

**LAVWMA**  
**Livermore-Amador Valley Water Management Agency**  
**Minutes**  
**Regular Meeting of Board of Directors**  
**Wednesday, May 17, 2023**  
**6:00 p.m.**

**1. Call to Order**

Chair Julie Testa called the meeting to order at 6:01 p.m.

**2. Pledge of Allegiance**

The Pledge of Allegiance was recited.

**3. Roll Call**

Board Members Present: Chair Julie Testa; Vice Chair Bob Carling; and Directors Arun Goel, Ann Marie Johnson, John Marchand, and Jeff Nibert

Staff Present: General Counsel Alexandra Barnhill, Treasurer Carol Atwood, DSRSD Operations Director Jeff Carson, DSRSD Administrative Assistant Sheree Davis, Livermore Water Resources Manager Anthony Smith, DSRSD Engineering Services Director Steve Delight, DSRSD Senior Engineer Jason Ching, DSRSD Assistant Engineer Karla Castor, and General Manager Chuck Weir

Others: None

**4. Order of Agenda/Acknowledgement of Posting**

There were no changes to the Agenda.

**5. Comments from the Public**

There were no comments from the public.

**6. Consent Calendar**

a. Board Meeting Minutes for the February 15, 2023 meeting.

**Director Carling motioned, seconded by Director Nibert, to approve Consent Calendar Item Nos. 6.a.**

There were no comments from the public. The Motion passed unanimously (5 – 0 – 1) with one abstention (Marchand).

## **7. Annual Board Rotation**

**Director Marchand motioned, seconded by Director Johnson, to elect Vice Chair Carling as Chair and Director Goel as Vice Chair for Fiscal Year 2023/24.**

There were no comments from the public. The motion passed unanimously (6 – 0).

## **8. Financial Reporting for the Fiscal Year Ending June 30, 2023**

Treasurer Atwood provided a summary of the third quarter financial report for the Fiscal Year Ending June 30, 2023. She noted that several items are tracking above budget due to the number of heavy storms this year. These include labor, power, and contract services. She also noted that the return on investments continues to increase due to the investment in T-bills through the Charles Schwab account. Lastly, she provided a summary of the auditor selection process and selection. Director Nibert asked whether or not staff from Maze & Associates would be hands on or not. Treasurer Atwood stated that since the pandemic most of the audit work is now done electronically.

This was an information item only requiring no action by the Board. There were no comments from the public.

## **9. LAVWMA Quarterly Report of Operations, 3rd Quarter, FY2022-2023**

General Manager Weir and DSRSD Operations Director Carson provided an overview of the report and noted the various charts showing pump performance, electrical usage, and maintenance activities. They also highlighted the increased operational issues that needed to be addressed during the storm events and their impact on the budget.

This was an information item only requiring no action by the Board. There were no comments from the public.

## **10. Project Status Reports – Purchase of Three Vertical Turbine Pumps, and the San Leandro Sample Station Improvements Project**

General Manager Weir stated that the MCC project was finalized and no longer on the list of ongoing projects. Regarding the pump replacement project, the General Manager noted that the delivery date for the pumps is now July 31, 2023, which is an improvement over the last delay notification. This one is only from July 15, whereas prior notices were for at least two months. The San Leandro Sample Station is proceeding. The front end specifications, with the exception of the schedule, have been completed, and are being finalized. The issues with the Home Owners Association have been resolved. The bid packet will be issued in May or early June 2023. Depending on the bid responses it may be necessary to hold a special meeting for the Board to award a contract to the lowest responsive responsible bidder.

This was an information item only requiring no action by the Board. There were no comments from the public.

## **11. Project Status Reports – Review of Options to Address PG&E Electrical Service Reliability and Photo Voltaic / Battery Storage Options**

General Manager Weir Provided a summary of the issues related to PG&E electrical service reliability, and the recommendations of the Woodard & Curran report that was included in the packet. A new capital project will install the necessary equipment including connections and transformer to reduce the time needed to successfully connect a standby generator to provide power for four pumps during PG&E outages. The concept was successfully tested earlier this year. The Board expressed their support for entering into a contract with a generator rental company to ensure availability of a generator during emergency conditions.

The General Manager also provided an update on the photo voltaic / battery storage option. DSRSD is the property owner and is in the process of completing its own Energy Master Plan that may or may not include a solar panel project at the pump station site. Since DSRSD is the property owner they have requested that LAVWMA not pursue a separate solar project.

