

LAVWMA
Livermore-Amador Valley Water Management Agency
Minutes
Regular Meeting of Board of Directors
Wednesday, August 15, 2018
Dublin San Ramon Services District Board Room
7051 Dublin Boulevard, Dublin, California
6:00 p.m.

1. Call to Order

Chair Maddi Misheloff called the meeting to order at 6:01 p.m.

2. Pledge of Allegiance

3. Roll Call

Board Members Present: Chair Misheloff, Directors Howard, Olson, Pentin, and Marchand

Board Members Absent: Woerner

Staff Present: General Counsel Clare Gibson, General Manager Chuck Weir, Treasurer Carol Atwood, Administrative Assistant and Recording Secretary, Sue Montague

Staff Absent: None

Others Present: Jeff Carson, DSRSD; Helen Ling, City of Livermore;

4. Order of Agenda

There were no changes to the order of the agenda.

5. Comments from the Public

There were no comments from the public.

6. Consent Calendar

- a. Minutes of May 16, 2018 LAVWMA Board Meeting

Director Marchand motioned, seconded by Director Howard to approve Consent Calendar Item Nos. 6.a.

The Motion passed unanimously (5-0).

7. Financial Reporting for the Fiscal Year Ending June 30, 2018

Ms. Atwood provided a summary of the financial statements for the period ending June 30, 2018. She noted that all items tracked as expected through the fourth quarter of the year. She noted that this is a preliminary report and that the final report will be presented at the November 21, 2018 meeting. Director Olson asked about LAVWMA's investments. Ms. Atwood noted that currently all funds are invested in the Local Agency Investment Fund (LAIF), but that staff would investigate the possibility of investing in California Asset Management Program (CAMP). She

explained that CAMP generally has a higher rate of return and that its return rises and falls faster than LAIF. This was an information item requiring no action by the Board.

8. LAVWMA Quarterly Reports of Operations, 3rd Quarter, FY2017-2018

The Board reviewed the Report. Director Marchand asked about the o/s (out of service) data points on the April Monthly Report for LAVWMA (page 32 of 105 in the packet). Jeff Carson indicated that the chlorine residual meter was out of service at that time and when that occurs, the Operators will conduct a manual titration once per shift. The manual data should have been included in the report and that he would check to see that the change is made. This was an information item only requiring no action by the Board.

9. Update to Investment Policy

Mr. Weir and Ms. Atwood provided a summary of the recommended changes to the Investment Policy and that the plan was to review it every four years or as legislation requires. The Policy was last reviewed in 2012. The packet included a redline/strikeout version showing the recommended changes. Staff recommended that the Board approve resolution No. 18-02 rescinding Resolution No. 12-01 and adopting the revised Investment Policy.

Director Pentin motioned, seconded by Director Olson to approve Resolution No. 18-02 Adopting a Revised Investment Policy and Rescinding Resolution No. 12-01.

The motion passed unanimously (5-0).

10. Joint Defense/Common Interest and Confidentiality Agreement

The Board reviewed the Joint Defense Agreement that was prepared by General Counsel Alexandra Barnhill and DSRSD General Counsel Carl Nelson. The Agreement has been approved by all member agencies as of June 22, 2018. It was important to have the agreement approved by the member agencies prior to the enforcement meeting with the Regional Board on June 28, 2018. The results of that meeting are confidential and will be discussed with the Board in closed session. Since the Agreement has already been approved by the member agencies, the Board was requested to ratify the agreement.

Director Olson motioned, seconded by Director Howard to ratify the Joint Defense/Common Interest and Confidentiality Agreement.

The motion passed unanimously (5-0).

11. Update and Response to Various Legal and Legislative Issues

The General Manager and General Counsel updated the Board on legislation of interest. Ms. Gibson also informed the Board regarding two additional items. The first is AB1912 regarding JPAs and pensions. The bill would specify that the parties to the JPA may not specify otherwise with respect to retirement liabilities of the agency if the agency contracts with a public retirement system, and would eliminate an authorization for a party to a JPA to separately contract or assume responsibilities for specific debts, liabilities, or obligations of the agency. This bill would require member agencies of a JPA that participates in, or contracts with, a public retirement system, prior to filing a notice of termination or upon notice of potential termination by the Board of Administration of the Public Employees' Retirement System, to mutually agree as to the apportionment of the agency's retirement obligations among themselves, provided that the

agreement equals 100% of the retirement liability of the agency. The second bill, SB 877, would affect public contracts awarded on an emergency basis by extending the deadline for notifying the Department of Industrial Relations of award of a contract subject to prevailing wages. The deadline would change from 30 days after award, but no later than the first day of work on the project, to 30 days after award, but no later than the last day of work for emergency projects. This was an information item only requiring no action by the Board.

12. General Manager's Report

Mr. Weir referred to the list of activities in his report. He provided a brief summary of the following items: pump purchase, asset management, and LAVWMA's records management project. He showed pictures of the pump seal installation and noted that Pump No. 10 is showing a small leak around the seal. The third pump is scheduled to be installed the week of September 6, 2018. He also noted that the reports on the equipment valuation were received late today. The most recent action item list was also included in his report. This was an information item only requiring no action by the Board.

13. Matters From/For Board Members

None.

14. Closed Session

At 6:31 p.m. the Board adjourned to Closed Session for the following items:

1. Conference with Legal Counsel - Anticipated Litigation
Initiation of litigation pursuant to Government Code § 54956.9(d)(4) (one case).
2. Conference with Legal Counsel – Anticipated Litigation
Significant exposure to litigation pursuant to Government Code § 54956.9(d)(2) (one case).

15. Public Report from Closed Session

At 6:55 p.m. the Board reconvened to Regular Session. Ms. Gibson stated that there was no reportable action.

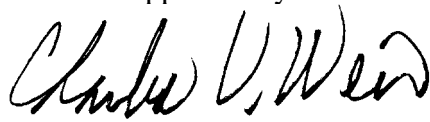
16. Next Regular Board Meeting, Wednesday, November 21, 2018

Mr. Weir noted that this is the day before Thanksgiving and asked if the Board would like to move the meeting to November 14, 2018. After checking calendars, the Board determined that the original date is preferred.

17. Adjournment

There being no further action, Chair Misheloff adjourned the meeting at 6:59 p.m.

Minutes Approved by the Board November 21, 2018.



Charles V. Weir
General Manager