

**LAVWMA**  
**Livermore-Amador Valley Water Management Agency**  
**Minutes**  
**Regular Meeting of Board of Directors**  
**Wednesday, August 16, 2023**  
**6:00 p.m.**

**1. Call to Order**

Chair Bob Carling called the meeting to order at 6:00 p.m.

**2. Pledge of Allegiance**

The Pledge of Allegiance was recited.

**3. Roll Call**

Board Members Present: Chair Bob Carling; Vice Chair Arun Goel; and Directors Evan Branning, Ann Marie Johnson, Jeff Nibert, and Julie Testa. Director Testa participated via teleconference from 900 SE 100<sup>th</sup> Avenue, Vancouver, WA 98644.

Staff Present: General Counsel Alexandra Barnhill, Treasurer Carol Atwood, DSRSD Assistant General Manager Jan Lee, DSRSD Administrative Assistant Sheree Davis, and General Manager Chuck Weir

Member Agency Staff Present: DSRSD Engineering Services Director Steve Delight, Livermore Water Resources Manager Anthony Smith

Others: Castro Valley Sanitary District Board Member Tim McGowan

**4. Order of Agenda/Acknowledgement of Posting**

There were no changes to the Agenda.

**5. Comments from the Public**

There were no members of the public present and no comments from the public.

**6. Consent Calendar**

- a. Board Meeting Minutes for the May 17, 2023 meeting.
- b. Resolution No. 23-05 Approving Continuation of Emergency Action Procurement for the Repair of the Livermore Interceptor Pipeline.

**Director Nibert motioned, seconded by Vice Chair Goel, to approve Consent Calendar Item Nos. 6.a. and 6.b.**

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, 2023.**

Treasurer Atwood provided a summary of the fourth quarter financial report for the Fiscal Year Ending June 30, 2023. She noted that several items are tracking above budget due to the number of heavy storms this year. These include labor, power, and contract services. She also noted that the return on investments continues to increase due to the investment in T-bills through the Charles Schwab account.

This was an information item only requiring no action by the Board. There were no comments from the public.

**8. LAVWMA Quarterly Report of Operations, 4th Quarter, FY2022-2023**

General Manager Weir provided an overview of the report and noted the various charts showing pump performance, electrical usage, and maintenance activities. They also highlighted the increased operational issues that needed to be addressed during the storm events and their impact on the budget.

This was an information item only requiring no action by the Board. There were no comments from the public.

**9. Project Status Reports – Purchase of Three Vertical Turbine Pumps, the San Leandro Sample Station Improvements Project, and the Emergency Repair of the Livermore Interceptor Pipeline**

General Manager Weir noted that the delivery date for the pumps is now August 31, 2023. Witness testing is scheduled for the week of August 21. There are still a few issues to resolve related to the pump testing procedures.

The San Leandro Sample Station Design Improvements Project bids were received on July 31, 2023. Three bids were received ranging from \$1,394,000 to \$1,795,000. A Notice of Potential Award was issued to the lowest responsive and responsible bidder, McGuire and Hester. Staff recommended that the Board award the contract to McGuire and Hester and that the FYE24 Budget for this project be increased to \$1,800,000 due to additional scope being added to the project, supply chain issues, and inflation. This also includes a staff recommended increase in the cost ceiling for the HydroScience contract for Engineering Services for the SLSS Project. Agenda Item Nos. 10, 11, and 12 are related to these recommendations.

The Project for the emergency repair of the Livermore interceptor pipeline is also proceeding. Several alignments and easement configurations are being considered by staff. There are Closed Sessions scheduled at the completion of the regular agenda to discuss negotiations for easements on four properties that may be needed for the new pipeline routing. In addition, the estimated cost for the project has risen to \$5,000,000, which is also included in Agenda Item No. 10 for the FYE24 Budget Modification. The Agency has been approved for potential reimbursement through Cal OES/FEMA, which will help to offset costs for City of Livermore since this is a sole-use facility. There was discussion regarding cash flow management with Livermore and possible temporary use of the joint use fund.

This was an information item only requiring no action by the Board. There were no comments from the public.

**10. Modification No. 1 to the Operating and Capital Budget for Fiscal Year 2023/24**

General Manager Weir summarized the items included in the budget modification for Capital Projects only. They included increasing the total cost for the SLSS project to \$1,800,000 to cover the construction and engineering costs for McGuire and Hester and HydroScience, respectively. Director Johnson asked for more information about the potential for increases in General Counsel services for FYE24 based on bills late in FYE23. General Manager Weir indicated that the increased costs were likely related to finalizing the SLSS bid packet and the Livermore pipeline project. He and Treasurer Atwood indicated they would follow up with Director Johnson.

