

**LAVWMA**  
**Livermore-Amador Valley Water Management Agency**  
**Minutes**  
**Special Meeting of Board of Directors**  
**Wednesday, November 21, 2018**  
**Pleasanton City Council Chambers**  
**200 Old Bernal Avenue, Pleasanton, California**  
**6:00 p.m.**

**1. Call to Order**

Chair Jerry Pentin called the meeting to order at 6:00 p.m.

**2. Pledge of Allegiance**

**3. Roll Call**

Board Members Present: Chair Pentin, Directors Brown, Duarte, Marchand, and Woerner

Board Members Absent: Misheloff

Staff Present: General Counsel Clare Gibson, General Manager Chuck Weir, DSRSD Financial Services Supervisor Herman Chen, Administrative Assistant and Recording Secretary, Sue Montague

Staff Absent: None

Others Present: David Albee, Maze & Associates; Judy Zavadil, DSRSD; Dan Sequira, City of Pleasanton

**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 August 15, 2018 LAVWMA Board Meeting

**Director Marchand motioned, seconded by Director Woerner to approve Consent Calendar Item No. 6.a.**

The Motion passed unanimously (5-0).

**7. Financial Reporting for the Fiscal Years Ending June 30, 2018 and June 30, 2019**

Mr. Chen was in attendance on behalf of Treasurer Atwood. He noted that the final Financial Reports for the period ending June 30, 2018 are included in Agenda Item No. 8, Audit Report for Fiscal Year Ending June 30, 2018. He also noted that due to the flood at DSRSD's office and the time it took to relocate their offices, the Financial Report for the period ending June 30, 2019 is

not yet available. A report for the period July 1, to December 31, 2018 will be presented at the February 20, 2019 Board meeting. This was an information item requiring no action by the Board.

#### **8. Acceptance of Audit Report for Fiscal Year Ending June 30, 2018**

David Albee from the audit firm Maze & Associates provided an overview of the Audit Report. He noted that there were no issues or weaknesses identified during the course of their audit.

#### **Director Brown motioned, seconded by Director Duarte to accept the Audit Report for Fiscal Year ending June 30, 2018.**

The motion passed unanimously (5-0).

#### **9. LAVWMA Quarterly Reports of Operations, 1st Quarter, FY2018-2019**

The Board reviewed the Report. Mr. Weir reported that as of the end of October all three new pumps have been installed and are operating as designed. He referred the Board to the new graphs at the beginning of the report. Since two of the new pumps were running all through September, the pump efficiency has increased from just over 50% to almost 75% and the cost per million gallons has decreased from approximately \$450 to \$382. The Board was pleased to see that the new pumps are operating so well.

The Board asked about labor costs in July, which appear high and are likely due to three pay periods in the month. The Board also asked about the apparent high fecal coliform result in July as it was not consistent with the enterococcus or chlorine residual results. Mr. Weir reported that there are occasional anomalies in bacteriological tests, which is why compliance is based on median and geometric mean data.

#### **10. Approval of City of Pleasanton Request for Retroactive Approval for Extension of Wastewater Service to Properties Located in Unincorporated Happy Valley and Remen Tract During the Period 1993 to 2014 and Preapproval of Up to Ten (10) Additional Extensions Each in Happy Valley and Remen Tract, Subject to LAFCO Approval and a Four-Year Sunset Limitation, Pursuant to LAVWMA Administrative Policy No. 2017-01 Regarding Unincorporated Area Service Extensions**

Ms. Gibson and Mr. Weir discussed the history and intent of the proposed action by the Board and how it was linked to the requirements of the Joint Powers Agreement and the Administrative Policy regarding unincorporated area service extensions. Chair Pentin asked Ms. Gibson if the Pleasanton representatives can vote on this item and she responded that they can. Director Marchand stated that he serves on the LAFCO Board where this issue first arose. He asked what assurances are there that Pleasanton won't keep doing this? Dan Sequira, City of Pleasanton, addressed the Board. He stated that the City is using a permit processing software program that will ensure proper tracking of properties like this. He assured the Board that current City staff would make sure properties are properly tracked. Mr. Weir and Ms. Gibson offered to send a letter to the City with the Resolution stating that no future approvals would be granted unless they were in compliance with applicable policy.

