Attendees: Douglas E. Coty, General Counsel

10.B. 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.*

## Teleconference Access Information

### Dublin San Ramon Services District Regular Board Meeting Tuesday, October 19, 2021

If the public wishes to join the meeting by phone to provide comments during Agenda Item 5 – Public Comment, or on any of the agendized items, please dial in to Teams using the instructions below, or email written comments to the Board of Directors at [board@dsrsd.com](mailto:board@dsrsd.com) by 5 p.m., Tuesday, October 19, 2021. Written comments, of five minutes or less, will be read into the meeting record during the public comment portion of the agenda or during discussion of the subject of the comment.

#### To Join by Phone Only:

1. Dial **(831) 256-7773** USA Toll from any telephone.
2. Enter Conference ID **289 193 040#** when prompted. DO NOT PRESS \*.
3. Wait for the meeting host to admit you. If you are unsuccessful in joining, hang up and dial in again.
4. You must unmute yourself when you wish to speak by pressing \*6, which is also used to mute yourself when you finish speaking.

#### Participation Instructions and Information:

- Stay muted unless speaking.
- Listen for prompts to know when public comments are solicited.
- You must unmute yourself when you wish to speak during Public Comment or during discussion of a particular agenda item. The meeting host can mute but cannot unmute participants.
- Announce yourself and speak slowly and clearly when commenting.

Boardmembers and staff will be attending the meeting in person.



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

**October 5, 2021**

To allow the public the option to participate remotely during the COVID-19 pandemic, the public may listen and comment by telephone via Webex during open session as described in the instructions on page 4 of the agenda.

1. CALL TO ORDER

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

2. PLEDGE TO THE FLAG

3. ROLL CALL

Boardmembers present at start of meeting:

President Ann Marie Johnson, Vice President Richard M. Halket, Director Marisol Rubio, Director Arun Goel, and Director Georgean M. Vonheeder-Leopold.

District staff present: Dan McIntyre, General Manager; Judy Zavadil, Engineering Services Director/District Engineer; Douglas E. Coty, General Counsel; and Nicole Genzale, Executive Services Supervisor/District Secretary.

4. SPECIAL ANNOUNCEMENTS/ACTIVITIES – None

5. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:08 p.m. No public comment was received.

6. AGENDA MANAGEMENT (CONSIDER ORDER OF ITEMS) – General Manager McIntyre stated that should the meeting run long, Item 8.E could be deferred to a future meeting, and also noted that the three Closed Session items could be conducted in the Boardroom or in separate spaces if preferred.

7. CONSENT CALENDAR

Director Rubio MOVED for approval of the items on the Consent Calendar. Director Goel SECONDED the MOTION, which CARRIED with FIVE AYES.

7.A. Approve Regular Meeting Minutes of September 21, 2021– Approved

7.B. Approve Annual Scholarship Donations to Association of California Water Agencies (ACWA) and California Association of Sanitation Agencies (CASA) in Honor of James B. Kohnen – Approved

7.C. Approve Proclamation Supporting October 2021 as Cybersecurity Awareness Month – Approved

8. BOARD BUSINESS

- 8.A. Approve 180-Day Wait Period Exception for Retired Annuitant Levi Fuller as the Water/Wastewater Systems Superintendent under Government Code Sections 7522.56 and 21224

Human Resources and Risk Manager Michelle Gallardo reviewed the item for the Board. The Board and staff reviewed the likely duration of the assignment (approximately 6 months), the possible weekly commitment (30–40 hours), and the appointment's conformance with CalPERS (California Public Employee Retirement System) requirements. Mr. Fuller will fill the position during the four-to-six-month recruitment process.

Director Vonheeder-Leopold MOVED to approve Resolution No. 49-21, Approving a 180-Day Wait Period Exception for Retired Annuitant Levi Fuller as the Water/Wastewater Systems Superintendent under Government Code Sections 7522.56 and 21224. Director Goel SECONDED the MOTION, which CARRIED with FIVE AYES.

- 8.B. 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

General Manager McIntyre reviewed the item for the Board.

Vice President Halket MOVED to 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. Director Rubio SECONDED the MOTION, which CARRIED with FIVE AYES.

- 8.C. Approve Stage 1 Water Shortage Condition Rates

Financial Services Manager Chen reviewed the item for the Board.

The Board and staff discussed the three water shortage condition rate options presented and their associated water reduction goals (Normal = 0%, Stage 1 = 10%, Stage 2 = 20%), and deliberated on those options, as well as the optimal timing for implementation of a shortage rate. For comparison, staff also explained the further two stages should conservation needs become more severe (Stage 3 = 35% and Stage 4 = 50%). Staff explained that the stage rates were established per the District's 2019 Comprehensive Water Cost of Service Study. Should drought conditions become more dire, the Board will need to create Stage 5 and Stage 6, and other restriction/limitation measures will be enacted. General Manager McIntyre reviewed the conservation positions and actions of Zone 7 Water Agency (the District's water wholesaler) and the other Tri-Valley agencies, and also gave an overview of the District's outreach campaign to inform customers of conservation needs and stage rate implementation.

The Board determined it prudent to launch a more aggressive approach and directed staff to implement Option 2 Stage 2 rates, rather than Option 3 Stage 1, as initially

recommended. President Johnson also requested that staff provide the Board with a status on the Stage 2 implementation results in March 2022.

Director Goel MOVED to approve Resolution No. 50-21, for Approving Stage 2 Water Shortage Condition Rates as Authorized by Resolution No. 21-19 Establishing Water Consumption Rates During a Water Shortage Condition. Director Vonheeder-Leopold SECONDED the MOTION, which CARRIED with FIVE AYES.

- 8.D. Receive Presentation on 2020 Decennial Census Results and Election Redistricting Process and Provide Direction for Proposed Voting Area Maps Based on Census Data Changes

Executive Services Supervisor/District Secretary Nicole Genzale reviewed the item for the Board. She explained that this is one of three meetings the District will hold to receive public input and review adjustments for the District's five election division boundaries (Divisions 1, 2, 3, 4, and 5) based on the 2020 Decennial Census results. She introduced the District's independent demographer, Mr. Michael Wagaman of Wagaman Strategies, and special counsel Ms. Kristen Rogers of Olson Remcho, LLP, who are assisting the District with the redistricting process. Mr. Wagaman proceeded to give a presentation reviewing the redistricting process, census data results, and next steps to readjust the division boundaries per the new census data.

The Board reviewed the data and discussed various approaches to adjust division boundaries. The Board then directed Mr. Wagaman to use the following additional criteria, in addition to the legally required and recommended criteria noted in the staff report, to develop draft map plans for review at the October 19 Board meeting:

- Attempt to use main roadways as possible boundary lines, such as Amador Valley Blvd., Dougherty Road, Dublin Blvd., Tassajara Road, and Interstate 680
- Consider options for handling the county line (Alameda and Contra Costa)
- Explore having both water and collection services in all divisions
- Investigate minimizing changes to current boundaries
- Do not consider incumbent locations as a controlling criterion

Mr. Wagaman stated, in conclusion, that interactive and spreadsheet mapping tools will soon be available for the Board and the public on the District's website to draw proposed map plans for the Board's consideration.

- 8.E. NOT HELD – Receive Presentation on Biosolids Processing, Regulations, and Trends

The Board directed staff to defer this item to a future Board meeting.

## 9. REPORTS

### 9.A. Boardmember Items

- Joint Powers Authority and Committee Reports
  - DERWA – September 27, 2021
  - Special LAVWMA – September 29, 2021
  - DSRSD/City of San Ramon – September 30, 2021

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

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

Director Vonheeder-Leopold submitted a written report to Executive Services Supervisor/District Secretary Genzale. She reported that she attended the Dublin State of the City Address on September 22 at the Shannon Community Center. She summarized the activities and discussions at the meeting.

Director Rubio submitted a written report to Executive Services Supervisor/District Secretary Genzale. She reported that she also attended the Dublin State of the City Address on September 22. She summarized the activities and discussions at the meeting.

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

9.B. Staff Reports

- Event Calendar – General Manager McIntyre reported on the following:
  - A DSRSD/Pleasanton Liaison Committee meeting will be held on Thursday, October 21 at 3:30 p.m. via Zoom.
  - A Tri-Valley Water Liaison Committee meeting will be held on Wednesday, October 27 at 4 p.m. hosted in person by City of Livermore.
  - Policy briefings for Directors will be scheduled in the coming weeks.
- Correspondence to and from the Board on an Item not on the Agenda was included in the agenda packet.

10. CLOSED SESSION

The Board did not hold Items 10.A, 10.B., and 10.C and directed staff to defer Item 10.C to a special meeting on Tuesday, October 12, 2021.

10.A. NOT HELD – Conference with Legal Counsel – Anticipated Litigation  
Significant Exposure to Litigation Pursuant to Government Code Section 54956.9(d)(2):  
One Potential Case

10.B. NOT HELD – Conference with Labor Negotiators Pursuant to Government Code Section 54957.6

Agency Negotiators: Dan McIntyre, General Manager  
Jan Lee, Assistant General Manager  
Carol Atwood, Administrative Services Director  
Michelle Gallardo, Human Resources and Risk Manager

Employee Organizations: 1. Stationary Engineers, Local 39  
2. Mid-Management Employees Bargaining Unit  
3. Professional Employees Bargaining Unit

Additional Attendees: Douglas E. Coty, General Counsel

10.C. NOT HELD – Public Employee Performance Evaluation Pursuant to Government Code  
Section 54957  
Title: General Manager

11. REPORT FROM CLOSED SESSION – NOT HELD

12. ADJOURNMENT

President Johnson adjourned the meeting at 7:58 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**

**October 12, 2021**

1. CALL TO ORDER

A special meeting of the Board of Directors was called to order at 6:13 p.m. by President Johnson.

2. PLEDGE TO THE FLAG

3. ROLL CALL

Boardmembers present at start of meeting:

President Ann Marie Johnson, Director Marisol Rubio, Director Arun Goel, and Director Georgean M. Vonheeder-Leopold.

District staff present: Dan McIntyre, General Manager; Douglas E. Coty, General Counsel; and Nicole Genzale, Executive Services Supervisor/District Secretary.

Vice President Richard M. Halket entered the meeting at 6:17 p.m. after the roll call was done.

4. PUBLIC COMMENT (MEETING OPEN TO THE PUBLIC) – 6:14 p.m. No public comment was received.

5. REPORTS

5.A. Boardmember Items

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

Director Vonheeder-Leopold submitted a written report to Executive Services Supervisor/District Secretary Genzale. She reported that she attended the Alameda County Special Districts Association Executive Committee meeting on October 6. She summarized the activities and discussions at the meeting.

6. CLOSED SESSION

At 6:18 p.m. the Board went into Closed Session.

6.A. Conference with Labor Negotiators Pursuant to Government Code Section 54957.6

Agency Negotiators	Dan McIntyre, General Manager Jan Lee, Assistant General Manager Carol Atwood, Administrative Services Director Michelle Gallardo, Human Resources and Risk Manager
Employee Organization:	1. Stationary Engineers, Local 39 2. Mid-Management Employees Bargaining Unit 3. Professional Employees Bargaining Unit
Additional Attendees:	Douglas E. Coty, General Counsel

- 6.B. Public Employee Performance Evaluation Pursuant to Government Code Section 5495  
Title: General Manager

7. REPORT FROM CLOSED SESSION

At 8:13 p.m. the Board came out of Closed Session. President Johnson announced that there was no reportable action.

8. ADJOURNMENT

President Johnson adjourned the meeting at 8:13 p.m.

Submitted by,

Nicole Genzale, CMC  
Executive Services Supervisor/District Secretary



**TITLE:** Approve Director Attendance at the Water Education Foundation 37th Annual Water Summit on October 28, 2021

**RECOMMENDATION:**

In accordance with the District's Day of Service policy, the Board may approve, by Motion, Director attendance at the Water Education Foundation (WEF) 37th Annual Water Summit on October 28, 2021, as a representative of the District.

**DISCUSSION:**

Pursuant to Government Code Section 61047, part of the Community Services District Law, only representation of the District at certain public meetings, public events, and training programs qualifies for a day of service. The Day of Service policy (P100-19-2) lists activities and events pre-approved by the Board as eligible for day of service compensation. When an activity or event is not on the pre-approved list, a Director may attend without compensation or may seek Board approval at a Board meeting held prior to the activity or event.

The activity or event described below is not on the pre-approved list, and thus, the Board must approve this event at this Board meeting in order for attendance by one or more Directors to be deemed a Day of Service eligible for compensation. In addition, the attending Director must submit a written report at the next Board meeting following the qualifying activity or event as required by Government Code Section 61047 and the policy. If a written report is not submitted or not timely submitted, the Director is no longer eligible for compensation for a day of service associated with the qualifying activity or event.

On Thursday, October 28, 2021, WEF is hosting its 37th Annual Water Summit from 12:45 to 4:30 p.m. The online event features top policymakers and leading water experts providing the latest information and viewpoints on issues affecting water across California and the West. Given that this statewide virtual event is focused on the major current event of the drought, at least one DSRSD staff member will be attending. If no Directors attend, staff will provide a short report on key information at a later time. DSRSD is a WEF member, and WEF produces a number of useful documents for the layperson on a wide variety of water topics.

If an attending Director is interested in receiving compensation for attending this event, he or she must submit a written report at the November 2, 2021 Board meeting, the next Board meeting following the qualifying activity or event as required by Government Code Section 61047 and the Day of Service policy.

<b>Originating Department: Administrative Services</b>	<b>Contact: N. Genzale</b>	<b>Legal Review: Not Required</b>
<b>Financial Review: Not Required</b>	<b>Cost and Funding Source: \$195 per day of service per Director from Administrative Overhead (Fund 900)</b>	
<b>Attachments:</b> <input type="checkbox"/> None <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)	<b>Attachment 1 – WEF Annual Summit Information</b>	





# WATER EDUCATION FOUNDATION



OCT  
28

## The Water Education Foundation's 37th Annual Water Summit

by Water Education Foundation

71 followers [Follow](#)

\$50 - \$349

[Tickets](#)

The Water Summit will be hosted as an engaging virtual event followed by an optional in-person, open-air cruise on the Sacramento River.

### About this event

Our annual premier event now in its 37th year, the Water Summit features policymakers, water managers and other water experts who will provide the latest information and viewpoints on issues impacting water across California and the West.

With the theme, **Pivoting Today's Pain into Tomorrow's Gain**, the online event will examine what's being done to get through the drought now gripping our state and highlight some innovative programs, projects and partnerships aimed at addressing the challenges.

Discount for members: Our regular contributors receive a \$100 discount on registration. Not a member? **Become one today for \$100** and receive the discount in addition to all the benefits of Foundation membership.

### Date and time

Thu, October 28, 2021  
12:45 PM - 4:30 PM PDT  
[Add to calendar](#)

### Location

Online event

### Refund policy

Contact the organizer to request a refund.  
Eventbrite's fee is nonrefundable.



**TITLE:** First Reading of Ordinance to Revise District Ordinance No. 345 Section 4 (c) Divisions, Receive Presentation and Review Proposed Voting Area Maps Based on 2020 Decennial Census Results, and Provide Direction for Final Proposed Voting Area Maps to Be Considered for Adoption on November 16, 2021

**RECOMMENDATION:**

Staff recommends the Board of Directors 1) waive, by Motion, the first reading of an Ordinance that, if adopted, will amend District Ordinance No. 345 Section 4 (c) Divisions to revise the method by which the Board will adopt new voting area boundaries in the future, and 2) schedule the Ordinance for a second reading, a public hearing, and adoption at the November 16, 2021 Board meeting, and 3) receive a presentation and review proposed voting area maps based on 2020 Decennial Census results, and provide direction for final proposed voting area maps to be considered for adoption on November 16, 2021.

**SUMMARY:**

Elections Code Section 22000 et seq. requires the Board of Directors to adjust the boundaries of its voting divisions following the federal census that occurs every 10 years and provides guidelines for doing so. The 2020 Decennial Census was completed last year, and the results have recently been released, enabling the District to begin its redistricting process to adopt new division boundaries. The District's demographer, Michael Wagaman, of Wagaman Strategies, will make a presentation this evening and review the four draft maps he has prepared based on the Board's direction at the October 5 Board meeting.

**DISCUSSION:**

On January 15, 2019, the Board adopted a resolution of intent to transition from an at-large to a division-based election system in conformance with the California Voting Rights Act of 2001 ("CVRA"). On May 21, 2019, the Board of Directors adopted an ordinance establishing division boundaries to be used in the 2020 election.

In adjusting those boundaries, the Board is required to draw divisions that meet the following legal requirements:

- Each division shall contain nearly equal population, with any deviations justified by other traditional redistricting criteria.
- Each division shall be drawn in a manner that complies with the state and federal Constitutions, the Federal Voting Rights Act, and state law.
- Consistent with the principles established by the United States Supreme Court in Shaw v. Reno, 509 U.S. 630 (1993), divisions shall not be drawn with race as the predominant factor.
- Each division shall be contiguous, meaning that there are no islands or parts of the division that are not attached to the whole.

The Elections Code also provides that the Board may take into consideration the following factors: (1) topography, (2) geography, (3) cohesiveness, contiguity, integrity and compactness of territory, and (4) community of interests of the division. Essentially, these criteria mean that the Board may consider:

- Keeping communities of interest, such as neighborhoods, school district boundaries, etc., undivided by a division boundary, to the extent feasible.

<b>Originating Department: Administrative Services</b>		<b>Contact: N. Genzale</b>	<b>Legal Review: Yes</b>
<b>Financial Review: Not Required</b>		<b>Cost and Funding Source: \$100,000 from Legislative Division, Administrative Overhead (Fund 900) Account 900.10.10.000.3.340</b>	
<b>Attachments:</b> <input type="checkbox"/> None <input type="checkbox"/> Resolution <input checked="" type="checkbox"/> Ordinance <input type="checkbox"/> Task Order <input type="checkbox"/> Proclamation <input checked="" type="checkbox"/> Other (see list on right)		<b>Attachment 1 – Demographer Presentation</b> <b>Attachment 2 – Draft Maps (4)</b> <b>Attachment 3 – Draft Map Demographics</b> <b>Attachment 4 – Marked-up Amended Ordinance No. 345</b>	

- Respecting visible natural and man-made geographical and topographical features when drawing division boundaries, as much as possible.
- Having compactness of divisions, including their shape and appearance.
- Identifying changes to the housing stock, including areas of population growth, if any, since lines were drawn in 2019, keeping in mind, however, that divisions will have to contain nearly equal population based on the 2020 Census data.
- Including public facilities in each division, to the extent feasible.
- Including commercial interests in each division, to the extent feasible.

Section 22000 of the CVRA requires only one public hearing on a proposal to adopt new boundaries in light of the federal census prior to the hearing at which a final redistricting plan is adopted. Staff, however, intends to hold two public hearings, this evening and at the November 16 Board meeting. The District's demographer has informed the District that population shifts will require adjustments in division lines. The demographer received Board suggestions regarding changes at the October 5 meeting, and the Board has asked that the demographer propose two or more maps that incorporate those suggestions. The Board will take initial public and Board comment on the maps at tonight's public hearing. At the end of the final public hearing on November 16, the Board can choose one map, publish it, and then adopt it at a subsequent public hearing.

The District's current divisions were approved within Ordinance No. 345 which transitioned the District to by-division elections, and this ordinance will require amendment to provide for future division adjustments by resolution as provided for by law.

Under Government Code Section 61026, the deadline for adjusting the boundaries is November 1 of the year preceding the next election. However, because the federal census was delayed this year due to the COVID-19 pandemic, the Legislature enacted a one-time adjustment to the deadline, making it April 17, 2022.

On October 5, the Board directed Mr. Wagaman to create draft maps that considered the following criteria in addition to the criteria outlined above:

- Attempt to use major roads including Dougherty Road, I-680, Amador Valley Blvd, Dublin Road, and Tassajara Road; and
- Study options for handling the Alameda/Contra Costa County line; and
- Explore having both water and wastewater collection services in all divisions; and
- Investigate minimizing changes to current boundaries.
- Do not consider incumbent locations as a controlling criterion.

In conformance with these additional criteria, Mr. Wagaman developed four draft map plans: Blue, Purple, Red, and Green (Attachment 2). Each plan's demographics is included for the Board's review (Attachment 3).

### **Public Outreach**

The Board of Directors will be informed by the public input. To support the public in providing input, redistricting information and mapping tools are available at the District Office, District's website, and dedicated web page at: <https://www.dsrsd.com/about-us/census-redistricting>. Redistricting announcements and information have also been published in a local newspaper of wide distribution in the Tri-Valley, and provided to news outlets, and posted on the District's Facebook, Twitter, and Nextdoor social media accounts. No public comment has been received as of the publication of this agenda.

### **Fiscal and Administrative Impacts**

A redistricting budget of \$100,000 was included and approved June 1, 2021 in the District's Operating Budget for Fiscal Years Ending 2022 and 2023 to address anticipated costs which include several hours of staff time, General Counsel fees (up to \$25,000), consultant fees for special legal counsel and demographer (up to \$50,000), and public noticing costs.



**Dublin San Ramon  
Services District**

*Water, wastewater, recycled water*

# Redistricting

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Dublin San Ramon Services District  
Education and Initial Direction

October 19, 2021 16 of 103

# Actions Requested

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Conduct public hearings to receive input

Review draft plans

Provide additional direction for additional draft plans



# Timeline

Hearing	Purpose	Date
1	<ul style="list-style-type: none"><li>• Education</li><li>• Initial direction</li></ul>	October 5
2	<ul style="list-style-type: none"><li>• Review plans (public &amp; draft)</li><li>• Provide additional direction</li></ul>	October 19
3	<ul style="list-style-type: none"><li>• Review plans (revised)</li><li>• Further revise plans if necessary</li><li>• Adopt final plan</li></ul>	November 16

# Prior Direction

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Attempt to use major roads including Dougherty Road, I-680, Amador Valley Blvd, Dublin Road, and Tassajara Road.

Study options for handling the county line.

Explore having both water and collection services in all divisions.

Investigate minimizing changes to current boundaries.

Do not consider incumbent locations as a controlling criterion.



