



Livermore-Amador Valley Water Management Agency
Celebrating 50 years 1974 - 2024

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

Wednesday, August 21, 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.)
- 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.)
 - 6.a. Board Meeting Minutes for the May 15, 2024 meeting**
(The Board will consider approving the minutes from the May 15, 2024 Board meeting.)
- 7. Financial Reporting for the Fiscal Year Ending June 30, 2024**
(The Board will review the LAVWMA Treasurer's Quarterly Report of Operations for 4th Quarter, FY2023-2024, and other financial items for the Fiscal Year ending June 30, 2024.)
- 8. Regional Government Services Update**
(The Board will review the Transition Status Report regarding transferring accounts receivable and accounts payable services from Dublin San Ramon Services District to Regional Government Services.)

**Action
Pages 4 - 9**

**Information
Pages 10 - 15**

**Information
Page 16 - 20**

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| Resolution
Pages 21 - 27 | 9. Resolution Adopting a Conflict of Interest Code for the Livermore-Amador Valley Water Management Agency and Rescinding the Prior Conflict of Interest Code
(Staff will report on recommended updates to the Conflict of Interest Code; and the Board will consider adopting a revised Conflict of Interest Code, rescinding the prior Conflict of Interest Code.) |
| Information
Pages 28 - 46 | 10. LAVWMA Quarterly Report of Operations, 4th Quarter, FY2023-2024
(The Board will review the Quarterly Report of Operations, 4 th Quarter, FY2023-2024.) |
| Information
Pages 47 - 55 | 11. Project Status Reports - Livermore Interceptor Pipeline, the San Leandro Sample Station, and the Export Pipeline and Repairs Project
(The Board will receive reports on projects regarding the repair of the Livermore Interceptor Pipeline, the San Leandro Sample Station, and the Export Pipeline and Repair Projects.) |
| Information
Pages 56 - 71 | 12. California Regional Water Quality Control Board's Nutrient Permit
(Staff will report on the California Regional Water Quality Control Board's Nutrient Permit.) |
| Information
Pages 72 – 76 | 13. Board Member Compensation
(Provide feedback to staff regarding the compensation of LAVWMA Directors and consider directing the General Manager to return to the Board with an action item to equalize compensation across Member agencies.) |
| Information
Pages 77 – 91 | 14. Update and Response to Various Legal and Legislative Issues
(The Board will receive a report regarding proposed legislation and legal developments affecting LAVWMA and its member agencies.) |
| Information
Pages 92 – 132 | 15. General Manager's Report
(The Board will review the General Manager's Report regarding the operations and maintenance of the Agency and its facilities.) |
| Information | 16. 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.) |
| | 17. Next Regular Board Meeting, Wednesday, November 20, 2024, 6:00 p.m. at DSRSD |
| | 18. Adjournment |

HOW TO SUBMIT PUBLIC COMMENTS:

Written / Read Aloud: Please email your comments to 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

LAVWMA Regular Meeting of August 21, 2024

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 Levi Fuller, General Manager, as soon as possible but at least 72 hours before the meeting at (707) 373-7030 or 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 <https://lavwma.com/meetings/> 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.

LAVWMA
Livermore-Amador Valley Water Management Agency
DRAFT
Minutes
Regular Meeting of Board of Directors
Wednesday, May 15, 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 (arrived at 6:02 p.m.), Dinesh Govindarao, Jeff Nibert, and Julie Testa.

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

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

4. Order of Agenda/Acknowledgement of Posting

There were no changes to the Agenda.

5. Comments from the Public

There were no comments from the public.

6. Consent Calendar

- a. Special Board Meeting Minutes for the March 28, 2024 meeting.

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

There were no comments from the public. The Motion passed unanimously (6 – 0).

7. Annual Board Rotation – Elect Chair and Vice Chair for FY2024/25

The Board acknowledged the traditional rotation that would make a Director from DSRSD Chair and a Director from Pleasanton Vice Chair for FY2024/25

Director Testa nominated Vice Chair Goel for Chair and Director Nibert for Vice Chair for FY2024/25, seconded by Director Branning.

There were no comments from the public. The Motion passed unanimously (6 – 0).

8. Financial Reporting for the Fiscal Year Ending June 30, 2024.

Interim Treasurer Weir provided a summary of the third quarter financial report for the Fiscal Year Ending June 30, 2024. He noted that expenses are tracking normally, with exceptions for PG&E power and EBDA. Power expenses will likely exceed budget due to continuing wet weather and increasing PG&E rates. EBDA expenses are high due to a charge received in January 2024 for a Renewal & Replacement expense from FY2022/23. It was received too late in this fiscal year to include it in last year's expenses.

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

9. LAVWMA Quarterly Report of Operations, 3rd Quarter, FY2023-2024

General Manager Fuller provided an overview of the report and noted the various charts showing pump performance, electrical usage, and maintenance activities. Board member questions were addressed by the General Manager and DSRSD staff.

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

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 Fuller provided an overview of all three projects. The pump purchase project is now complete and final payment has been made after receipt of the revised O&M Manual. The San Leandro Sample Station project is delayed due to receipt of major valves and problems with the specified programming company Tesco. Efforts are being made to find a replacement company. The construction of the pipeline repair project is complete. The easement with Zone 7 has been approved by the Alameda County Board of Supervisors. Negotiations are continuing with the City of Livermore easement due to questions concerning its valuation. It has been pointed out to City staff that Livermore is responsible for 100% of the cost of the project, including easements, so if a higher valuation is agreed upon, it will be passed through to Livermore. General Manager Fuller also noted that due to staffing shortages at DSRSD and Livermore, a consultant specializing in FEMA will be utilized to assist with financial recovery issues. He is receiving three proposals from firms at a not to exceed cost of \$15,000 to review all documents and provide an assessment on the likelihood of recovering significant funds from FEMA and CalOES. Based on that evaluation, additional consultant work will be considered. Lastly, Interim Treasurer Weir presented a PowerPoint presentation prepared by DSRSD Engineer, Karla Castro, on the pipeline construction project. Board members were impressed with the technology and the short time it took to complete the project.

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

11. Amendment No. 3 to Agreement for Consultant Services with HydroScience for the Design of the San Leandro Sample Station Improvements Project

General Manager Fuller provided a summary of the issues that have resulted in the need to increase the total not-to-exceed for HydroScience by an additional \$86,946 for a new not-to-exceed total of \$370,560. Delays in procurement and submittals have resulted in additional meetings and submittal review from the contractor.

Director Govindarao motioned, seconded by Director Testa, to approve Amendment No. 3 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).

12. A Resolution of the Livermore-Amador Valley Water Management Agency Terminating an Emergency Action Procurement for Repair of the Livermore Interceptor Pipeline Pursuant to Public Contract Code Section 22050

General Counsel Barnhill stated that this is a procedural step required by state law that is necessary once the emergency project is completed.

Director Nibert motioned, seconded by Vice Chair Goel, to approve A Resolution of the Livermore-Amador Valley Water Management Agency Terminating an Emergency Action Procurement for Repair of the Livermore Interceptor Pipeline Pursuant to Public Contract Code Section 22050.

There were no comments from the public. The Motion passed unanimously (6 – 0).

13. Update to Investment Policy

Interim Treasurer Weir outlined issues that occurred in attempting to transfer funds from Bank of America to CAMP (California Asset Management Program) and that he is seeking to update the investment policy to allow investing in two other local government investment pool (LGIP) programs, California Trust and CLASS. Both LGIP organizations are public agency JPAs that provide investment services for California public agencies. Following questions from the Board, he further outlined the Agency's various bank accounts and how cash is managed to support paying bills as well as achieving a good rate of return on investments. Board members expressed a desire to achieve both a high rate of return and have liquidity to assist in managing financial activities.

Vice Chair Goel motioned, seconded by Director Nibert, to approve a Resolution Updating the Investment Policy and Rescinding Resolution 18-02.

There were no comments from the public. The Motion passed unanimously (6 – 0).

14. Authorization to Terminate the Agreement with DSRSD for Treasurer Services effective June 30, 2024

General Manager Fuller outlined the loss of DSRSD staff servicing as Treasurer and Assistant Treasurer led to the need to terminate the agreement with DSRSD for Treasurer Services. The Board expressed its appreciation of staff in its dealing with these unexpected circumstances.

Vice Chair Goel motioned, seconded by Director Nibert, to approve Authorization to Terminate the Agreement with DSRSD for Treasurer Services effective June 30, 2024

There were no comments from the public. The Motion passed unanimously (6 – 0).

15. A Resolution of the Livermore-Amador Valley Water Management Agency naming Levi Fuller as the Treasurer effective July 1, 2024

General Manager Fuller expressed his willingness to step into the role of LAVWMA Treasurer.

Vice Chair Goel motioned, seconded by Director Nibert, to a Resolution of the Livermore-Amador Valley Water Management Agency naming Levi Fuller as the Treasurer effective July 1, 2024

There were no comments from the public. The Motion passed unanimously (6 – 0).

16. Authorization for the General Manager to Execute an Agreement with Regional Government Services Authority for Finance and Administrative Services in an Amount not to Exceed \$100,000

General Manager Fuller outlined the scope of services that are proposed to be provided by Regional Government Services (RGS) and noted that they are a joint powers agency that provides services for a variety of public agencies. In addition, the cost should be comparable to the current costs for DSRSD. He also noted that RGS has often stepped in to assist public agencies that have lost key staff. The Board noted that the additional \$10,000 is just to provide flexibility to the General Manager in case additional services are needed during this transition of roles.

Director Branning motioned, seconded by Director Testa, to Authorize the General Manager to Execute an Agreement with Regional Government Services Authority for Finance and Administrative Services in an Amount not to Exceed \$100,000

There were no comments from the public. The Motion passed unanimously (6 – 0).

17. Proposed Operating and Capital Budget for Fiscal Year 2024/25

General Manager Fuller outlined key elements and costs for Operation and Maintenance and Capital Projects for FY2024/25. He also noted that the \$400,000 contribution to the Joint Use Renewal and Replacement Fund remains the same as in past years.

Director Govindarao motioned, seconded by Director Branning, to approve the Proposed Operating and Capital Budget for Fiscal Year 2024/25

There were no comments from the public. The Motion passed unanimously (6 – 0).

18. Approval of Agreement with National Plant Services to 1) Complete Phase 2 of the LAVWMA Pipeline Inspection Project, and 2) Rehabilitate Approximately 1,000 Linear Feet of Pipeline, Previously Identified During the Phase 1 Inspection for a Total not to Exceed \$700,000

General Manager Fuller discussed the proposed project with National Plant Services to 1) repair segment identified during the last inspection and 2) inspection of the siphon sections of the force main. The cost has increased due to the need to dewater the siphon sections prior to inspection. Interim Treasurer Weir outlined the selection process used by DSRSD staff. It was noted that this project involves professional services of inspecting and maintaining existing infrastructure so competitive bidding for a public works project is not required, but staff did provide a fair and competitive process by soliciting multiple bids and recommending the entity that best displayed the skill and experience to do the work. Board members expressed the need to make sure staff provides adequate information on how contractors are selected.

Director Govindarao motioned, seconded by Director Testa, to approve an Agreement with National Plant Services to 1) Complete Phase 2 of the LAVWMA Pipeline Inspection Project, and 2) Rehabilitate Approximately 1,000 Linear Feet of Pipeline, Previously Identified During the Phase 1 Inspection for a Total not to Exceed \$700,000

There were no comments from the public. The Motion passed unanimously (6 – 0).

19. Update and Response to Various Legal and Legislative Issues

General Manager Fuller discussed the items included in the packet. The key item for the agencies at this time is the Nutrient Watershed Permit to limit discharge of total inorganic nitrogen to the Bay. The member agencies have reduced their discharges through water recycling for many years. Efforts are being made to get the Water Board to recognize these efforts as “early, early actors” and get recognition in the permit for these efforts. They are currently not recognized as early actors. There was also discussion on the new PFAS limits issued by EPA to potable water.

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

20. A Resolution Recognizing Charles V. Weir for His Ten Years of Service to the Livermore-Amador Valley Water Management Agency and His Contributions to the Wastewater Industry

Chair Carling read the Resolution. Board members and staff thanked Mr. Weir for his service to LAVWMA and the wastewater industry.

Vice Chair Goel motioned, seconded by Director Testa, to approve A Resolution Recognizing Charles V. Weir for His Ten Years of Service to the Livermore-Amador Valley Water Management Agency and His Contributions to the Wastewater Industry.

There were no comments from the public. The Motion passed unanimously (6 – 0).

21. General Manager's Report

General Manager Fuller and Interim Treasurer Weir discussed their activities since the last regular Board meeting in February.

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

22. Matters From/For Board Members

Director Goel requested, in support of a comment made by Director Testa, that staff return with information regarding LAVWMA's alternative providers of energy and the relative costs and benefits of switching from PG&E.

23, Next Regular Board Meeting, Wednesday, August 21, 2024 at 6:00 p.m.

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

24. Adjournment

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

Minutes Approved by the Board _____.

Levi Fuller
General Manager

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ITEM NO. 7 FINANCIAL REPORTING FOR THE FINAL QUARTER OF FISCAL YEAR 2023-2024**Action Requested**

None at this time. This is an information item only.

To: LAVWMA Board of Directors

From: Levi Fuller, LAVWMA Treasurer

Subject: Financial Reporting for June 30, 2024

Summary

Attached are the Treasurer's Quarterly Reports of Operations for 4th Quarter FY 2023-2024 and for the twelve months ending June 30, 2024. Figures for the twelve-month fiscal year period ended June 30, 2024, seen in Attachments A and B are preliminary and subject to change because the period is still open for recordation of accruable items, and it has not been audited.