**Director Nibert motioned, seconded by Director Branning, to approve Modification No. 1 to the Operating and Capital Budget for Fiscal Year 2023/24.**

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

**11. Approval of a Resolution Awarding an Agreement for the San Leandro Sample Station Design Improvements Project to the Lowest Responsible and Responsive Bidder**

General Manager Weir summarized the results of the competitive bid, as described in Agenda Item No. 9, for the SLSS Project and staff recommended awarding the contract to McGuire and Hester. They have already provided the required bonds, insurance documentation, and DocuSigned the contract.

**Vice Chair Goel motioned, seconded by Director Branning, to approve Resolution No. 23-06 Resolution Awarding an Agreement for the San Leandro Sample Station Design Improvements Project to McGuire and Hester.**

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

**12. Amendment No. 2 to Agreement for Consultant Services with HydroScience for the Design of the San Leandro Sample Station Improvements Project**

General Manager Weir summarized the changes to the design scope for the SLSS project, including adding an additional major valve, security system with cameras, negotiations with a local homeowners association, and cathodic protection facilities. The revised total cost is \$284,614.

**Director Branning motioned, seconded by Vice Chair Goel, to approve Amendment No. 2 to Agreement for Consultant Services 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.

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

General Manager Weir provided an overview of the various August 2023 updates from CASA, BACWA, and CSDA. These documents provide information related to all the regulatory and legislative issues facing wastewater treatment agencies, including nutrients, PFAS, and collection systems. General Manager Weir also discussed the recent algal bloom in San Francisco Bay and its relationship to the Watershed Nutrient Permit currently being negotiated. The Member Agencies currently meet their requirements through water recycling during the summer. It is unknown if nutrient reductions will be required in the future during the rainy season as well.

This was an information item only requiring no action by the Board. There were no comments from the public.

### **14. General Manager's Report**

General Manager Weir highlighted several areas of his report, including asset management, response to the GM recruitment announcement flyer distributed at the CASA Conference, capital projects, and PG&E usage. DSRSD continues to do a great job in minimizing demand charges.

This was an information item only requiring no action by the Board. There were no comments from the public.

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

There were no items from Board members. There were no comments from the public.

At 6:47 p.m. Chair Carling adjourned the Regular Meeting and the Board reconvened in Closed Session.

### **16. Closed Session**

#### **Conference with Real Property Negotiators (Gov. Code § 54956.8)**

(Government Code Section 54956.8)

Property: APN #: 904-1-10

Agency Negotiators: LAVWMA General Manager, Charles V. Weir; LAVWMA General Counsel, Alexandra M. Barnhill; and Special Counsel, Edward Low

Negotiating Parties: City of Livermore

Under Negotiation: Price and Terms of Payment

### **17. Closed Session**

#### **Conference with Real Property Negotiators (Gov. Code § 54956.8)**

(Government Code Section 54956.8)

Property: APN #: 904-1-6-2

Agency Negotiators: LAVWMA General Manager, Charles V. Weir; LAVWMA General Counsel, Alexandra M. Barnhill; and Special Counsel, Edward Low

Negotiating Parties: CalMat

Under Negotiation: Price and Terms of Payment

**18. Closed Session**

**Conference with Real Property Negotiators (Gov. Code § 54956.8)**

(Government Code Section 54956.8)

Property: APN #s: 946-1128-4-3, 904-1-6-1

Agency Negotiators: LAVWMA General Manager, Charles V. Weir; LAVWMA General Counsel, Alexandra M. Barnhill; and Special Counsel, Edward Low

Negotiating Parties: County of Alameda Flood Control and Water Conservation District (Zone 7)

Under Negotiation: Price and Terms of Payment

**19. Closed Session**

**Conference with Real Property Negotiators (Gov. Code § 54956.8)**

(Government Code Section 54956.8)

Property: APN #s: 946-1128-4-4

Agency Negotiators: LAVWMA General Manager, Charles V. Weir; LAVWMA General Counsel, Alexandra M. Barnhill; and Special Counsel, Edward Low

Negotiating Parties: USL Pleasanton Lakes LP / Steelwave

Under Negotiation: Price and Terms of Payment

The Board adjourned the Closed Sessions at 7:38 p.m. and reconvened the Regular Session. General Counsel Barnhill announced that there were no reportable actions taken during the Closed Sessions.

**20, Next Regular Board Meeting, Wednesday, November 15, 2023 at 6:00 p.m.**

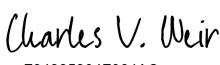
The next Board meeting will be held at DSRSD's Board Room.

There were no comments from the public.

**21. Adjournment**

There being no further action, Chair Carling adjourned the meeting at 7:39 p.m.

Minutes Approved by the Board November 15, 2023.

DocuSigned by:  
  
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Charles V. Weir  
General Manager