# Draft Plans

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**Blue Plan**

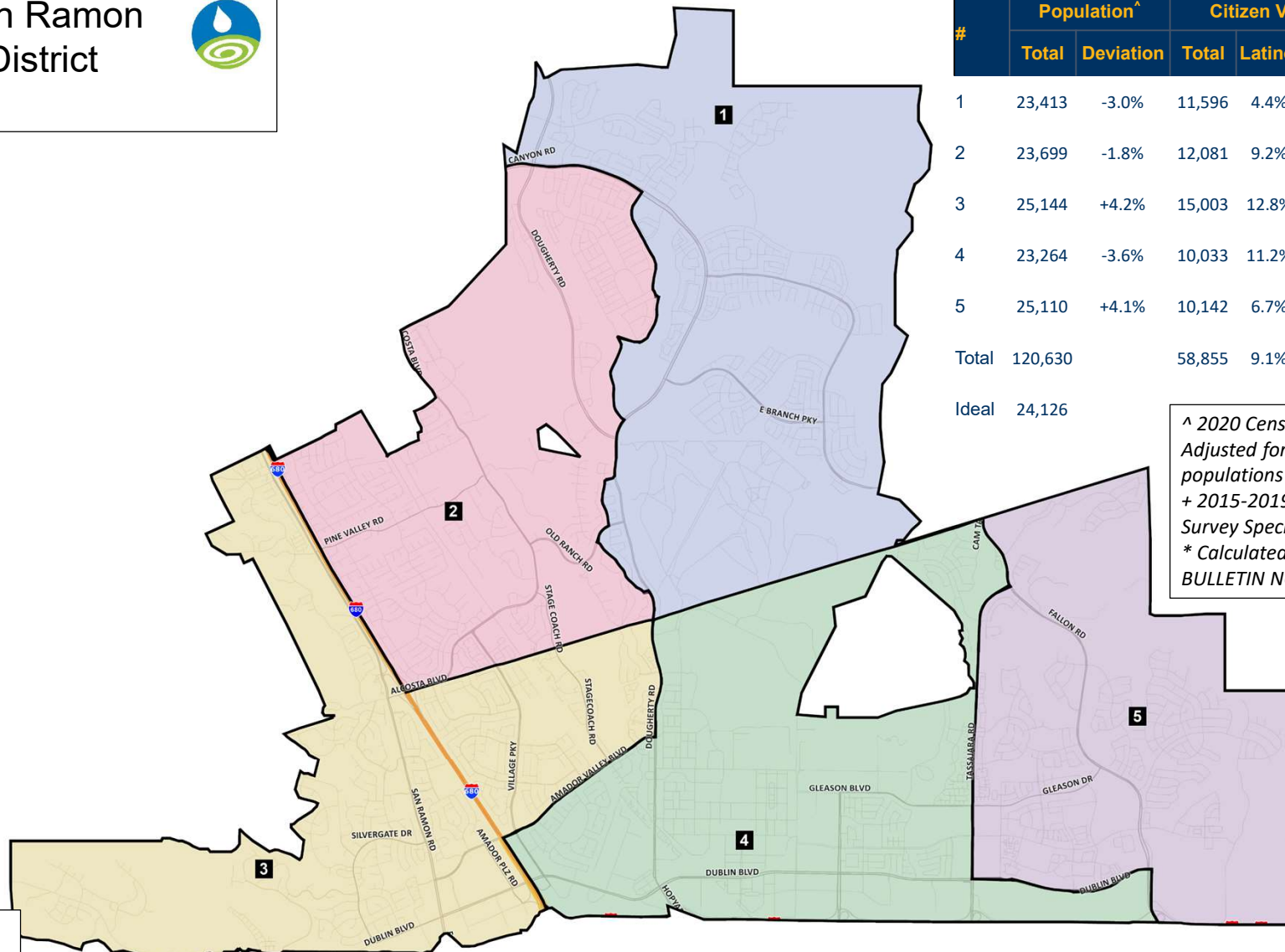
**Purple Plan**

**Red Plan**

**Green Plan**



# Dublin San Ramon Services District Blue Plan

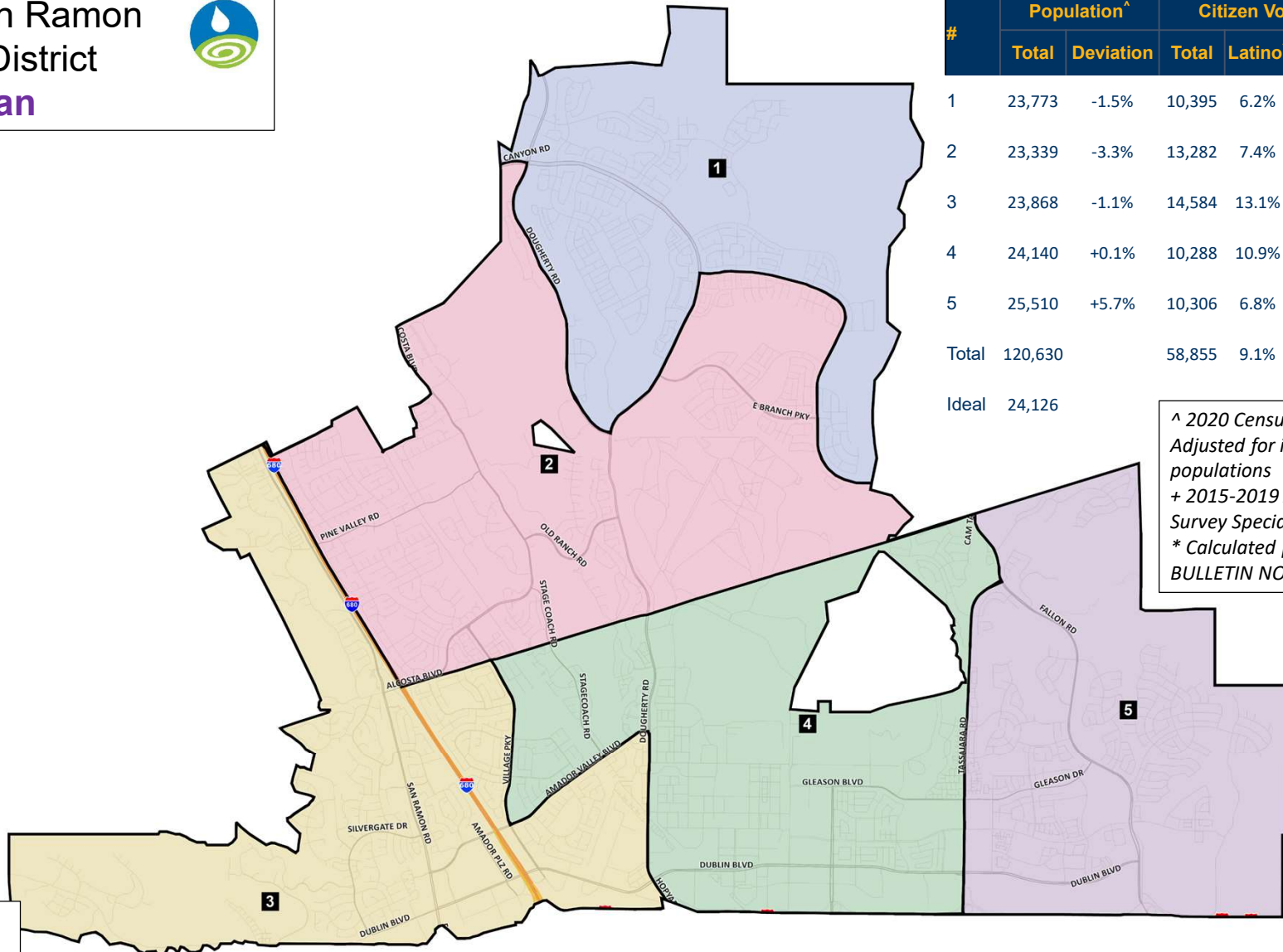


#	Population <sup>^</sup>		Citizen Voting Age Population <sup>*</sup>				
	Total	Deviation	Total	Latino <sup>*</sup>	Asian <sup>*</sup>	Black <sup>*</sup>	NH-White
1	23,413	-3.0%	11,596	4.4%	66.8%	2.9%	22.6%
2	23,699	-1.8%	12,081	9.2%	29.0%	4.1%	55.0%
3	25,144	+4.2%	15,003	12.8%	24.4%	2.7%	57.4%
4	23,264	-3.6%	10,033	11.2%	38.6%	6.8%	38.9%
5	25,110	+4.1%	10,142	6.7%	61.1%	5.0%	24.8%
Total	120,630		58,855	9.1%	42.4%	4.1%	41.3%
Ideal	24,126						

<sup>^</sup> 2020 Census Redistricting Data.  
Adjusted for incarcerated  
populations  
+ 2015-2019 American Community  
Survey Special Tabulation  
<sup>\*</sup> Calculated pursuant to OMB  
BULLETIN NO. 00-02

Prepared by  
**WAGAMAN**  
STRATEGIES

Dublin San Ramon  
Services District  
**Purple Plan**

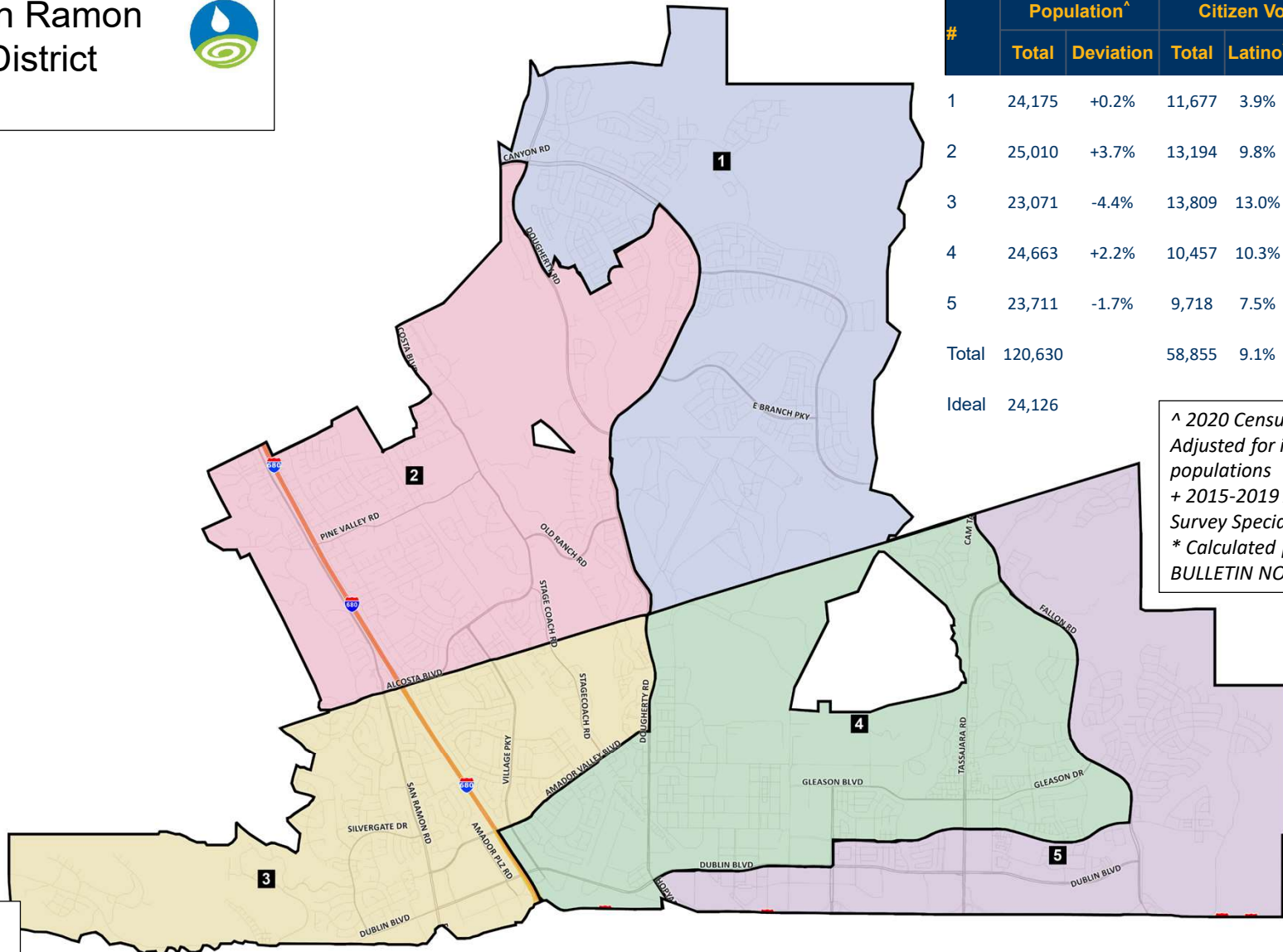


#	Population <sup>^</sup>		Citizen Voting Age Population <sup>*</sup>				
	Total	Deviation	Total	Latino <sup>*</sup>	Asian <sup>*</sup>	Black <sup>*</sup>	NH-White
1	23,773	-1.5%	10,395	6.2%	60.6%	4.1%	22.7%
2	23,339	-3.3%	13,282	7.4%	37.3%	3.1%	52.0%
3	23,868	-1.1%	14,584	13.1%	24.2%	3.4%	57.4%
4	24,140	+0.1%	10,288	10.9%	38.0%	5.6%	40.2%
5	25,510	+5.7%	10,306	6.8%	60.9%	5.1%	24.5%
Total	120,630		58,855	9.1%	42.4%	4.1%	41.3%
Ideal	24,126						

<sup>^</sup> 2020 Census Redistricting Data.  
Adjusted for incarcerated  
populations  
+ 2015-2019 American Community  
Survey Special Tabulation  
<sup>\*</sup> Calculated pursuant to OMB  
BULLETIN NO. 00-02

Prepared by  
**WAGAMAN**  
STRATEGIES

Dublin San Ramon  
Services District  
**Red Plan**

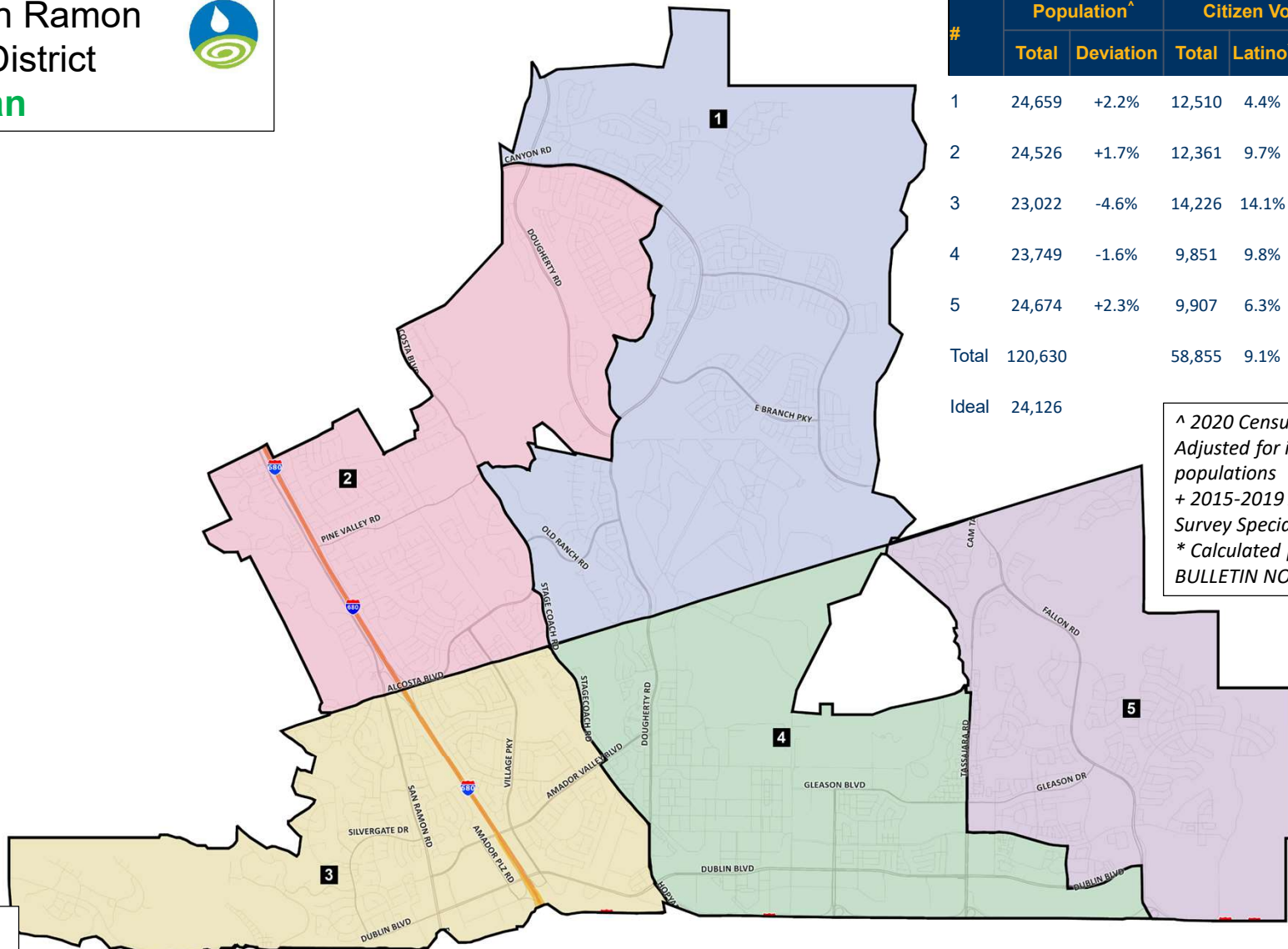


#	Population <sup>^</sup>		Citizen Voting Age Population <sup>*</sup>				
	Total	Deviation	Total	Latino <sup>*</sup>	Asian <sup>*</sup>	Black <sup>*</sup>	NH-White
1	24,175	+0.2%	11,677	3.9%	69.1%	1.6%	19.9%
2	25,010	+3.7%	13,194	9.8%	27.7%	5.1%	56.8%
3	23,071	-4.4%	13,809	13.0%	23.1%	2.8%	58.4%
4	24,663	+2.2%	10,457	10.3%	45.1%	6.1%	35.4%
5	23,711	-1.7%	9,718	7.5%	55.1%	5.7%	27.9%
Total	120,630		58,855	9.1%	42.4%	4.1%	41.3%
Ideal	24,126						

<sup>^</sup> 2020 Census Redistricting Data.  
Adjusted for incarcerated  
populations  
+ 2015-2019 American Community  
Survey Special Tabulation  
<sup>\*</sup> Calculated pursuant to OMB  
BULLETIN NO. 00-02

Prepared by  
**WAGAMAN**  
STRATEGIES

# Dublin San Ramon Services District Green Plan



#	Population <sup>^</sup>		Citizen Voting Age Population <sup>*</sup>				
	Total	Deviation	Total	Latino <sup>*</sup>	Asian <sup>*</sup>	Black <sup>*</sup>	NH-White
1	24,659	+2.2%	12,510	4.4%	63.8%	2.5%	26.4%
2	24,526	+1.7%	12,361	9.7%	30.3%	4.4%	52.7%
3	23,022	-4.6%	14,226	14.1%	22.4%	2.9%	58.6%
4	23,749	-1.6%	9,851	9.8%	36.8%	7.0%	42.0%
5	24,674	+2.3%	9,907	6.3%	64.9%	4.7%	20.3%
Total	120,630		58,855	9.1%	42.4%	4.1%	41.3%
Ideal	24,126						

<sup>^</sup> 2020 Census Redistricting Data.  
Adjusted for incarcerated  
populations  
+ 2015-2019 American Community  
Survey Special Tabulation  
<sup>\*</sup> Calculated pursuant to OMB  
BULLETIN NO. 00-02

Prepared by  
**WAGAMAN**  
STRATEGIES



## Dublin San Ramon Services District

### Redistricting Draft Plans 10/19/21

Plan	District	Population <sup>^</sup>			Citizen Voting Age Population <sup>+</sup>								
		Total	Deviation		Total	Latino*		Asian*		Black*		Non-Hispanic White	
		#	#	%	#	#	%	#	%	#	%	#	%
Blue	1	23,413	-713	-3.0%	11,596	515	4.4%	7,749	66.8%	332	2.9%	2,618	22.6%
Blue	2	23,699	-427	-1.8%	12,081	1,106	9.2%	3,504	29.0%	497	4.1%	6,646	55.0%
Blue	3	25,144	1,018	4.2%	15,003	1,921	12.8%	3,656	24.4%	406	2.7%	8,615	57.4%
Blue	4	23,264	-862	-3.6%	10,033	1,123	11.2%	3,872	38.6%	682	6.8%	3,904	38.9%
Blue	5	25,110	984	4.1%	10,142	681	6.7%	6,197	61.1%	511	5.0%	2,511	24.8%
Purple	1	23,773	-353	-1.5%	10,395	640	6.2%	6,299	60.6%	422	4.1%	2,362	22.7%
Purple	2	23,339	-787	-3.3%	13,282	981	7.4%	4,954	37.3%	407	3.1%	6,902	52.0%
Purple	3	23,868	-258	-1.1%	14,584	1,908	13.1%	3,536	24.2%	501	3.4%	8,373	57.4%
Purple	4	24,140	14	0.1%	10,288	1,121	10.9%	3,911	38.0%	577	5.6%	4,131	40.2%
Purple	5	25,510	1,384	5.7%	10,306	696	6.8%	6,278	60.9%	521	5.1%	2,526	24.5%
Red	1	24,175	49	0.2%	11,677	454	3.9%	8,072	69.1%	181	1.6%	2,319	19.9%
Red	2	25,010	884	3.7%	13,194	1,296	9.8%	3,650	27.7%	672	5.1%	7,489	56.8%
Red	3	23,071	-1,055	-4.4%	13,809	1,792	13.0%	3,187	23.1%	382	2.8%	8,071	58.4%
Red	4	24,663	537	2.2%	10,457	1,078	10.3%	4,718	45.1%	641	6.1%	3,703	35.4%
Red	5	23,711	-415	-1.7%	9,718	726	7.5%	5,351	55.1%	552	5.7%	2,712	27.9%
Green	1	24,659	533	2.2%	12,510	551	4.4%	7,980	63.8%	314	2.5%	3,297	26.4%
Green	2	24,526	400	1.7%	12,361	1,199	9.7%	3,742	30.3%	539	4.4%	6,511	52.7%
Green	3	23,022	-1,104	-4.6%	14,226	2,002	14.1%	3,192	22.4%	415	2.9%	8,339	58.6%
Green	4	23,749	-377	-1.6%	9,851	967	9.8%	3,630	36.8%	693	7.0%	4,138	42.0%
Green	5	24,674	548	2.3%	9,907	627	6.3%	6,434	64.9%	467	4.7%	2,009	20.3%

<sup>^</sup> 2020 Census Redistricting Data. Adjusted for incarcerated populations