Attachments:

- A. **Operations and Maintenance Fund Budget vs. Actual** – Shows the status of the budget-to-actual expenses for the Operations & Maintenance Fund for the previous period July 1, 2022, through June 30, 2023, in comparison to the most recent period July 1, 2023, through June 30, 2024. Figures are preliminary and subject to change.
 - B. **Capital Improvement Projects Budgets vs. Actuals – (New)** Shows the status of the budget-to-actual expenses for the Capital Improvement Projects Funds for the most recent period July 1, 2023, through June 30, 2024. Figures are preliminary and subject to change.
 - C. **Investment Report** – Shows LAVWMA's available cash balances by banking institution.
 - D. **General Management Expenses Listing** – Consistent with past practice, all general management LAVWMA invoices are approved by the LAVWMA General Manager and Treasurer prior to payment by DSRSD. Those invoices are summarized by DSRSD in the attached report and are billed to LAVWMA on a monthly basis as one component of a comprehensive DSRSD bill to LAVWMA. This General Management Expenses Listing expands upon one component of DSRSD's comprehensive monthly bill to show supplemental information including the vendor, description and amount of each invoice in more detail, and it has been sorted by the "effective" date of the transaction. **(New)** Included for the first time, a second General Management Expenses Listing containing the same information is provided which is sorted by vendor.
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LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
Operations and Maintenance - Budget vs Actual
FY23 and FY24 - July through June

	July 2022 - June 2023					July 2023 - June 2024			
	Annual Budget	YTD Actuals	\$ Variance	% Variance		Annual Budget	YTD Actuals	\$ Variance	% Variance
<u>OPERATING REVENUES</u>									
Service charges - DSRSD	\$ 1,133,248	\$ 1,133,248	\$ -			\$ 1,468,671	\$ 1,468,671	\$ -	
Service charges - City of Pleasanton	1,382,392	1,382,392	\$ -			1,787,851	1,787,851	\$ -	
Service charges - City of Livermore	1,224,706	1,224,706	\$ -			1,576,473	1,576,473	\$ -	
Service charges - Reconciled	-	(230,480) ⁽¹⁾	\$ (230,480)					\$ -	
Total operating revenues	3,740,345	3,509,865	\$ (230,480)	-6%		4,832,995	4,832,995	\$ -	-
<u>OPERATING EXPENSES</u>									
Power	1,500,000	2,030,320	\$ 530,320	35.4%		1,884,500	2,068,188	\$ 183,688	9.7%
LAVWMA share of EBDA O&M - Fixed	676,965	714,792	\$ 37,827	5.6%		740,901	775,645 ⁽²⁾	\$ 34,744	4.7%
LAVWMA share of EBDA O&M - Variable	160,959	89,422	\$ (71,538)	-44.4%		243,378	273,735 ⁽²⁾	\$ 30,357	12.5%
Operations agreement	927,500	1,517,510	\$ 590,010	63.6%		1,451,650	1,134,271	\$ (317,379)	-21.9%
Professional services	329,917	218,349	\$ (111,568)	-33.8%		355,564	470,086 ⁽²⁾	\$ 114,522	32.2%
City of Livermore sole use O&M	25,000	26,191	\$ 1,191	4.8%		25,000	-	\$ (25,000)	-100.0%
Insurance	96,926	122,571	\$ 25,645	26.5%		106,620	124,646 ⁽²⁾	\$ 18,027	16.9%
Permits	23,078	-	\$ (23,078)	-100.0%		25,384	20,000 ⁽²⁾	\$ (5,384)	-21.2%
Repairs and Maintenance	-	-	\$ -			-	134,042	\$ 134,042	
Miscellaneous	-	-	\$ -			-	-	\$ -	
Total operating expenses	3,740,345	4,719,154	\$ 978,809	26%		4,832,996	5,000,613	\$ 167,617	3.5%
Operating income (loss)	-	(1,209,289)	\$ 1,209,289				(167,618)	\$ 167,618	
<u>NON-OPERATING REVENUE (EXPENSE)</u>									
Amortization/Depreciation	-	-	\$ -	-		-	-	\$ -	-
EBDA Debt	-	-	\$ -	-		-	-	\$ -	-
Interest income	-	29,387	\$ (29,387)			-	541,108	\$ (541,108)	
Total non-operating revenue (expense)	-	29,387	\$ (29,387)			-	541,108	\$ (541,108)	
Net Income	\$ -	\$ (1,179,903)	\$ 1,179,903			\$ -	\$ 373,490	\$ (373,490)	

(1) Included FY23 O&M reconciliation true-up.

(2) Total of the noted expenses is \$1,664,112. See GM approved invoices tab.

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
 Repair and Replacement Activity - Budget vs Actual
 FY23 and FY24 - July through June

REPAIR & REPLACEMENT REVENUES

BUDGET July 2023 - June 2024					
2021 Debt Service	Joint-Use Repair & Replacement	Dual-Use Repair & Replacement	Sole-Use Repair & Replacement	Total	
Service charges - DSRSD	\$ 2,586,629	\$ 139,800	\$ -	\$ -	\$ 2,726,429
Service charges - City of Pleasanton	2,212,802	139,800	-	-	\$ 2,352,602
Service charges - City of Livermore	1,850,668	120,400	-	-	\$ 1,971,068
Service - Due from members- City of Livermore	-	-	-	-	\$ -
Total operating revenues	6,650,100	400,000	(0)	(0)	\$ 7,050,100
<u>REPAIR & REPLACEMENT EXPENDITURES</u>					
Non- routine- Repair	-	400,000	-	-	\$ 400,000
Principal	4,735,000	-	-	-	\$ 4,735,000
Interest	1,915,100	-	-	-	\$ 1,915,100
Miscellaneous	-	-	-	-	\$ -
Total repair & replacement expenditures	6,650,100	400,000	-	-	\$ 7,050,100
Net Cash Flow	\$ (0)	\$ (0)	\$ (0)	\$ (0)	\$ (0)

ACTUAL July 2023 - June 2024					
2021 Debt Service	Joint-Use Repair & Replacement	Dual-Use Repair & Replacement	Sole-Use Repair & Replacement	Total	FY 2023 to FY 2024 Variance
\$ 2,586,629	\$ 139,800	\$ -	\$ -	\$ 2,726,429	0%
2,212,802	139,800	-	-	2,352,602	0%
1,850,668	120,400	-	-	1,971,068	0%
-	-	-	5,800,000	5,800,000	n/a
6,650,100	400,000	-	5,800,000	12,850,100	82%
-	997,230	-	5,712,468	6,709,698	1577%
-	-	-	-	-	-100%
-	-	-	-	-	-100%
-	8,514	341	537	9,392	n/a
-	1,005,744	341	5,713,005	6,719,090	-4.7%
\$ 6,650,100	\$ (605,744)	\$ (341)	\$ 86,995	\$ 6,131,010	

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
Treasurer's Report
Portfolio Summary
June 30, 2024

Cash and Investments	Book Value	% of Portfolio	RoR	Credit Rating
Bank of America	\$ 3,466,956	23%		N/A
Local Agency Investment Fund (LAIF)	\$ 1,178,410	8%	4.55%	N/A
California Asset Management Program (CAMP)	\$ 10,545,413	69%	5.42%	N/A
	\$ 15,190,780	100%		

I certify that this report reflects all Government Agency pooled investments and is in conformity with the investment policy of Livermore-Amador Valley Water Management Agency.

The investment program herein shown provides sufficient cash flow liquidity to meet the next six month's expenses.

Levi Fuller

August 16, 2024

Approver

Livermore-Amador Valley Water Management Agency
General Management Expenses Listing By Effective Date (Traditional Sort)
July 2023 - June 2024

EFFECTIVE DATE	CHECK NUMBER	VENDOR NAME	ITEM DESCRIPTION	AMOUNT
07/06/2023	202930	SDRMA	Property/Liability Package Program	\$121,641.89
07/31/2023	0		Reclass expense to project str	\$79.54
08/08/2023	203083	EAST BAY DISCHARGERS AUTHORITY	Semi-Annual Invoice for FY 23-24	\$412,402.50
08/08/2023	203083	EAST BAY DISCHARGERS AUTHORITY	Semi-Annual Invoice for FY 23-24	\$136,867.50
08/08/2023	203140	WEIR TECHNICAL SERVICES	LAVWMA Management Services July 2023	\$16,325.45
08/17/2023	203170	JARVIS FAY LLP	General Counsel Svcs - July 2023	\$12,156.00
08/23/2023	203171	JEFF NIBERT	Board Meeting Attendance 08/16/2023	\$50.00
08/23/2023	203185	JULIE TESTA	Board Meeting Attendance 08/16/2023	\$50.00
08/23/2023	203175	MAZE & ASSOCIATES	FYE2023 AUDIT SERVICES	\$5,370.00
08/23/2023	203156	ROBERT CARLING	Board Meeting Attendance 08/16/2023	\$55.13
08/31/2023	0		Reclass expense to project str	\$94.34
09/05/2023	203341	EVAN BRANNING	Board Meeting Attendance 08/16/2023	\$50.00
09/05/2023	203378	WEIR TECHNICAL SERVICES	LAVWMA Management Services August 2023	\$23,576.13
09/12/2023	203525	JARVIS FAY LLP	General Counsel Svcs - August 2023	\$7,981.00
09/12/2023	203525	JARVIS FAY LLP	General Counsel Svcs - August 2023	\$20,259.50
09/12/2023	203712	JARVIS FAY LLP	General Counsel Svcs - September 2023	\$481.50
09/12/2023	203712	JARVIS FAY LLP	General Counsel Svcs - September 2023 Livermore Interceptor Pipeline Repair	\$7,614.50
09/12/2023	203538	U.S. BANK EQUIPMENT FINANCE	Trustee Fee for 2021 Bonds	\$2,150.00
09/12/2023	203622	WEIR TECHNICAL SERVICES	LAVWMA Management Services September 2023	\$13,822.76
10/23/2023	CC	SIGNFAST, INC	LAVWMA Board Room Name Plate	\$39.77
11/20/2023	204031	DOWNEY BRAND LLP	Special Consultant for Permit	\$2,897.50
11/20/2023	203966	EVAN BRANNING	Board Meeting Attendance 11/15/2023	\$50.00
11/20/2023	203971	JARVIS FAY LLP	General Counsel Svcs - October 2023	\$948.00
11/20/2023	203971	JARVIS FAY LLP	General Counsel Svcs - October 2023 Livermore Interceptor Pipeline Repair	\$4,046.50
11/20/2023	203972	JEFF NIBERT	Board Meeting Attendance 11/15/2023	\$50.00
11/20/2023	203989	JULIE TESTA	Board Meeting Attendance 11/15/2023	\$50.00
11/20/2023	203974	MAZE & ASSOCIATES	FYE2023 AUDIT SERVICES for Oct	\$4,300.00
11/20/2023	204044	MAZE & ASSOCIATES	FYE2023 AUDIT SERVICES	\$1,070.00
11/20/2023	203959	ROBERT CARLING	Board Meeting Attendance 11/15/2023	\$50.00
11/20/2023	204178	SDRMA	2022/2023 Property/Liability Program	\$4.46
11/20/2023	203947	WEIR TECHNICAL SERVICES	LAVWMA Management Services October 2023	\$16,770.72
11/20/2023	204136	WEIR TECHNICAL SERVICES	LAVWMA Management Services November 2023	\$14,648.44
12/26/2023	204233	CALIFORNIA STATE WATER RESORUCES CONTROL BOARD	Water Board Annual Permit Fee	\$20,000.00
12/26/2023	204223	JARVIS FAY LLP	General Counsel Svcs - November 2023 Livermore Interceptor Pipeline Repair	\$79.00
12/26/2023	204223	JARVIS FAY LLP	General Counsel Svcs - November 2023	\$3,436.50
12/26/2023	204374	JARVIS FAY LLP	General Counsel Svcs - December 2023	\$158.00
12/26/2023	204374	JARVIS FAY LLP	General Counsel Svcs - December 2023	\$832.50
12/26/2023	204404	WEIR TECHNICAL SERVICES	LAVWMA Management Services December 2023	\$9,497.25
01/22/2024	CC	SIGNFAST, INC	LAVWMA Board Name Plate	\$39.77
01/30/2024	204569	EAST BAY DISCHARGERS AUTHORITY	Semi Annual Invoice for FY 2024	\$363,242.59
01/30/2024	204569	EAST BAY DISCHARGERS AUTHORITY	Semi Annual Invoice for FY 2024	\$136,867.50
02/13/2024	204732	WEIR TECHNICAL SERVICES	LAVWMA Management Services January 2024	\$10,848.50
02/20/2024	204693	JARVIS FAY LLP	General Counsel Svcs - January 2024	\$75.00
02/20/2024	204693	JARVIS FAY LLP	General Counsel Svcs - January 2024	\$2,488.50
02/20/2024	204697	MAZE & ASSOCIATES	FYE2023 AUDIT SERVICES	\$360.00
02/28/2024	204801	EVAN BRANNING	Board Meeting Attendance 02/21/2024	\$50.00
02/28/2024	204810	JEFF NIBERT	Board Meeting Attendance 02/21/2024	\$50.00
02/28/2024	204828	JULIE TESTA	Board Meeting Attendance 02/21/2024	\$50.00
02/28/2024	204798	ROBERT CARLING	Board Meeting Attendance 02/21/2024	\$50.00
03/04/2024	204987	WEIR TECHNICAL SERVICES	LAVWMA Management Services February 2024	\$17,861.39
03/18/2024	205071	DOWNEY BRAND LLP	Special Consultant for Permit	\$3,445.00
03/18/2024	205002	JARVIS FAY LLP	General Counsel Svcs - February 2024 Livermore Interceptor Pipeline Repair	\$2,289.00
03/18/2024	205002	JARVIS FAY LLP	General Counsel Svcs - February 2024	\$5,135.00
03/18/2024	205084	JEFF NIBERT	Special Board Mtg Attendance 03/14/2024	\$50.00
03/18/2024	205113	JULIE TESTA	Special Board Mtg Attendance 03/14/2024	\$50.00
03/18/2024	205108	REGIONAL WATER QUALITY CONTROL BOARD	LAVWMA's Mandatory Minimum Pen	\$3,000.00
03/18/2024	205064	ROBERT CARLING	Special Board Mtg Attendance 03/14/2024	\$50.00
04/03/2024	205219	EVAN BRANNING	Special Board Mtg Attendance 03/28/2024	\$50.00
04/03/2024	205222	FIELDMAN, ROLAPP & ASSOC. INC.	Annual Debt Transparency Report	\$625.00
04/03/2024	205368	JARVIS FAY LLP	General Counsel Svcs - March 2024 Livermore Interceptor Pipeline Repair	\$754.00
04/03/2024	205368	JARVIS FAY LLP	General Counsel Svcs - March 2024	\$18,960.00
04/03/2024	205230	JEFF NIBERT	Special Board Mtg Attendance 03/28/2024	\$50.00
04/03/2024	205248	JULIE TESTA	Special Board Mtg Attendance 03/28/2024	\$50.00
04/03/2024	205213	ROBERT CARLING	Special Board Mtg Attendance 03/28/2024	\$50.00
04/03/2024	205349	WEIR TECHNICAL SERVICES	LAVWMA Management Services March 2024	\$13,024.54
04/16/2024	205192	EAST BAY DISCHARGERS AUTHORITY	FY 2022/2023 Final Invoice	\$134,041.72
05/01/2024	205416	DOWNEY BRAND LLP	Special Consultant for Permit	\$526.50
05/01/2024	205416	DOWNEY BRAND LLP	Special Consultant for Permit	\$3,657.50
05/13/2024	205544	EVAN BRANNING	Board Meeting Attendance 05/15/2024	\$50.00
05/13/2024	205613	JARVIS FAY LLP	General Counsel Svcs - April 2024 Livermore Interceptor Pipeline Repair	\$2,032.50
05/13/2024	205613	JARVIS FAY LLP	General Counsel Svcs - April 2024	\$5,688.00
05/13/2024	205551	JEFF NIBERT	Board Meeting Attendance 05/15/2024	\$50.00
05/13/2024	205568	JULIE TESTA	Board Meeting Attendance 05/15/2024	\$50.00
05/13/2024	205546	LEVI FULLER JR.	LAVWMA Management Services April 2024	\$9,335.46
05/13/2024	205540	ROBERT CARLING	Board Meeting Attendance 05/15/2024	\$50.00
05/22/2024	CC	SAFEWAY #1953	LAVWMA General Manager Gathering	\$30.99
05/22/2024	CC	SIGNFAST, INC	LAVWMA Name Plate: Levi Fuller	\$39.77
05/22/2024	CC	SIGNFAST, INC	LAVWMA Board Member Name Plates: Arun Goel, Jeff Nibert	\$54.57
06/04/2024	205841	JARVIS FAY LLP	General Counsel Svcs - May 2024	\$3,341.00
06/04/2024	205841	JARVIS FAY LLP	General Counsel Svcs - May 2024	\$4,585.00
06/04/2024	205751	LEVI FULLER JR.	LAVWMA Management Services May 2024	\$14,297.67
06/04/2024	205783	MAZE & ASSOCIATES	FY23 Audit Services - May 2023	\$5,500.00
06/04/2024	205818	WEIR TECHNICAL SERVICES	LAVWMA Management Services April 2024	\$14,068.74
06/04/2024	205818	WEIR TECHNICAL SERVICES	LAVWMA Management Services May 2024	\$19,657.77
06/30/2024	205957	LEVI FULLER JR.	LAVWMA Management Services June 2024	\$12,166.28
06/30/2024	206057	REGIONAL GOVERNMENT SERVICES AUTHORITY	06/24 Management & Administrative Services	\$18,192.96
06/30/2024	206099	WEIR TECHNICAL SERVICES	LAVWMA Management Services June 2024	\$17,191.62
				\$1,704,130.22

