

LAVWMA
Livermore-Amador Valley Water Management Agency
Minutes

Regular Meeting of Board of Directors
Wednesday, February 16, 2022

Pursuant to AB 361, this was a web meeting available to participants and the public
through the following link: <https://us02web.zoom.us/j/86327092058>

6:00 p.m.

1. Call to Order

Chair Ann Marie Johnson called the meeting to order at 6:01 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Roll Call

Board Members Present: Chair Ann Marie Johnson; Vice Chair Julie Testa; and Directors Valerie Arkin, Gina Bonanno, Bob Carling (arrived at 6:03 p.m.), and Arun Goel

Board Members Absent: None

Staff Present: General Counsel Alexandra Barnhill, Treasurer Carol Atwood, DSRSD Operations Director Jeff Carson, and General Manager Chuck Weir

Staff Absent: None

4. Order of Agenda/Acknowledgement of Posting

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 the November 17, 2021 LAVWMA Board Meetings

Director Arkin motioned, seconded by Director Bonanno, 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. Consider Adopting a Resolution Authorizing Continued Remote Teleconference Meetings of the Legislative Bodies of the Livermore-Amador Valley Water Management Agency Pursuant to Brown Act Provisions

General Counsel Barnhill previously described this issue, including the expiration of the Governor's Executive Order that temporarily allowed remote meetings, the passage of AB 361

allowing public agencies to continue to meet remotely provided that certain findings (describing the health and safety reasons justifying remote participation) can be made, and an order from the Contra Costa County Public Health Department, which was updated on February 2, 2022, recommending that public meetings be held remotely to reduce the spread of COVID-19. The end result is that, so long as the findings can continue to be made, remote meetings will be allowed until January 1, 2024, when AB 361 will sunset. A resolution similar to the one proposed making the necessary findings will need to be approved at each regular meeting.

Director Carling motioned, seconded by Director Arkin, to approve Resolution No. 22-01 Authorizing Continued Remote Teleconference Meetings of the Legislative Bodies of the Livermore-Amador Valley Water Management Agency Pursuant to Brown Act Provisions.

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

8. Financial Reporting for the Fiscal Year Ending June 30, 2021

Treasurer Atwood provide a summary of the financial reports and noted two items. The first item is that the credit from PG&E for over \$89,000 due to a billing error has been received. The second item is that insurance premiums continue to rise for all public agencies due the huge losses suffered by insurance companies due to the wildfires throughout the state. This was an information item only requiring no action by the Board.

9. LAVWMA Quarterly Report of Operations, 2nd Quarter, FY2021-2022

General Manager Weir provided an overview of the report and noted the various charts showing pump performance, electrical usage, and maintenance activities. Director Arkin asked about the lower pump efficiency in October 2021. General Manager Weir stated that it was likely due to the MCC replacement project that required operating pumps during different times than normal.

10. Project Status Reports – Motor Control Center Replacement Project, Purchase of Three Vertical Turbine Pumps, and the San Leandro Sample Station Improvements Project

General Manager Weir discussed the status of the Motor Control Center (MCC) project and noted that it was nearing completion. All equipment has been installed, is in service, and is operating as designed. He noted that remaining work includes making sure the settings in the control system are set as designed. There is also some training on the new switchgear that is required.

General Manager Weir then discussed the status of pump replacement project. The contract with Trillium was fully executed on December 9, 2021. This took longer than expected since Trillium changed the signatories on the agreement twice during the DocuSign process. Trillium’s pump submittal package was received on January 21, 2022 and LAVWMA’s engineer provided his review on February 16, 2022. There were still some issues regarding Trillium’s insurance documentation, but as of February 16, all issues have been resolved.

Lastly General Manager Weir discussed the San Leandro Sample Station (SLSS) project and indicated that due to the increased project costs, the design costs have also increased. The design

engineer, Hydro Science, has submitted a request to increase the total of their cost ceiling by \$44,800, or 24.2% above the original cost of \$185,000. The amendment to the agreement is Agenda Item No. 11. Since the project will extend into the next fiscal year there is no need to modify this year's budget.