#### **Director Duarte motioned, seconded by Director Woerner to approve Resolution No. 18-03 Approval of City of Pleasanton Request for Retroactive Approval for Extension of Wastewater Service to Properties Located in Unincorporated Happy Valley and Remen**

**Tract During the Period 1993 to 2014 and Preapproval of Up to Ten (10) Additional Extensions Each in Happy Valley and Remen Tract, Subject to LAFCO Approval and a Four-Year Sunset Limitation, Pursuant to LAVWMA Administrative Policy No. 2017-01 Regarding Unincorporated Area Service Extensions.**

The motion passed unanimously (5-0).

**11. Approval of Modification to DSRSD/LAVWMA Potential Storage Needs Due to a 10-Year Wet Weather Event**

Judy Zavadil, DSRSD Engineering Services Manager, provided an overview of the history of wet weather trigger events in the NPDES Permit as well as changes to water usage in the last ten years. The prior permit references a 20-year event and the current permit references a 10-year event. As noted in the report from Carollo Engineers, planned additions to storage are no longer required. Not needing additional future storage will result in changes to their connection fee structure. The Board asked about the possibility of larger trigger events in the future and how that would affect planning. Ms. Zavadil assured the Board that future wet weather events will be part of DSRSD's ongoing planning process.

**Director Marchand motioned, seconded by Director Woerner to Approve Modification to DSRSD/LAVWMA Potential Storage Needs Due to a 10-Year Wet Weather Event.**

The motion passed unanimously (5-0).

**12. Proclamation for Dwight L. "Pat" Howard**

The Board reviewed the Proclamation for Pat Howard acknowledging his many years of service to DSRSD, DERWA, and LAVWMA.

**Director Marchand motioned, seconded by Director Brown to Approve the Proclamation for Dwight L. "Pat" Howard.**

The motion passed unanimously (5-0).

**13. Update and Response to Various Legal and Legislative Issues**

The General Manager and General Counsel updated the Board on legislation of interest. Several items will ultimately impact water and wastewater agencies. Ms. Gibson noted that AB2249 sets new levels for the Uniform Public Construction Cost Accounting Act and that LAVWMA's policy on this issue was intentionally written to include all future changes to the Act. This was an information item only, requiring no action by the Board.

**14. 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, amendments to the Recycled Water Policy, status of the Nutrients Watershed Permit, and various EBDA issues. As discussed in Agenda Item No. 9, he discussed the new pumps and their efficiency. He also noted that after Thanksgiving he would begin discussing final payment issues with MuniQuip, based on direction provided by the Board at the August 15, 2018 meeting. He noted that no payments have yet been made to MuniQuip. Director Woerner requested that once the project is fully closed that "lessons learned" be documented to help prevent future

reoccurrences. Mr. Weir and Ms. Gibson stated that many issues can be avoided with tighter contract requirements as well as performance milestones. They also stated that they would document all applicable items.

**15. Matters From/For Board Members**

None.

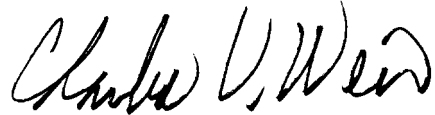
**16. Next Regular Board Meeting, Wednesday, February 20, 2019, 6:00 p.m.**

Mr. Weir noted that the location has not yet been determined and will depend on DSRSD's repairs to its office building.

**17. Adjournment**

There being no further action, Chair Pentin adjourned the meeting at 6:56 p.m.

Minutes Approved by the Board February 20, 2019.



Charles V. Weir  
General Manager

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