Livermore-Amador Valley Water Management Agency
General Management Expenses Listing By Vendor (New Sort)
July 2023 - June 2024

EFFECTIVE DATE	CHECK NUMBER	VENDOR NAME	ITEM DESCRIPTION	AMOUNT
07/31/2023	0		Reclass expense to project str	\$79.54
08/31/2023	0		Reclass expense to project str	\$94.34
05/22/2024	CC	SAFEWAY #1953	LAVWMA General Manager Gathering	\$30.99
10/23/2023	CC	SIGNFAST, INC	LAVWMA Board Room Name Plate	\$39.77
01/22/2024	CC	SIGNFAST, INC	LAVWMA Board Name Plate	\$39.77
05/22/2024	CC	SIGNFAST, INC	LAVWMA Name Plate: Levi Fuller	\$39.77
05/22/2024	CC	SIGNFAST, INC	LAVWMA Board Member Name Plates: Arun Goel, Jeff Nibert	\$54.57
12/26/2023	204233	CALIFORNIA STATE WATER RESORUCES CONTROL BOARD	Water Board Annual Permit Fee	\$20,000.00
03/18/2024	205108	REGIONAL WATER QUALITY CONTROL BOARD	LAVWMA's Mandatory Minimum Pen	\$3,000.00
09/12/2023	203538	U.S. BANK EQUIPMENT FINANCE	Trustee Fee for 2021 Bonds	\$2,150.00
11/20/2023	204031	DOWNEY BRAND LLP	Special Consultant for Permit	\$2,897.50
03/18/2024	205071	DOWNEY BRAND LLP	Special Consultant for Permit	\$3,445.00
05/01/2024	205416	DOWNEY BRAND LLP	Special Consultant for Permit	\$526.50
05/01/2024	205416	DOWNEY BRAND LLP	Special Consultant for Permit	\$3,657.50
08/08/2023	203083	EAST BAY DISCHARGERS AUTHORITY	Semi-Annual Invoice for FY 23-24	\$412,402.50
08/08/2023	203083	EAST BAY DISCHARGERS AUTHORITY	Semi-Annual Invoice for FY 23-24	\$136,867.50
01/30/2024	204569	EAST BAY DISCHARGERS AUTHORITY	Semi Annual Invoice for FY 2024	\$363,242.59
01/30/2024	204569	EAST BAY DISCHARGERS AUTHORITY	Semi Annual Invoice for FY 2024	\$136,867.50
04/16/2024	205192	EAST BAY DISCHARGERS AUTHORITY	FY 2022/2023 Final Invoice	\$134,041.72
08/17/2023	203170	JARVIS FAY LLP	General Counsel Svcs - July 2023	\$12,156.00
09/12/2023	203525	JARVIS FAY LLP	General Counsel Svcs - August 2023	\$7,981.00
09/12/2023	203525	JARVIS FAY LLP	General Counsel Svcs - August 2023	\$20,259.50
09/12/2023	203712	JARVIS FAY LLP	General Counsel Svcs - September 2023	\$481.50
09/12/2023	203712	JARVIS FAY LLP	General Counsel Svcs - September 2023 Livermore Interceptor Pipeline Repair	\$7,614.50
11/20/2023	203971	JARVIS FAY LLP	General Counsel Svcs - October 2023	\$948.00
11/20/2023	203971	JARVIS FAY LLP	General Counsel Svcs - October 2023 Livermore Interceptor Pipeline Repair	\$4,046.50
12/26/2023	204223	JARVIS FAY LLP	General Counsel Svcs - November 2023 Livermore Interceptor Pipeline Repair	\$79.00
12/26/2023	204223	JARVIS FAY LLP	General Counsel Svcs - November 2023	\$3,436.50
12/26/2023	204374	JARVIS FAY LLP	General Counsel Svcs - December 2023	\$158.00
12/26/2023	204374	JARVIS FAY LLP	General Counsel Svcs - December 2023	\$832.50
02/20/2024	204693	JARVIS FAY LLP	General Counsel Svcs - January 2024	\$75.00
02/20/2024	204693	JARVIS FAY LLP	General Counsel Svcs - January 2024	\$2,488.50
03/18/2024	205002	JARVIS FAY LLP	General Counsel Svcs - February 2024 Livermore Interceptor Pipeline Repair	\$2,289.00
03/18/2024	205002	JARVIS FAY LLP	General Counsel Svcs - February 2024	\$5,135.00
04/03/2024	205368	JARVIS FAY LLP	General Counsel Svcs - March 2024 Livermore Interceptor Pipeline Repair	\$754.00
04/03/2024	205368	JARVIS FAY LLP	General Counsel Svcs - March 2024	\$18,960.00
05/13/2024	205613	JARVIS FAY LLP	General Counsel Svcs - April 2024 Livermore Interceptor Pipeline Repair	\$2,032.50
05/13/2024	205613	JARVIS FAY LLP	General Counsel Svcs - April 2024	\$5,688.00
06/04/2024	205841	JARVIS FAY LLP	General Counsel Svcs - May 2024	\$3,341.00
06/04/2024	205841	JARVIS FAY LLP	General Counsel Svcs - May 2024	\$4,585.00
07/06/2023	202930	SDRMA	Property/Liability Package Program	\$121,641.89
11/20/2023	204178	SDRMA	2022/2023 Property/Liability Program	\$4.46
04/03/2024	205222	FELDMAN, ROLAPP & ASSOC. INC.	Annual Debt Transparency Report	\$625.00
08/23/2023	203175	MAZE & ASSOCIATES	FYE2023 AUDIT SERVICES	\$5,370.00
11/20/2023	203974	MAZE & ASSOCIATES	FYE2023 AUDIT SERVICES for Oct	\$4,300.00
11/20/2023	204044	MAZE & ASSOCIATES	FYE2023 AUDIT SERVICES	\$1,070.00
02/20/2024	204697	MAZE & ASSOCIATES	FYE2023 AUDIT SERVICES	\$360.00
06/04/2024	205783	MAZE & ASSOCIATES	FY23 Audit Services - May 2023	\$5,500.00
06/30/2024	206057	REGIONAL GOVERNMENT SERVICES AUTHORITY	06/24 Management & Administrative Services	\$18,192.96
08/08/2023	203140	WEIR TECHNICAL SERVICES	LAVWMA Management Services July 2023	\$16,325.45
09/05/2023	203378	WEIR TECHNICAL SERVICES	LAVWMA Management Services August 2023	\$23,576.13
09/12/2023	203622	WEIR TECHNICAL SERVICES	LAVWMA Management Services September 2023	\$13,822.76
11/20/2023	203947	WEIR TECHNICAL SERVICES	LAVWMA Management Services October 2023	\$16,770.72
11/20/2023	204136	WEIR TECHNICAL SERVICES	LAVWMA Management Services November 2023	\$14,648.44
12/26/2023	204404	WEIR TECHNICAL SERVICES	LAVWMA Management Services December 2023	\$9,497.25
02/13/2024	204732	WEIR TECHNICAL SERVICES	LAVWMA Management Services January 2024	\$10,848.50
03/04/2024	204987	WEIR TECHNICAL SERVICES	LAVWMA Management Services February 2024	\$17,861.39
04/03/2024	205349	WEIR TECHNICAL SERVICES	LAVWMA Management Services March 2024	\$13,024.54
06/04/2024	205818	WEIR TECHNICAL SERVICES	LAVWMA Management Services April 2024	\$14,068.74
06/04/2024	205818	WEIR TECHNICAL SERVICES	LAVWMA Management Services May 2024	\$19,657.77
06/30/2024	206099	WEIR TECHNICAL SERVICES	LAVWMA Management Services June 2024	\$17,191.62
05/13/2024	205546	LEVI FULLER JR.	LAVWMA Management Services April 2024	\$9,335.46
06/04/2024	205751	LEVI FULLER JR.	LAVWMA Management Services May 2024	\$14,297.67
06/30/2024	205957	LEVI FULLER JR.	LAVWMA Management Services June 2024	\$12,166.28
09/05/2023	203341	EVAN BRANNING	Board Meeting Attendance 08/16/2023	\$50.00
11/20/2023	203966	EVAN BRANNING	Board Meeting Attendance 11/15/2023	\$50.00
02/28/2024	204801	EVAN BRANNING	Board Meeting Attendance 02/21/2024	\$50.00
04/03/2024	205219	EVAN BRANNING	Special Board Mtg Attendance 03/28/2024	\$50.00
05/13/2024	205544	EVAN BRANNING	Board Meeting Attendance 05/15/2024	\$50.00
08/23/2023	203156	ROBERT CARLING	Board Meeting Attendance 08/16/2023	\$55.13
11/20/2023	203959	ROBERT CARLING	Board Meeting Attendance 11/15/2023	\$50.00
02/28/2024	204798	ROBERT CARLING	Board Meeting Attendance 02/21/2024	\$50.00
03/18/2024	205064	ROBERT CARLING	Special Board Mtg Attendance 03/14/2024	\$50.00
04/03/2024	205213	ROBERT CARLING	Special Board Mtg Attendance 03/28/2024	\$50.00
05/13/2024	205540	ROBERT CARLING	Board Meeting Attendance 05/15/2024	\$50.00
08/23/2023	203171	JEFF NIBERT	Board Meeting Attendance 08/16/2023	\$50.00
11/20/2023	203972	JEFF NIBERT	Board Meeting Attendance 11/15/2023	\$50.00
02/28/2024	204810	JEFF NIBERT	Board Meeting Attendance 02/21/2024	\$50.00
03/18/2024	205084	JEFF NIBERT	Special Board Mtg Attendance 03/14/2024	\$50.00
04/03/2024	205230	JEFF NIBERT	Special Board Mtg Attendance 03/28/2024	\$50.00
05/13/2024	205551	JEFF NIBERT	Board Meeting Attendance 05/15/2024	\$50.00
08/23/2023	203185	JULIE TESTA	Board Meeting Attendance 08/16/2023	\$50.00
11/20/2023	203989	JULIE TESTA	Board Meeting Attendance 11/15/2023	\$50.00
02/28/2024	204828	JULIE TESTA	Board Meeting Attendance 02/21/2024	\$50.00
03/18/2024	205113	JULIE TESTA	Special Board Mtg Attendance 03/14/2024	\$50.00
04/03/2024	205248	JULIE TESTA	Special Board Mtg Attendance 03/28/2024	\$50.00
05/13/2024	205568	JULIE TESTA	Board Meeting Attendance 05/15/2024	\$50.00

\$1,704,130.22

ITEM NO. 8 REGIONAL GOVERNMENT SERVICES UPDATE**Action Requested**

None at this time. This is an information item only.

