

LAVWMA
Livermore-Amador Valley Water Management Agency
Minutes
Regular Meeting of Board of Directors
Wednesday, May 15, 2024
6:00 p.m.

1. Call to Order

Chair Bob Carling called the meeting to order at 6:00 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Roll Call

Board Members Present: Chair Bob Carling, Vice Chair Arun Goel, Directors Evan Branning (arrived at 6:02 p.m.), Dinesh Govindarao, Jeff Nibert, and Julie Testa.

Staff Present: General Counsel Alexandra Barnhill, Interim Treasurer Chuck Weir, DSRSD Operations Director Dan Gill, DSRSD Administrative Assistant Sheree Davis, and General Manager Levi Fuller

Member Agency Staff Present: Pleasanton Assistant Director of Public Works, Tamara Baptista

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. Special Board Meeting Minutes for the March 28, 2024 meeting.

Director Nibert motioned, seconded by Vice Chair Goel, to approve Consent Calendar Item No. 6.a.

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

7. Annual Board Rotation – Elect Chair and Vice Chair for FY2024/25

The Board acknowledged the traditional rotation that would make a Director from DSRSD Chair and a Director from Pleasanton Vice Chair for FY2024/25

Director Testa nominated Vice Chair Goel for Chair and Director Nibert for Vice Chair for FY2024/25, seconded by Director Branning.

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

8. Financial Reporting for the Fiscal Year Ending June 30, 2024.

Interim Treasurer Weir provided a summary of the third quarter financial report for the Fiscal Year Ending June 30, 2024. He noted that expenses are tracking normally, with exceptions for PG&E power and EBDA. Power expenses will likely exceed budget due to continuing wet weather and increasing PG&E rates. EBDA expenses are high due to a charge received in January 2024 for a Renewal & Replacement expense from FY2022/23. It was received too late in this fiscal year to include it in last year's expenses.

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, FY2023-2024

General Manager Fuller provided an overview of the report and noted the various charts showing pump performance, electrical usage, and maintenance activities. Board member questions were addressed by the General Manager and DSRSD staff.

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, the San Leandro Sample Station Improvements Project, and the Emergency Repair of the Livermore Interceptor Pipeline

General Manager Fuller provided an overview of all three projects. The pump purchase project is now complete and final payment has been made after receipt of the revised O&M Manual. The San Leandro Sample Station project is delayed due to receipt of major valves and problems with the specified programming company Tesco. Efforts are being made to find a replacement company. The construction of the pipeline repair project is complete. The easement with Zone 7 has been approved by the Alameda County Board of Supervisors. There are issues with the City of Livermore easement due to questions concerning its valuation. It has been pointed out to City staff that they are responsible for 100% of the cost of the project, including easements. General Manager Fuller also noted that due to staffing shortages at DSRSD and Livermore, a consultant specializing in FEMA will be utilized to assist with financial recovery issues. He is receiving three proposals from firms at a not to exceed cost of \$15,000 to review all documents and provide an assessment on the likelihood of recovering significant funds from FEMA and CalOES. Based on that evaluation additional work will be considered. Lastly, Interim Treasurer Weir presented a PowerPoint presentation prepared by DSRSD Engineer, Karla Castro, on the pipeline construction project. Board members were impressed with the technology and the short time it took to complete the project.

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

11. Amendment No. 3 to Agreement for Consultant Services with HydroScience for the Design of the San Leandro Sample Station Improvements Project

General Manager Fuller provided a summary of the issues that have resulted in the need to increase the total not-to-exceed for HydroScience by an additional \$86,946 for a new not-to-exceed total of \$370,560. Delays in procurement and submittals have resulted in additional meetings and submittal review from the contractor.

Director Govindarao motioned, seconded by Director Testa, to approve Amendment No. 3 to Agreement for Consultant Services with HydroScience for the Design of the San Leandro Sample Station Improvements Project

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

12. A Resolution of the Livermore-Amador Valley Water Management Agency Terminating an Emergency Action Procurement for Repair of the Livermore Interceptor Pipeline Pursuant to Public Contract Code Section 22050

General Counsel Barnhill stated that this is a procedural step that is required once the emergency project is completed.

Director Nibert motioned, seconded by Vice Chair Goel, to approve A Resolution of the Livermore-Amador Valley Water Management Agency Terminating an Emergency Action Procurement for Repair of the Livermore Interceptor Pipeline Pursuant to Public Contract Code Section 22050.

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

13. Update to Investment Policy

Interim Treasurer Weir outlined issues that occurred in attempting to transfer funds from Bank of America to CAMP (California Asset Management Program) and that he is seeking to update the investment policy to allow investing in two other programs, California Trust and CLASS. Both organizations are public agency JPAs that provide investment services for California public agencies. Following questions from the Board, he further outlined the Agency's various bank accounts and how cash is managed to support paying bills as well as achieving a good rate of return on investments. Board members expressed a desire to achieve both a high rate of return and have liquidity to assist in managing financial activities.