<sup>+</sup> Adjusted 2015-2019 American Community Survey Special Tabulation

\* Calculated pursuant to OMB BULLETIN NO. 00-02

ORDINANCE NO. 345###

AN ORDINANCE OF DUBLIN SAN RAMON SERVICES DISTRICT TO AMEND ORDINANCE NO. 345  
ESTABLISHING A BY-DIVISION SYSTEM FOR ELECTING DIRECTORS

---

~~WHEREAS, the Dublin San Ramon Services District (District) currently elects its Directors using an at-large election system; and~~

~~WHEREAS, in the at-large election system, candidates may live in any part of the District's service area and each Director is elected by the voters of the entire service area; and~~

~~WHEREAS, in a by division election system, a candidate for the Board of Directors must live in the division which he or she wishes to represent, and only the voters of that division are entitled to vote to decide who their representative will be; and~~

~~WHEREAS, on November 6, 2018, the District received a demand letter from Scott Rafferty, Attorney at Law, asserting that the District's at-large system for electing Directors violates the California Voting Rights Act of 2001 ("CVRA") and threatening litigation if the District declines to voluntarily change to a division-based election system for electing Boardmembers; and~~

~~WHEREAS, the District denies that its at-large system for electing its Directors violates the CVRA or any other provision of law; and~~

~~WHEREAS, despite the foregoing, the Board of Directors has determined that the public interest would be served by transitioning to a division-based electoral system because of: 1) the extraordinary cost to defend against a CVRA lawsuit, 2) the risk of losing such a lawsuit which would require the District to pay the prevailing plaintiff's attorneys' fees, and 3) by following the procedures set forth in California Elections Code Section 10010 as amended by AB 350, the potential plaintiff's reimbursable costs and attorneys' fees would be capped at a maximum of \$30,000; and~~

~~WHEREAS, California Government Code Section 61025, part of the Community Services District Law, authorizes community services districts like the District to utilize an election process specified therein to transition to a "by division" system from electing Directors, and specifies certain criteria to be considered by the Board in creating the divisions; and~~

~~WHEREAS, California Elections Code Section 10010 provides an alternative procedure for political subdivisions, including community services districts, to transition to a by division system from electing Directors in furtherance of the purposes of the California Voting Rights Act of 2001 (Chapter 1.5 (commencing with Section 14025) of Division 14 of the California Elections Code), by holding a series of public hearings to obtain public input before completing the transition by adopting an ordinance; and~~

~~WHEREAS, California Elections Code Section 10010 permits a political subdivision and a prospective plaintiff to agree to extend the time periods set forth in that section and counsel for the~~

~~plaintiff agreed to extend the time period for adopting a resolution of intention to adopt a division-based election system to January 31, 2019 and to extend the time period for adopting an ordinance establishing the division boundaries and sequence of elections to June 1, 2019; and~~

~~WHEREAS, at its regular meeting on January 15, 2019, the Board of Directors adopted a resolution of intent to establish a by-division voting process pursuant to California Elections Code Section 10010 (including the provisions of subdivision (e)(3) thereof); and~~

~~WHEREAS, the change in the method of electing Directors of the Board of the District made by this ordinance is being made in furtherance of the purposes of the California Voting Rights Act of 2001, (including the implementation of the guarantees of Section 7 of Article I and of Section 2 of Article II of the California Constitution, as set forth in California Elections Code Section 14031; and~~

~~WHEREAS, under the provisions of California Elections Code Section 10010, a political subdivision that changes from an at-large method of election to a by-division method of election shall hold at least two (2) public hearings over a period of no more than thirty (30) days, at which the public is invited to provide input regarding the composition of the divisions before drawing a draft map or maps of the proposed boundaries of the divisions; and~~

~~WHEREAS, before any maps of the proposed boundaries of the divisions were drawn, the Board of Directors held two (2) public hearings on February 5, 2019, and February 19, 2019, respectively, at which time input from the public on the composition of the District divisions including criteria for determining division boundaries and the timing and sequence of implementing division elections was invited and heard; and~~

~~WHEREAS, at the public hearings on February 5, 2019, and February 19, 2019, the District considered all oral and written information, testimony, and comments received during the public review process, including information received at the public hearings, oral and written reports from District staff and the District's demographer, exhibits, maps, and all other pertinent information prior to acting on, or making recommendations on, the division elections process and composition of maps; and~~

~~WHEREAS, at the public hearing on February 19, 2019, the Board of Directors instructed its demographer to develop four (4) draft map options containing five (5) divisions each; and~~

~~WHEREAS, on March 6, 2019, consistent with the provisions of California Elections Code Section 10010, the District published and made available for release, all four (4) of the draft maps then under consideration, which were entitled "Yellow," "Red," "Green," and "Purple." In addition to the newspaper publication, on March 1, 2019, the four (4) draft maps were made available on the District's website and the public was invited to provide comment via the District's "ContactUs" public email, various social media announcements and polls, and by otherwise directly contacting District staff; and~~

~~WHEREAS, as required by California Elections Code Section 10010, the District held two additional hearings within a period of no more than forty-five (45) days, the first on March 19, 2019, and the second on April 2, 2019, at which the public was invited to provide input regarding the content of the draft maps, as well as the timing and sequence of division elections; and~~

~~WHEREAS, at the public hearing on March 19, 2019, the Board of Directors considered all oral and written information, testimony, and comments received through the public review process, including information received at the public hearings, oral and written reports from District staff and the District's demographer, exhibits, maps, and all other pertinent information prior to acting on, or making recommendations on, the content of the draft map or maps and the proposed timing and sequence of elections; and~~

~~WHEREAS, at the public hearing on March 19, 2019, the Board of Directors instructed its demographer to develop revisions to the "Yellow," "Red," and "Green" draft maps to include collection services in Division 1 ("Yellow" and "Red" maps), shift the proposed Contra Costa County boundary to Interstate 680 for Divisions 2 and 3 ("Red" and "Green" maps), and develop a new draft map option that shows an east to west orientation; and~~

~~WHEREAS, on March 26, 2019, consistent with the provisions of California Elections Code Section 10010, the District published and made available for release, the original four (4) maps, three (3) revised draft maps, respectively entitled "Canary," "Scarlet," and "Emerald," and a new map entitled "Navy." In addition to the newspaper publication, on March 22, 2019, the four (4) original maps, the three (3) revised draft maps, and the new map were all made available on the District's website, and the public was invited to provide comment via the District's "ContactUs" public email, various social media announcements and polls, and by otherwise directly contacting District staff; and~~

WHEREAS, at ~~the~~ public hearing on April 2, 2019, the Board of Directors considered all oral and written information, testimony, and comments received during the public review process, including information received at the public hearings, oral and written reports from District staff and the District's demographer, exhibits, maps, and all other pertinent information prior to acting on the revised draft map and the timing and sequence of elections; and

WHEREAS, at the public hearing on April 2, 2019, the Board of Directors voted to ~~proceed with the "Scarlet" map attached hereto, and~~ commence by-division elections in 2020 ~~for Divisions 1, 3, and 5;~~ and

WHEREAS, on May 15, 2019, the Board of Directors adopted Ordinance No. 345 TO ESTABLISH A BY-DIVISION SYSTEM FOR ELECTING DIRECTORS; and



WHEREAS, the purpose of ~~this~~ Ordinance No. 345 ~~was~~ is to enact, pursuant to California Elections Code Section 10010, an ordinance providing for the election of Directors of the Board of Directors of the Dublin San Ramon Services District by-division in five divisions to be created hereby; ~~and;~~

WHEREAS, the District is required by California Government Code Section 61026 to adjust the boundaries of the divisions following the year in which each decennial census is taken and adjust the boundaries of the divisions so that the divisions shall be as nearly equal in population as possible; and

WHEREAS, California Elections Code Section 22000 et seq. provides for the timing and methodology of required adjustment in division boundaries, including holding at least one public hearing and the adoption of new boundaries by resolution; and

WHEREAS, the Board of Directors desires to conform its adjustment process to the California Elections Code and to approve future division boundary adjustments by resolution.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT AS FOLLOWS:**

#### **SECTION 1. PURPOSE AND AUTHORITY.**

The purpose of this Ordinance is to ~~enact~~amend, pursuant to ~~California Elections Code Section 10010, an Ordinance No. 345 to expressly~~ providing for the election of members of the Board of Directors of the Dublin San Ramon Services District ~~by~~by adjusting the five (5) single-member divisions ~~by resolution. This Ordinance is adopted pursuant to the authorities provided to the District by the District's authority under California Elections Code Section 10010-22000 et seq. and~~ California Elections ~~Government~~ Code Section ~~61026~~10650. ~~The change in the method of electing members of the legislative body is being made in furtherance of the purposes of the California Voting Rights Act of 2001 (Chapter 1.5 (commencing with Section 14025) of Division 14 of the California Elections Code).~~

#### **SECTION 2. EFFECT OF ORDINANCE.**

This Ordinance shall take effect thirty (30) days following its passage and adoption. In the event a summary of said Ordinance is published in lieu of the entire Ordinance, a certified copy of the full text of this Ordinance shall be posted in the office of the District Secretary at least five (5) days prior to its adoption and within fifteen (15) days after its adoption, including the vote of the Directors. Additionally, a summary prepared by the District General Counsel and District Secretary shall be published once at least five (5) days prior to the date of adoption of this Ordinance and once within fifteen (15) days after

its passage and adoption, including the vote of the Directors, in the East Bay Times, a newspaper of general circulation within the Dublin San Ramon Services District.

**SECTION 3. BY-DIVISION ELECTORAL SYSTEM FOR FIVE DIRECTORS.**

~~(a) Pursuant to California Elections Code Sections 10010 and 10650, and California Government Code Section 61040, Directors shall be elected by divisions in five (5) divisions.~~

~~(b) Except as provided in subdivision (c) hereof, the Director elected to represent a division must live in that division and be a registered voter in that division, and any candidate for Director must live in, and be a registered voter in, the division in which he or she seeks election at the time nomination papers are issued, pursuant to subdivision (b) of California Government Code Section 61040 and California Elections Code Section 10227.~~

~~(c) A Director in office at the time this ordinance takes effect shall continue in office until the expiration of the full term to which he or she was elected or appointed and until his or her successor is qualified. If vacancies in Director offices elected at-large occur before expiration of the full term thereof, such vacancies may be filled according to law from the District at-large.~~

~~(d) Upon expiration of the full term of each Director elected at-large, that Director's successor shall be elected only on a by-division basis in the divisions established by this Ordinance. A vacancy in a Director office elected or appointed by-division shall be filled according to law by a person qualified to hold the office, who lives, and is a registered voter, in the division.~~

**SECTION 34. DIVISIONS**~~**SAMENDMENT TO SECTION 4 OF ORDINANCE NO. 345.**~~

~~(a) Elections shall take place, and Directors shall be elected, "by-divisions" as that term is defined in California Government Code Section 61025, meaning one member of the division shall be elected from each division, by the voters of that division alone.~~

~~(b) The divisions are as follows:~~

District 1: ~~All the portion of the Dublin San Ramon Services District lying easterly of the following described line: Beginning at the intersection of Bollinger Canyon Road and the northernly boundary of the Dublin San Ramon Services District, and proceeding easterly along Bollinger Canyon Road to Dougherty Road, and proceeding southerly along Dougherty Road to Oak Valley Drive, and proceeding westerly along Oak Valley Drive to Summit View Drive, and proceeding southerly along Summit View Drive to Old Ranch Road, and proceeding southwesterly along Old Ranch Road to Bent Creek Drive, and proceeding southeasterly along Bent Creek Drive to Austin Creek Avenue, and proceeding easterly along Austin Creek Avenue to Dougherty Road, and proceeding southerly along Dougherty Road to the~~

northerly boundary of Alameda County, and proceeding northeasterly along the Alameda County boundary to the easterly boundary of the Dublin San Ramon Services District.

District 2: All the portion of the Dublin San Ramon Services District lying northerly of the following described line: Beginning at the intersection of Bollinger Canyon Road and the northernly boundary of the Dublin San Ramon Services District, and proceeding easterly along Bollinger Canyon Road to Dougherty Road, and proceeding southerly along Dougherty Road to Oak Valley Drive, and proceeding westerly along Oak Valley Drive to Summit View Drive, and proceeding southerly along Summit View Drive to Old Ranch Road, and proceeding southwesterly along Old Ranch Road to Bent Creek Drive, and proceeding southeasterly along Bent Creek Drive to Austin Creek Avenue, and proceeding easterly along Austin Creek Avenue to Dougherty Road, and proceeding southerly along Dougherty Road to the northerly boundary of Alameda County, and proceeding southwesterly along the Alameda County boundary to Village Parkway, and proceeding northwesterly along Village Parkway to Alcosta Boulevard, and proceeding southwesterly along Alcosta Boulevard to Belle Meade Drive, and proceeding northerly along Belle Meade Drive to San Point Drive, and proceeding westerly along Sand Point Drive to Interlachen Avenue, and proceeding southerly along Interlachen Avenue to Davona Drive, and proceeding southerly along Davona Drive to the northerly boundary of Alameda County, and proceeding southwesterly along the Alameda County line to Interstate 680, and proceeding northwesterly along Interstate 680 to the northernly boundary of the Dublin San Ramon Services District.

District 3: All the portion of the Dublin San Ramon Services District lying westerly of the following described line: Beginning at the intersection of Interstate 680 and the southerly boundary of the Dublin San Ramon Services District, and proceeding northly along Interstate 680 to Amador Valley Boulevard, and proceeding easterly along Amador Valley Boulevard to Village Parkway, and proceeding northerly along Village Parkway to and proceeding northerly along Village Parkway to Alcosta Boulevard, and proceeding southwesterly along Alcosta Boulevard to Belle Meade Drive, and proceeding northerly along Belle Meade Drive to Sand Point Drive, and proceeding westerly along Sand Point Drive to Interlachen Avenue, and proceeding southerly along Interlachen Avenue to Davona Drive, and proceeding southerly along Davona Drive to the northerly boundary of Alameda County, and proceeding southwesterly along the Alameda County boundary to Interstate 680, and proceeding northwesterly along Interstate 680 to the northernly boundary of the Dublin San Ramon Services District.

District 4: All the portion of the Dublin San Ramon Services District lying southerly of the following described line: Beginning at the intersection of Interstate 680 and the southerly boundary of the Dublin San Ramon Services District, and proceeding northly along Interstate 680 to Amador Valley Boulevard, and proceeding easterly along Amador Valley Boulevard to Village Parkway, and proceeding northerly along Village Parkway to the northerly boundary of Alameda County, and proceeding northeasterly along the Alameda County boundary to the easterly boundary of the Camp Parks Military Reservation, and proceeding southerly along the easterly boundary of the Camp Parks Military Reservation to the boundary of the Dublin San Ramon Services District, and proceeding southwesterly along the boundary of the Dublin San Ramon Services District to Barnet Boulevard, and proceeding southerly along Barnet Boulevard to Gleason Drive, and proceeding westerly along Gleason Drive to Hacienda Drive, and proceeding southerly along Hacienda Drive to the southerly boundary of the Dublin San Ramon Services District.

District 5: All the portion of the Dublin San Ramon Services District lying easterly of the following described line: Beginning at the intersection of Hacienda Drive and the southerly boundary of the Dublin San Ramon Services District, and proceeding northly along Hacienda Drive to Gleason Drive, and proceeding easterly along Gleason Drive to Barnet Boulevard, and proceeding northerly along Barnet Boulevard to the boundary of the Dublin San Ramon Services District, and proceeding northeasterly along the boundary of the Dublin San Ramon Services District to the easterly boundary of the Camp Parks Military Reservation, and proceeding northerly along the easterly boundary of the Camp Parks Military Reservation to the northerly boundary of Alameda County, and proceeding northeasterly along the Alameda County boundary to the easterly boundary of the Dublin San Ramon Services District.

A map showing the divisions described in this Ordinance is attached hereto as Exhibit 1 and incorporated by this reference. To the extent there is a conflict between the descriptions contained in the Ordinance and the map incorporated herein, the map shall prevail. If necessary to facilitate the implementation of this Ordinance, the General Manager or his or her designee is authorized to make technical adjustments to the division boundaries that do not substantively affect the populations in the divisions or the eligibility of candidates. The General Manager shall consult with the District General Counsel concerning any technical adjustments deemed necessary and shall advise the Board of Directors of any such adjustments required in the implementation of the divisions.

Subsection (c) of Section 4 of Ordinance 345 shall be amended as follows:

~~(c)~~ The divisions specified in subdivision (b) shall continue in effect until they are amended or repealed in accordance with law. New or adjusted division boundaries shall be updated upon adoption by approved by resolution adopted pursuant to the authorities and guidelines provided for in Elections Code 22000.

#### **SECTION 5. ELECTION SCHEDULE.**

~~(a) Directors from Divisions 1, 3, and 5 as so constituted shall be elected by division beginning at the Statewide General Election in November 2020, and every four years thereafter.~~

~~(b) Directors from Divisions 2 and 4 shall be elected by division beginning at the Statewide General Election in November 2022, and every four years thereafter.~~

#### **SECTION 4-6. EXEMPTION FROM CEQA.**

The Board of Directors finds that the actions taken in this Ordinance are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

#### **SECTION 57. SEVERABILITY.**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. The Board of Directors of the Dublin San Ramon Services District hereby declares that it would have passed this ordinance and each section or subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.

#### **SECTION 68. ADMINISTRATIVE IMPLEMENTATION.**

The General Manager is authorized and directed to establish appropriate administrative procedures consistent with the provisions of this ordinance and to take reasonable and appropriate action to fully implement the provisions of this ordinance.

The General Manager, or the person or persons to whom such task may from time to time be delegated, is further authorized and directed to make further nonsubstantive administrative changes, as

Ord. No. \_\_\_\_\_

approved by District General Counsel, to the Ordinance (including revisions in formatting as may be suggested by the publisher) for consistency and ease of reference within sixty (60) days from the date of adoption.

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~~ 16th day of ~~May~~ November, 2021~~19~~, by the following vote:

AYES:

NOES:

ABSENT:

President

ATTEST: \_\_\_\_\_

Nicole Genzale, District Secretary

~~Madelyne A. Misheloff~~ Ann Marie Johnson,

DATE OF ATTESTATION: \_\_\_\_\_

ORDINANCE NO. ###

AN ORDINANCE OF DUBLIN SAN RAMON SERVICES DISTRICT TO AMEND ORDINANCE NO. 345 ESTABLISHING A BY-DIVISION SYSTEM FOR ELECTING DIRECTORS

---

WHEREAS, at a public hearing on April 2, 2019, the Board of Directors considered all oral and written information, testimony, and comments received during the public review process, including information received at the public hearings, oral and written reports from District staff and the District's demographer, exhibits, maps, and all other pertinent information prior to acting on the revised draft map and the timing and sequence of elections; and

WHEREAS, at the public hearing on April 2, 2019, the Board of Directors voted to commence by-division elections in 2020; and

WHEREAS, on May 15, 2019, the Board of Directors adopted Ordinance No. 345 TO ESTABLISH A BY-DIVISION SYSTEM FOR ELECTING DIRECTORS; and

WHEREAS, the purpose of Ordinance No. 345 was to enact, pursuant to California Elections Code Section 10010, an ordinance providing for the election of Directors of the Board of Directors of the Dublin San Ramon Services District by-division in five divisions to be created hereby; and

WHEREAS, the District is required by California Government Code Section 61026 to adjust the boundaries of the divisions following the year in which each decennial census is taken and adjust the boundaries of the divisions so that the divisions shall be as nearly equal in population as possible; and

WHEREAS, California Elections Code Section 22000 et seq. provides for the timing and methodology of required adjustment in division boundaries, including holding at least one public hearing and the adoption of new boundaries by resolution; and

WHEREAS, the Board of Directors desires to conform its adjustment process to the California Elections Code and to approve future division boundary adjustments by resolution.

**NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT AS FOLLOWS:**

**SECTION 1. PURPOSE AND AUTHORITY.**

The purpose of this Ordinance is to amend, Ordinance No. 345 to expressly provide for adjusting the five (5) single-member divisions by resolution pursuant to the authorities provided to the District by California Elections Code Section 22000 et seq. and California Government Code Section 61026.

**SECTION 2. EFFECT OF ORDINANCE.**

This Ordinance shall take effect thirty (30) days following its passage and adoption. In the event a summary of said Ordinance is published in lieu of the entire Ordinance, a certified copy of the full text of this Ordinance shall be posted in the office of the District Secretary at least five (5) days prior to its adoption and within fifteen (15) days after its adoption, including the vote of the Directors. Additionally, a summary prepared by the District General Counsel and District Secretary shall be published once at least five (5) days prior to the date of adoption of this Ordinance and once within fifteen (15) days after its passage and adoption, including the vote of the Directors, in the East Bay Times, a newspaper of general circulation within the Dublin San Ramon Services District.

**SECTION 3. AMENDMENT TO SECTION 4 OF ORDINANCE NO. 345.**

Subsection (c) of Section 4 of Ordinance 345 shall be amended as follows:

(c) The divisions specified in subdivision (b) shall continue in effect until they are amended or repealed in accordance with law. New or adjusted division boundaries shall be approved by resolution adopted pursuant to the authorities and guidelines provided for in Elections Code 22000.

**SECTION 4. EXEMPTION FROM CEQA.**

The Board of Directors finds that the actions taken in this Ordinance are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Title 14 of the California Code of Regulations, Section 15061(b)(3) because it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.

**SECTION 5. SEVERABILITY.**

If any section, subsection, sentence, clause or phrase of this ordinance is for any reason held by a court of competent jurisdiction to be invalid, such a decision shall not affect the validity of the remaining portions of this ordinance. The Board of Directors of the Dublin San Ramon Services District hereby declares that it would have passed this ordinance and each section or subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared invalid.



Ord. No. \_\_\_\_\_

**SECTION 6. ADMINISTRATIVE IMPLEMENTATION.**

The General Manager is authorized and directed to establish appropriate administrative procedures consistent with the provisions of this ordinance and to take reasonable and appropriate action to fully implement the provisions of this ordinance.

The General Manager, or the person or persons to whom such task may from time to time be delegated, is further authorized and directed to make further nonsubstantive administrative changes, as approved by District General Counsel, to the Ordinance (including revisions in formatting as may be suggested by the publisher) for consistency and ease of reference within sixty (60) days from the date of adoption.

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 November, 2021, by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Ann Marie Johnson, President

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

DATE OF ATTESTATION: \_\_\_\_\_



**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 October 5, 2021.

**DISCUSSION:**

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 in response to the COVID-19 pandemic and state and local public health orders that limited the operations of certain businesses and activities to protect public health and slow the spread of the virus. District emergency plans were aggressively implemented to allow for operational flexibility in meeting the challenges of COVID-19, while providing essential water and wastewater services. 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.