This was an information item only requiring no action by the Board. There were no comments from the public.

## **12. A Resolution of the Livermore-Amador Valley Water Management Agency Declaring an Emergency Pursuant to Public Contract Code Section 22050 and Authorizing Emergency Work**

General Manager Weir discussed the damage to the Livermore pipeline where it crosses Arroyo Mocho Creek and the Carollo Engineers report on options to address the situation that was included in the packet. To prevent further damage to the pipeline, an emergency declaration is requested by the Board. This would allow staff to resolve the problem in a timely manner and not have to comply with the typical public bidding requirements. The emergency is based on declarations at the State and County level related to the damage caused by the recent storm events and the need to ensure wastewater services are not disrupted in the event of further damage to this pipeline. There are three options described in the Carollo report and the preferred option uses trenchless technology which will be quicker and less disruptive than the trenching method. Director Goel noted that the trenchless technology method may be slightly more expensive, but the permitting will be much less onerous, and there is no construction within an active waterway. Director Nibert noted his successful experience with PG&E and trenchless technology used to install a large natural gas pipeline. General Manager Weir also noted that possible reimbursement from FEMA or the state was also being pursued. General Counsel Barnhill advised that the work would be exempt from CEQA pursuant to specified emergency work exceptions.

**Director Marchand motioned, seconded by Director Goel, to approve a Resolution of the Livermore-Amador Valley Water Management Agency Declaring an Emergency Pursuant to Public Contract Code 22050 and Authorizing Emergency Work.**

There were no comments from the public. The Motion passed unanimously (6 – 0) by a roll call vote.

### **13. Proposed Operating and Capital Budget for Fiscal Year 2023/24**

General Manager Weir provided a summary of the FYE24 Budget and described the process of working closely with DSRSD Operations Director, Jeff Carson, and his staff to agree on budget figures such that there would be no differences between the DSRSD and LAVWMA budgets. As previously described there will be increases due to power and labor costs. In addition, there will be increases in EBDA costs for power, chemicals, and Regional Monitoring Program (RMP) costs. There was a discussion as to why the member agency's loads for copper, nickel, selenium, and mercury increased in 2022 relative to the EBDA plants resulting in an increase in the RMP costs. General Manager Weir also discussed the debt financing and capital projects, with no recommended increase in the annual deposit to the renewal and replacement fund. There are over \$5 million dollars in capital projects pending, including many that have been carried over from prior years. It is doubtful they can all be completed prior to the General Manager's retirement but they are on the list and progress will be made over time.

**Vice Chair Carling motioned, seconded by Director Goel, to approve the Proposed Operating and Capital Budget for Fiscal Year 2023/24.**

There were no comments from the public. The Motion passed unanimously (6 – 0) by a roll call vote.

### **14. Update and Response to Various Legal and Legislative Issues**

General Manager Weir provided an overview of the various May 2023 updates from CASA and BACWA. These documents provide information related to all the regulatory issues facing wastewater treatment agencies, including nutrients, PFAS, and collection systems. There was discussion of an upcoming requirement under the Advanced Clean Fleet regulations that will require conversion of all public agency fleet vehicles, including large sewer maintenance vehicles, from gasoline or diesel power to electric power. Board members suggested agencies may want to install charging stations well in advance before parts become scarce and more expensive. Two CASA supported bills related to PFAS, AB227 and AB246, are currently moving through the legislature. General Manager Weir stated that he and General Counsel Barnhill will work with the Chair to support CASA letters. Lastly, the new General Order requiring updates to agency Sewer System Master Plans requires their completion in early June 2023.

This was an information item only requiring no action by the Board. There were no comments from the public.

### **15. General Manager's Report**

General Manager Weir highlighted several areas of his report, including asset management, succession planning, capital projects, and PG&E usage. DSRSD continues to do a great job in minimizing demand charges.

This was an information item only requiring no action by the Board. There were no comments from the public.

## **16. Matters From/For Board Members**

There were no items from Board members. There were no comments from the public.

## **17. Next Regular Board Meeting, Wednesday, August 16, 2023 at 6:00 p.m.**

The next Board meeting will be held in person at DSRSD's Board Room.

There were no comments from the public.

## **18. Adjournment**

There being no further action, Chair Testa adjourned the meeting at 7:01 p.m.

Minutes Approved by the Board August 16, 2023.

— DocuSigned by:



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Charles V. Weir  
General Manager

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