To: LAVWMA Board of Directors

From: Levi Fuller, LAVWMA Treasurer

Subject: Transition Status Report

Summary

The LAVWMA Board approved an agreement with Regional Government Services (RGS) for financial and administrative services to take effect on June 1, 2024. The agreement between LAVWMA and DSRSD for Treasurer and Accounting Services was signed by the LAVWMA GM and RGS on June 4, 2024. The agreement between LAVWMA and DSRSD for Treasurer and Accounting Services ended effective June 30, 2024. The purpose of this report is to provide a status update on the transition of accounting functions, including accounts receivable and accounts payables, as well as general accounting and administration work through August 14, 2024.

Transition Status Report

**THE TRANSFER OF ACCOUNTS RECEIVABLE AND ACCOUNTS PAYABLE
FUNCTIONS FROM DUBLIN SAN RAMON SERVICES DISTRICT TO
REGIONAL GOVERNMENT SERVICES**

Summary of Primary Objectives Completed

- Collaboration between LAVWMA, DSRSD, and RGS has resulted in all vendor payments being made by required due dates.
- On July 30, 2024, LAVWMA/RGS completed a wire transfer of \$5.8 Million from California Asset Management Program (CAMP) to Bank of America to facilitate LAVWMA's bond payment, which was due on August 1, 2024.
- LAVWMA/RGS completed a wire transfer of \$5,835,199.03 on July 31, 2024, from Bank of America to US Bank Trustee Services (LAVWMA's bank for Bond Trustee services).

Transition efforts have been focused on four primary areas:

1. Transfer of Knowledge and Records
2. Establishment of Credentials
3. Identification of Unanticipated Problems
4. Development of the Strategies for Overcoming the Unanticipated Problems

1. TRANSFER OF KNOWLEDGE AND RECORDS

Transfer of knowledge from DSRSD's departing accountant

Knowledge transfer from DSRSD to RGS staff began with an agreement kick-off meeting on June 11, 2024. DSRSD and RGS staff focused on the transfer of knowledge from a departing DSRSD accountant tasked with managing LAVWMA's accounts receivable and accounts payable functions. The accountant was scheduled to end DSRSD employment by June 27, 2024.

Transfer of digital records

RGS staff work remotely, not on site at a DSRSD or LAVWMA facility. Due to security access concerns DSRSD was not able to provide access to LAVWMA's digital files/records via virtual private network (VPN). As a temporary measure, DSRSD provided these digital records to an RGS advisor who agreed to receive and store these records; LAVWMA will be acquiring its own storage device(s) for the storage of this significant volume of digital records. The records were provided via a digital Dropbox and are comprised of all the various pdf documents, MS Office files, et cetera, that DSRSD has been keeping on behalf of LAVWMA, going back several years.

Transfer of paper records

DSRSD continues to house hardcopies of a significant volume of LAVWMA records, including financial records. LAVWMA's paper files are stored along with DSRSD's records and are cataloged in accordance with DSRSD's records management system. Working in collaboration with DSRSD records management and retention personnel, LAVWMA, DSRSD, and RGS will develop a plan for the long-term storage of LAVWMA's financial files and other files.

2. ESTABLISHMENT OF CREDENTIALS

Software

There have been challenges setting up credentials and acquiring needed information to access Software Tech Support, such as LAVWMA's "ownership" of the QuickBooks Online software. We address these issues as they are encountered.

Banking Relationships

LAVWMA has four banking relationships. Credentials were needed for:
 LAVWMA's General Manager/Treasurer Levi Fuller
 RGS' Strategic Services Consultant Tracy Fuller

		Levi	Tracy
BofA	Checking	Access	Access
BofA	Token	Yes	Yes
LAIF	Savings	Access	Access
CAMP	Savings	Access	Pending
US Bank	Bond Trustee	Access	Pending

Proper documents have been submitted to the respective financial institutions to provide account access for RGS' Strategic Services Consultant for the two remaining accounts.

3. IDENTIFICATION OF UNANTICIPATED PROBLEMS

QuickBooks Online's inability to produce a correct Balance Sheet

The most significant challenge has been overcoming the QuickBooks Online software's inability to produce a correct Balance Sheet.

Historically, DSRSD staff could accurately manage LAVWMA's balance sheets by running balance sheet reports in Munis and then copying and posting that financial information directly into its QuickBooks Desktop software program. QuickBooks Desktop version functions well and reliably. However, QuickBook's Desktop customers are being migrated over to the cloud version of the software.

Because RGS works remotely, it is essential that RGS use a remote and accurate balance sheet management software program. QuickBooks Online program has errors that prevent the production of correct balance sheets.

QuickBooks understands and acknowledges that there are functional inaccuracies in their cloud-based financial software package that need to be repaired. QuickBooks is working on this problem as it not only affects LAVWMA but other clients as well.

It is hoped that QuickBooks will resolve this problem in the coming weeks or months. In the interim, RGS has and continues to deploy manual workarounds to keep accurate balance sheets for LAVWMA.

Simultaneous to these efforts, RGS has started to explore other vendor financial software packages. The process of purchasing a financial software package from another vendor will require a procurement process followed by scheduling and installing the selected vendor's cloud-based program. This effort could take six (6) months or so to complete.

Banking constraints, challenges to be resolved for LAVWMA/RGS to initiate direct payments to vendors:

- "Wire" transfers – Instantaneous fund transfers with larger amount limits are less secure than Automated Clearing House transfers.

- “Automated Clearing House” transfers (ACH) usually take 2 to 3 days to transfer funds, but have enhanced security compared to wire transfers, and transfer limits are lower (typically \$500K).
- Bank of America was only set up to conduct wire transfers.
- Bank of America was not set up for ACH transfers.
- Bank of America does not provide bank checks. Bank checks will be a critical part of LAVWMA’s payment method going forward. Bank checks are needed to pay one-time vendors where the setup of wire or ACH transfers would be time consuming for LAVWMA/RGS and one-time payment vendors. Not all vendors will accept a wire.
- LAVWMA will likely have to open an account with a financial institution that provides bank checks and is seeking quotes for this service.

4. DEVELOPMENT OF THE STRATEGIES FOR OVERCOMING THE UNANTICIPATED PROBLEMS - PROGRESS AND CONTRACT NTE

- LAVWMA’s GM (complete) and RGS’ Strategic Services Consultant should have access to LAVWMA’s four accounts (Bank of America, CAMP, LAIF, and US Bank) by the end of August 2024.
- LAVWMA and RGS will need to overcome the QuickBooks Online software bug that currently cannot produce a correct balance sheet, which is critical for financial record keeping.
- Research and procurement of an alternative cloud-based accounting software package if QuickBooks is unable to resolve functional balance sheet errors in their cloud-based software program.
- Develop ACH and bank check payment methods and setup payment templates to pay LAVWMA’s consultants and vendors.

Budget for Regional Government Services Agreement – Contract NTE

LAVWMA has a \$92,000 not-to-exceed agreement with RGS. When the budget was established, there was the expectation that a higher-than-average level of effort would be needed in the first few months of this transition. However, the first efforts to complete the transition have been more complicated than RGS or DSRSD anticipated. As a result of these challenges, costs have been more than what was expected. Approximately one third of the annual budget has been used in the first two months of the transition period. The General Manager will continue to monitor these costs closely as the transition period moves forward.

Conclusion

The LAVWMA General Manager wants to acknowledge the hard work and dedication of DSRSD staff, RGS staff, as well as former LAVWMA General Manager Chuck Weir in

working on the challenges associated with transferring accounting functions from DSRSD to RGS. The General Manager is confident there will be a complete and successful transition of these services.

Livermore-Amador Valley Water Management Agency

RESOLUTION NO. 24-06

**RESOLUTION ADOPTING A CONFLICT OF INTEREST CODE FOR THE
LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY AND
RESCINDING THE PRIOR CONFLICT OF INTEREST CODE**

WHEREAS, the Livermore-Amador Valley Water Management Agency (“LAVWMA”) is a joint powers agency formed pursuant to the Amended and Restated Joint Exercise of Powers Agreement for the Livermore-Amador Valley Water Management Agency dated July 21, 1997; and

WHEREAS, the Political Reform Act of 1974, as amended (Gov’t Code §§ 81000 *et seq.*), requires every state or local agency to adopt and promulgate a Conflict of Interest Code; and

WHEREAS, LAVWMA adopted a Conflict of Interest Code on August 15, 2016 and said Code was amended by LAVWMA’s code reviewing body, the Fair Political Practices Commission (“FPPC”) on February 7, 2018; and

WHEREAS, LAVWMA amended said Code on February 15, 2023; and

WHEREAS, the FPPC last reviewed and approved LAVWMA’s Conflict of Interest Code on February 15 2018; and

WHEREAS, the FPPC must review and approve LAVWMA’s most current Conflict of Interest Code; and

WHEREAS, the FPPC recommends updating LAVWMA’s Conflict of Interest Codes that are more than five (5) years old.

NOW, THEREFORE, BE IT RESOLVED that the Board of Directors of LAVWMA hereby resolves as follows:

1. Resolution 23-02 and its Appendices, attached thereto, are hereby rescinded in their entirety.
2. The Conflict of Interest Code, attached hereto and incorporated herein by reference, is hereby adopted as the Conflict of Interest Code for LAVWMA.
3. This Resolution shall become effective upon its adoption; provided, however, that the Conflict of Interest Code, as revised by this Resolution, shall become effective only after approval by the FPPC.

LAVWMA
Resolution No. 24-06

DULY AND REGULARLY ADOPTED by LAVWMA this 21st day of August, 2024, by the following vote:

AYES:

NOES:

ABSENT:

Arun Goel, Chair

ATTEST: _____

Levi Fuller, Jr., General Manager

**LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
CONFLICT-OF-INTEREST CODE**

The Political Reform Act (Government Code Section 81000, et seq.) requires state and local government agencies to adopt and promulgate conflict of interest codes. The Fair Political Practices Commission has adopted a regulation (2 Cal. Code of Regs. Sec. 18730) that contains the terms of a standard conflict of interest code, which can be incorporated by reference in an agency's code. After public notice and hearing, the standard code may be amended by the Fair Political Practices Commission to conform to amendments in the Political Reform Act. Therefore, the terms of 2 California Code of Regulations Section 18730 and any amendments to it duly adopted by the Fair Political Practices Commission are hereby incorporated by reference. This regulation and the attached Appendix, designating positions and establishing disclosure categories, shall constitute the conflict of interest code of the **Livermore-Amador Valley Water Management Agency (Agency)**.

All designated positions must file their statements of economic interests with the **Agency**. All statements must be made available for public inspection and reproduction under Government Code Section 81008.

APPENDIX A **DESIGNATED POSITIONS**

<u>Designated Position</u>	<u>Assigned Disclosure Category</u>
Directors (except Chair of the Board)	1, 2
Alternate Directors	1, 2
General Counsel	1, 2
Consultants/New Positions	*

Note: The General Counsel is an outside consultant that acts in a staff capacity for the Agency.

*Consultants/new positions shall be included in the list of designated positions and shall disclose pursuant to the broadest disclosure category in the code subject to the following limitation:

The General Manager may determine in writing that a particular consultant or new position, although a “designated position,” is hired to perform a range of duties that is limited in scope and thus is not required to comply fully with the disclosure requirements described in this section. Such written determination shall include a description of the consultant’s or new position’s duties and, based upon that description, a statement of the extent of disclosure requirements. The General Manager’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code Gov. Code Sec. 81008).

GOVERNMENT CODE SECTION 87200 FILERS

The following positions are not covered by this Conflict of Interest Code because they must file under Government Code Section 87200 and, therefore, are listed for informational purposes only:

- Chair of the Board of Directors
- General Manager/Treasurer
- Consultant(s) who Manages Public Investments, if any

Individuals holding one of the above-listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes a final determination as to whether or not a position is covered by Government Code Section 87200.

APPENDIX B
DISCLOSURE CATEGORIES

Disclosure Categories

1. All interests in real property located in or within two miles of the service area of LAVWMA's member agencies or located within two miles of any LAVWMA facilities, including LAVWMA's existing pipeline and any facilities that are planned to be constructed as part of LAVWMA's Export Pipeline Facilities Project.
2. All investments and business positions in business entities and sources of income, including receipt of gifts, loans, and travel payments, from any source that provides leased facilities, services, supplies, materials or equipment of the type utilized by the District.

This is the last page of the conflict of interest code for the Livermore Amador Valley Water Management Agency .



CERTIFICATION OF FPPC APPROVAL

Pursuant to Government Code Section 87303, the conflict of interest code for the
Livermore Amador Valley Water Management Agency was approved on 8/13/24 .

This code will become effective on September 12, 2024 .