Since the first Bay Area Shelter-in-Place order was issued on March 16, 2020, the State of California, Alameda County Health Officer, and California Division of Occupational Safety and Health (Cal/OSHA) have implemented and modified several COVID-19 restrictions that affect DSRSD's safety practices and operations. These COVID-19 restrictions have evolved based on changing pandemic conditions. The District is in compliance with all applicable COVID-19 regulations for the workplace.

On August 3, 2021, Bay Area health officers, including Alameda County, issued a public health order requiring face coverings for indoor spaces, with certain limited exceptions. This universal indoor face covering order applies to all DSRSD employees, contractors, vendors, and visitors. On October 7, 2021, Alameda County issued the following criteria for lifting the indoor masking requirement:

- The jurisdiction reaches the moderate (yellow) COVID-19 transmission tier, as defined by the Centers for Disease and Control and Prevention, and remains there for at least three weeks; and
- COVID-19 hospitalizations in the jurisdiction are low and stable, in the judgment of the health officer; and
- 80% of the jurisdiction's total population is fully vaccinated or eight weeks have passed since a COVID-19 vaccine has been authorized for emergency use by federal and state authorities for 5- to 11-year-olds.

Alameda County is currently in the substantial (orange) COVID-19 transmission tier, and COVID-19 cases and hospitalization rates are noticeably declining. However, the criteria for lifting the indoor masking requirement are not likely to be met until December. Therefore, the General Manager has delayed the full return to onsite work date for remaining remote workers until January 3, 2022.

The California State of Emergency for COVID-19 remains in effect and community transmission of COVID-19 remains high within 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 COVID-19 State of Emergency reflected by Resolution No. 26-20.

<b>Originating Department: Office of the General Manager</b>		<b>Contact: J. Lee</b>	<b>Legal Review: Not Required</b>
<b>Financial Review: Not Required</b>		<b>Cost and Funding Source: N/A</b>	
<b>Attachments:</b> <input checked="" type="checkbox"/> None <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)		38 of 103	



**TITLE:** Approve Amendment to the Capital Improvement Program Ten Year-Plan and Two-Year Budget for Fiscal Years 2022 and 2023 to Combine Camp Parks Water Main – 12th Street, Mitchell Drive, Evans Avenue (CIP 20-W024) and Camp Parks Water Main – 5th Street, Adams to Davis Street (CIP 20-W023) Projects and Increase Project Budget and Construction Change Order Contingency

**RECOMMENDATION:**

Staff recommends the Board of Directors approve, by Resolution, the following actions:

1. Amend the Capital Improvement Program (CIP) Ten-Year Plan and Two-Year Budget for Fiscal Years Ending 2022 and 2023 to:
  - a. Delete the Camp Parks Water Main – 5th Street, Adams to Davis Street Project (CIP 20-W023).
  - b. Increase the Camp Parks Water Main – 12th Street, Mitchell Drive, Evans Avenue Project (CIP 20-W024) budget by \$1,184,000 from \$2,698,000 to \$3,882,000.
  - c. Retitle the Camp Parks Water Main – 12th Street, Mitchell Drive, Evans Avenue Project (CIP 20-W024) to Camp Parks Water Main – 12th Street, Mitchell Drive, Evans Avenue, 5th Street Project (CIP 20-W024).
2. Approve an increase to the construction change order contingency for the construction agreement with DPI, Inc. by \$992,500 from \$245,000 to \$1,237,500.

**SUMMARY:**

Staff recommends the Board approve combining two CIP water line replacement projects and replacing 2,300 feet of water line under a change order to an existing construction contract to avoid potential water line leaks and to accommodate timing with a development project.

**DISCUSSION:**

Many of the water lines within Camp Parks are cast iron pipes installed in the 1940's. The pipes are the oldest pipes within the District's service area, have a history of leaks, and are the source of discolored water complaints due to corrosion of the cast iron. On May 4, 2021, the Board awarded the Camp Parks Water Main – Cromwell Avenue, 12th Street, and Mitchell Drive Project (CIP 20-W024) ("Project") construction agreement to DPI, Inc. ("DPI"), in the amount of \$1,621,520, and authorized a 15 percent construction change order contingency.

The Project, which will replace approximately 4,650 feet of water line in Camp Parks on 12th Street, Mitchell Drive, and Evans Avenue and install new water services, water meter boxes, backflow preventers, and fire hydrants, and reconnect existing fire service connections to buildings with fire sprinkler systems, is nearly complete.

There is another project in the CIP, Camp Parks Water Main – 5th Street, Adams to Davis Street Project (CIP 20-W023) ("5th Street Project"), to replace 1,000 feet of water line adjacent to 5th Street within Camp Parks budgeted in Fiscal Year 2023 for \$550,000. The 5th Street Project was originally intended to be designed and constructed by the developer of The Boulevard development and reimbursed by the District because the developer planned to construct new water lines in the project vicinity and tie into the 5th Street water line. In further reviewing the infrastructure replacement needs in the area, the design was expanded to 2,300 feet. The developer completed the design for the entire 2,300 feet. However, given the expanded project scope, staff determined it would be more appropriate for the water line to be constructed by the District rather than the developer.

<b>Originating Department:</b> Engineering Services	<b>Contact:</b> S. Delight	<b>Legal Review:</b> Not Required
<b>Financial Review:</b> Not Required	<b>Cost and Funding Source:</b> \$633,700 from Water Replacement (Fund 610)	
<b>Attachments:</b> <input type="checkbox"/> None <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)		39 of 103

The Boulevard project is progressing, and the development's water system is scheduled to be connected to the District's existing system by the end of the year. Staff does not want the developer to tie into the existing old water line because there is a tendency to have leaks at or near the connection locations when tying into old water lines. In addition, the 5th Street water line that the development would connect to is currently located within the front yards of the Camp Parks housing. The new water line will be moved into 5th Street. If the pipeline is connected now, the water line and appurtenances would need to be reconfigured when the pipeline is moved into 5th Street.

To have the pipeline constructed in time for the developer to connect, staff proposes that the District replace the 5th Street water line as a change order to the existing construction contract for Camp Parks Water Main – 12th Street, Mitchell Drive, Evans Avenue Project (CIP 20-W024). DPI is currently finishing the original project and is willing to complete the work as a change order. The map below depicts the original project in light blue and the proposed change order in dark blue.



DPI has provided an estimate of \$950,000 to complete the water line. Although the unit costs in the DPI estimate are higher than the original project bid, the construction cost index has gone up four percent in the intervening four months since the original bid. However, DPI's mobilization costs are lower, and its overall estimate is less than the design engineers' estimate. There are other timing and administrative advantages to completing the water line through a change order. DPI's workers already have security clearance to work in Camp Parks and have established a working relationship with Camp Parks security personnel, and the District has a construction management and inspection team in place that can continue to work on the Project.

A Notice of Exemption for the Project per the California Environmental Quality Act ("CEQA") was completed for the 5th Street Project. The replacement or reconstruction of existing water pipelines is exempt from CEQA, per CEQA Guideline Section 15302(c) which covers the replacement or reconstruction of existing utility systems and facilities involving negligible or no expansion of capacity.

### **Project Budget**

Staff recommends combining the budgets of the two projects. The current Project budget is \$2,698,000. It is anticipated the Project will be completed \$184,000 under budget. Because the 5th Street Project was originally planned to only replace 1,000 feet of water line, rather than the now proposed 2,300 feet, the budget was only \$550,000. The total cost

of the 5th Street Project is now estimated to be \$1,367,700 which includes the \$950,000 estimate from DPI plus a 15 percent construction contingency, construction management cost (\$185,000), and staff time (\$90,000).

With the savings from the current project, the total budget of the combined Project would be \$3,881,700. The total budget increase required to combine the projects and complete the 5th Street Project is \$633,700. An adjustment to the overall Water Replacement Fund (Fund 610) budget is not required to cover the cost of the budget adjustment because although the timeline on this Project is accelerating, the timelines of other projects are anticipated to lag and the overall spending within the two-year budget is not expected to exceed the budgeted amount.

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 TWO-YEAR BUDGET FOR FISCAL YEARS 2022 AND 2023 TO DELETE CAMP PARKS WATER MAIN – 5TH STREET, ADAMS TO DAVIS STREET PROJECT (CIP 20-W023), INCREASE THE CAMP PARKS WATER MAIN – 12TH STREET, MITCHELL DRIVE, EVANS AVENUE PROJECT (CIP 20-W024) BUDGET, RETITLE TO CAMP PARKS WATER MAIN – 12TH STREET, MITCHELL DRIVE, EVANS AVENUE, AND 5TH STREET (CIP 20-W024) PROJECT, AND INCREASE THE CONSTRUCTION CHANGE ORDER CONTINGENCY FOR THE CONSTRUCTION AGREEMENT WITH DPI, INC.

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WHEREAS, the Board of Directors approved the District’s Capital Improvement Program (“CIP”) Ten-Year Plan for Fiscal Years Ending (FYE) 2022 through 2031 (“CIP Plan”) on June 1, 2021 to serve as a budgetary planning document providing direction and guidance, in accordance with District policies, for the replacement and improvement of existing District facilities and the construction of new facilities; and

WHEREAS, the Board of Directors adopted the current CIP Two-Year Budget for Fiscal Years Ending 2022 and 2023 (“CIP Budget”) on June 1, 2021 authorizing fund budgets for Fiscal Years 2022 and 2023 to meet the District’s capital infrastructure needs; and

WHEREAS, the CIP includes the Camp Parks Water Main – 12th Street, Mitchell Drive, Evans Avenue Project (CIP 20-W024) with a budget of \$2,698,000; and

WHEREAS, the CIP includes the Camp Parks Water Main – 5th Street, Adams to Davis Street Project (CIP 20-W023) with a budget of \$550,000; and

WHEREAS, staff recommends deleting the Camp Parks Water Main – 5th Street, Adams to Davis Street Project (CIP 20-W023) from the CIP; and

WHEREAS, staff recommends combining the Camp Parks Water Main – 12th Street, Mitchell Drive, Evans Avenue Project (CIP 20-W024) and the Camp Parks Water Main – 5th Street, Adams to Davis Street Project (CIP 20-W023) and retitling the Camp Parks Water Main – 12th Street, Mitchell Drive, Evans Avenue Project (CIP 20-W024) to Camp Parks Water Main – 12th Street, Mitchell Drive, Evans Avenue, and 5th Street Project (CIP 20-W024); and

WHEREAS, staff recommends an increase to the combined Camp Parks Water Main – 12th Street, Mitchell Drive, Evans Avenue, and 5th Street Project (CIP 20-W024) budget by \$1,184,000 from \$2,698,200 to \$3,882,000; and

WHEREAS, on May 4, 2021, the Board awarded the Camp Parks Water Main – Cromwell Avenue, 12th Street, and Mitchell Drive Project (CIP 20-W024) (“Project”) construction agreement to DPI, Inc.

Res. No. \_\_\_\_\_

("DPI"), the in the amount of \$1,621,520, and authorized a 15 percent construction change order contingency; and

WHEREAS, staff recommends an increase to the construction change order contingency for the construction agreement with DPI, Inc by \$992,500 from \$245,000 to \$1,237,500 to cover the cost of a new segment of pipeline replacement on 5th Street.

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 Camp Parks Water Main – 5th Street, Adams to Davis Street Project (CIP 20-W023) is hereby deleted from the CIP Two-Year Budget for Fiscal Years 2022 and 2023.

2. The Camp Parks Water Main – 12th Street, Mitchell Drive, Evans Avenue Project (CIP 20-W024) is hereby increased to a total budget of \$3,882,000 in the CIP Two-Year Budget for Fiscal Years Ending 2022 and 2023, in accordance with the project description sheet attached as Exhibit "A," and retitled to Camp Parks Water Main – 12th Street, Mitchell Drive, Evans Avenue, and 5th Street Project (CIP 20-W024).

3. The construction change order contingency for the construction agreement with DPI, Inc is hereby increased by \$992,500 from \$245,000 to \$1,237,500.

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 19th day of October, 2021, and passed by the following vote:

AYES:

NOES:

ABSENT:

\_\_\_\_\_  
Ann Marie Johnson, President

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



**DSRSD CIP 10-Year Plan for FYEs 2022 through 2031****CATEGORY: WATER SYSTEM****Water Replacement (Fund 610)****CIP No. 20-W024 Camp Parks Water Main - 12th Street, Mitchell Drive, Evans Avenue, and 5th Street****Funding Allocation:** 100% 610**Project Manager:** Rudy Portugal**Status:** Continuing Project**Project Summary:**

This project will replace 4,650 linear feet of 6-inch and 8-inch cast iron potable water lines with new 8-inch and 12-inch PVC water lines in 12th Street, Mitchell Drive, and Evans Avenue. The project will also replace 2,300 linear feet of 8-inch, 10-inch and 12-inch cast iron potable water lines with new 8-inch, 10-inch and 12-inch PVC water lines in 5th Street between Adams Avenue and Goodfellow Avenue. Associated water services, fire service connections, and fire hydrants will be replaced as well. These water lines, installed in the 1940's, are the oldest pipes within the District's service area, have a history of leaks, and are the source of discolored water complaints due to corrosion of the cast iron. This project will be coordinated with Camp Parks development.

**CEQA:** Statutory Exemption [CEQA Guideline 15262]; Categorical Exemption [CEQA Guideline 15302]**Reference:** Camp Parks Privatization Study, WBA, July 1998; Asset Management Program**Fund Allocation Basis:** Project is required to replace or rehabilitate existing water fund assets.**10-Year Cash Flow and Estimated Project Cost:**

Prior	FYE 22	FYE 23	FYE 24	FYE 25	FYE 26	FYE 27	FYE 28	FYE 29	FYE 30	FYE 31	Future
370,000	3,512,000	0	0	0	0	0	0	0	0	0	0

**Total Estimated Project Cost** \$3,882,000

Current Adopted Budget \$2,698,000

Increase/(Decrease) \$1,184,000







**TITLE:** First Reading of Ordinance Amending District Code Section 4.20.040, Potable Water Use and Protective Measures, Water Emergencies and Shortages

**RECOMMENDATION:**

Staff recommends the Board of Directors 1) waive, by Motion, the first reading of an Ordinance that, if adopted, will revise provisions of the District Code Section 4.20.040 Potable Water Use Regulations and Protective Measures, Water Emergencies and Shortages and 2) schedule the Ordinance for a second reading, a public hearing, and adoption at the November 2, 2021 Board meeting.

**DISCUSSION:**

On September 21, 2021, the Board of Directors adopted Ordinance No. 350, revising District Code Chapter 4.20 Potable Water Use and Protective Measures. The revisions aligned the code with the District's Water Shortage Contingency Plan, adopted on June 15, 2021, and provided detail on the water use restrictions at each water shortage stage.

Staff has noted an error in the Section 4.20.040(C)(4)(b) which limits the time of day for landscape irrigation under a Stage 2 Water Shortage Emergency. The current code section states, "Landscape irrigation is limited to occur between the hours of 6:00 p.m. and 9:00 a.m. the following day." Staff recommends the code be corrected to state, "Landscape irrigation is limited to occur between the hours of 9:00 p.m. and 6:00 a.m." The recommended correction is consistent with the Water Shortage Contingency Plan. A few additional revisions to the code section have been proposed to insert missing wording, remove duplicative wording, and correct section numbering. Attachment 1 shows a marked-up version of the recommended corrections.

Public notification requirements include the publishing of an ordinance summary after both the first and second readings. The summary is to be published on the District website and in a newspaper of general circulation. Staff will fully comply with notification requirements and will report on the first reading and ordinance summary at the November 2, 2021 Board meeting.

Staff proposes the second reading of the ordinance and a public hearing be scheduled for November 2, 2021. If adopted, it will go into effect 30 days later.

Originating Department: Engineering Services	Contact: J. Zavadil	Legal Review: Not Required
Financial Review: Not Required	Cost and Funding Source: N/A	
Attachments: <input type="checkbox"/> None <input type="checkbox"/> Resolution <input checked="" 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 District Code Section 4.20.040	

**Chapter 4.20**  
**POTABLE WATER USE REGULATIONS AND PROTECTIVE MEASURES**

**4.20.040 Water ~~E~~mergencies and shortages.**

- A. Water Emergency. Pursuant to California Water Code Section 350 and ~~S~~subsection (C) of this section, the Board of Directors may declare a water shortage emergency following a public hearing. Notwithstanding the foregoing, in the event of a wildfire or a breakage or failure of any dam, pump, pipeline, conduit, or other condition, described in DSRSDC 4.20.060, causing an immediate emergency or water shortage, the General Manager is hereby authorized to declare a water emergency and, if so declared, shall initiate implementation of the appropriate and necessary provisions of the District's emergency response plan and/or Water Shortage Contingency Plan. As soon as possible after such a declaration, the General Manager shall make a full report on the water emergency to the Board. During any such water emergency, the General Manager and his/her designees may take all steps necessary to protect and preserve the District's water system, and to protect the health and safety of District water customers and users, including but not limited to locking out nonessential water services, obtaining and making available temporary water supplies, and temporarily relocating facilities connecting to District water customers and users.
  
- B. Consistent with the authorities in this section, the District also reserves the right at anytime to allocate its available water supply among its customers in a manner that it determines to be in the public interest in the event a water shortage condition exists for any reason.
  - 1. If the General Manager determines that the quantity of water available at anytime is, or is expected to be, less than the total demand, and such shortage is expected to be of a duration less than 30 calendar days, the General Manager may prescribe and enforce rules governing allocation and use of water.
  - 2. In implementing subsection (B)(1) of this section, the General Manager shall be guided by the following guidelines applicable to the allocation of supply during shortages:
    - a. No service shall be extended to new customers until the Board determines that the shortage no longer exists;
    - b. Service to critical community service facilities, including, without limitation, hospitals and emergency shelters, shall take precedence over service to residential, commercial, institutional, and industrial customers;
    - c. Potable water service to residential, commercial, institutional, industrial and non-irrigation customers shall take precedence over service to irrigation customers in accordance with the Water Shortage Contingency Plan adopted by the Board;
    - d. Once residential customers are receiving a supply sufficient to meet their minimal health and safety requirements, potable water service to commercial, institutional, and industrial customers (for non-irrigation uses) shall take precedence over other uses of such water;
    - e. Service to customers within the District boundaries shall take precedence over service outside the District boundaries.
  
- C. Water Shortage Emergency. The District's Board of Directors is authorized, pursuant to California Water Code Section 350, to declare a water shortage emergency to prevail within its jurisdiction when it finds and determines that the District will not be able to or cannot satisfy the normal demands and requirements of water consumers without depleting the

water supply of the District to the extent that there would be insufficient water for human consumption, sanitation, and fire protection.

1. The Board, by resolution, will declare a water shortage emergency indicating the water shortage stage consistent with the District's Urban Water and Water Shortage Contingency Plan and implement water use regulations and enforcement actions and penalties as generally described in DSRSDC 4.20.030, 4.20.040, and 4.20.050 and as more specifically declared by the resolution and the then-current Water Shortage Contingency Plan. The Board may also adopt water shortage rates per DSRSDC 4.40.020.
2. It shall not be necessary to implement any water shortage stage prior to another; the water shortage stages may be implemented in any reasonable order and shall continue to be in effect until the Board makes a determination to terminate the applicable water shortage stage.
3. A Stage 1 Water Supply Shortage will be declared when the District has determined that the water supply is not sufficient to meet normal demand and a reduction in water use up to 10 percent is required. The customers shall strive to reduce water use by 10 percent and the following regulations on water use shall be applicable.
  - a. Any and all use of potable water in violation of District Code Section 4.20.030.
  - b. Automatic Shut-off valves are required for any washing of hard surfaces, buildings, fences, vehicles or machinery from a hose.
  - c. Customers shall repair or stop all water leaks within the customers' plumbing system upon discovery or within 24-hours of notification by the District.
  - ~~ed.~~ Landscape irrigation during and within 48-hours after measurable rainfall is prohibited.
4. A Stage 2 Water Supply Shortage will be declared when the District has determined a reduction in water use up to 20 percent is required. The following regulations on water use shall be applicable.
  - a. All of the prohibitions and restrictions required under a Stage 1 Water Supply Shortage shall all be in effect and shall be mandatory.
  - b. Landscape irrigation is limited to occur between the hours of ~~69~~:00 p.m. and ~~96~~:00 a.m. ~~the following day.~~
  - c. Potable landscape irrigation shall be limited to no more than three non- consecutive days per week. The Board, by resolution, may set forth an additional limitations on irrigation duration or application rates. Irrigation system checks for breaks/leak repairs by irrigation professionals who remain on-site directly observing the system are excluded.
  - d. The use of potable water for construction and dust control is prohibited. All potable water construction meters are required to be replaced by recycled water construction meters.
  - e. Washing of hard surfaces, buildings, fences, vehicles or use of potable water for washing and/or machinery is prohibited , except for building exteriors and fences for the sole purpose of repainting or making repairs. Pressurized washers are required to be equipped with a quick action shut-off nozzle.
  - f. Cleaning of windows using a direct connection to the potable water supply is prohibited.
  - g. Lodging establishments must offer to opt-out of daily linen service.
  - h. Restaurants, café, cafeteria, or other public places where food is sold, served, or offered for-sale shall only serve water upon request.
  - i. Commercial kitchens are required to use pre-rinse spray valves.

