

LAVWMA
Livermore-Amador Valley Water Management Agency
Minutes

Regular Meeting of Board of Directors
Wednesday, November 18, 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/86952661811>.
6:00 p.m.**

1. Call to Order

Chair Bob Woerner called the meeting to order at 6:02 p.m.

2. Pledge of Allegiance

Due to this being a Zoom meeting the Pledge of Allegiance was waived.

3. Roll Call

Board Members Present: Chair Bob Woerner; Vice Chair Ed Duarte; Directors Karla Brown, Ann Marie Johnson, John Marchand, and Julie Testa

Board Members Absent: None

Staff Present: General Counsel Alexandra Barnhill, General Manager Chuck Weir, Treasurer Carol Atwood, DSRSD Operations Manager Jeff Carson, and Recording Secretary Lorrene Salazar

Staff Absent: None

Others Present: Herman Chen, Jan Lee, and Judy Zavadil, DSRSD; Helen Ling and Yanming Zhang, City of Livermore; Daniel Repp, City of Pleasanton; Whitney Crockett, Maze & Associates; Ed Low, Jarvis Fay

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 19, 2020 LAVWMA Board Meeting

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

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

7. Financial Reporting for the Fiscal Year Ending June 30, 2020

Treasurer Atwood discussed the financial statement and noted that year to date compared with last year is higher due to the records management project, NPDES permit renewal, and EBDA negotiations. Director Marchand wanted to make sure that that once completed the records management system would be maintained. The General Manager stated that both Sue Montague and her likely replacement were both very familiar with the software program and should keep all files current. Chair Woerner asked if there should be an annual report on this topic and the General Manager Weir stated that he would keep it as a regular item in the General Manager's Report to the Board.

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

8. Acceptance of Audit Report for Fiscal Year Ending June 30, 2020

Treasurer Atwood asked Herman Chen to introduce Whitney Crockett from Maze & Associates. Ms. Crockett has worked on LAVWMA's audit for the last three years. She provided an overview of the Basic Financial Statements and the Memorandum on Internal Control. She emphasized that the audit was clean and that there were no issues with respect to the audit or internal controls.

Director Marchand motioned, seconded by Director Testa to Accept the Audit Report for Fiscal Year Ending June 30, 2020.

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

9. LAVWMA Quarterly Reports of Operations, 1st Quarter, FY2020-2021

The Board reviewed the Report and noted that costs were normal and there were no major equipment issues. Director Marchand noted that DSRSD had virtually no flow to the pump station during the quarter as it was all recycled. The Board then discussed water recycling in general including potable reuse and storage at the Chain of Lakes.

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

10. 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. The pump station modeling analysis was completely revised to ensure more flexibility in operations at the plants as well as at the pump station. The conclusion was that 30 MGD is needed in the new EBDA agreement. The higher flow also reduces the likely discharges to San Lorenzo Creek, which will make the NPDES permit renewal process less complex. The pipeline inspection was completed in late September and early October. More than 28,000 feet were inspected. The report is anticipated soon and will be used to help identify locations for future inspection. Mr. Weir complimented the staffs at both DSRSD and Livermore for their efforts during the inspections.

The MCC project is also progressing smoothly. The bid packet was completed and posted on the website on October 16; a mandatory bidder's conference was held on October 28; one addendum was issued on November 5; and four bids were received on November 10, 2020. The final design engineer's estimate as listed in the bid packet was \$2,300,000 to \$2,500,000 and the bids came in under the estimate with a range from \$2,222,222 to \$2,424,000, with Royal Electric having the lowest responsive and responsible bid. A reference check was also positive.

The original project estimate was \$1,065,000 and that was approved in the FY20/21 Budget. The cost increase was due to the addition of additional MCCs as well as safety enhancements. As a consequence, two action items are needed – a budget modification to increase the MCC Project cost to \$2,500,000 and a Resolution awarding an agreement to Royal Electric. These two items are to be considered by the Board in Item Nos. 11 and 12.