Sukhdip Brar

Digitally signed by Sukhdip
Brar
Date: 2024.08.13 11:28:21
-07'00'

Sukhi K. Brar

Assistant Chief Counsel

Fair Political Practices Commission

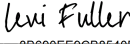
DECLARATION OF CHIEF EXECUTIVE OFFICER**Multi-County Agency Conflict of Interest Code for****Livermore Amador Valley Water Management Agency**

Name of Agency

The proposed conflict of interest code specifically includes each agency position that involves the making or participation in the making of decisions which may foreseeably have a material financial effect on an economic interest. Positions that do not make or participate in decisions are not included.

The disclosure categories are written to address the agency's current programs and require disclosure of only foreseeable interests that may create a conflict of interest.

The agency has satisfied all of the requirements of Title 2, Division 6 of the California Code of Regulations Section 18750 preliminary to approval of the proposed code, including providing a comment period for both employees and the public.

DocuSigned by:

00000EE9CB8540B...

Signature

8/12/2024

Date

Levi Fuller

Printed Name

General Manager

Title



QUARTERLY REPORT OF OPERATIONS

FY 2023-2024, 4th Quarter



**Quarterly Report of Operations
LAVWMA Pumping and Conveyance System**

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Current Quarter Metrics

Monthly export flow decreased each month from Apr-Jun, which is typical for this time of the year due to DERWA recycled water demands increasing (Figure 1). Calculated flows for Dublin San Ramon (DSR) were zero for Jun-2024 (Figure 1, left plot). Pump efficiency remained consistent each month at about 73-74%.

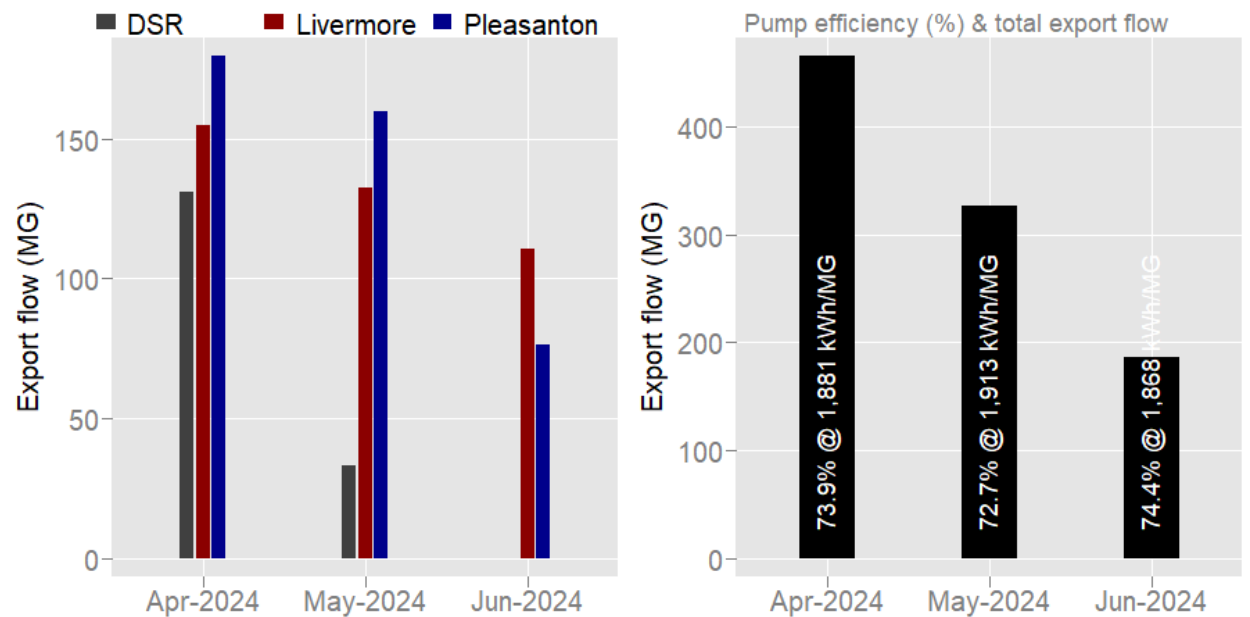


Figure 1 - LAVWMA Quarter 4 FYE 2024 export flows for Apr-2024, May-2024, & Jun-2024; monthly flows shown by source (left plot) and as total (right plot) with pump efficiency (%) at noted kilowatt hour (kWh) per million gallons (MG)

Most usage for either feeder (service) was done during off-peak or super off-peak hours (Figure 2). Feeder A had no usage during the Jun-2024 billing cycle (14-May – 11-Jun; Figure 2; Table 2). Feeder B provides power to the building, so there will always be minor charges for building equipment during peak and (if applicable) partial peak periods.

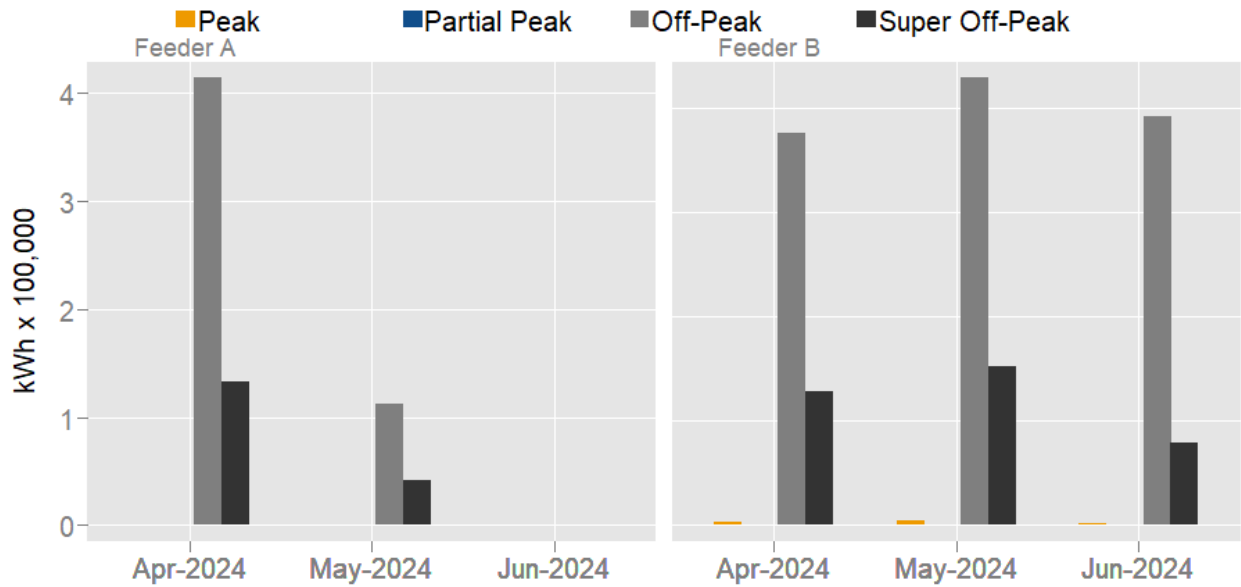


Figure 2 - LAVWMA Quarter 4 FYE 2024 electric usage as kilowatt hour (kWh) for Apr-2024, May-2024, & Jun-2024; monthly usage displayed separately for feeder A (left) & feeder B (right) by time of use: peak, partial peak, off-peak; & super off-peak

Labor and utilities covered the largest fraction of overall cost in Q4 FYE 2024 (Figure 3, 3 left-most plots). There were no expenses for non-routine work this quarter.

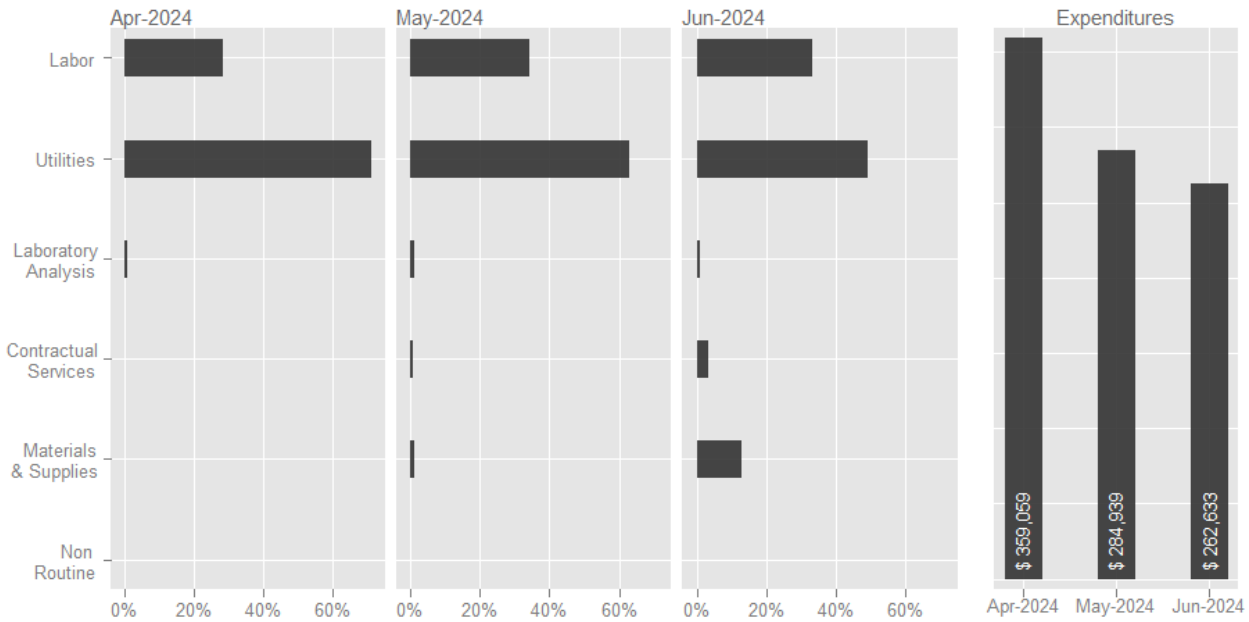


Figure 3 - LAVWMA Quarter 4 FYE 2024 expenditures for Apr-2024, May-2024, & Jun-2024 as percent of total cost by type (labor, utilizes, laboratory analysis, contractual services, materials & supplies, & non routine; left plot) and as monthly total (right plot)

There were no major equipment failures in Q4 FYE 2024, the pipeline and pumping plant ran without issue. Preventative maintenance (PM) work orders exceeded corrective maintenance (CM) work orders each month during Q4 FYE 2024 (Figure 4, right plot).

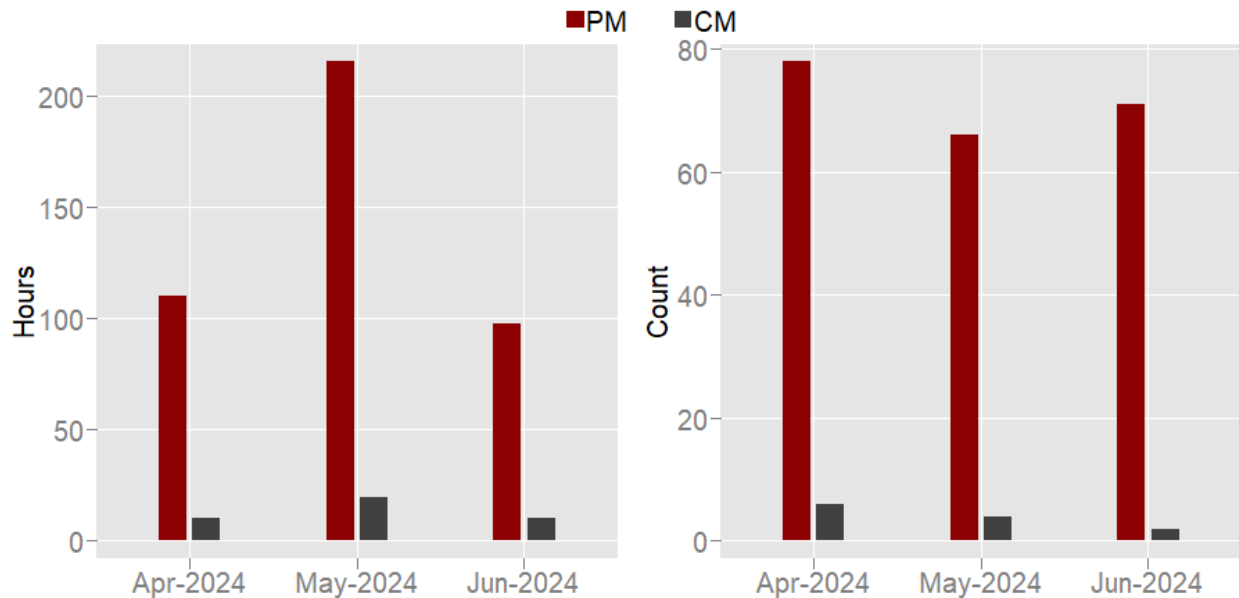


Figure 4 - LAVWMA Quarter 4 FYE 2024 preventative maintenance (PM) & corrective maintenance (CM) work order hours (left plot) and count (right plot) for Apr-2024, May-2024, & Jun-2024

Executive Summary

For the fourth quarter, the Livermore-Amador Valley Water Management Agency (LAVWMA) pumping and effluent conveyance system functioned efficiently with all systems working within their designed parameters. The pumps maintained consistent flow rates and pressure, ensuring LAVWMA treated effluent discharge moved without major interruptions. Just over 977 million gallons (MG) of fully treated secondary effluent were pumped to San Francisco Bay via the East Bay Dischargers Authority (EBDA) outfall diffuser and San Leandro Sample Station (SLSS; Table 6 or section Export Flow for more details). The overall efficiency of the pumping system averaged 73.2%, with an average electrical cost of \$478 per MG, or \$156 per acre-foot (AF; Table 1 or section Electrical Usage, Efficiency, & Cost for more details).