5. A Stage 3 Water Supply Shortage will be declared when previous water conservation targets have not been met or when the District has determined a reduction in water use up to ~~up to~~ 30 percent is required. The following regulations on water use shall be applicable.
  - a. All of the prohibitions and restrictions required under a Stage 2 Water Supply Shortage shall all be in effect and shall be mandatory.
  - b. Potable landscape irrigation shall be limited to no more than two non-consecutive days per week. The Board, by resolution, may set forth an additional limitations on irrigation duration or application rates. Irrigation system checks for breaks/leak repairs by irrigation professionals who remain on-site directly observing the system are excluded. Golf courses, sport fields, and other water-dependent industries shall work with District to identify water use for sensitive areas during non-daylight hours and only to the extent necessary to maintain minimum levels of biological viability.
  - c. Residential customers water use will be limited to a weekly amount as declared by resolution of the District Board to achieve the required conservation target for the shortage.
6. A Stage 4 Water Supply Shortage will be declared when previous water conservation targets have not been met or when the District has determined a reduction in water use up to 40 percent is required. The following regulations on water use shall be applicable.
  - a. All of the prohibitions and restrictions required under a Stage 3 Water Supply Shortage shall all be in effect and shall be mandatory.
  - b. Potable landscape irrigation shall be limited to no more than one day per week. The Board, by resolution, may set forth an additional limitations on irrigation duration or application rates. Irrigation system checks for breaks/leak repairs by present irrigation professionals who remain on-site directly observing the system are excluded. Golf courses, sport fields, and other water-dependent industries shall work with District to identify water use for sensitive areas during non-daylight hours and only to the extent necessary to maintain minimum levels of biological viability.
  - c. The initial filling of the pools, spas, or ponds using potable water is prohibited.
  - d. Pools, spas, or ponds are allowed to drain and refill only for health or structural needs.
  - e. Pools must be covered when they are not used to prevent evaporation and should be equipped with recirculating pump(s).
  - f. Vehicle washing at commercial facilities is limited to washing without direct connection to the water supply or a recirculating water system.
7. A Stage 5 Water Supply Shortage will be declared when water conservation targets have not been met or when the District has determined a reduction in water usage up to 50 percent is required.
  - a. All of the prohibitions and restrictions required under a Stage 4 Water Supply Shortage shall all be in effect and shall be mandatory.
  - b. Use of Potable water for filling or refilling decorative ponds, basins, lakes, waterways, and fountains is prohibited.
  - c. Spray irrigation for new developments or replacement projects is prohibited. District's Board, as declared by resolution, may consider a moratorium or net-zero demand increase on new potable connections.
8. A Stage 6 Water Supply Shortage will be declared when water conservation targets have not been met or when the District has determined a reduction in water use greater than 50 percent is required.
  - a. All of the prohibitions and restrictions required under a Stage 5 Water Supply Shortage shall all be in effect and shall be mandatory.

- b. No landscape irrigation is allowed. Golf courses, sport fields, and other water-dependent industries shall work with District to identify water use for sensitive areas during non-daylight hours and only to the extent necessary to maintain minimum levels of biological viability.

AN ORDINANCE OF DUBLIN SAN RAMON SERVICES DISTRICT AMENDING SECTION 4.20.040 OF THE DISTRICT CODE TO UPDATE WATER SHORTAGE EMERGENCY PROVISIONS

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WHEREAS, on September 21, 2021, the Board of Directors adopted Ordinance No. 350 revising District Code Chapter 4.20 Potable Water Use and Protective Measures; and

WHEREAS, staff noted an error in Code Section 4.20.040(C)(4)(b) which limits the hours of landscape irrigation under a Stage 2 Water Shortage Emergency; and

WHEREAS, staff recommends Code Section 4.20.040 (C)(4)(b) be corrected to be consistent with the Water Shortage Contingency Plan; and

WHEREAS, staff also recommends making additional corrections to the Code section to insert missing wording, remove duplicative wording, and correct section numbering.

NOW, THEREFORE, BE IT ORDAINED by the Board of Directors of Dublin San Ramon Services District as follows:

1. Section 4.20.040 (C)(4)(b) of the District Code is hereby amended to state “Landscape irrigation is limited to occur between the hours of 9:00 p.m. and 6:00 a.m.” and to correct the wording and formatting errors as shown in Exhibit “A.”
2. This Ordinance shall become effective and operative thirty (30) days after its adoption.
3. The General Manager, or the person or persons to whom such task may from time to time be delegated, is further authorized and directed to make further non-substantive administrative changes for publishing the District Code, as approved by District General Counsel, to Section 4.20.040 (C)(4)(b) (including revisions in formatting as may be suggested by the publisher) for consistency and ease of reference within sixty (60) days from date of adoption.

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 2nd day of November, 2021, by the following vote:

AYES:

NOES:

ABSENT:

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Ann Marie Johnson, President

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

**Chapter 4.20**  
**POTABLE WATER USE REGULATIONS AND PROTECTIVE MEASURES**

**4.20.040 Water emergencies and shortages.**

- A. **Water Emergency.** Pursuant to California Water Code Section 350 and subsection (C) of this section, the Board of Directors may declare a water shortage emergency following a public hearing. Notwithstanding the foregoing, in the event of a wildfire or a breakage or failure of any dam, pump, pipeline, conduit, or other condition, described in DSRSDC 4.20.060, causing an immediate emergency or water shortage, the General Manager is hereby authorized to declare a water emergency and, if so declared, shall initiate implementation of the appropriate and necessary provisions of the District's emergency response plan and/or Water Shortage Contingency Plan. As soon as possible after such a declaration, the General Manager shall make a full report on the water emergency to the Board. During any such water emergency, the General Manager and his/her designees may take all steps necessary to protect and preserve the District's water system, and to protect the health and safety of District water customers and users, including but not limited to locking out nonessential water services, obtaining and making available temporary water supplies, and temporarily relocating facilities connecting to District water customers and users.
  
- B. Consistent with the authorities in this section, the District also reserves the right at anytime to allocate its available water supply among its customers in a manner that it determines to be in the public interest in the event a water shortage condition exists for any reason.
  - 1. If the General Manager determines that the quantity of water available at anytime is, or is expected to be, less than the total demand, and such shortage is expected to be of a duration less than 30 calendar days, the General Manager may prescribe and enforce rules governing allocation and use of water.
  - 2. In implementing subsection (B)(1) of this section, the General Manager shall be guided by the following guidelines applicable to the allocation of supply during shortages:
    - a. No service shall be extended to new customers until the Board determines that the shortage no longer exists;
    - b. Service to critical community service facilities, including, without limitation, hospitals and emergency shelters, shall take precedence over service to residential, commercial, institutional, and industrial customers;
    - c. Potable water service to residential, commercial, institutional, industrial and non-irrigation customers shall take precedence over service to irrigation customers in accordance with the Water Shortage Contingency Plan adopted by the Board;
    - d. Once residential customers are receiving a supply sufficient to meet their minimal health and safety requirements, potable water service to commercial, institutional, and industrial customers (for non-irrigation uses) shall take precedence over other uses of such water;
    - e. Service to customers within the District boundaries shall take precedence over service outside the District boundaries.
  
- C. **Water Shortage Emergency.** The District's Board of Directors is authorized, pursuant to California Water Code Section 350, to declare a water shortage emergency to prevail within its jurisdiction when it finds and determines that the District will not be able to or cannot satisfy the normal demands and requirements of water consumers without depleting the

water supply of the District to the extent that there would be insufficient water for human consumption, sanitation, and fire protection.

1. The Board, by resolution, will declare a water shortage emergency indicating the water shortage stage consistent with the District's Urban Water and Water Shortage Contingency Plan and implement water use regulations and enforcement actions and penalties as generally described in DSRSDC 4.20.030, 4.20.040, and 4.20.050 and as more specifically declared by the resolution and the then-current Water Shortage Contingency Plan. The Board may also adopt water shortage rates per DSRSDC 4.40.020.
2. It shall not be necessary to implement any water shortage stage prior to another; the water shortage stages may be implemented in any reasonable order and shall continue to be in effect until the Board makes a determination to terminate the applicable water shortage stage.
3. A Stage 1 Water Supply Shortage will be declared when the District has determined that the water supply is not sufficient to meet normal demand and a reduction in water use up to 10 percent is required. The customers shall strive to reduce water use by 10 percent and the following regulations on water use shall be applicable.
  - a. Any and all use of potable water in violation of District Code Section 4.20.030.
  - b. Automatic Shut-off valves are required for any washing of hard surfaces, buildings, fences, vehicles or machinery from a hose.
  - c. Customers shall repair or stop all water leaks within the customers' plumbing system upon discovery or within 24-hours of notification by the District.
  - d. Landscape irrigation during and within 48-hours after measurable rainfall is prohibited.
4. A Stage 2 Water Supply Shortage will be declared when the District has determined a reduction in water use up to 20 percent is required. The following regulations on water use shall be applicable.
  - a. All of the prohibitions and restrictions required under a Stage 1 Water Supply Shortage shall all be in effect and shall be mandatory.
  - b. Landscape irrigation is limited to occur between the hours of 9:00 p.m. and 6:00 a.m.
  - c. Potable landscape irrigation shall be limited to no more than three non- consecutive days per week. The Board, by resolution, may set forth an additional limitations on irrigation duration or application rates. Irrigation system checks for breaks/leak repairs by irrigation professionals who remain on-site directly observing the system are excluded.
  - d. The use of potable water for construction and dust control is prohibited. All potable water construction meters are required to be replaced by recycled water construction meters.
  - e. Washing of hard surfaces, buildings, fences, vehicles or use of potable water for washing and/or machinery is prohibited , except for building exteriors and fences for the sole purpose of repainting or making repairs. Pressurized washers are required to be equipped with a quick action shut-off nozzle.
  - f. Cleaning of windows using a direct connection to the potable water supply is prohibited.
  - g. Lodging establishments must offer to opt-out of daily linen service.
  - h. Restaurants, café, cafeteria, or other public places where food is sold, served, or offered for-sale shall only serve water upon request.
  - i. Commercial kitchens are required to use pre-rinse spray valves.
5. A Stage 3 Water Supply Shortage will be declared when previous water conservation targets have not been met or when the District has determined a reduction in water use up to 30 percent is required. The following regulations on water use shall be applicable.



- a. All of the prohibitions and restrictions required under a Stage 2 Water Supply Shortage shall all be in effect and shall be mandatory.
  - b. Potable landscape irrigation shall be limited to no more than two non-consecutive days per week. The Board, by resolution, may set forth an additional limitations on irrigation duration or application rates. Irrigation system checks for breaks/leak repairs by irrigation professionals who remain on-site directly observing the system are excluded. Golf courses, sport fields, and other water-dependent industries shall work with District to identify water use for sensitive areas during non-daylight hours and only to the extent necessary to maintain minimum levels of biological viability.
  - c. Residential customers water use will be limited to a weekly amount as declared by resolution of the District Board to achieve the required conservation target for the shortage.
6. A Stage 4 Water Supply Shortage will be declared when previous water conservation targets have not been met or when the District has determined a reduction in water use up to 40 percent is required. The following regulations on water use shall be applicable.
- a. All of the prohibitions and restrictions required under a Stage 3 Water Supply Shortage shall all be in effect and shall be mandatory.
  - b. Potable landscape irrigation shall be limited to no more than one day per week. The Board, by resolution, may set forth an additional limitations on irrigation duration or application rates. Irrigation system checks for breaks/leak repairs by present irrigation professionals who remain on-site directly observing the system are excluded. Golf courses, sport fields, and other water-dependent industries shall work with District to identify water use for sensitive areas during non-daylight hours and only to the extent necessary to maintain minimum levels of biological viability.
  - c. The initial filling of the pools, spas, or ponds using potable water is prohibited.
  - d. Pools, spas, or ponds are allowed to drain and refill only for health or structural needs.
  - e. Pools must be covered when they are not used to prevent evaporation and should be equipped with recirculating pump(s).
  - f. Vehicle washing at commercial facilities is limited to washing without direct connection to the water supply or a recirculating water system.
7. A Stage 5 Water Supply Shortage will be declared when water conservation targets have not been met or when the District has determined a reduction in water usage up to 50 percent is required.
- a. All of the prohibitions and restrictions required under a Stage 4 Water Supply Shortage shall all be in effect and shall be mandatory.
  - b. Use of Potable water for filling or refilling decorative ponds, basins, lakes, waterways, and fountains is prohibited.
  - c. Spray irrigation for new developments or replacement projects is prohibited. District's Board, as declared by resolution, may consider a moratorium or net-zero demand increase on new potable connections.
8. A Stage 6 Water Supply Shortage will be declared when water conservation targets have not been met or when the District has determined a reduction in water use greater than 50 percent is required.
- a. All of the prohibitions and restrictions required under a Stage 5 Water Supply Shortage shall all be in effect and shall be mandatory.
  - b. No landscape irrigation is allowed. Golf courses, sport fields, and other water-dependent industries shall work with District to identify water use for sensitive areas during non-daylight hours and only to the extent necessary to maintain minimum levels of biological viability.



**TITLE:** Adopt Revised Auditor Selection and Service Policy and Rescind Resolution No. 34-18, and Approve Negotiation of a One-Year Extension of the Maze & Associates Contract

**RECOMMENDATION:**

Staff recommends the Board of Directors adopt, by Resolution, a revised Auditor Selection and Service policy, and rescind Resolution No. 34-18, and approve, by Motion, negotiation of a one-year extension of the Maze & Associates contract.

**DISCUSSION:**

In the past, special districts and other governmental agencies awarded an audit contract for up to five years to provide rotation of auditors and thus promote the audit firm's independence in fact and in perception. Assembly Bill 1345 (2011-2012 session) amended Government Code Section 12410.6 (b) to permit an entity to retain an audit firm beyond six years, provided the firm met expected professional standards and the lead audit partner or coordinating audit partner having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, rotated off the engagement for at least one year starting in year seven of the contract. Staff has revised the Auditor Selection and Service policy to reflect these Government Code amendments.

Governmental accounting and auditing is a specific niche in the audit industry with very few firms offering a high-quality audit. Maze & Associates has performed the District's audit for the past five years, including the fiscal year ending June 30, 2021, and has an excellent reputation in this field. Its current special district clients include, but are not limited to, Contra Costa Water District, Novato Sanitary District, Central Contra Costa Sanitary District, and Livermore-Amador Valley Water Management Agency. In addition, Maze & Associates has provided audit services to the Cities of Livermore, Pleasanton, and Dublin.

This year, the Financial Services Division is experiencing an exceptionally large workload due to onboarding of new staff, concurrent rate studies, and the implementation of the Tyler Munis system. Staff is requesting that the Board approve a one-year extension to the Maze & Associates contract provided a reasonable fee can be negotiated for fiscal year 2021–2022. If approved tonight, staff will bring back the contract extension at the November 2 regular Board meeting. Thereafter, staff will prepare a Request for Proposal (RFP) for the next five years of audit services, per the attached policy, for fiscal years ending 2023 to 2028.

Originating Department: Administrative Services	Contact: C. Atwood	Legal Review: Not Required
Financial Review: Yes	Cost and Funding Source: N/A	
Attachments: <input type="checkbox"/> None <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 Policy	



# Policy

<b>Policy No.:</b> <del>P400-18-3</del>	<b>Type of Policy:</b> Finance
<b>Policy Title:</b> Auditor Selection and Services	
<b>Policy Description:</b> Establishes Guidelines for Auditor Selection and Scope of Services	
<b>Approval Date:</b> <del>7/17/2018</del>	<b>Last Review Date:</b> <del>2018</del> 2021
<b>Approval Resolution No.:</b> <del>34-18</del>	<b>Next Review Date:</b> <del>2022</del> 2025
<b>Rescinded Resolution No.:</b> <del>51-1434-18</del>	<b>Rescinded Resolution Date:</b> <del>8/19/2014</del> 7/17/2018

~~It is the~~ The purpose of this policy of the Board of Directors of Dublin San Ramon Services District is to establish guidelines for selection of a certified public accountant or public accountant to complete an annual audit report in accordance with Government Code Section 12410.6.:

It is in the District's best interest to obtain auditing services from a highly-qualified firm, and to ensure that there are no issues or incentives that would jeopardize that firm from maintaining its independence.

Selection Policy – An informal request for proposal process will be held at least every five years for the selection of the independent auditor. The Financial Services Division is responsible for conducting the interview and selection process and recommending a firm to the Board.

Term of Contract – The ~~initial~~ contract term will be for one year with four one-year renewal options. The General Manager has authority to renew the contract unless otherwise instructed by the Board. Per California Government Code Section 12410.6(b), the District shall not employ a public accounting firm to provide audit services if the lead audit partner or coordinating audit partner having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for the District for six consecutive fiscal years. If a firm is awarded the District audit service contract for a consecutive five-year period, the District should require partner rotation in the seventh year to comply with Section 12410.6(b).

Scope of Services – The auditor will perform the annual audit and assist staff in analyzing/implementing accounting pronouncements.

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

RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT REVISING THE AUDITOR SELECTION AND SERVICES POLICY AND RESCINDING RESOLUTION NO. 34-18

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WHEREAS, Assembly Bill 1345 added Section 12410.6 (b) to the Government Code regarding auditor rotation requirements of public accounting firms providing audit services to local agencies; and

WHEREAS, this Government Code modification required that, commencing with the 2013–14 fiscal year, a local agency shall not employ a public accounting firm to provide audit services to a local agency if the lead audit partner, coordinating audit partner, or reviewing audit partner has performed audit services for the agency for six consecutive fiscal years; and

WHEREAS, this requirement can be mitigated by rotating the applicable partner associated with the audit; and

WHEREAS, staff is recommending changes to the Auditor Selection and Services policy to be consistent with the Government Code.

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 Auditor Selection and Services policy, attached as Exhibit “A” be adopted, and Resolution No. 34-18, attached as Exhibit “B,” 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 19th day of October, 2021, and passed by the following vote:

AYES:

NOES:

ABSENT:

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Ann Marie Johnson, President

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



# Policy

<b>Policy No.:</b>	<b>Type of Policy:</b> Finance
<b>Policy Title:</b> Auditor Selection and Services	
<b>Policy Description:</b> Establishes Guidelines for Auditor Selection and Scope of Services	
<b>Approval Date:</b>	<b>Last Review Date:</b> 2021
<b>Approval Resolution No.:</b>	<b>Next Review Date:</b> 2025
<b>Rescinded Resolution No.:</b> 34-18	<b>Rescinded Resolution Date:</b> 7/17/2018

The purpose of this policy of the Board of Directors of Dublin San Ramon Services District is to establish guidelines for selection of a certified public accountant or public accountant to complete an annual audit report in accordance with Government Code Section 12410.6.

It is in the District's best interest to obtain auditing services from a highly qualified firm, and to ensure that there are no issues or incentives that would jeopardize that firm from maintaining its independence.

Selection Policy – An informal request for proposal process will be held at least every five years for the selection of the independent auditor. The Financial Services Division is responsible for conducting the interview and selection process and recommending a firm to the Board.

Term of Contract – The contract term will be for one year with four one-year renewal options. The General Manager has authority to renew the contract unless otherwise instructed by the Board. Per California Government Code Section 12410.6(b), the District shall not employ a public accounting firm to provide audit services if the lead audit partner or coordinating audit partner having primary responsibility for the audit, or the audit partner responsible for reviewing the audit, has performed audit services for the District for six consecutive fiscal years. If a firm is awarded the District audit service contract for a consecutive five-year period, the District should require partner rotation in the seventh year to comply with Section 12410.6(b).

Scope of Services – The auditor will perform the annual audit and assist staff in analyzing/implementing accounting pronouncements.

RESOLUTION NO. 34-18

## RESOLUTION OF THE BOARD OF DIRECTORS OF DUBLIN SAN RAMON SERVICES DISTRICT REVISING THE AUDITOR SELECTION AND SERVICES POLICY AND RESCINDING RESOLUTION NO. 51-14

WHEREAS, the District elected to become subject to the California Uniform Construction Cost Accounting Act (the Act) (Section 22000, et seq. of the Public Contract Code), by Resolution No. 7-18 adopted by the Board of Directors at a regular Board meeting held February 6, 2018; and

WHEREAS, on March 20, 2018, the Dublin San Ramon Services District Board adopted Resolution No. 18-18 revising the Purchasing policy; and

WHEREAS, the current Auditor Selection and Services policy, last revised by Resolution No. 51-14, contains provisions that are in conflict with the newly revised Purchasing policy and the Act; and

WHEREAS, staff is recommending changes to the policy to be consistent with the Purchasing policy and the Act;

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 Auditor Selection and Services policy, attached as Exhibit "A" be adopted; and Resolution No. 51-14, attached as Exhibit "B," is hereby rescinded.

ADOPTED by the Board of Directors of the 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 17th day of July, 2018, and passed by the following vote:

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

NOES: 0

ABSENT: 0

  
Georgean M. Vonheeder-Leopold, President

ATTEST: 

Nicole Genzale, District Secretary



**TITLE:** Receive Presentation on San Francisco Bay Region Study of Per- and Polyfluoroalkyl Substances (PFAS) in Wastewater

**RECOMMENDATION:**

Staff recommends the Board of Directors receive a presentation on the San Francisco Bay Region study of per- and polyfluoroalkyl substances (PFAS) in wastewater.

**SUMMARY:**

The District's Strategic Plan has a goal to *"Collaborate with partner agencies to monitor evolving regulatory requirements for constituents of emerging concern and explore potential compliance and mitigation strategies."* The District is participating in a regional effort with other San Francisco Bay Area wastewater agencies to study the presence of per- and polyfluoroalkyl substances (PFAS) in wastewater. Currently, there are no discharge requirements for publicly owned treatment works (POTW) related to PFAS. POTWs, including the DSRSD Regional Wastewater Treatment Facility, are receivers of PFAS from residential and industrial customers in their sewer sheds. PFAS in wastewater influent are transformed to other PFAS species but are not destroyed during the biological wastewater treatment process. Results from the regional PFAS study may be used to inform potential future monitoring and regulatory requirements.

**DISCUSSION:**

PFAS are a group of thousands of synthetic chemicals that have been in use since the 1940s for their non-stick properties. PFAS are found in a wide array of consumer and industrial products such as fire-fighting foam, rain gear, food packaging, etc. PFAS manufacturing and processing facilities, facilities using PFAS in production of other products, airports, and military installations are some of the contributors of PFAS releases into the air, soil, and water. Due to their widespread use and persistence in the environment, most people in the United States have been exposed to PFAS. There is growing evidence that continued exposure above specific levels to certain PFAS may lead to adverse health effects.

**Region 2 PFAS Study – Phase 1:**

In July 2020, the State Water Board issued an investigative order to all POTWs over one million gallons per day to complete PFAS sampling and testing for influent, effluent, biosolids, and groundwater for POTWs with an existing groundwater order. However, the State Water Board exempted the San Francisco Bay Area POTWs from the statewide order because testing in our region is being managed collectively through a regional study being conducted jointly by the Bay Area Clean Water Agencies (BACWA) and the San Francisco Estuary Institute (SFEI) in the following two phases:

- Phase 1: Fourteen representative facilities, including DSRSD, collected influent, effluent and biosolids samples in fall 2020. SFEI is continuing to analyze the data and is anticipated to issue a technical memorandum in fall 2021.
- Phase 2: The second phase of the study will be conducted in fall 2021 and will be designed based on recommendations from the Phase 1 technical memorandum. DSRSD has agreed to participate voluntarily in the second phase of the study.

