



**SPECIAL MEETING  
OF THE BOARD OF DIRECTORS  
OF THE LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY**

**Thursday, March 14, 2024, 6:00 p.m.**

**Dublin San Ramon Services District Board Room  
7051 Dublin Boulevard  
Dublin, California**

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Roll Call**
- 4. Order of Agenda/Acknowledgement of Posting**  
(The agenda may be re-ordered by motion of the Board. The agenda has been posted virtually on the Agency's website and physically in the display case outside the DSRSD Building, and, as a courtesy when possible, under the circumstances, at Pleasanton City Hall and Livermore City Hall at least 72 hours prior to a regular meeting and 24 hours prior to a special meeting.)
- 5. Public Comment**  
(See text in box below for information on how to observe and submit public comments.)
- Action 6. Consent Calendar**  
(All items on the Consent Calendar will be considered together by one or more action(s) of the Board unless a Board member pulls an item.)
- Action 6.a. Board Meeting Minutes for the February 21, 2024 meeting**  
(The Board will consider approving the minutes from the February 21, 2024 Board meeting.)
- Action 7. Closed Session – Personnel Matters pursuant to Gov't Code § 54957(b)  
Public Employee Appointment  
Title: General Manager**  
(The Board will hold a closed session to consider appointment of an independent contractor that will function as LAVWMA's General Manager beginning April 1, 2024.)
- Information 8. Matters From/For Board Members**  
(Board members may make brief announcements or reports on his or her own activities, pose questions for clarification, and/or request that items be placed on a future agenda. Except as authorized by law, no other discussion or action may be taken.)

**9. Next Regular Board Meeting, Wednesday, May 15, 2024, 6:00 p.m. at DSRSD. A Special Board meetings is scheduled for March 28, 2024.**

**10. Adjournment**

**HOW TO SUBMIT PUBLIC COMMENTS:**

**Written / Read Aloud:** Please email your comments to [info@lavwma.com](mailto:info@lavwma.com), write “Public Comment” in the subject line. In the body of the email, include the agenda item number and title, as well as your comments. If you would like your comment to be read aloud at the meeting (not to exceed three (3) minutes at staff’s cadence), prominently write “Read Aloud at Meeting” at the top of the email. All comments received before 12:00 PM the day of the meeting will be included as an agenda supplement on LAVWMA’s website under the relevant meeting date and provided to the Directors at the meeting. Comments received after this time will be treated as live comments and read into the record.

**Live Comments:** During the meeting, the Board Chair or designee will announce the opportunity to make public comments. Speakers will be asked to provide their name and city of residence, although providing this is not required for participation. Each speaker will be afforded up to 3 minutes to speak.

**ACCESSIBILITY INFORMATION:**

Board Meetings are accessible to people with disabilities and others who need assistance. Individuals who need special assistance or a disability-related modification or accommodation (including auxiliary aids or services) to observe and/or participate in this meeting and access meeting-related materials should contact Chuck Weir, General Manager, as soon as possible but at least 72 hours before the meeting at (925)-875-2202 or [info@lavwma.com](mailto:info@lavwma.com). Advanced notification will enable LAVWMA to swiftly resolve such requests to ensure accessibility.

**PUBLIC RECORDS:**

Public records that relate to any item on the open session agenda for a meeting are available for public inspection. Those records that are distributed after the agenda posting deadline for the meeting are available for public inspection at the same time they are distributed to all or a majority of the members of the Board. The Board has designated LAVWMA’s website located at [http://lavwma.com/agency\\_meetings.php](http://lavwma.com/agency_meetings.php) as the place for making those public records available for inspection. The documents may also be obtained by contacting the General Manager.

**CEQA NOTICE:**

Unless expressly stated otherwise on the agenda (that a negative declaration, mitigated negative declaration, or environmental impact report is being considered), discretionary actions taken on agenda items will include a finding by the Board that the action is exempt under the California Environmental Quality Act (CEQA). More information about the CEQA determination can be found in the corresponding staff report.

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**LAVWMA**  
**Livermore-Amador Valley Water Management Agency**  
**DRAFT**  
**Minutes**  
**Regular Meeting of Board of Directors**  
**Wednesday, February 21, 2024**  
**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, Directors Evan Branning, Rich Halket, Jeff Nibert, and Julie Testa.

Staff Present: General Counsel Alexandra Barnhill, Treasurer Carol Atwood, DSRSD Operations Director Dan Gill, DSRSD Administrative Assistant Sheree Davis, and General Manager Chuck Weir

Member Agency Staff Present: Pleasanton Assistant Director of Public Works, Tamara Baptista

Others: Retired DSRSD employee Levi Fuller, and 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**

Levi Fuller introduced himself and described his background and experience for the Board. He stated that he is applying for the General Manager position.

**6. Consent Calendar**

- a. Board Meeting Minutes for the November 15, 2023 meeting.
- b. Resolution No. 23-08 Approving Continuation of Emergency Action Procurement for the Repair of the Livermore Interceptor Pipeline.

**Director Nibert motioned, seconded by Director Testa, 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, 2024.**

Treasurer Atwood provided a summary of the second quarter financial report for the Fiscal Year Ending June 30, 2024. She noted that expenses are tracking normally, with minor exceptions such as insurance, which is higher than anticipated. PG&E electrical costs are well below budget but will increase with wet weather.

