

LAVWMA
Livermore-Amador Valley Water Management Agency
Minutes

Special Meeting of Board of Directors
Wednesday, August 17, 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/86261517496>**

6:00 p.m.

1. Call to Order

Chair Julie Testa called the meeting to order at 6:00 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance, led by Vice Chair Carling, was recited.

3. Roll Call

Board Members Present: Chair Julie Testa; Vice Chair Bob Carling; and Directors Valerie Arkin, Gina Bonanno, Arun Goel, and Ann Marie Johnson

Staff Present: General Counsel Alexandra Barnhill, DSRSD Operations Director Jeff Carson, Livermore Water Resources Manager Anthony Smith, and General Manager Chuck Weir

Staff Absent: Treasurer Carol Atwood

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 June 29, 2022 LAVWMA Board Meetings

Director Bonanno motioned, seconded by Director Arkin, 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, a decision by DSRSD

to make all meetings in its chambers remote through September and an order from the Contra Costa County Public Health Department, which was updated on August 9, 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. Following discussion, the Board agreed to hold the November 16, 2022 meeting via Zoom.

Director Johnson motioned, seconded by Director Arkin, to approve Resolution No. 22-04 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

General Manager Weir informed the Board that since the prior fiscal year has just ended and the current fiscal year has just started there is no formal quarterly financial report for FYE22. At the November 16, 2022 Board meeting the annual financial audit will be presented and it will include the final fourth quarter financial report for FYE22. The first quarter financial report for FYE23 will also be presented. The packet also included the preliminary O&M Expenses for FYE22. Total expenses are at 85.03% of plan. There was a typo in the table that will be corrected in the file copy and the website.

9. LAVWMA Quarterly Report of Operations, 4th 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. This was an information item only requiring no action by the Board. There was discussion regarding available recycled water for the proposed residential filling station and how Livermore would be providing recycled water for the project. The three member agencies continue to determine an acceptable location for the fill site that provides easy access and does not cause traffic problems. This was an information item only requiring no action from the Board.

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. The Notice of Substantial Completion was issued on August 8, 2022. All equipment has been installed, is in service, and is operating as designed. He noted the remaining punch list items are minor and should be completed by the end of August. He then noted that the new pumps were scheduled to be delivered December 16, 2022. He then discussed the San Leandro Sample Station (SLSS) project and noted that comments on the 75% design plans and specs have been submitted to the design firm.

General Manager Weir noted that the agreement with DTN engineers for the MCC design has been amended to provide for updating the 2015 solar panel feasibility study. The current study

will also look at battery storage and grant/funding options for government agencies. Both DSRSD Operations Director Carson and General Manager Weir discussed recent PG&E outages at the pump station. Outages have been as long as thirteen hours. This is not a problem during dry weather since there is adequate storage. However, if this occurred during a severe storm it is likely that there would be an unpermitted discharge to Alamo Canal, which could result in substantial fines and/or citizen suits. All options to address this issue are being considered, including solar/battery storage, replacement of the transformers to allow automatic switching from one feeder to the other, and onsite diesel generators. Additional information and recommendations will be presented to the Board for consideration at the November 16, 2022 Board meeting.

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

11. Update and Response to Various Legal and Legislative Issues

General Manager Weir provided an overview of the August 2022 updates from CASA and BACWA. The reports include updates on items of interest to water and wastewater agencies including PFAS, nutrients, microplastics and various other issues. He noted the bar chart showing PFAS concentrations in various consumer products including packaging and cosmetics as well as biosolids. The concentration in biosolids is several orders of magnitude less than the other items. Board members expressed concern with the PFAS concentrations in cosmetics and wondered why they were there. General Manager Weir stated that he did not know but that he would do some research and send information to the Board.

General Counsel Barnhill highlighted legislation that is being considered to amend the Brown Act to address remote meetings for public agencies. There is only a single bill remaining on this topic. Public agencies and industry groups are split on their support for the bill. Some believe the restrictions on the ability of officials to participate remotely and the administrative burden on staff in this bill outweigh any benefit it provides in terms of having flexible meeting locations.

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

12. General Manager's Report

General Manager Weir highlighted several areas of his report, including asset management, succession planning, capital projects, and PG&E usage. He again complemented DSRSD staff for their operation of the pump station to avoid excessive PG&E costs. He discussed the various charges on the PG&E bills and identified how DSRSD staff has identified opportunities to avoid demand charges by managing pumping on only one feeder during the billing period. Dry weather operation requires two pumps. To avoid demand charges there are three options for the full billing period: 1) run two pumps only on Feeder A, 2) run two pumps only on Feeder B, or 3) run one pump on each feeder.

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

13. Matters From/For Board Members

There were no matters from the Board.

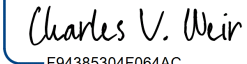
14, Next Regular Board Meeting, Wednesday, November 16, 2022 at 6:00 p.m.
The Board previously agreed to hold the November 16, 2022 meeting via Zoom.

There were no comments from the public.

21. Adjournment

There being no further action, Chair Testa adjourned the meeting at 6:52 p.m.

Minutes Approved by the Board November 16, 2022.

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Charles V. Weir
General Manager

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