The facilities participating in Phase 1 were selected based on their size, level of industry in their service area, treatment technology, and location. DSRSD was included based on the location of the Regional Wastewater Treatment Facility relative to drinking water wells that have detected elevated levels of PFAS compounds. The BACWA/SFEI PFAS Study is looking at individual analytes, as well as performing a total oxidizable precursor analysis on influent and biosolids

<b>Originating Department: Operations</b>	<b>Contact: K. Fournier</b>	<b>Legal Review: Not Required</b>
<b>Financial Review: Not Required</b>	<b>Cost and Funding Source: N/A</b>	
<b>Attachments:</b> <input type="checkbox"/> None <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)	<b>Attachment 1 – BACWA PFAS Study Fact Sheet</b> <b>Attachment 2 – Presentation Slides</b>	

samples. The advantage of the total oxidizable precursor analysis is that it gives a better estimate of the total PFAS in a sample, and not just the individual analytes that are being targeted by a specific analytical method.

In December 2020, DSRSD completed sampling for PFAS compounds in influent, effluent, and biosolids. Sampling of the reverse osmosis (RO) concentrate that DSRSD receives from the Zone 7 Water Agency was not included in this first round of sampling since the facility was not operating at the time the samples were collected.

### **Phase I Results:**

There was a massive amount of data collected during Phase 1, and the information is still being analyzed by BACWA, SFEI, and participating agencies. A summary of the preliminary Phase 1 results is provided in the attached fact sheet prepared by BACWA. Key observations include:

- Total PFAS levels were generally comparable across all agencies treating municipal wastewater, although the levels of individual compounds differed.
- Quantified concentrations of PFAS increased in effluent compared to influent due to conversion of PFAS precursors to individually sampled analytes through the treatment process.
- Levels detected in wastewater effluent and biosolids from Bay Area agencies are lower than many household products.
- Maximum concentrations of individual PFAS in effluent are below drinking water response levels as shown in Table 1.
- BACWA should work with businesses and the community to focus on reducing PFAS in the environment by utilizing products that are PFAS-free.

Analyte Abbrev.	DDW Drinking Water Response Level (ppt or ng/L)	Median Observed in Effluent (ng/L)	Max Observed in Effluent (ng/L)
PFOS	40	5.6	9.7
PFOA	10	6.3	9.1
PFBS	5,000	4.1	4.8

*Table 1. Bay Area POTW concentrations compared to drinking water response levels.*

### **Next Steps:**

DSRSD plans to participate in Phase 2 of the BACWA/SFEI PFAS Study. The results from this study and from other agencies will aid the State in making informed decisions on potential regulatory actions concerning PFAS in wastewater. There is currently no set timeline for developing PFAS regulations for POTWs.





## PFAS Fact Sheet

### San Francisco Bay Region Phase I Study Results

Per- and polyfluoroalkyl substances (PFAS) are a large group of human-made compounds that are very resistant to heat, water, and oil. Common PFAS-containing products are non-stick cookware, cardboard/paper food packaging, water-resistant clothing, carpets, personal care products, and fire-fighting foam. All PFAS are persistent in the environment, can accumulate within the human body, and have demonstrated toxicity at relatively low concentrations.

Publicly owned treatment works (POTWs) are receivers of PFAS from residential and industrial customers in their sewershed. PFAS in influent are transformed to other PFAS species, but are not destroyed during treatment. PFAS received in POTW influent ultimately partition into effluent or biosolids depending on the individual compound's chemical characteristics.

#### KEY POINTS

- PFAS are ubiquitous in numerous everyday products and in the environment
- The State Water Board is investigating the sources that could impact drinking water supplies
- We expect to measure low levels of PFAS in wastewater and from landfills as long as we continue to utilize these chemicals in common products

#### Region 2 PFAS Study – Phase I

In 2019, the State Water Board developed a phased investigation action plan requiring testing of drinking water systems and site investigations at high-risk locations for PFAS<sup>i</sup>. Investigative orders were issued as follows:

- Mar/Apr 2019 - Landfills and airports and adjacent public water systems
- Oct 2019 – Industrial Chrome-platers
- July 2020 - POTWs
- March 2021 - Refineries & bulk terminals

The July 2020 State Water Board Investigative Order for POTWs is not applicable to Water Board Region 2 (San Francisco Bay Area) agencies. Instead, the Bay Area Clean Water Agencies (BACWA) worked with Water Board staff and obtained approval to fund and conduct a regional study through the Regional Monitoring Program at the San Francisco Estuary Institute (SFEI)<sup>ii</sup>. SFEI is conducting this study in two phases:

- In Phase 1, fourteen representative facilities collected influent, effluent, and biosolids samples in Fall of 2020. SFEI is currently continuing to analyze the data and will issue a technical memorandum in September 2021.



- Phase 2 will be conducted in Fall 2021 and will be designed based on recommendations from Phase 1 technical memorandum.

The facilities participating in Phase 1 were selected based on their size, location, level of industry in their service area, treatment technology, and whether they had participated in previous SFEI PFAS studies, so that trends in individual PFAS compounds could be tracked over time. While the Water Board's Investigative Orders required 31 individual PFAS analytes to be measured, the SFEI study is looking at 40 individual analytes, as well as performing a total oxidizable precursor (TOP) analysis on influent and biosolid samples. The TOP analysis involves oxidizing the sample to convert PFAS to their terminal transformation products, then measuring those products. The advantage of the TOP analysis is that it gives a better estimate of the total PFAS in a sample, and not just the individual analytes that are being targeted by a specific analytical method.

### Phase I Results

In the Phase I data, total PFAS levels were generally comparable across all agencies treating municipal wastewater, although the levels of individual compounds differed. This result confirms that using a representative selection of POTWs is an appropriate strategy for this investigation.

In recent years new PFAS compounds, such as GenX and ADONA, have been introduced to replace other compounds, such as perfluorooctane sulfonic acid (PFOS) and perfluorooctanoic acid (PFOA), that have been phased out in the United States. Some of these shorter chain replacement chemicals have been detected and others have not.

#### KEY POINTS

- Levels detected in wastewater effluent and biosolids from Bay Area agencies are lower than in other household products
- We are supporting research to understand if even these very, very low levels in land-applied biosolids could impact plants
- Maximum concentrations of individual PFAS in effluent are well below DDW drinking water response levels
- We can reduce PFAS in the environment by utilizing products that are PFAS-free

The median sum of the analytes as well as the results of the TOP analysis across all participating agencies are presented in Figures 1 and 2 below. There is a significant presence of non-targeted PFAS precursors in influent and biosolids. As expected based on data collected in other regions, the sum of effluent PFAS concentrations are higher than influent concentrations. This is not because POTWs are adding, making, or concentrating PFAS, but because of the transformation of precursors during biological treatment. These results highlight the need to consider PFAS as a class rather than as a sum of individual compounds, since there are more PFAS than are being measured by individual analytical methods, and the specific compounds are changing over time as industries shift to different PFAS mixtures.

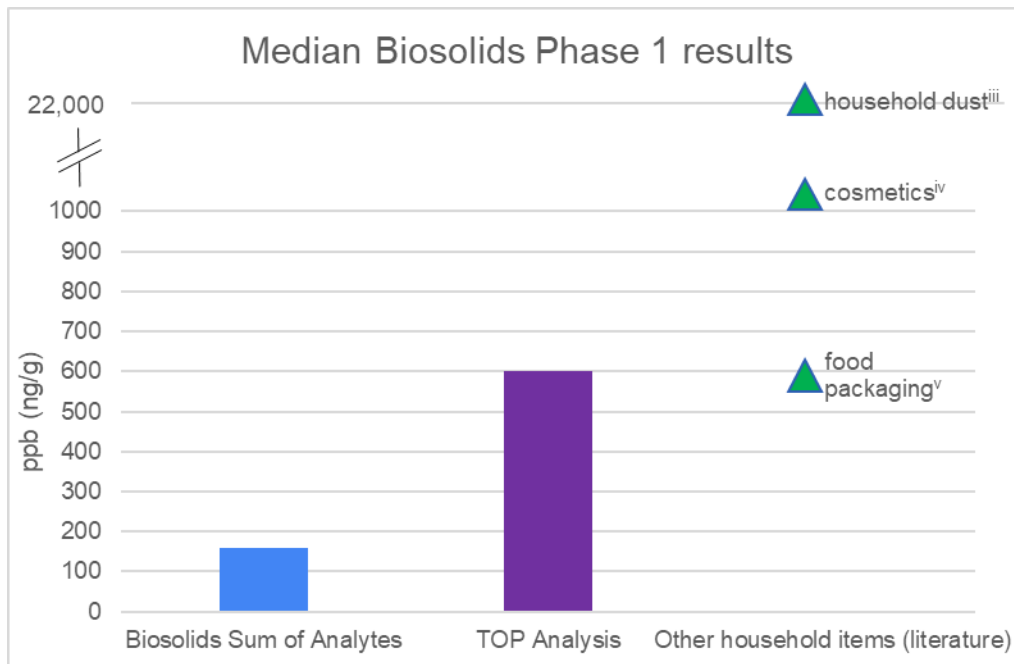


Figure 1: Median biosolids concentrations (ng/g) as measured as the sum of individual analytes, as well as total oxidizable precursors (TOP) shown with typical concentrations found in other sources.

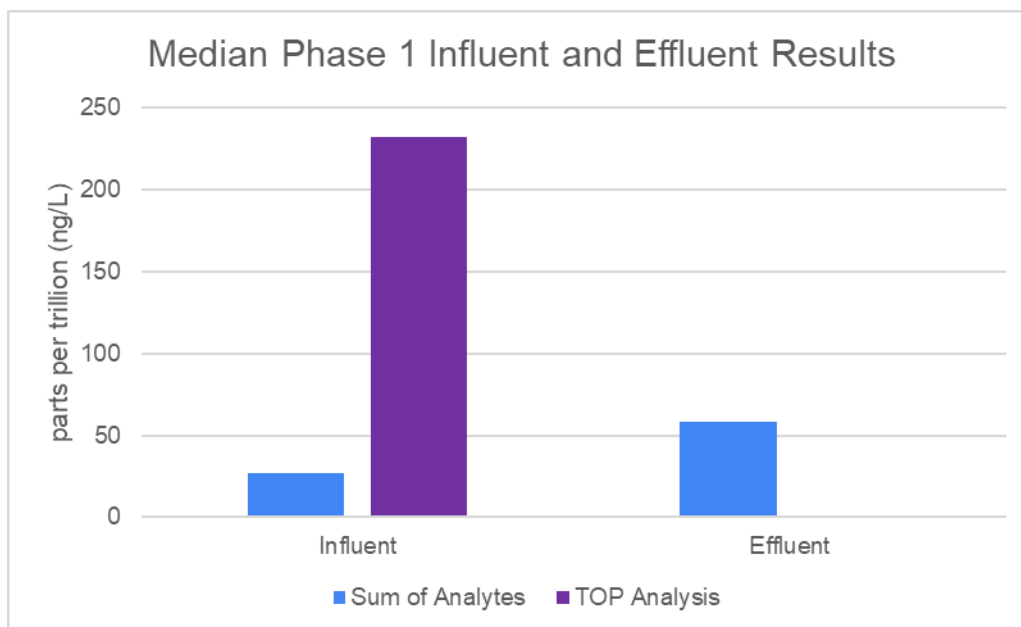


Figure 2: Median influent and effluent concentrations (ng/l) or parts per trillion as measured as the sum of individual analytes, as well as total oxidizable precursors (TOP), which was only performed on influent samples

## What does it mean?

### *Levels of PFAS in Biosolids*

Biosolids concentrations, while detectable, are lower than concentrations in common consumer products and in household dust. Levels in some of these other matrices are listed below, although a true apples-to-apples comparison isn't possible since different studies look at different individual PFAS analytes.

- Median sum of analytes in biosolids = 178 ng/g
- Median TOP analysis in biosolids = 594 ng/g
- *Average sum of analytes in household dust = 22,000 ng/g<sup>iii</sup>*
- *Median sum of analytes in cosmetics = 1,050 ng/g<sup>iv</sup>*
- *Median sum of analytes in takeout food packaging > 580 ng/g<sup>v</sup>*

The Bay Area Biosolids Coalition (BABC), a project of Special Benefit of BACWA, is currently sponsoring research through UC Davis to investigate plant uptake rates of PFAS from fields amended with biosolids. This study will add to the existing body of research investigating if there is a health concern related to these levels of PFAS in biosolids. This study is unique in that it will include fields that are amended with food waste compost in addition to control fields that have not received any amendment.

### *Levels of PFOA, PFOS, and PFBS in Effluent*

Most PFAS compound do not have a regulatory threshold. PFOS and PFOA are two types of PFAS that are no longer manufactured in the US although they still are measured in the environment, and have been found in the blood of nearly all people tested in several national surveys. The State Water Board's Division of Drinking Water (DDW) has set notification and response levels for PFOA, PFOS, and perfluorobutane sulfonic acid (PFBS). A response level is the level at which DDW recommends removal of a drinking water source from service. Although no major Bay Area POTW's effluent contributes to a drinking water supply, the median maximum levels of these compounds were compared to the drinking water response levels to provide context (Table 1). Maximum levels in effluent are below drinking water response levels.

Analyte Abbrev.	DDW Drinking Water Response Level (ppt or ng/L)	Median Observed in Effluent (ng/L)	Max Observed in Effluent (ng/L)
PFOS	40	5.6	9.7
PFOA	10	6.3	9.1
PFBS	5,000	4.1	4.8

Table 1. Bay Area POTW concentrations compared to drinking water response levels.

### Phase II and other next steps

BACWA and its members are continuing to work with SFEI and the Water Board to make recommendations on the best use of resources for Phase 2 of the study. BACWA and its members are particularly interested in developing actionable data that will inform future source control or other management efforts. To this end, analysis may focus on the fate and transport within treatment processes or work to identify specific sources within sewersheds.

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### References

<sup>i</sup> SWRCB Investigative Order for POTWs:

[https://www.waterboards.ca.gov/board\\_decisions/adopted\\_orders/water\\_quality/2020/wqo2020\\_0015\\_dwq.pdf](https://www.waterboards.ca.gov/board_decisions/adopted_orders/water_quality/2020/wqo2020_0015_dwq.pdf)

<sup>ii</sup> Region 2 PFAS Study Phase 1 Sampling Plan:

<https://bacwa.org/wp-content/uploads/2020/12/SFEI-Final-PFAS-SAP-Phase-1-2020-11-23.pdf>

<sup>iii</sup> Hall, S. et al., 2020, Per- and Polyfluoroalkyl Substances in Dust Collected from Residential Homes and Fire Stations in North America, *Ecotoxicology and Public Health*; Available at

<https://pubs.acs.org/doi/pdf/10.1021/acs.est.0c04869>

<sup>iv</sup> Whitehead et al., 2021, Fluorinated Compounds in North American Cosmetics, *Ecotoxicology and Public Health*; Available at: <https://pubs.acs.org/doi/10.1021/acs.estlett.1c00240?ref=pdf>

<sup>v</sup> Strakova et al., 2021 Throwaway Packaging, Forever Chemicals European wide survey of PFAS in disposable food packaging and tableware; Available at [https://www.env-health.org/wp-content/uploads/2021/05/FINAL\\_pfas\\_fcm\\_study\\_web.pdf](https://www.env-health.org/wp-content/uploads/2021/05/FINAL_pfas_fcm_study_web.pdf)



# Bay Area Study of PFAS in Wastewater

**DSRSD Board Meeting**

*October 19, 2021*

*Kristy Fournier,*

*Laboratory and Environmental Compliance Manager*

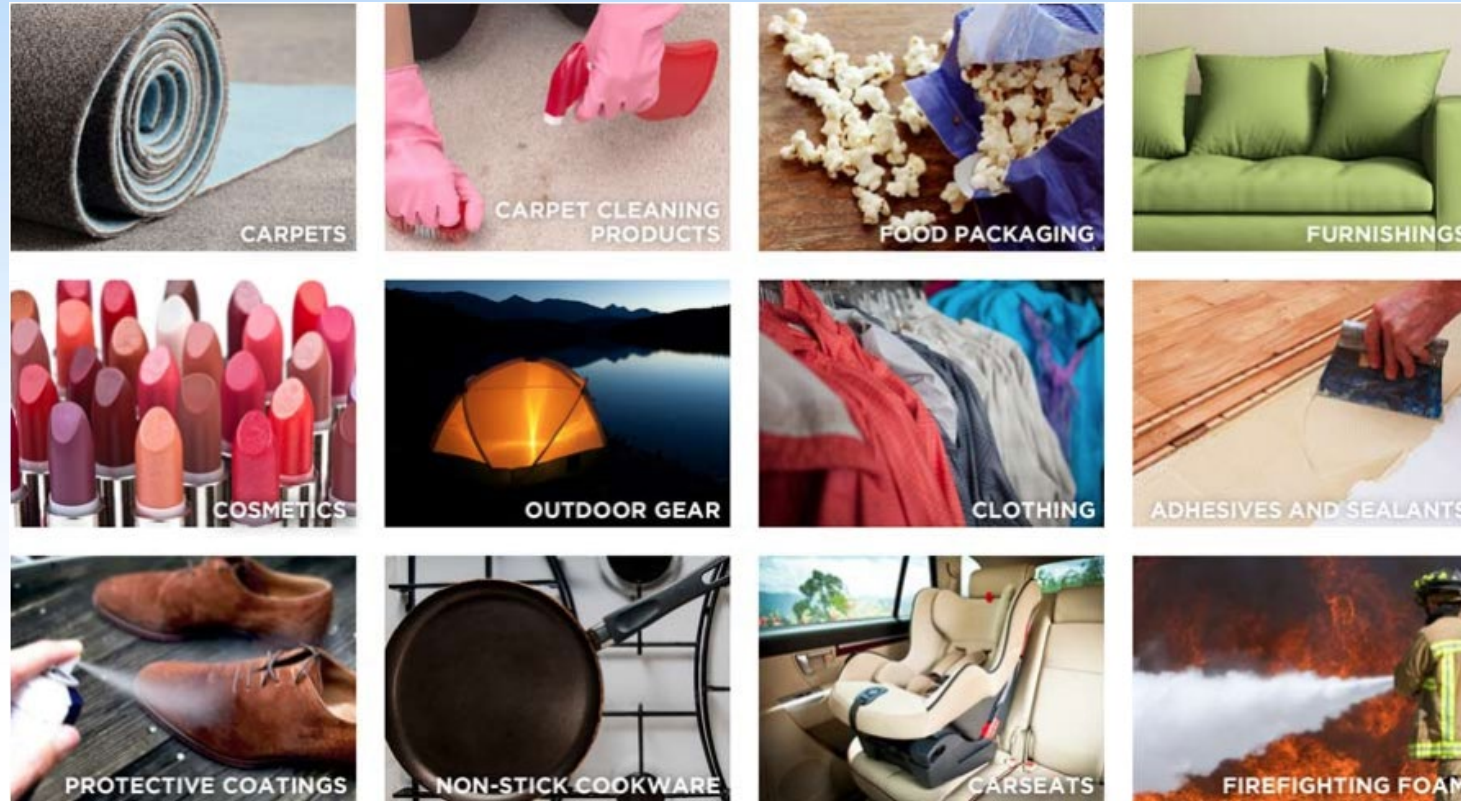


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# Per- and Polyfluoroalkyl Substances (PFAS)



*Green Sciences Policy Institute*

# San Francisco Bay Region PFAS Study

**Phase 1: Monitor representative subset of facilities in Q4 2020**

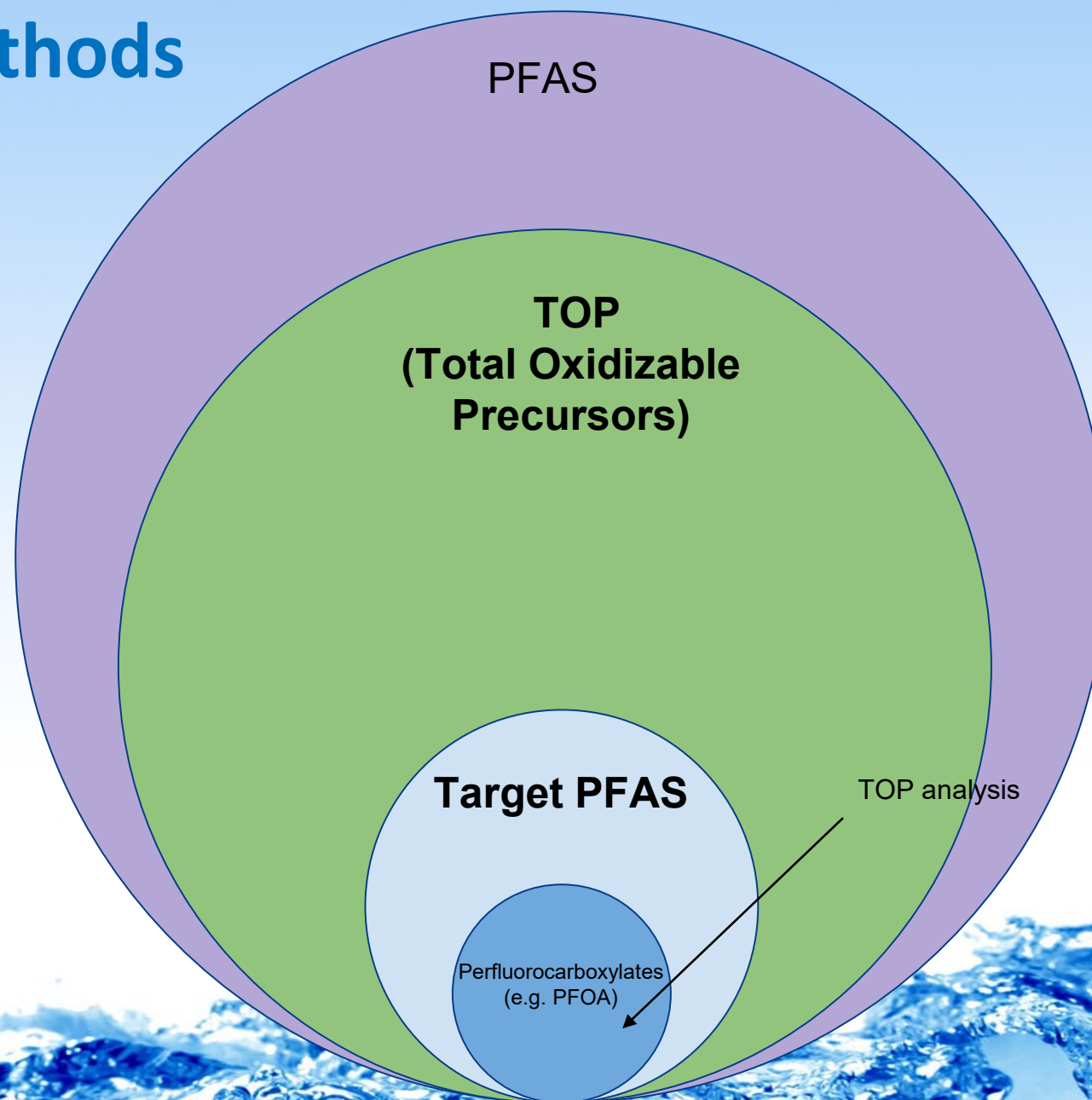
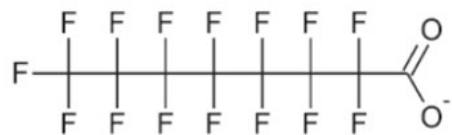
**Phase 2: Additional monitoring based on Phase 1 results (Fall 2021)**

