

LAVWMA
Livermore-Amador Valley Water Management Agency
Minutes

Regular Meeting of Board of Directors
Wednesday, May 20, 2020

Due to Shelter in Place Orders, this was a web meeting available to participants and the public through the following link: <https://us02web.zoom.us/j/83423538102>.

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 Jerry Pentin; Vice Chair Bob Woerner; Directors, Ed Duarte, Ann Marie Johnson, John Marchand, and Julie Testa

Board Members Absent: None

Staff Present: General Counsel Alexandra Barnhill, General Manager Chuck Weir, Treasurer Carol Attwood, DSRSD Operations Manager Jeff Carson, and Recording Secretary Sue Montague

Staff Absent: None

Others Present: None

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 February 19, 2020 LAVWMA Board Meeting
- b. Declaration of the Board Chair altering the Regular Meeting Location Due to a Local Emergency Caused by the Coronavirus Pandemic

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

The Motion passed unanimously (6-0) by a roll call vote.

7. Annual Board Rotation – Elect Chair and Vice Chair for FY2020/21

Director Marchand nominated, seconded by Chair Pentin, Vice Chair Bob Woerner for Chair for FY2020/21.

The Motion passed unanimously (6-0) by a roll call vote.

Director Marchand nominated, seconded by Chair Pentin, Director Ed Duarte for Vice Chair for FY2020/21.

The Motion passed unanimously (6-0) by a roll call vote.

8. Financial Reporting for the Fiscal Year June 30, 2020

Treasurer Atwood provided a summary of the financial statements for the period ending June 30, 2020. She noted that all expenses are tracking normally and that the Local Agency Investment Fund is currently a good investment for LAVWMA’s funds.

This was an information item requiring no action by the Board.

9. LAVWMA Quarterly Reports of Operations, 3rd Quarter, FY2019-2020

The Board reviewed the Report and noted that costs were normal and there were no major equipment issues. Jeff Carson stated that PG&E has notified customers that implementation of the new Time of Use Rate Structure has been postponed from November 2020 to March 2021.

This was an information item requiring no action by the Board.

10. Proposed Operating and Capital Budget for Fiscal Year 2020/21

General Manager Weir discussed the proposed operating and capital budget for FY2020/21. The Board was surprised at the 42% increase in insurance costs. Based on the results of the capacity study and issues associated with the permit renewal he recommended that the proposed budget be modified to include \$50,000 for permit renewal technical consulting. Mr. Weir also highlighted the capital project list. Director Duarte suggested that the MCC replacement project should be a high priority.

Vice Chair Woerner motioned, seconded by Director Duarte, approval of the proposed Operating and Capital Budget for FY2020/21 with the addition of \$50,000 for permit renewal technical consulting.

The Motion passed unanimously (6-0) by a roll call vote.

11. Project Status Reports – Risk Analysis of the Pump Station / Failure Analysis of the Forcemain System and Engineering Services for the Motor Control Center Replacement Project

Mr. Weir noted that both projects were progressing well despite having to deal with COVID-19 issues. Staff met with the pump station analysis consultant earlier in the week to discuss issues including the capacity needed for the renewal of the agreement with EBDA. Much progress is

being made on that issue and a final report should be available per the consultant agreement schedule. The pipeline inspection has been delayed, but DSRSD staff in conjunction with the consultant have developed a comprehensive database and maps of all sections of the pipelines. They are listed by section number, pipe material, pipe diameter, and installation date. This information will be extremely useful for the Asset Management Program, GIS database, and future maintenance priorities. Mr. Weir showed a series of maps showing the pipeline section details.

The MCC project is also progressing smoothly. The consultant spent two days at the pump station taking pictures and making measurements that are critical to the design portion of the project. The consultant submitted a draft technical memo and plans that Mr. Weir showed the Board. Full bid documents should be available within two months which will keep the project on schedule for completion in FY2020/21.

This was an information item only requiring no action by the Board.

12. Update and Response to Various Legal and Legislative Issues

The General Manager and General Counsel updated the Board on legislation of interest. SB1362 is one piece of legislation that is a direct result COVID-19 issues that will benefit wastewater agencies by requiring all nonwoven wipes be clearly labeled that they are not to be disposed of in the toilet. The Board made comments on several of the other bills that were highlighted in the report. General Counsel Barnhill discussed the Judicial Council's Emergency Rule #9 and its application to all civil suits. Agencies that are used to relying on short statutes of limitations for appeals on CEQA, validation actions on new fees, and similar items could have problems finalizing actions. Since the courts are basically closed and not accepting filings, they are not going to kick cases out for failure to timely file when there was no way to do so. The main point is that there will be an extended period of time where it will not be clear if a civil lawsuit will be filed challenging very common actions of an agency for everything from setting fees to approving public works projects. This uncertainty is unsettling and will potentially inhibit agencies from taking actions they would otherwise.

This was an information item only requiring no action by the Board.

13. General Manager's Report

Mr. Weir referred to the list of activities in his report. He discussed the Master Agreement extension as well as the draft term sheet that have been proposed by EBDA. The General Manager and General Counsel have prepared detailed responses to both items and have discussed them with the member agency managers on several occasions. All agencies are on board with the positions that have been developed. As soon as actual capacity needs in EBDA are determined negotiations will begin for a new Master Agreement.

14. Matters From/For Board Members

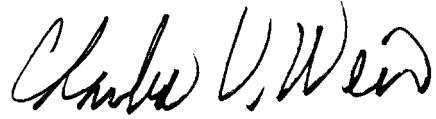
There were no matters from the Board.

15. Next Regular Board Meeting, Wednesday, August 19, 2020 at 6:00 p.m.

16. Adjournment

There being no further action, Chair Pentin adjourned the meeting at 7:04 p.m.

Minutes Approved by the Board August 19, 2020.

A handwritten signature in black ink, appearing to read "Charles V. Weir". The signature is written in a cursive style with a large initial "C".

Charles V. Weir
General Manager

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