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, 2nd Quarter, FY2023-2024**

General Manager Weir provided an overview of the report and noted the various charts showing pump performance, electrical usage, and maintenance activities. He complimented DSRSD Operations Director Dan Gill and his staff for the improvements they have made to the report. Director Testa asked about the status of a solar panel project at the pump station. General Manager Weir, Director Goel, and Dan Gill noted that the DSRSD Board has approved a solar project at the pump station and authorized funding to determine the best options and use of the power that will be generated. DSRSD will likely pursue a Power Purchase Agreement with a private company. DSRSD will provide an update to the Board after it analyzes its options. The project is expected to utilize all available space at the pump station, and that property is owned by DSRSD. There are no viable options for a LAVWMA specific project. One option that was considered in the past was installing panels over the storage basins, but it was rejected due to cost and potential impacts to the concrete in the basins.

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

**9. Authorization for General Counsel to Extend the General Manager’s Agreement as Needed through June 30, 2024**

General Manager Weir and General Counsel Barnhill explained the intent of this item which is to provide for a smooth transition to the new General Manager, who is expected to start in early April 2024, approximately the same time that General Manager Weir is retiring. This authorization from the Board will provide the opportunity for General Manager Weir to provide assistance as needed for current projects and budget preparation.

**Director Testa motioned, seconded by Vice Chair Goel, to approve Authorization for General Counsel to Extend the General Manager’s Agreement as Needed through June 30, 2024**

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

**10. 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 final two pumps were successfully started on February 20 and will be placed in lead through the testing period. Once accepted, payment for the pumps will

be made. There will be a withholding of \$50,000 pending modifications to the O&M Manual and updates to the name plates with all the correct information. The warranty period will be 18 months from the date of acceptance. Mr. Weir noted that the process to purchase and manufacture six 500 horse power pumps took nearly ten years to complete. Mr. Weir further noted that he and DSRSD staff will be meeting on February 22 to develop a plan for rebuilding and/or replacement of the four 600 HP pumps. This will also include rebuilding the motors.

The San Leandro Sample Station Design Improvements Project is underway. The contractor has requested an extension to the completion date from July to November to account for delays in procurement for the 30-inch valve. LAVWMA will consider the extension pending proper documentation of the delays, which would include correspondence between the contractor and the supplier. The contractor has made a commitment to complete all other items by the original completion date. Director Goel suggested that the contractor be notified of all requirements specified in the agreement. General Manager Weir stated that the specifications in the contract are very specific in terms of submittals, preparation of a project plan, and requests for extensions. A letter has been sent to the contractor in response to the extension request and it is very detailed in terms of what is required from the contractor in order for an extension to be considered.

The Project for the emergency repair of the Livermore interceptor pipeline is also proceeding. Easements with City of Livermore and Zone 7 Water Agency are nearing completion. The new pipeline is in service and the temporary bypass pipeline and pumps have been removed. The project is over 80% completed and should be finished in mid-March. Some concrete work and restoring the berm that was moved to accommodate the trenching for the new pipeline remain to be completed.

General Manager Weir discussed some of the issues dealing with State regulatory agencies and FEMA. He complimented DSRSD staff for their efforts in managing this project on behalf of LAVWMA and City of Livermore.

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

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

General Manager Weir provided an overview of the various 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. The biggest issue facing agencies now is the pending renewal of the Nutrient Watershed Permit. The draft of the permit was just issued. It applies to the EBDA combined effluent, which will require the EBDA and LAVWMA agencies to work cooperatively to meet the requirements. The permit includes an interim limit of 9,000 kg/day of Total Inorganic Nitrogen (TIN). There is also a final limit effective in 2034 that is a 50% reduction, or 4,500 kg/day. EBDA agencies are implementing process control improvement projects ranging from \$200-\$500 million, which will greatly increase the rates charged to their constituents.

One issue of concern for the member agencies is there is no longer any acknowledgment of “early actions” taken to address nutrient loadings to the Bay prior to being required to do so. The

member agencies should still be able to meet their requirements through water recycling. One key will be creating ways that all new development is served by recycled water for landscaping purposes.

The Board reviewed Senate Bill 1430 which would provide PFAS liability protection for water and wastewater agencies. The Board agreed with the recommendation by NACWA to send support letters to both California Senators and Majority Leader Schumer.

**Director Nibert motioned, seconded by Vice Chair Goel, to approve having the Chair sign letters of support for Senate Bill 1430.**

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

### **12. General Manager’s Report**

General Manager Weir highlighted several areas of his report, including asset management, the GM recruitment, capital projects, PG&E usage, and major activities since the November 15, 2023 Board meeting.

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

### **13. Closed Session – Personnel Matters Pursuant to Gov’t Code § 54957(b) Public Employee Appointment**

**Title: General Manager**

Chair Carling adjourned the regular session at 6:44 p.m.

Chair Carling reconvened the regular session at 7:00 p.m.

General Counsel Barnhill reported that the Board took no reportable action.

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

There were no matters from/for Board members.

### **16, Next Regular Board Meeting, Wednesday, May 15, 2024 at 6:00 p.m.**

The next Board meeting will be held in DSRSD’s Board Room.

Special Board meetings have been scheduled for March 14 and March 28, 2024 at 6:00 p.m. in DSRSD’s Board room.

Director Branning stated that he would be unable to attend the March 14, 2024 Board meeting, and that he would check with Mayor John Marchand about attending in his place.

### **21. Adjournment**

There being no further action, Chair Carling adjourned the meeting at 7:01 p.m.

Minutes Approved by the Board \_\_\_\_\_.

Charles V. Weir  
General Manager

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