- May include further investigation of PFAS precursors and analytes, trends, and/or source identification, groundwater monitoring

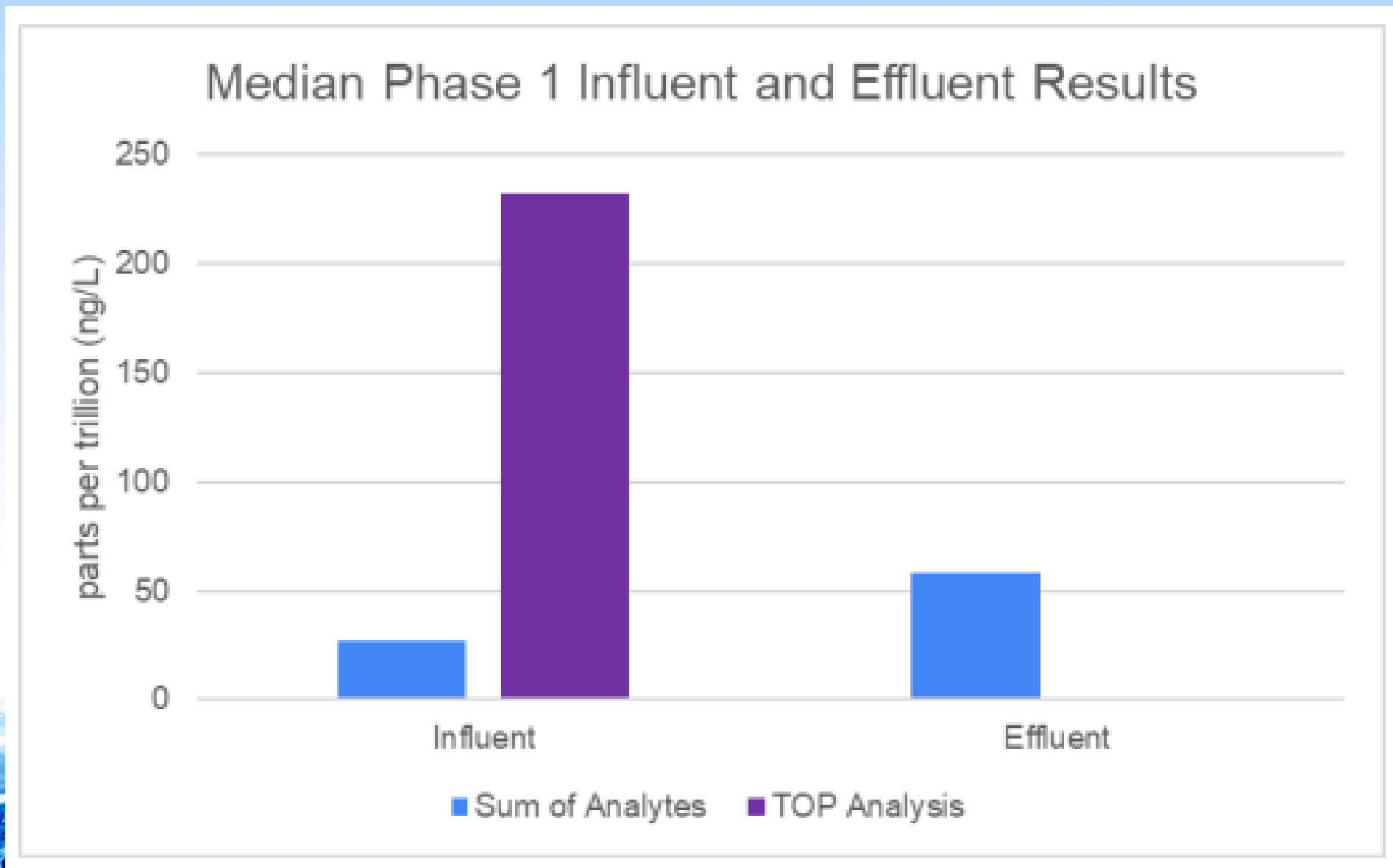




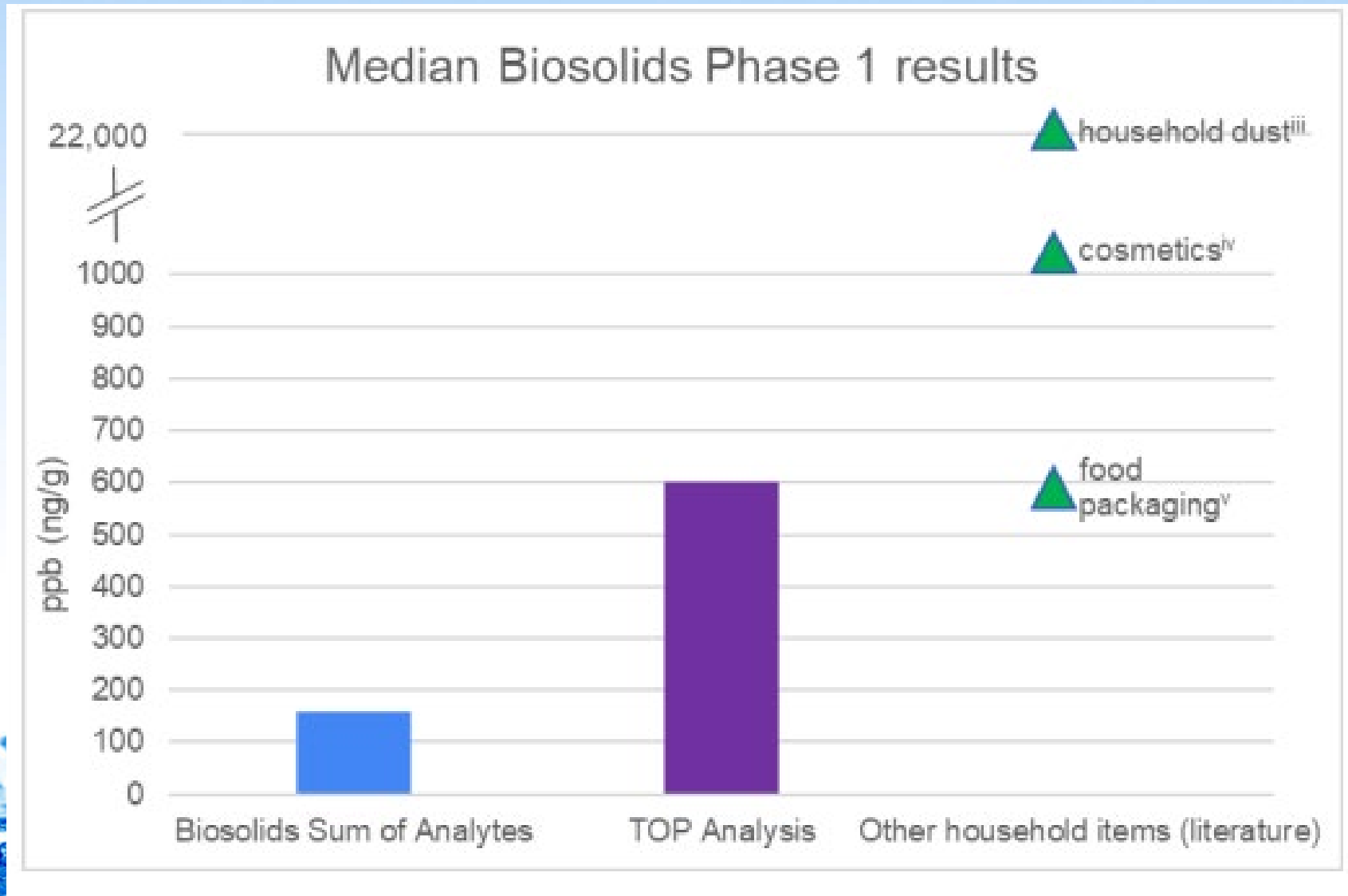
# PFAS Analytical Methods



# Preliminary Phase I Results – Bay Area Wastewater



# Preliminary Phase I Results – Bay Area Biosolids



# Bay Area Wastewater Concentrations Compared to Drinking Water Response Levels

Analyte Abbrev.	DDW Drinking Water Response Level (ppt or ng/L)	Median Observed in Effluent (ng/L)	Max Observed in Effluent (ng/L)
PFOS	40	5.6	9.7
PFOA	10	6.3	9.1
PFBS	5,000	4.1	4.8



# Preliminary Findings

- » Levels detected in wastewater effluent and biosolids from Bay Area agencies are lower than in other household products
- » Maximum concentrations of individual PFAS in effluent are below DDW drinking water response levels
- » PFAS TOP results are higher than targeted PFAS results

# Next Steps

## » Phase 2 Study

- Look in the upstream watershed for contributors to PFAS
- Look at the fate and transport of PFAS through the treatment plant





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**Questions?**



**TITLE:** Receive Presentation on Biosolids Processing, Regulations, and Trends

**RECOMMENDATION:**

Staff recommends the Board of Directors receive a presentation on biosolids processing, regulations, and trends.

**SUMMARY:**

At the July 20, 2021 Board meeting, the Board requested staff provide an update on biosolids including legislation pertaining to biosolids and potential impacts to the District. Staff will provide an overview on how the District's biosolids are processed and disposed of and the regulations regarding the processing and use of biosolids. Staff will also review recent biosolids related topics including the 2016 California Senate Bill (SB) 1383, Short-lived Climate Pollutants, the potential presence of per- and polyfluoroalkyl substances (PFAS) in biosolids, and the role of land application of biosolids in carbon sequestration.

**DISCUSSION:**

Biosolids are a product of the wastewater treatment process. During wastewater treatment, the liquids are separated from the solids. Those solids are then treated to produce a semisolid, nutrient-rich product known as biosolids. The terms 'biosolids' and 'sewage sludge' are often used interchangeably.

**Biosolids Processing**

At the Regional Wastewater Treatment Facility (RWTF), the solids from the primary and secondary wastewater treatment processes are combined and thickened in a Dissolved Air Floatation Thickener. The thickened solids are then conveyed to four mesophilic anaerobic digesters with a total volume of 3.2 million gallons (see Figure 1). The temperature of the solids in the digesters is maintained at approximately 98°F, which promotes the growth of mesophilic organisms which digest and decompose organic matter. The biosolids reside in the anaerobic digesters approximately 20 to 34 days, and over that time the volatile solids content of the biosolids is reduced 55 to 65%.

The digestion of organic matter in the digesters produces methane. The District makes beneficial use of the methane by burning it in reciprocating combustion engines. The engines are called cogeneration engines because they also produce usable heat in the form of hot water that is then used to maintain the temperature of the biosolids in the digesters and heat the buildings at the RWTF. In winter, when the District is producing little recycled water, approximately 90% of the RWTF energy needs are provided by the cogeneration engines with one-third of the gas used by the engines provided from the digesters. The heat from the engines is captured to heat water which then is piped back to heat exchangers at the digesters which recirculate and heat the sludge keeping it at 98°F. Hot water is also used to heat the buildings at the Wastewater Treatment Plant.

<b>Originating Department:</b> Engineering Services	<b>Contact:</b> J. Zavadil	<b>Legal Review:</b> Not Required
<b>Financial Review:</b> Not Required	<b>Cost and Funding Source:</b> N/A	
<b>Attachments:</b> <input type="checkbox"/> None <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)	<b>Attachment 1 – Presentation Slides</b>	





*Figure 1 Digesters No. 1 and No. 2*

The biosolids are next conveyed from the RWTF to the north side of Stoneridge Drive to the bottom of one of six Facultative Sludge Lagoons (FSLs) with a total volume of 6.1 million cubic feet (see Figure 2). The bottom layer of the lagoons supports anaerobic organisms which further decompose the organics. The layer of water near the surface of the lagoon contains dissolved oxygen due to atmospheric reaeration and algal respiration, a condition that supports aerobic and facultative organisms. The intermediate anoxic layer, termed the facultative zone, ranges from aerobic near the top to anaerobic at the bottom. The biosolids reside in the FSLs three to five years, and volatile solids content of the biosolids is further reduced by 32 to 35%.



*Figure 2 Facultative Sludge Lagoons*

The biosolids are then harvested annually from one to two FSLs. The biosolids are pumped from the bottom of the lagoons using a dredge and injected in the soil on the District's 55-acre Dedicated Land Disposal (DLD) site during the summer and fall months (see Figure 3).



*Figure 3 Dedicated Land Disposal Site (left) and Facultative Sludge Lagoons (right)*

The District's use of FSLs and the DLD keeps the cost of biosolids processing and disposal low. Most wastewater agencies dewater biosolids after digestion and haul the biosolids to landfills or to land application sites. The District's current cost to dispose biosolids is approximately \$140,000 per year. If the District were to dewater and haul the biosolids offsite the cost would increase tenfold which would equate to a 5% increase in overall operating expenses.

#### Biosolids Regulations

The processing of the District's biosolids are regulated through the RWTF National Pollutant Discharge Elimination System (NPDES) Permit and Biosolids Permit issued by the Regional and State Water Resources Control Boards. The permits have requirements regarding the treatment, storage, processing, and disposal of the biosolids. The permits set metals loading limits, groundwater concentration limits, pathogen and vector attraction standards, and monitoring and reporting requirements.

In the past few years, the impact of SB 1383, Short-lived Climate Pollutants, on the disposal of biosolids has been of concern to the wastewater industry. The bill requires a 40% reduction in methane emissions in California by 2030, below the levels emitted in 2013. To achieve the methane emission reductions, the legislation further requires a 75% diversion of organics from landfills by 2025, using 2014 levels as the baseline.

CalRecycle is the regulatory agency charged with developing and implementing regulations to achieve the mandates of SB 1383. The final regulations, effective January 2022, are focused on diverting food and yard waste from landfills. The jurisdictions that must meet the regulations are cities and counties. City solid waste franchise agreements must require the diversion of organics, and the cities must enforce the requirements.

The wastewater industry is still studying the implications of SB 1383. While the regulations are focused on cities and counties and the diversion of food waste, the legislation clearly includes biosolids as organics in its definition. Only organics that are digested and/or composted and land applied count as diverted organics. Even though the regulations do not preclude the disposal of biosolids to landfills, given that biosolids are an organic material that can more easily be diverted from landfills than food waste, many wastewater agencies are anticipating future restrictions to landfill disposal and are developing alternatives to beneficially use the biosolids.

DSRSD and a few other agencies in the state that have dedicated land disposal sites are in a unique situation. The District's DLD site is, according to the regulations, a landfill and the digested biosolids the District applies to the DLD are

organics. There is however a section of the regulations that allow for “Technologies that Constitute a Reduction in Landfill Disposal.” If the District can verify that the lifecycle of Greenhouse Gas emissions from the District’s biosolids process is equivalent to composting of the biosolids, the process may be exempt from the regulations.

Staff intends to monitor the enforcement of the regulations and investigate options. In addition to an evaluation of methane emissions, staff will be evaluating dewatering of the biosolids from the FSLs; so if the District must ultimately reduce biosolids disposal at the DLD, it will have already taken steps in that direction. And lastly, DSRSD is looking at opportunities to partner with other Bay Area wastewater agencies to jointly study future alternatives for disposal of biosolids.

Wastewater treatment agencies may be able to help cities and counties meet their requirements under SB 1383 by accepting and digesting diverted food waste within anaerobic digesters. The District’s 2017 Wastewater Treatment and Biosolids Facilities Master Plan reviewed the potential to accept food waste. Although food waste can increase the generation of gas in the District’s digesters, it will also generate more biosolids requiring disposal. Under the current regulations, the biosolids would need to be beneficially used, not disposed of in a DLD to meet the SB 1383 requirements.

#### PFAS and Biosolids

Another current topic in biosolids is a concern over the potential presence of PFAS, a group of man-made chemicals that includes PFOA, PFOS, GenX, and many other chemicals. Most of the exposure to these chemicals comes from the direct interaction with many consumer products and food containing PFAS from packaging material. Indirect exposures can also play a role in daily exposure from consumer products such as carpeting treated with PFAS that can be released in homes. Currently available data suggests that biosolids represent a relatively minor exposure pathway to humans. Preliminary monitoring of PFAS in California Publicly Owned Treatment Works (POTWs) indicate the concentrations of PFAS in biosolids is below the California Human Health Screening Levels (CHHSLs) for soil. The CHHSLs are concentrations of chemicals in soil or soil-gas below thresholds of concern for risks to human health—specifically, an excess lifetime cancer risk of one in a million.

#### Beneficial Use of Biosolids

Lastly, there is increasing interest in the multiple benefits of land application of biosolids, such as:

- Improving soil’s ability to absorb and store moisture, reducing the need to irrigate, and providing natural drought-resistance
- Improving soil quality and crop health and increasing crop yields by providing vital micro and macro nutrients, microbes, organic matter, and other benefits (most of the nitrogen in biosolids is organic, acting as a slow-release fertilizer, providing nitrogen when the crop needs it rather than all at once)
- Reducing demand for commercial petroleum-based fertilizers and the energy needed to manufacture it

There have been several products developed to further process biosolids into beneficial fertilizers. However, with the recent concerns with PFAS in wastewater and biosolids, further studies may be needed to address potential concerns with using biosolids as fertilizers.



# BIOSOLIDS PROCESSING, REGULATIONS, AND TRENDS

**October 19, 2021 DSRSD Board Meeting**

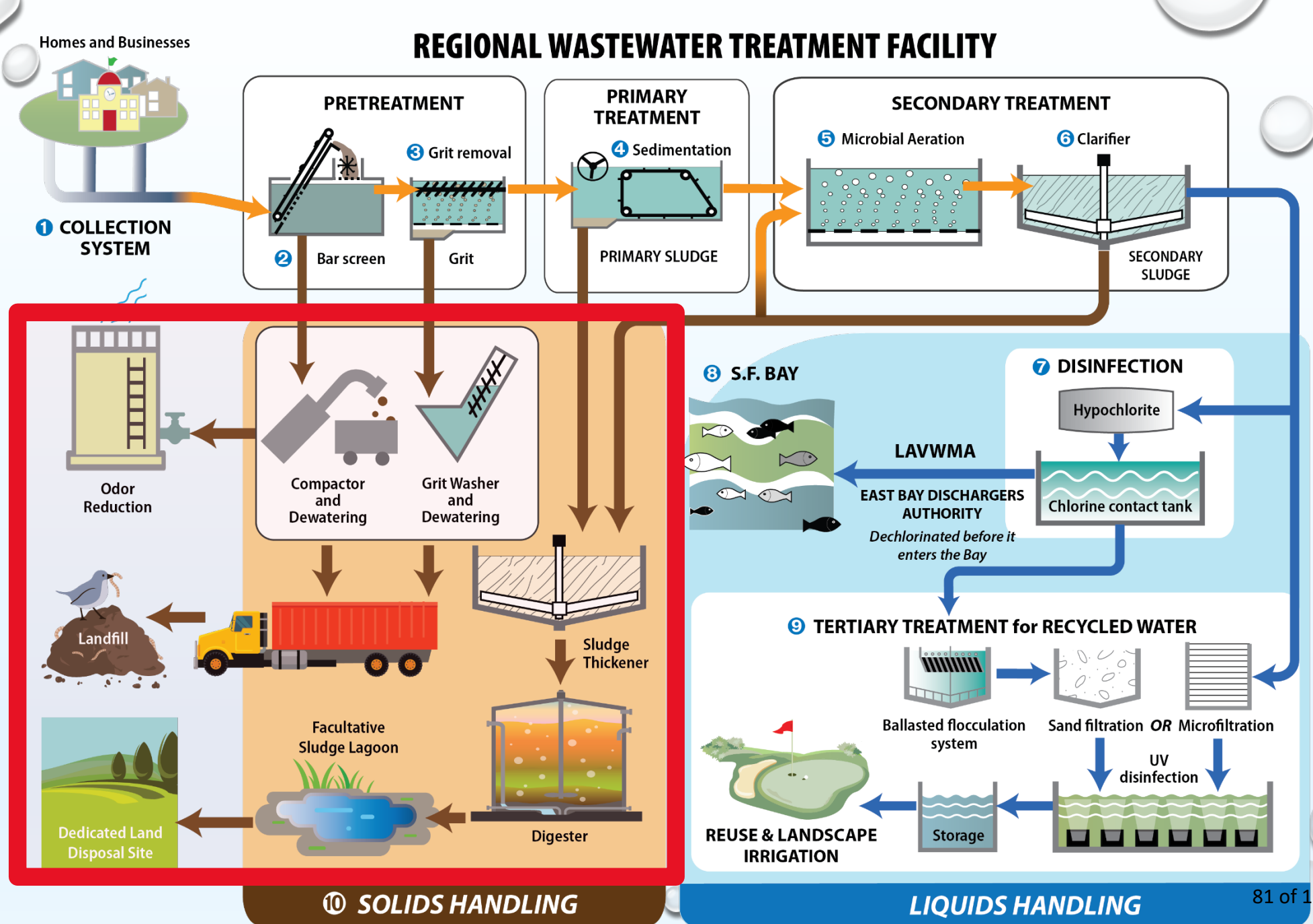
**Judy Zavadil, Engineering Services Director**



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# REGIONAL WASTEWATER TREATMENT FACILITY