Operations

Of the 977 MG of effluent conveyed through the LAVWMA system during the fourth quarter, approximately 118 MG came from Dublin San Ramon (DSR), 398 MG from the City of Livermore, and 462 from the City of Pleasanton. Refer to section Export Flow for more details.

PG&E's current rate plan has four time-of-use (TOU) periods (in order of decreasing rates): peak (year-round), partial peak (June-September), off-peak (year-round), and super off-peak (March-May).

Whenever possible, staff implement an efficient pumping plan to avoid pumping during higher rate periods (i.e., peak and partial peak).

Over the past quarter, DSRSD staff strategically managed LAVWMA's holding basins to minimize the number of pumps running during a given billing cycle. Such an approach was based on anticipated flows from the City of Livermore and DSRSD's wastewater treatment facilities. Refer to section Electrical Usage, Efficiency, & Cost for more information about energy use.

Maintenance

During the quarter, staff logged 422.6 hours completing 215 preventative maintenance (PM) work orders and 39.5 hours completing 12 corrective maintenance (CM) work orders on LAVWMA equipment and systems. Refer to Figure 4 for monthly breakdown (work order data updated 31-Jul-2024).

Since pumps 1, 3, and 5 have been installed, we have maximized their operation to see if there will be any deficiencies within the warranty period. So far, the pumps have operated without any major issue and next we will inspect export pump number 2.

The following are some additional noteworthy maintenance activities during the quarter:

Electrical

- Responded to minor PG&E outages affecting both utility main breakers.
- Repaired 3-way lighting switches in Pump Station office.

Instrument & Controls

- Modified Resistance Temperature Detector (RTD) alarm setpoints for Pump Station Pump #7.
- Replaced chlorine and pH analyzer for the DSRSD side of Junction Structure.
- Repaired the flow meter controlling the sample water for all chlorine analyzer locations at Pump Station and Junction Structure.

Operations

- Brief power outage 5/11/2024 @ 20:30 that momentarily shutdown all exports pumps online; no negative impact occurred due to this incident.
- Seasonal TOU (Time of Use) change in effect 6/1/2024. Ops adjusted pumping schedule to avoid pumping during peak hours.
- All export pumping offline 6/8/2024 from 06:45-09:40 due to power failure. No impact to operation.
- DSRSD did not discharge any effluent into LAVWMA 6/19/2024, which helped to reduce export pumping that day.

Mechanical

- Replaced a damaged air valve vault lid with a temporary; a replacement is on order.

Electrical Usage, Efficiency, & Cost

Monthly pump efficiency (O_e) was estimated as the fraction of a calculated kWh/MG given full efficiency (i.e., 100%) to the actual kWh/MG (see equations below).

$$O_e = \frac{\text{full efficiency kWh}}{\text{actual kWh}} \times 100$$

$$\text{Full Efficiency kWh} = \frac{\overline{GPM} \times TDH}{3960} \times 0.746 \times d \times 24h$$

- $\overline{GPM} = \frac{Export\ Flow\ (MG) \times 10^6}{d \times 1440\ min/d}$
- TDH (total dynamic head) = 442.8 ft (static lift = 408.8 ft, piping losses = 34 ft)
- 3960 = units conversion constant for water between 40° F and 220° F
- 0.746 = horsepower to kW conversion constant (0.746 hp / kW)
- d = number of days
- h = indicates hour (as 24 hours/day)

Table 1 - LAVWMA FYE 2024 quarterly kWh usage, export flow, pump efficiency, & cost for PG&E-based billing cycle; current quarter & year-to-date (YTD) summaries provided below monthly values

	Billing Days	kWh	Flow (MG)	kWh/MG	Pump Efficiency	Cost (\$)	\$/kWh	\$/MG	\$/AF
Q1									
Jul-2023	31	364,203	181	2,017.73	68.9%	\$98,646	\$0.27	\$547	\$178
Aug-2023	31	289,123	155	1,867.71	74.4%	\$73,439	\$0.25	\$474	\$155
Sep-2023	30	375,670	201	1,869.34	74.4%	\$99,961	\$0.27	\$497	\$162
Q2									
Oct-2023	30	464,989	251	1,853.43	75.0%	\$113,596	\$0.24	\$453	\$148
Nov-2023	31	632,068	335	1,886.26	73.7%	\$149,155	\$0.24	\$445	\$145
Dec-2023	30	822,696	434	1,894.06	73.4%	\$178,247	\$0.22	\$410	\$134
Q3									
Jan-2024	30	959,509	505	1,900.74	73.1%	\$218,755	\$0.23	\$433	\$141
Feb-2024	32	1,224,205	646	1,894.16	73.4%	\$298,944	\$0.24	\$463	\$151
Mar-2024	30	1,169,625	625	1,870.18	74.3%	\$274,588	\$0.23	\$439	\$143
Q4									
Apr-2024	32	1,052,855	564	1,866.81	74.5%	\$254,279	\$0.24	\$451	\$147
May-2024	29	738,276	389	1,900.19	73.2%	\$177,996	\$0.24	\$458	\$149
Jun-2024	29	473,282	245	1,928.55	72.1%	\$128,540	\$0.27	\$524	\$171
Q4									
Average		754,804	399	1,899	73.2%	\$186,939	\$0.25	\$478	\$156
Total	90	2,264,412	1,198	5,696		\$560,816			
Minimum		473,282	245	1,867	72.1%	\$128,540	\$0.24	\$451	\$147
Maximum		1,052,855	564	1,929	74.5%	\$254,279	\$0.27	\$524	\$171
YTD									
Average		713,875	378	1,896	73.4%	\$172,179	\$0.25	\$466	\$152
Total	365	8,566,501	4,531	22,749		\$2,066,147			
Minimum		289,123	155	1,853	68.9%	\$73,439	\$0.22	\$410	\$134
Maximum		1,224,205	646	2,018	75.0%	\$298,944	\$0.27	\$547	\$178

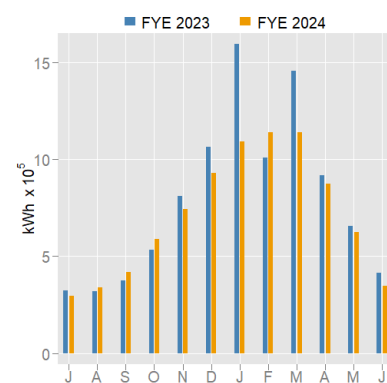


Figure 5 - LAVWMA monthly kWh usage FYE 2023 & FYE 2024 through Jun-2024

Table 2 - LAVWMA FYE 2024 quarterly kWh usage and cost for PG&E-based billing cycle separately for Service A & Service B

Service A					Service B					
Peak (kWh)	Partial Peak (kWh)	Off-Peak (kWh)	Super Off- Peak (kWh)	Cost (\$)	Peak (kWh)	Partial Peak (kWh)	Off-Peak (kWh)	Super Off- Peak (kWh)	Cost (\$)	
Q1										
Jul-2023	0	0	0	0	\$1,995	2,155	1,941	360,107	0	\$96,651
Aug-2023	0	0	276,136	0	\$64,834	2,471	2,123	8,393	0	\$8,605
Sep-2023	0	6	361,638	0	\$89,817	2,735	2,225	9,066	0	\$10,145
Q2										
Oct-2023	0	0	451,960	0	\$105,228	2,486	1,264	9,279	0	\$8,368
Nov-2023	240	0	183,254	0	\$49,078	3,335	0	445,239	0	\$100,076
Dec-2023	0	0	367,106	0	\$78,679	3,117	0	452,473	0	\$99,568
Q3										
Jan-2024	0	0	514,206	0	\$116,728	3,348	0	441,955	0	\$102,027
Feb-2024	44,071	0	615,830	0	\$152,272	3,259	0	561,045	0	\$146,672
Mar-2024	9,037	0	660,297	83,328	\$172,363	2,828	0	361,097	53,038	\$102,226
Q4										
Apr-2024	0	0	414,018	133,035	\$128,630	2,611	0	375,476	127,714	\$125,649
May-2024	0	0	112,635	41,329	\$38,394	4,098	0	428,259	151,955	\$139,602
Jun-2024	0	0	0	0	\$3,301	1,822	628	392,093	78,739	\$125,240
Q4										
Average	0	0	175,551	58,121	\$56,775	2,844	209	398,609	119,469	\$130,164
Total	0	0	526,653	174,364	\$170,324	8,531	628	1,195,828	358,408	\$390,492
Minimum	0	0	0	0	\$3,301	1,822	0	375,476	78,739	\$125,240
Maximum	0	0	414,018	133,035	\$128,630	4,098	628	428,259	151,955	\$139,602
YTD										
Average	4,446	1	329,757	21,474	\$83,443	2,855	682	320,374	34,287	\$88,736
Total	53,348	6	3,957,080	257,692	\$1,001,318	34,265	8,181	3,844,482	411,446	\$1,064,829
Minimum	0	0	0	0	\$1,995	1,822	0	8,393	0	\$8,368
Maximum	44,071	6	660,297	133,035	\$172,363	4,098	2,225	561,045	151,955	\$146,672

Pump Run Time

Monthly pump utilization (U_m) was calculated as the fraction of total pump hours given the total hours possible if nine¹ pumps ran continuously (i.e., 24 hours per day; equation below, where h = total hours, m = given month, d = days in month). Pump utilization decreased each monthly in Q4 (Table 4).

$$U_m = \frac{h_m}{9 \times 24 \times d_m} \times 100$$

Table 3 - LAVWMA FYE 2024 monthly pump hours by pump and total; quarterly and YTD summaries provided below monthly values

Hours	Pump 1	Pump 2	Pump 3	Pump 4	Pump 5	Pump 6	Pump 7	Pump 8	Pump 9	Pump 10	Total
Q1											
Jul-2023	0	103	30	88	179	5	0	47	104	149	706
Aug-2023	0	0	17	0	387	113	0	97	0	262	875
Sep-2023	0	0	41	0	340	352	0	79	0	279	1,091
Q2											
Oct-2023	111	128	41	273	230	289	5	176	171	5	1,429
Nov-2023	485	9	0	498	0	283	0	11	483	0	1,769
Dec-2023	517	1	0	513	0	433	136	150	364	138	2,251
Q3											
Jan-2024	571	2	0	528	0	285	252	567	288	261	2,755
Feb-2024	528	140	146	482	132	270	189	254	185	498	2,826
Mar-2024	508	0	498	504	504	0	73	0	526	227	2,840
Q4											
Apr-2024	433	273	215	154	249	0	313	0	468	0	2,104
May-2024	171	0	0	431	0	0	408	0	406	0	1,416
Jun-2024	52	0	96	263	16	1	114	0	265	0	807
	Pump 1	Pump 2	Pump 3	Pump 4	Pump 5	Pump 6	Pump 7	Pump 8	Pump 9	Pump 10	Total
Q1											
Average Hours	0	34	29	29	302	156	0	74	35	230	890
Std Dev Hours	0.0	59.7	12.4	50.8	108.7	177.4	0.0	25.0	60.2	70.9	192.6
Hours	0	103	88	88	906	469	0	222	104	690	2,671
Min Hours	0	0	17	0	179	5	0	47	0	149	706
Max Hours	0	103	41	88	387	352	0	97	104	279	1,091
Q2											
Average Hours	371	46	14	428	77	335	47	112	339	47	1,816
Std Dev Hours	225.5	71.0	23.9	134.2	133.0	84.9	76.9	88.8	157.7	78.4	413.1
Hours	1,113	137	41	1,284	230	1,004	141	337	1,018	142	5,449
Min Hours	111	1	0	273	0	283	0	11	171	0	1,429
Max Hours	517	128	41	513	230	433	136	176	483	138	2,251
Q3											
Average Hours	536	47	215	505	212	185	171	274	333	329	2,807
Std Dev Hours	32.2	80.6	256.2	23.1	261.5	160.2	91.1	284.1	174.6	147.8	45.3
Hours	1,608	142	644	1,514	637	554	514	821	1,000	986	8,421
Min Hours	508	0	0	482	0	0	73	0	185	227	2,755
Max Hours	571	140	498	528	504	285	252	567	526	498	2,840
Q4											
Average Hours	219	91	104	283	88	0	278	0	380	0	1,442
Std Dev Hours	195.0	157.5	107.6	139.4	139.1	0.4	149.7	0.1	104.0	0.1	648.9
Hours	656	273	311	848	265	1	835	0	1,139	0	4,327
Min Hours	52	0	0	154	0	0	114	0	265	0	807
Max Hours	433	273	215	431	249	1	408	0	468	0	2,104
Total Average Hours	281	55	90	311	170	169	124	115	272	152	1,739
Total Std Dev Hours	242.6	88.1	145.1	207.8	175.4	164.5	139.9	164.8	182.9	159.6	804.8
Total Hours	3,377	656	1,085	3,734	2,038	2,029	1,489	1,381	3,260	1,819	20,868
Total Min Hours	0	0	0	0	0	0	0	0	0	0	706
Total Max Hours	571	273	498	528	504	433	408	567	526	498	2,840

Table 4 - LAVWMA FYE 2024 monthly percent pump utilization; quarterly and YTD summaries provided below monthly values