Vice Chair Goel motioned, seconded by Director Nibert, to approve a Resolution Updating the Investment Policy and Rescinding Resolution 18-02.

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

14. Authorization to Terminate the Agreement with DSRSD for Treasurer Services effective June 30, 2024

General Manager Fuller outlined the loss of DSRSD staff servicing as Treasurer and Assistant Treasurer led to the need to terminate the agreement with DSRSD for Treasurer Services. The Board expressed its appreciation of staff in its dealing with these unexpected circumstances.

Vice Chair Goel motioned, seconded by Director Nibert, to approve Authorization to Terminate the Agreement with DSRSD for Treasurer Services effective June 30, 2024

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

15. A Resolution of the Livermore-Amador Valley Water Management Agency naming Levi Fuller as the Treasurer effective July 1, 2024

General Manager Fuller expressed his willingness to step into the role of LAVWMA Treasurer.

Vice Chair Goel motioned, seconded by Director Nibert, to a Resolution of the Livermore-Amador Valley Water Management Agency naming Levi Fuller as the Treasurer effective July 1, 2024

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

16. Authorization for the General Manager to Execute an Agreement with Regional Government Services Authority for Finance and Administrative Services in an Amount not to Exceed \$100,000

General Manager Fuller outlined the scope of services that are proposed to be provided by Regional Government Services and noted that they provide services for a variety of public agencies. In addition, the cost should be comparable to the current costs for DSRSD. He also noted that RGS has often stepped in to assist public agencies that have lost key staff. The Board noted that the additional \$10,000 is just to provide flexibility to the General Manager in case additional services are needed.

Director Branning motioned, seconded by Director Testa, to Authorize the General Manager to Execute an Agreement with Regional Government Services Authority for Finance and Administrative Services in an Amount not to Exceed \$100,000

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

17. Proposed Operating and Capital Budget for Fiscal Year 2024/25

General Manager Fuller outlined key elements and costs for Operation and Maintenance and Capital Projects for FY2024/25. He also noted that the \$400,000 contribution to the Joint Use Renewal and Replacement Fund remains the same as in past years.

Director Govindarao motioned, seconded by Director Branning, to approve the Proposed Operating and Capital Budget for Fiscal Year 2024/25

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

18. Approval of Agreement with National Plant Services to 1) Complete Phase 2 of the LAVWMA Pipeline Inspection Project, and 2) Rehabilitate Approximately 1,000 Linear Feet of Pipeline, Previously Identified During the Phase 1 Inspection for a Total not to Exceed \$700,000

General Manager Fuller discussed the proposed project with National Plant Services to 1) repair segment identified during the last inspection and 2) inspection of the siphon sections of the force main. The cost has increased due to the need to dewater the siphon sections prior to inspection. Interim Treasurer Weir outlined the selection process used by DSRSD staff. It was noted that this project involves professional services and competitive bidding for a public works project is not required. Board members expressed the need to make sure staff provides adequate information on how contractors are selected.

Director Govindarao motioned, seconded by Director Testa, to approve an Agreement with National Plant Services to 1) Complete Phase 2 of the LAVWMA Pipeline Inspection Project, and 2) Rehabilitate Approximately 1,000 Linear Feet of Pipeline, Previously Identified During the Phase 1 Inspection for a Total not to Exceed \$700,000

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

19. Update and Response to Various Legal and Legislative Issues

General Manager Fuller discussed the items included in the packet. The key item for the agencies at this time is the Nutrient Watershed Permit to limit discharge of total inorganic nitrogen to the Bay. The member agencies have reduced their discharges through water recycling for many years. Efforts are being made to get the Water Board to recognize these efforts as “early, early actors” and get recognition in the permit for these efforts. They are currently not recognized as early actors. There was also discussion on the new PFAS limits issued by EPA to potable water.

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

20. A Resolution Recognizing Charles V. Weir for His Ten Years of Service to the Livermore-Amador Valley Water Management Agency and His Contributions to the Wastewater Industry

Chair Carling read the Resolution. Board members and staff thanked Mr. Weir for his service to LAVWMA and the wastewater industry.

Vice Chair Goel motioned, seconded by Director Testa, to approve A Resolution Recognizing Charles V. Weir for His Ten Years of Service to the Livermore-Amador Valley Water Management Agency and His Contributions to the Wastewater Industry.

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

21. General Manager's Report

General Manager Fuller and Interim Treasurer Weir discussed their activities since the last regular Board meeting in February.

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

22. Matters From/For Board Members

There were no matters from/for Board members.

23, Next Regular Board Meeting, Wednesday, August 21, 2024 at 6:00 p.m.

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

24. Adjournment

There being no further action, Chair Carling adjourned the meeting at 7:39 p.m.

Minutes Approved by the Board of Directors.

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8/22/2024

Levi Fuller
General Manager

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