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

11. Amendment No. 1 to Agreement for Consultant Services with HydroScience for the Design of the San Leandro Sample Station Improvement Project

General Manager Weir stated that this item is based on the previous agenda item and has been reviewed by DSRSD staff and the member agencies. Director Bonanno asked for a brief summary of the purpose of the project. General Manager Weir responded that it is to improve the operation of the San Leandro Sample Station (SLSS) such that it can be efficiently operated remotely. The SLSS has been in service for thirty years and most of the equipment is nearing the end of its useful life and is based on outdated technology.

Director Bonanno motioned, seconded by Director Arkin, to approve Amendment No. 1 to Agreement 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) by a roll call vote.

12. Proposed South Livermore Sewer Expansion Project into Unincorporated Areas

General Manager Weir and General Counsel Barnhill provided a summary of the proposed project and the fact that it will require unanimous approval by the LAVWMA Board once it is fully presented to the Board for consideration. This is pursuant to the JPA and Resolution No. 17-01. The project must first be approved by the voters in the City of Livermore (City). The potential flows from the project do not present any issues for LAVWMA operations. The purpose of the project is to allow existing businesses, primarily wineries, tasting rooms, and large houses on the winery properties to connect to the collection system and eliminate existing sewer systems. They noted that these facilities will need to pay a connection fee to be part of the system.

Director Arkin asked if this project would require a tax increase that must be approved by the voters. Directors Bonanno and Carling stated that the City's South Livermore Plan required that the voters must approve all development projects, including utility extensions, outside the urban growth boundary. They stated that there will not be a tax increase, just the connection fee and ongoing service fees once the facilities are connected. They further stated that the wineries requested the project as some of them are currently paying fines to the state for adding nitrate to the groundwater basin via the septic systems. Connecting to the collection system will allow the wineries to generate more revenue since they could provide additional services to customers.

The Board reviewed the list of proposed questions from LAVWMA that would be part of a letter responding to the City's letter to LAVWMA. Information that would be requested include timing, number of ultimate connections, and environmental benefits. The Board expressed

support for the list of questions. General Counsel Barnhill noted that if the Board has additional questions over the next week of so that they can forward them to the General Manager.

12. Update and Response to Various Legal and Legislative Issues

General Manager Weir provide an overview of the February 2022 updates from CASA and BACWA. He noted that the blanket permit amendment for chlorine residual has been approved by the Regional Board. He also noted that the State Board is issuing an update to the requirements for the Sanitary Sewer System General Order that is being watched closely by both CASA and BACWA. Director Arkin inquired about PFAS and biosolids. General Manager Weir noted that there was a study that showed that the groundwater below farmland where biosolids are applied is virtually the same as farmland without biosolids application, which indicates that PFAS in biosolids are not leaching into groundwater.

General Counsel Barnhill discussed AB 602 and its potential impact on nexus fee studies often used to develop mitigation fees, which are designed to offset the impact of new development on public agency services and infrastructure. The legislation requires nexus studies be updated every 8 years and that prior to implementing a mitigation fee, an agency will need to meet certain substantive and procedural requirements to justify the cost imposed on payors. Member agencies should expect to see updates to their existing and proposed fee studies in the coming years and potentially more scrutiny in this area of municipal revenue.

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

13. General Manager's Report

General Manager Weir highlighted several areas of his report, including asset management, records management, succession planning, and Form 700 submission. Board members asked if it would be possible for LAVWMA to use an electronic system similar to what is used by Cities. Treasurer Atwood stated that she would look into it. Director Goel noted that Netfile works well. This was an information item only requiring no action by the Board.

14. Matters From/For Board Members

There were no matters from the Board.

15. Next Regular Board Meeting, Wednesday, May 18, 2022 at 6:00 p.m.

There was discussion concerning an in person or Zoom meeting in February. The official location is currently City of Pleasanton Council Chambers. Board members felt that remote meetings are preferred to be more efficient and cut down on travel time as well as to reach a broader public audience. Following discussion it was agreed that the May 18, 2022 meeting would be a Zoom meeting unless conditions dictate otherwise. In that case the meeting could be set up as a hybrid meeting using both Pleasanton facilities and Zoom.

There were no comments from the public.

16. Adjournment

There being no further action, Chair Johnson adjourned the meeting at 7:05 p.m.

Minutes Approved by the Board June 29, 2022.

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Charles V. Weir
General Manager

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