	Pump Utilization
Q1	
Jul-2023	10.5%
Aug-2023	13.1%
Sep-2023	16.8%
Q2	
Oct-2023	21.3%
Nov-2023	27.3%
Dec-2023	33.6%
Q3	
Jan-2024	41.1%
Feb-2024	45.1%
Mar-2024	42.4%
Q4	
Apr-2024	32.5%
May-2024	21.1%
Jun-2024	12.5%
Q1	
Average Pump Utilization	13.5%
Min Pump Utilization	10.5%
Max Pump Utilization	16.8%
Q2	
Average Pump Utilization	27.4%
Min Pump Utilization	21.3%
Max Pump Utilization	33.6%
Q3	
Average Pump Utilization	42.9%
Min Pump Utilization	41.1%
Max Pump Utilization	45.1%
Q4	
Average Pump Utilization	22.0%
Min Pump Utilization	12.5%
Max Pump Utilization	32.5%
Total Average Pump Utilization	26.5%
Total Min Pump Utilization	10.5%
Total Max Pump Utilization	45.1%

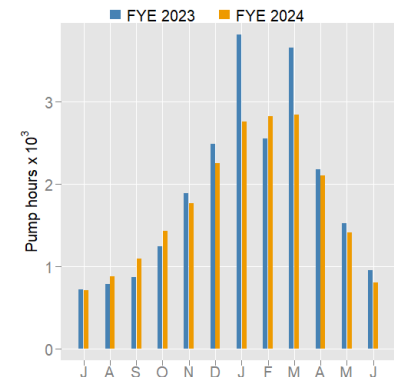


Figure 6- LAVWMA FYE 2023 & FYE 2024 monthly pump hours through Jun-2024

¹ Ten pumps total, but one in reserve as a back-up to the other nine

Basin Levels

Table 5 - LAVWMA FYE 2024 monthly average levels (ft) by basin and overall (total); current quarter and YTD summaries provided below monthly values

Average	Basin 1	Basin 2	Basin 3	Total
Q1				
Jul-2023	3.08	0.08	1.83	1.66
Aug-2023	3.38	1.36	3.47	2.74
Sep-2023	2.63	0.10	2.72	1.82
Q2				
Oct-2023	3.15	0.10	3.18	2.14
Nov-2023	3.19	0.10	3.82	2.37
Dec-2023	3.84	0.12	3.45	2.47
Q3				
Jan-2024	4.18	0.12	5.26	3.19
Feb-2024	4.65	0.11	6.52	3.76
Mar-2024	4.07	0.10	4.46	2.88
Q4				
Apr-2024	3.33	0.07	3.84	2.41
May-2024	1.39	0.07	3.35	1.60
Jun-2024	1.96	0.07	2.04	1.36
Q4				
Average	2.23	0.07	3.08	1.79
Minimum	1.39	0.07	2.04	1.36
Maximum	3.33	0.07	3.84	2.41
YTD				
Average	3.24	0.20	3.66	2.37
Minimum	1.39	0.07	1.83	1.36
Maximum	4.65	1.36	6.52	3.76

Export Flow

Combined export flow includes Dublin San Ramon, the City of Livermore, and the City of Pleasanton. Monthly totals do not include flows diverted for recycling use by DERWA and Pleasanton. Budgeted FYE 2024 flow is 3,374 MG at an estimated cost of \$1,084 / MG.

Table 6 - LAVWMA FYE 2024 monthly export flows in million gallons (MG) for Dublin San Ramon, Livermore, & Pleasanton; current quarter and YTD summaries provided below monthly values; note totals (quarterly & YTD) provided in with monthly summary

	Dublin San Ramon (MG)	Livermore (MG)	Pleasanton (MG)	Combined Export (MG)
Q1	0.00	327.72	228.90	556.61
Jul-2023	0.00	104.32	46.25	150.57
Aug-2023	0.00	109.72	69.73	179.45
Sep-2023	0.00	113.68	112.92	226.60
Q2	289.72	438.35	468.04	1,196.10
Oct-2023	41.42	132.86	138.10	312.38
Nov-2023	97.00	143.96	153.21	394.16
Dec-2023	151.29	161.53	176.74	489.56
Q3	593.25	546.75	651.05	1,791.05
Jan-2024	191.65	180.43	204.95	577.03
Feb-2024	208.49	177.84	218.60	604.94
Mar-2024	193.11	188.48	227.50	609.09
Q4	117.81	397.86	462.06	977.72
Apr-2024	130.87	154.67	179.58	465.11
May-2024	33.22	132.56	159.96	325.74
Jun-2024	0.00	110.63	76.24	186.86
Total	881.20	1,710.67	1,929.62	4,521.49
Q4				
Average	54.70	132.62	138.59	325.91
Minimum	0.00	110.63	76.24	186.86
Maximum	130.87	154.67	179.58	465.11
YTD				
Average	87.25	142.56	146.98	376.79
Minimum	0.00	104.32	46.25	150.57
Maximum	208.49	188.48	227.50	609.09

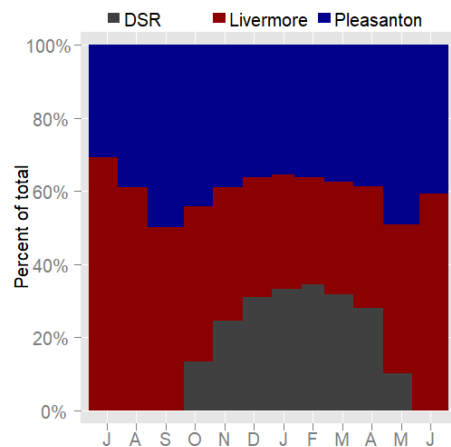


Figure 7- LAVWMA FYE 2024 through Jun-2024 monthly export flows by region as a percent of total; DSR = Dublin San Ramon

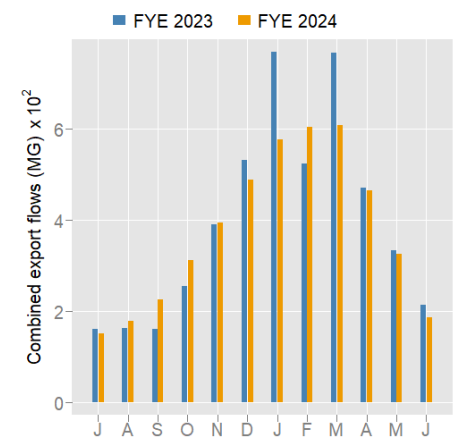


Figure 8 - LAVWMA FYE 2023 & FYE 2024 through Jun-2024 monthly combined export flows (MG)

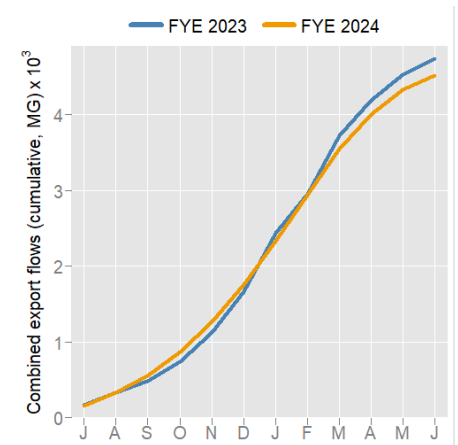


Figure 9 - LAVWMA FYE 2023 & FYE 2024 through Jun-2024 monthly cumulative combined export flows (MG)

Expenditures & Budget Utilization: Labor & O&M

May 2024 expenses included smart cover batteries, and June 2024 expenses included manhole cover replacement and ARV valves. Overall O&M expenses decreased slightly in quarter 4 compared to the previous quarter.

Table 7 - LAVWMA FYE 2024 monthly expenditure for labor, accounts payable (A/P), and overall (O&M); cost per export flow (MG and acre-foot [AF]) provided for reference; quarterly and YTD summaries provided below monthly values; note totals (quarterly & YTD) provided in with monthly summary

	Labor Expenses	A/P Expenses	O&M Expenses	\$/MG	\$/AF
Q1	\$227,228	\$311,909	\$539,137	\$969	\$316
Jul-2023	\$91,832	\$121,163	\$212,995	\$1,415	\$461
Aug-2023	\$77,175	\$84,902	\$162,077	\$903	\$294
Sep-2023	\$58,221	\$105,844	\$164,065	\$724	\$236
Q2	\$216,483	\$503,613	\$720,095	\$602	\$196
Oct-2023	\$69,729	\$143,058	\$212,786	\$681	\$222
Nov-2023	\$62,952	\$127,632	\$190,584	\$484	\$158
Dec-2023	\$83,802	\$232,923	\$316,725	\$647	\$211
Q3	\$254,355	\$821,655	\$1,076,010	\$601	\$196
Jan-2024	\$71,255	\$226,024	\$297,280	\$515	\$168
Feb-2024	\$77,251	\$311,390	\$388,642	\$642	\$209
Mar-2024	\$105,848	\$284,241	\$390,089	\$640	\$209
Q4	\$285,957	\$620,675	\$906,631	\$927	\$302
Apr-2024	\$101,259	\$257,801	\$359,059	\$772	\$252
May-2024	\$97,619	\$187,320	\$284,939	\$875	\$285
Jun-2024	\$87,079	\$175,554	\$262,633	\$1,405	\$458
Total	\$984,022	\$2,257,852	\$3,241,874	\$717	\$234
Q4					
Average	\$95,319	\$206,892	\$302,210	\$1,017	\$332
Minimum	\$87,079	\$175,554	\$262,633	\$772	\$252
Maximum	\$101,259	\$257,801	\$359,059	\$1,405	\$458
YTD					
Average	\$82,002	\$188,154	\$270,156	\$809	\$263
Minimum	\$58,221	\$84,902	\$162,077	\$484	\$158
Maximum	\$105,848	\$311,390	\$390,089	\$1,415	\$461

Table 8 - LAVWMA FYE 2024 YTD expenditures (O&M & labor) with percent budget utilized and budget remaining

	O&M YTD Expenses	O&M Budget Utilization	O&M Budget Remaining	Labor YTD Expenses	Labor Budget Utilization	Labor Budget Remaining
Q1						
Jul-2023	\$212,995	5.8%	\$3,443,889	\$91,832	7.8%	\$1,091,652
Aug-2023	\$375,072	10.3%	\$3,281,812	\$169,007	14.3%	\$1,014,477
Sep-2023	\$539,137	14.7%	\$3,117,747	\$227,228	19.2%	\$956,256
Q2						
Oct-2023	\$751,923	20.6%	\$2,904,961	\$296,956	25.1%	\$886,528
Nov-2023	\$942,507	25.8%	\$2,714,377	\$359,908	30.4%	\$823,576
Dec-2023	\$1,259,232	34.4%	\$2,397,652	\$443,710	37.5%	\$739,774
Q3						
Jan-2024	\$1,556,512	42.6%	\$2,100,372	\$514,966	43.5%	\$668,518
Feb-2024	\$1,945,153	53.2%	\$1,711,731	\$592,217	50.0%	\$591,267
Mar-2024	\$2,335,242	63.9%	\$1,321,642	\$698,065	59.0%	\$485,419
Q4						
Apr-2024	\$2,694,302	73.7%	\$962,582	\$799,324	67.5%	\$384,160
May-2024	\$2,979,241	81.5%	\$677,643	\$896,943	75.8%	\$286,541
Jun-2024	\$3,241,874	88.7%	\$415,010	\$984,022	83.1%	\$199,462

Table 9 - LAVWMA Quarter 1 (Q1) & Quarter 2 (Q2) & Quarter 3 (Q3) FYE 2024 billed labor hours and full-time employment equivalent; quarterly and YTD summaries provided below monthly values; note billed labor hour totals (quarterly & YTD) provided with monthly summary

	Billed Labor Hours	FTE Equivalent
Q1	1,099.0	
Jul-2023	440.0	2.5
Aug-2023	370.0	2.1
Sep-2023	289.0	1.7
Q2	1,043.8	
Oct-2023	378.3	2.2
Nov-2023	287.0	1.7
Dec-2023	378.5	2.2
Q3	1,173.0	
Jan-2024	323.5	1.9
Feb-2024	363.5	2.1
Mar-2024	486.0	2.8
Q4	1,302.0	
Apr-2024	468.5	2.7
May-2024	439.0	2.5
Jun-2024	394.5	2.3
Total	4,617.8	
Q4		
Average	434.0	2.5
Minimum	394.5	2.3
Maximum	468.5	2.7
YTD		
Average	384.8	2.2
Minimum	287.0	1.7
Maximum	486.0	2.8

Expenditures: Livermore Sole Use Facilities

Table 10 - LAVWMA FYE 2024 expenditures (labor & accounts payable [A/P]) for Livermore sole use facilities; quarterly and YTD (Total) summaries provided below monthly values

Expenses	Labor	A/P	Total
Q1			
Jul-2023	\$588	\$608	\$1,196
Aug-2023	\$0	\$1,801	\$1,801
Sep-2023	\$4,042	\$665	\$4,707
Q2			
Oct-2023	\$0	\$220	\$220
Nov-2023	\$0	\$661	\$661
Dec-2023	\$0	\$726	\$726
Q3			
Jan-2024	\$0	\$628	\$628
Feb-2024	\$0	\$803	\$803
Mar-2024	\$2,004	\$821	\$2,826
	Labor	A/P	Total
Q1			
Total	\$4,629	\$3,074	\$7,703
Average	\$1,543	\$1,025	\$2,568
Minimum	\$0	\$608	\$1,196
Maximum	\$4,042	\$1,801	\$4,707
Q2			
Total	\$0	\$1,606	\$1,606
Average	\$0	\$535	\$535
Minimum	\$0	\$220	\$220
Maximum	\$0	\$726	\$726
Q3			
Total	\$2,004	\$2,252	\$4,256
Average	\$668	\$751	\$1,419
Minimum	\$0	\$628	\$628
Maximum	\$2,004	\$821	\$2,826
Total Total	\$6,634	\$6,931	\$13,565
Total Average	\$737	\$770	\$1,507
Total Minimum	\$0	\$220	\$220
Total Maximum	\$4,042	\$1,801	\$4,707

Note: due to an inadvertent typo, Nov-2023 A/P expense was \$100,737 in Q2's report. That value (now \$661) and corresponding descriptive statistics have been corrected (see table above).