# BIOSOLIDS TREATMENT

Facultative Lagoons

Dedicated Land Disposal Area

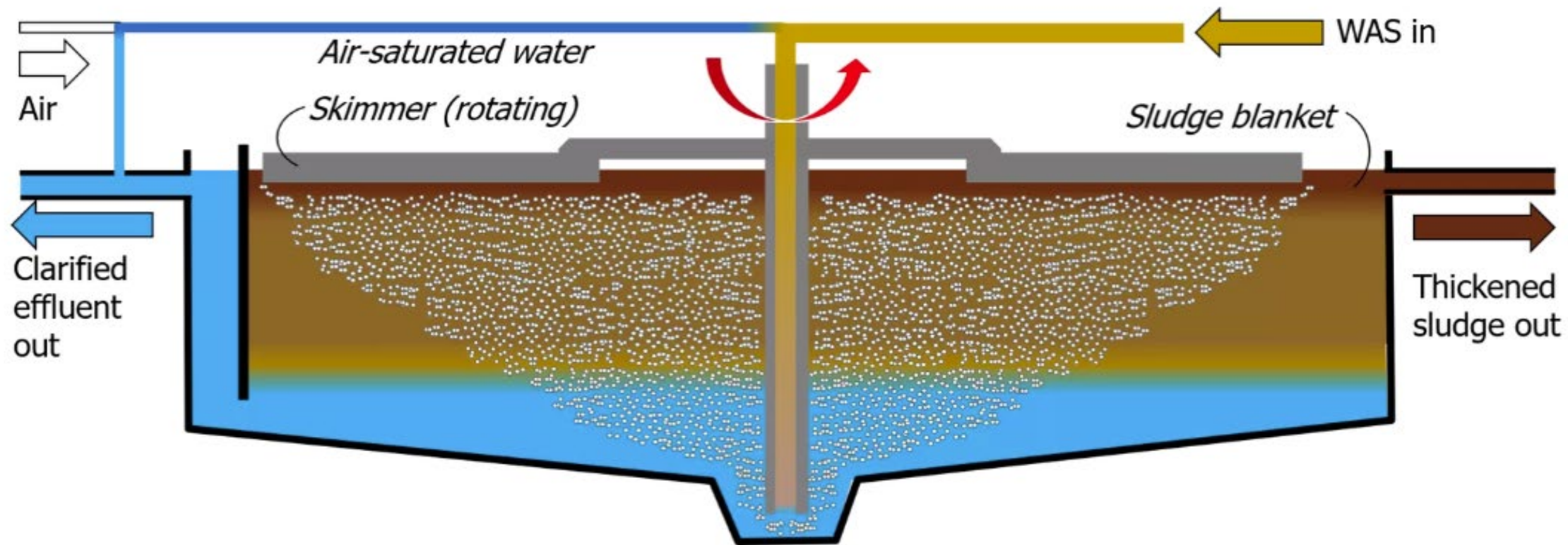
STONERIDGE DRIVE

Digesters

Thickener

# DISSOLVED AIR FLOTATION THICKENER (DAFT)

Dissolved air flotation (DAF) thickener



Credit: Judd Water & Wastewater Consultants

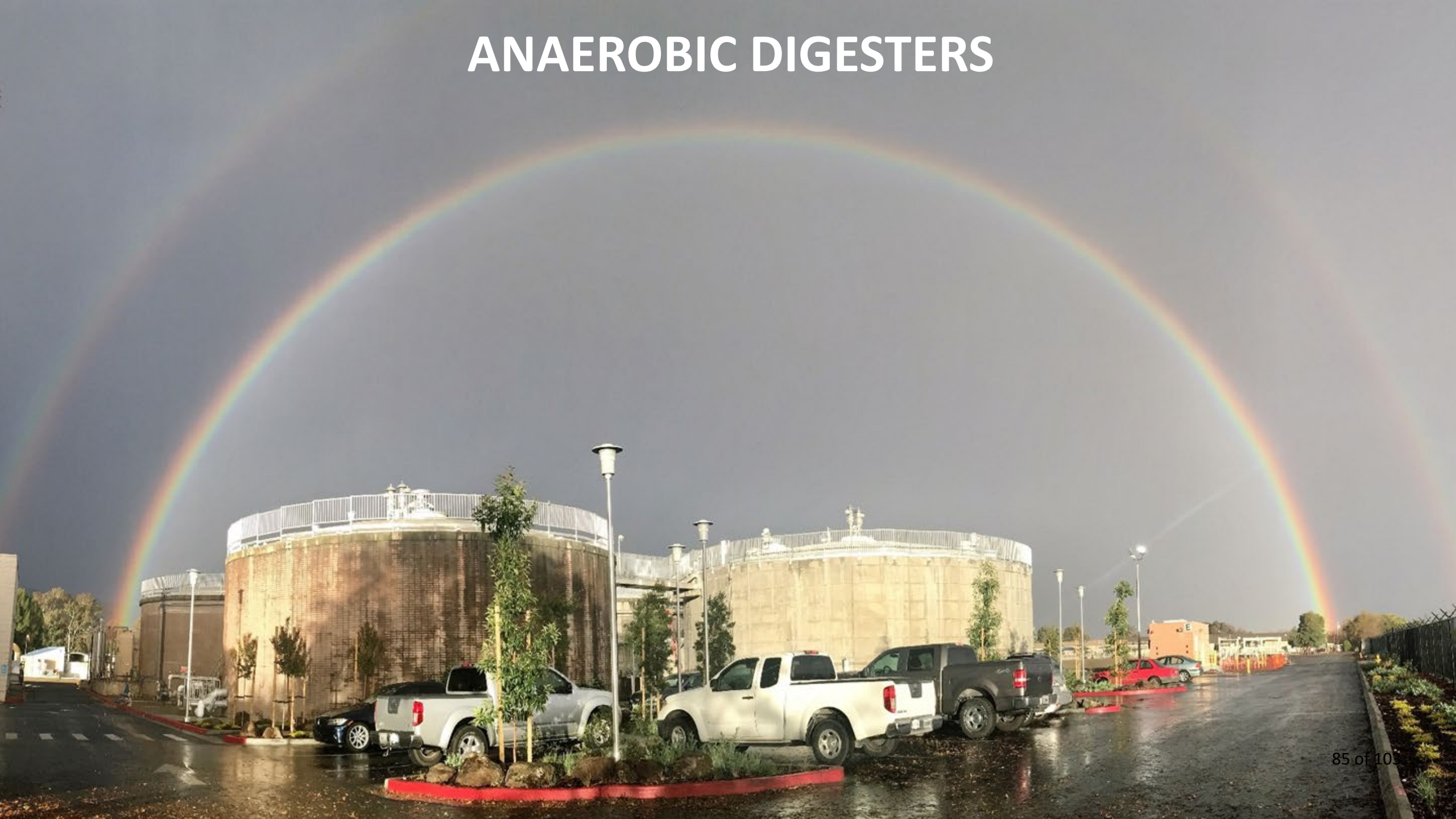


# DISSOLVED AIR FLOTATION THICKENER (DAFT)





# ANAEROBIC DIGESTERS



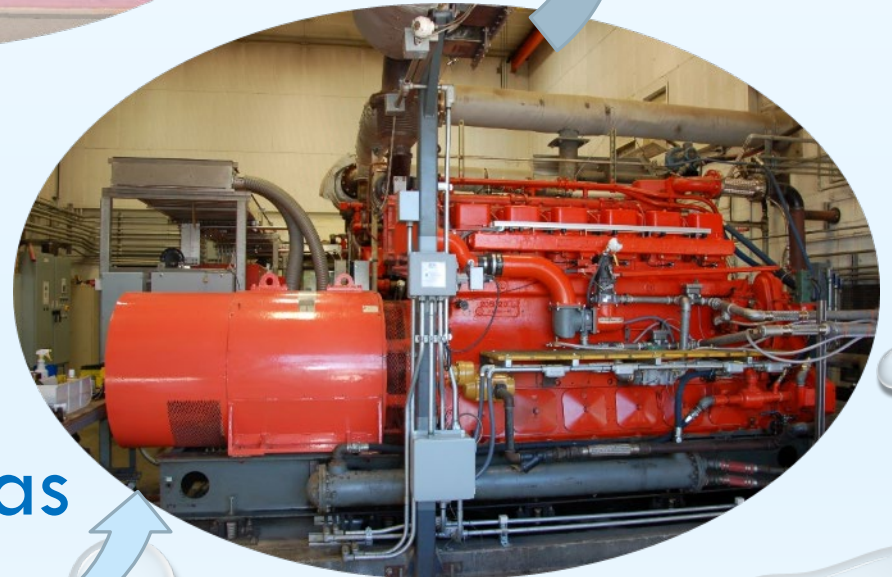


# COGENERATION

BioGas

Heat

BioGas





**DEDICATED LAND  
DISPOSAL UNIT (DLD)**  
55 acres

This aerial photograph shows a wastewater treatment facility. A large, dark, rectangular area on the left is outlined with a yellow dashed line and labeled 'DEDICATED LAND DISPOSAL UNIT (DLD) 55 acres'. To its right, there are several smaller rectangular basins, some containing green sludge. Further right, a cluster of buildings and parking lots is visible. At the bottom right, six large, rectangular basins filled with green sludge are outlined with a blue dashed line and labeled 'SIX FACULTATIVE SLUDGE LAGOONS (FSL), EACH ~ 4 ACRES SURFACE Each ~15 ft deep'. A road runs along the right edge of the facility.

**SIX FACULTATIVE  
SLUDGE LAGOONS (FSL),  
EACH ~ 4 ACRES SURFACE  
Each ~15 ft deep**

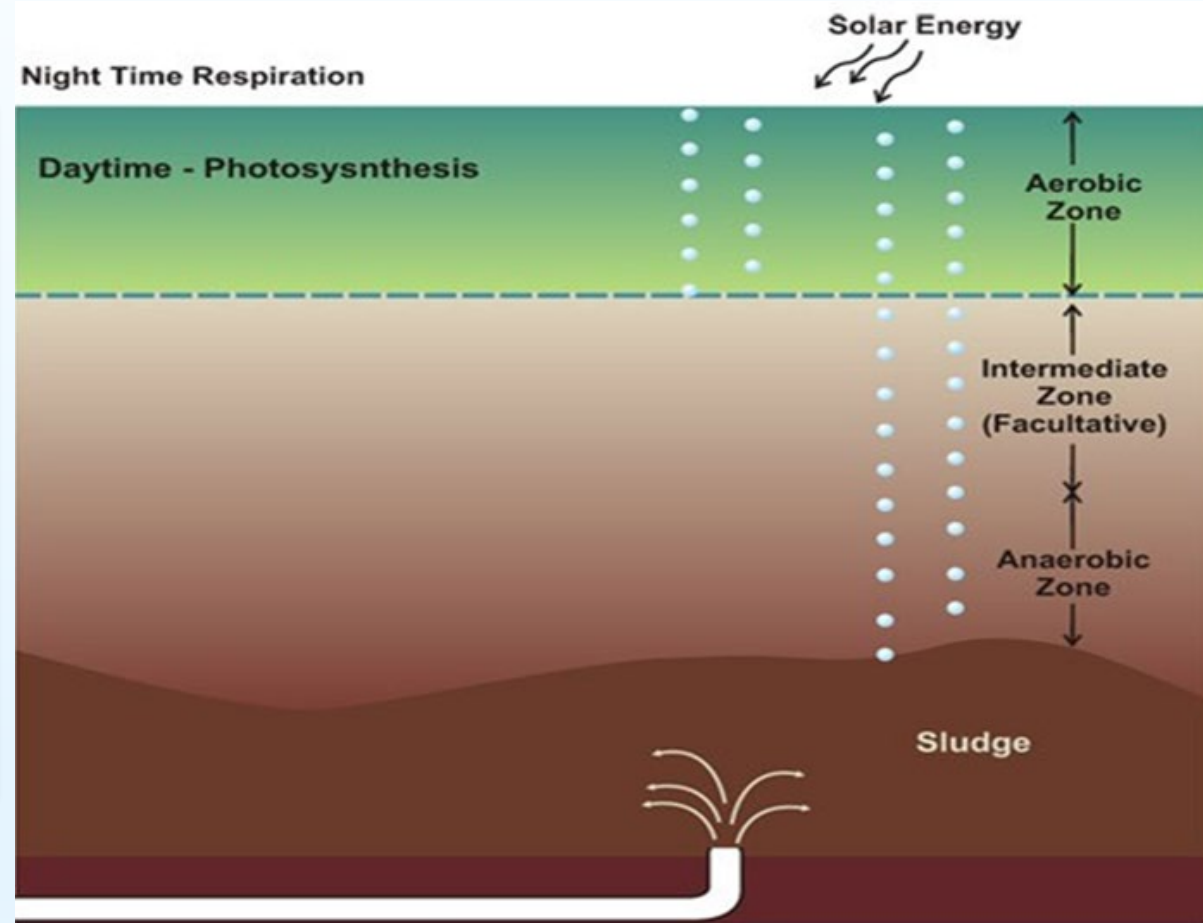


# FACULTATIVE SLUDGE LAGOONS





# FACULTATIVE SLUDGE LAGOONS



Facultative Sludge Lagoon (FSL) Process Schematic



# HARVESTING





# BIOSOLIDS INJECTION



# BIOSOLIDS REGULATIONS

- **Pathogen and Vector Attraction Reduction**
- **Metals Loading Limits (Arsenic, Chromium, Nickel)**
- **Groundwater Monitoring and Reporting**



# GROUNDWATER MONITORING





An aerial photograph of a wastewater treatment facility. On the left is a large, dark, rectangular area labeled as a liner. To its right are several smaller, rectangular ponds, some of which are green. Further right is a residential area with houses and a large white building. A highway is visible on the far right.

**LINER  
ANCIENT LAKEBED WITH CLAY  
SOILS**

# BIOSOLIDS REUSE/DISPOSAL – BAY AREA AGENCIES

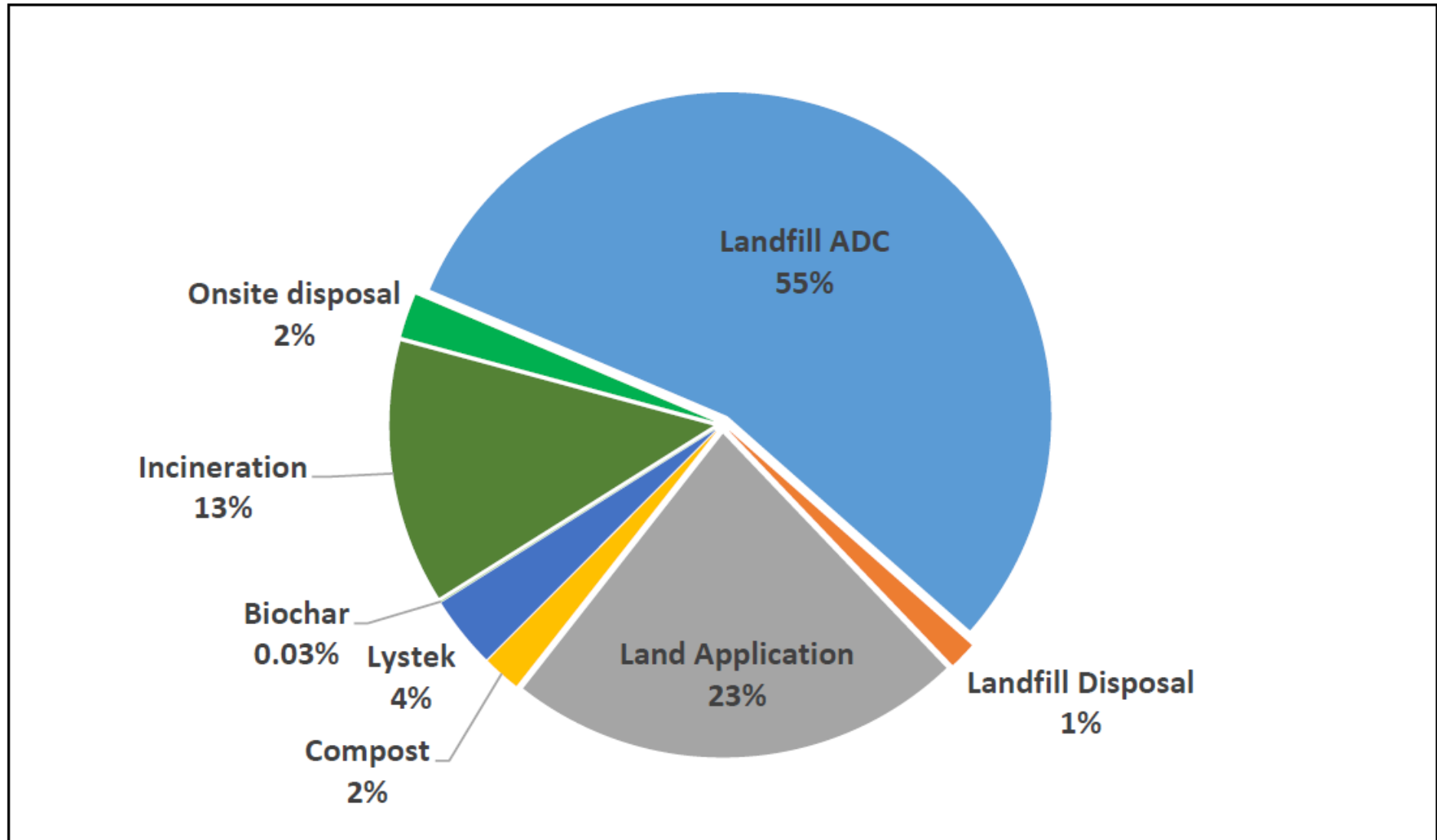


Figure 5. Relative dry tonnage of biosolids per reuse and disposal method in 2017.

# BIOSOLIDS REUSE/DISPOSAL COSTS

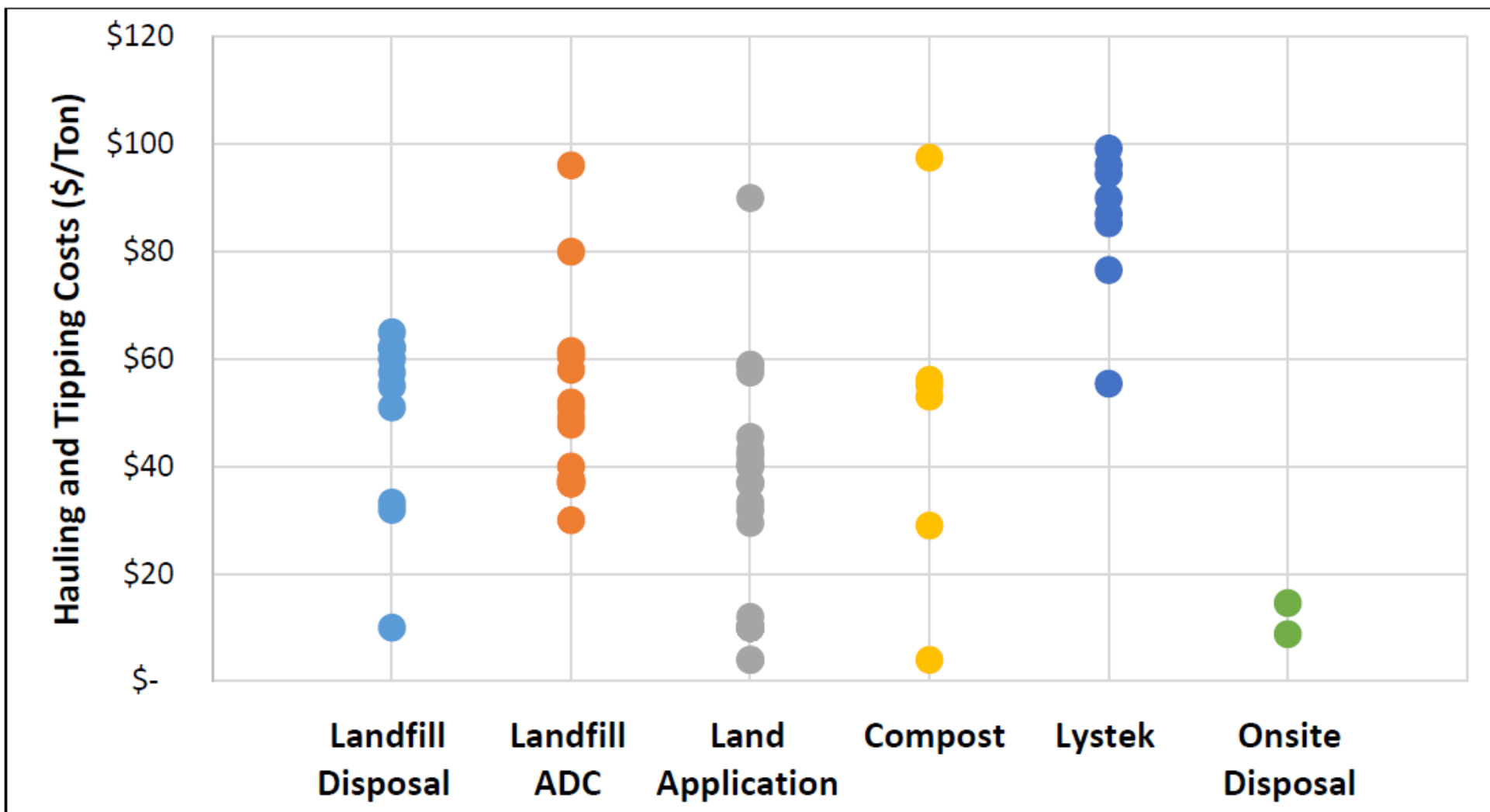


Figure 7. Tipping and Hauling Costs for each reuse/disposal alternative.

## SB 1383 -SHORT-LIVED CLIMATE POLLUTANTS

- Legislation adopted in 2016
- 40% reduction in methane emissions with 2013 as the baseline by 2030
- 75% organics diverted from landfills (including biosolids) relative to 2014 levels by 2025
- 20 % recovery of currently disposed edible food



## **SB 1383 -SHORT-LIVED CLIMATE POLLUTANTS**

- **CalRecycle adopted regulations November 2020, effective January 2022**
- **Regulations focused on diverting food waste.**
- **The jurisdictions that must meet the regulations are cities and counties.**
- **Nothing in the regulations compels Wastewater Agencies to change biosolids management.**



## SB 1383 -SHORT-LIVED CLIMATE POLLUTANTS

- Biosolids which are anaerobically digested and/or composted and land applied constitute a reduction in landfill disposal.
- Although biosolids are applied to the land at DSRSD's DLD, it technically is a landfill and is subject to the diversion requirements.



## **SB 1383 -SHORT-LIVED CLIMATE POLLUTANTS**

- **Monitor implementation**
- **Evaluate exemption under “Technologies that Constitute a Reduction in Landfill Disposal”**
- **Evaluate and implement partial dewatering**
- **Monitor emerging technologies**
- **Explore opportunities to partner with other agencies**

# BENEFICIAL USE OF BIOSOLIDS



# PFAS

- California Water Boards, sampling of 121 POTWs as of 8/26/2021
- Biosolids results less than EPA soil screening levels







QUESTIONS?



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