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

11. Modification No. 1 to the Operating and Capital Budget for Fiscal Year 2020/21

Mr. Weir noted that this budget modification was only to increase the cost for the MCC Replacement Project and that would have no impact on the O&M Budget or the revenue from the Member Agencies. He also noted that the modification would have an impact on the Fund balance and that the annual contribution of \$400,000 would be reviewed during the budget process.

Director Marchand motioned, seconded by Director Testa to approve Modification No. 1 to the Operating and Capital Budget for Fiscal Year 2020/21.

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

12. Approval of a Resolution Awarding an Agreement for the Export Pump Station – MCC Replacement Project to Vellutini Corporation dba Royal Electric Company

Mr. Weir that this item was as described in Item Nos. 10 and 11. Approval would authorize the General Manager to execute an agreement for the MCC Replacement Project in a form approved by the General Counsel, to Royal Electric Company, the lowest responsive and responsible bidder, at a not to exceed cost of \$2,222,222.

Director Duarte motioned, seconded by Director Brown to approve Resolution No. 20-04 Awarding an Agreement for the Export Pump Station – MCC Replacement Project to Vellutini Corporation dba Royal Electric Company.

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

13. Status Report on Negotiations with East Bay Dischargers Authority for a New Master Agreement and Consideration of the Appointment of a Board Subcommittee and Authorization of a Potential Extension of the Master Agreement

Mr. Weir and Ms. Barnhill provided an overview of the negotiations with East Bay Dischargers Authority (EBDA) and described the outstanding issues. They indicated that participation of a subcommittee of the Board to meet with a comparable committee from EBDA could help move the negotiations toward conclusion. Since it is highly unlikely that all issues could be addressed prior to the expiration of the current extension, a six-month extension is also recommended.

Chair Woerner asked if there were any volunteers for the ad hoc subcommittee and Director Johnson expressed interest. Following discussion regarding the number of members of the subcommittee the Board agreed that two members was appropriate. Chair Woerner appointed Director Johnson and himself to the subcommittee.

Director Marchand motioned, seconded by Director Brown to authorize the General Manager to execute an extension of the Master Agreement with EBDA for up to six months, in a form approved by the General Counsel, and take all actions as may be reasonably necessary to carry out that agreement.

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

Due to COVID-19 the Legislature has been relatively quiet on developing new legislation and processing existing legislation. Currently there are few new issues of concern. The Board reviewed a summary of legislation from CASA as well as CASA's Water Issues Summary and the Regulatory Issues Summary from Bay Area Clean Water Agencies (BACWA). Staff from DSRSD and Livermore noted that they have both been asked to participate in PFAS sampling by the Regional Board.

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

15. General Manager's Report

Mr. Weir referred to the list of issues and activities in his report. Mr. Weir provided an overview of the capital projects list that has been developed in conjunction with DSRSD staff.

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

16. Matters From/For Board Members

There were no matters from the Board.

17. Closed Session

There being no further business before the Board, Chair Woerner adjourned the Regular Session at 7:02 p.m. General Counsel Barnhill stated that the Board was going to meet in

closed session for a conference with Legal Counsel for Initiation of litigation pursuant to Government Code §54956.9(d)(4) (one potential case). Mr. Weir then initiated a Zoom Breakout Room and authorized only the Board, key member agency staff, himself, and General Counsel to participate. No members of the public were present, and no one was left in the main meeting room during the closed session.

18. Report from Closed Session

At 8:23 p.m. the Board returned from Closed Session. Mr. Weir closed the Zoom Breakout Room and participants returned to the initial Zoom meeting. General Counsel Barnhill reported that the Board took no reportable action.

19. Next Regular Board Meeting, Wednesday, February 17, 2021 at 6:00 p.m.

20. Adjournment

There being no further action, Chair Woerner adjourned the meeting at 8:24 p.m.

Minutes Approved by the Board February 17, 2021.

Charles V. Weir
General Manager

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