Detailed YTD O&M Budget Comparison to Actual Expenses

LAVWMA

BUDGET COMPARISON TO ACTUAL EXPENSES: GOODS & SERVICES

Current FY Period: 12

ACTUAL EXPENSES BILLED TO LAVWMA FOR REGULAR O&M															
	Budget	July	August	September	October	November	December	January	February	March	April	May	June	YTD	YTD
	FY 2023-2024	2023	2023	2023	2023	2023	2023	2024	2024	2024	2024	2024	2024	TOTAL	Budget
Project Total:	Labor														
	Staff	\$1,183,484	\$91,832	\$77,175	\$58,221	\$69,729	\$62,952	\$83,802	\$71,255	\$77,251	\$105,848	\$101,259	\$97,619	\$87,079	\$1,183,484
	Subtotal	\$1,183,484	\$91,832	\$77,175	\$58,221	\$69,729	\$62,952	\$83,802	\$71,255	\$77,251	\$105,848	\$101,259	\$97,619	\$87,079	\$1,183,484
Phase Total:	Materials & Supplies														
	Operations Supplies	\$19,100	17	\$85	\$1,625	\$16,213	\$143	\$153	\$142	\$161	\$17	\$229	\$36	\$17,948	\$19,100
	Mechanical Supplies	\$31,900	\$765	\$1,214	\$138	\$462	\$2,158	\$1,269	\$138	\$7,359	\$129	\$138	\$3,002	\$14,959	\$31,900
	Electrical Supplies	\$38,900	\$9,515	\$4,167	\$0	\$12	\$5,949	\$468	\$1,034	\$0	\$1,296	\$69	\$0	\$1,026	\$38,900
	Subtotal	\$89,900	\$10,297	\$5,466	\$1,763	\$16,687	\$8,249	\$1,890	\$1,313	\$7,520	\$1,441	\$437	\$3,038	\$33,933	\$89,900
Analysis	Laboratory Analysis														
Biochemical Oxy	Compliance Testing	\$11,300	\$896	\$1,120	\$896	\$1,120	\$896	\$896	\$1,120	\$896	\$896	\$896	\$1,120	\$896	\$11,300
Demand & Total	Operational Support Testing	\$4,900	\$414	\$414	\$414	\$414	\$414	\$414	\$414	\$414	\$414	\$414	\$414	\$414	\$4,900
Langelier Index	Special Sampling	\$29,400	\$1,344	\$1,477	\$1,460	\$580	\$1,460	\$1,460	\$1,825	\$1,460	\$1,460	\$1,576	\$1,460	\$1,460	\$29,400
	Subtotal	\$45,600	\$2,654	\$3,011	\$2,770	\$2,114	\$2,770	\$2,770	\$3,359	\$2,770	\$2,770	\$2,886	\$2,994	\$2,770	\$45,600
Phase Total:	Contractual Services														
	Sub-surface Repairs	\$15,750												\$0	\$15,750
	Street Sweeping	\$5,000												\$0	\$5,000
	Cathodic Protection Survey & Repairs	\$47,250												\$0	\$47,250
	Underground Service Alert	\$4,800	\$402											\$402	\$4,800
	SCADA software maintenance contract	\$14,600												\$0	\$14,600
	Remote monitoring annual service for PS and Re	\$1,950					\$110							\$110	\$1,950
	Med-voltage switchgear 3-yr PM (FY22, \$18k)	\$0												\$0	\$0
	HVAC Maintenance/Repairs	\$800												\$0	\$800
	Termite/Pest Control	\$950												\$0	\$950
	Landscape/weed maintenance	\$11,200					\$3,758						\$6,941	\$10,698	\$11,200
	Smartmeter Covers	\$1,800									\$2,058			\$1,800	\$1,800
	Janitorial Service	\$10,000	\$104,76	\$975		\$975	\$1,950		\$975	\$975		\$1,950	\$1,950	\$10,725	\$10,000
	Fire Extinguisher Maintenance	\$200									\$975			\$0	\$200
	Postage/Shipping Charges	\$0												\$0	\$0
	Misc Professional/Contractual Services	\$31,500	\$5,365	\$1,339	\$0	\$9,178	\$9,059	\$0	\$452	\$0	\$866	\$46	\$0	\$317	\$31,500
	Subtotal	\$145,800	\$8,872	\$2,314	\$0	\$10,153	\$14,877	\$0	\$1,427	\$975	\$3,899	\$46	\$1,950	\$9,207	\$145,800
Phase Total:	Utilities														
	Electricity (PG&E)	\$2,188,700	\$99,254	\$74,026	\$100,626	\$113,816	\$100,737	\$228,051	\$219,383	\$299,746	\$275,410	\$254,286	\$178,749	\$129,299	\$2,188,700
	Water & Sewer (Pleasanton)	\$1,100			\$334		\$566		\$396		\$336		\$210	\$199	\$1,100
	Water (EBMUD)	\$1,300			\$233		\$282			\$233	\$240		\$233		\$1,300
	Telephone/communications	\$1,000	\$86	\$85	\$118	\$288	\$150	\$213	\$146	\$146	\$146	\$146	\$146	\$146	\$1,000
	WW Treatment (DSRSD)	\$0												\$0	\$0
	Subtotal	\$2,192,100	\$99,340	\$74,111	\$101,311	\$114,104	\$101,736	\$228,264	\$219,925	\$300,125	\$276,131	\$254,432	\$179,338	\$129,644	\$2,192,100
Phase Total:	Non-Routine														
		\$0												\$0	\$0
	Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
Monthly Total		\$212,995	\$162,077	\$164,065	\$212,786	\$190,584	\$316,725	\$297,280	\$388,642	\$390,089	\$359,059	\$284,939	\$262,633	\$3,241,874	\$3,656,884
YTD Total		\$3,656,884	\$212,995	\$375,072	\$539,137	\$751,923	\$942,507	\$1,259,232	\$1,556,512	\$1,945,153	\$2,335,242	\$2,694,302	\$2,979,241	\$3,241,874	
Combined Export Flow, mg		3374	151	179	227	312	394	490	577	605	609	465	248	322	4,579
Pumping Efficiency															
Monthly Cost, \$/mg			\$1,415	\$903	\$724		\$484	\$647	\$515	\$642	\$640	\$772	\$1,148	\$816	
YTD Running Cost, \$/mg		\$1,084	\$1,415	\$1,137	\$969	\$866	\$746	\$719	\$668	\$663	\$659	\$672	\$700	\$708	\$708

Q1 Notes:

Landscaping: July was paid in Aug and Sep expenditure includes both Aug and Sep invoices

LAVWMA																
BUDGET COMPARISON TO ACTUAL EXPENSES: LABOR																
														Current FY Period:		12
ACTUAL EXPENSES BILLED TO LAVWMA FOR REGULAR O&M																
		Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	Jun	YTD	YTD	
	FY 2023-2024	2023	2023	2023	2023	2023	2023	2024	2024	2024	2024	2024	2024	TOTAL	Budget	
Estimated Personnel Hours																
Division 51 - FOD	50	-	-	-	-	-	13.00	-	-	-	30.00	14.00	-	57.00	50.00	
Water/Wastewater Sys Lead Op	0										10.00			10.00	-	
Water/Wastewater Sys OP IV-On Call	0						13.00					2.00		15.00	-	
Water/Wastewater Sys OP IV														-	-	
Water/Wastewater Sys OP III	0													-	-	
Water/Wastewater Sys OP I/II	43										20.00	12.00		32.00	43.00	
Maintenance Worker	0													-	-	
Supervisor	7													-	7.00	
Division 52 - WWTP	2,832	185.50	175.00	127.50	111.75	125.00	137.00	94.50	140.50	218.00	179.50	162.50	159.00	1,815.75	2,832.00	
Process Lead Operator IV/V	289		16.00	3.00	6.00	15.00	29.00		16.00	17.00	16.00	12.00	7.00	137.00	289.00	
Senior WWTP Operator III	1,013	37.00	40.00	21.50	35.75	43.50	36.00	22.50	25.50	41.50	42.00	31.50	41.00	417.75	1,013.00	
Operator In Training	0	22.50	39.50	20.00										82.00	-	
Operator II	1,431	126.00	79.50	83.00	70.00	63.00	72.00	72.00	99.00	159.50	121.50	119.00	111.00	1,175.50	1,431.00	
Operator II (SLSS)	0													-	-	
Operations Superintendent	99													-	99.00	
Ops Director						3.5										
Division 53 - MECH	1,107	145.00	121.00	92.50	141.00	113.00	174.00	126.00	167.00	195.00	201.50	227.50	209.00	1,912.50	1,107.00	
Senior Mechanic-Crane Cert	54	37.00	46.50	30.00	39.50	27.00	70.00	55.00	29.50	40.00	58.00	90.00	78.00	600.50	54.00	
Senior Mechanic - USA	72			12.00	11.50	32.00	6.00		18.00	23.00	29.00	11.00	15.00	157.50	72.00	
Maintenance Worker	54						9.00							9.00	54.00	
Mechanic I/II	882	36.00	28.00	22.50	35.00	25.00	45.00	71.00	93.50	79.50	93.00	102.50	89.00	720.00	882.00	
Mechanic II-Crane Cert	0	25.00	7.00	0.50	21.00	2.50	11.00					4.00		71.00	-	
Mechanic I/II - USA	0	47.00	39.50	27.00	30.00	24.00	33.00		26.00	52.50	21.50	20.00	27.00	347.50	-	
Mechanic II-Crane Cert - USA	0			0.50		2.50								3.00	-	
Supervisor	45				4.00									4.00	45.00	
Division 54 - ELEC	1,080	88.00	71.00	67.50	121.50	48.00	47.50	98.00	49.50	65.00	52.50	29.00	23.50	761.00	1,080.00	
Senior Instrument/Controls Tech	45			1.00			3.00	9.00	6.50	6.50	6.00	14.50	10.50	57.00	45.00	
Instrumentation & Controls Tech I/II	504	50.00	71.00	39.50	32.50	19.00	24.50	50.50	30.00	50.50	21.50	10.50	13.00	412.50	504.00	
Ice Supervisor					1.00		1.00	2.50		3.00	2.00	3.00		12.50	-	
Senior Electrician	45			6.00	11.00	9.00	6.00	25.00	4.00		4.00			65.00	45.00	
Electrician I/II	441	33.00		20.00	77.00	20	12.00	8.00	8.00		17.00			195.00	441.00	
Principal Eletrical Engineer	45	5.00		1.00			1.00	3.00	1.00	5.00	2.00	1.00		19.00	45.00	
Division 55 - Laboratory	0	-	-	-	-	-	-	-	-	-	-	-	-	-	-	
EC Inspector II-Pretreatment	0													-	-	
Laboratory Technician	0													-	-	
Supervisor	0													-	-	
Division 26 - SAFETY	54	-	-	-	-	-	-	-	-	-	-	-	-	-	54.00	
Safety Officer	54	-	-	-	-	-	-	-	-	-	-	-	-	-	54.00	
Division 40 - ENG	288	21.50	3.00	1.50	4.00	1.00	7.00	5.00	6.50	8.00	5.00	6.00	3.00	71.50	252.00	
Senior Civil Engineer-SME	36	3.00	1.00												-	
Associate Engineer	108	17.00	2.00	1.50	4.00		7.00	5.00	6.50	8.00	5.00	6.00	3.00	65.00	108.00	
Construction Inspector I/II	72	1.50												1.50	72.00	
Engineering Technician II	36					1.00								1.00	36.00	
GIS Analyst	36													-	36.00	
Total Estimated Personnel Hours		5,411														
FTE		2.6														
Total Monthly Hours		440.00	370.00	289.00	378.25	287.00	378.50	323.50	363.50	486.00	468.50	439.00	394.50	4,617.75	5,375.00	

FY 2023-2024 Q4: April 2024 to June 2024

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Parameter	Flow	CBOD Qual	CBOD	TSS Qual	TSS	pH	pH	Total Residual Chlorine	Total Residual Chlorine	Fecal Qual	Fecal Coliforms	Entero Qual	Enterococci
Units	MGD		mg/L		mg/L	SU	SU	mg/L	mg/L		MPN/100mL		MPN/100mL
Test Method	Daily Average (Mean)		SM 5210 B-2011		SM 2540 D-2011	Instant Min	Instant Max	Daily Average (Mean)	Daily Average (Mean)		SM 9221 C,E-2006		Enterolert
MDL			2.0		1.2								
RL			2.0		4.5						2		10
Location	LAVWMA-EXP		LAVWMA-EXP		LAVWMA-EXP	LAVWMA-EXP	LAVWMA-EXP	LAVWMA-EXP	SLSS		SLSS		SLSS
5/1/2024	7.62		3.6		7.0	7.01	7.25	2.13					
5/2/2024	10.28					6.99	7.22	2.47					
5/3/2024	7.83					7.08	7.36	2.61					
5/4/2024	9.67					7.14	7.42	2.81					
5/5/2024	13.21					6.79	7.19	2.60					
5/6/2024	13.06					7.06	7.27	2.67					
5/7/2024	13.16					7.03	7.25	2.65		<	2		10
5/8/2024	7.05		6.0		7.0	6.53	7.38	3.85					
5/9/2024	11.10					7.04	7.33	2.66					
5/10/2024	7.94					7.01	7.28	4.46					
5/11/2024	12.06					6.81	7.30	3.45					
5/12/2024	7.64					7.03	7.75	2.04					
5/13/2024	8.12					7.01	7.60	1.78					
5/14/2024	8.12					7.00	7.60	1.88			2		20
5/15/2024	6.00		7.4		9.0	7.14	7.52	1.65					
5/16/2024	7.81					7.06	7.52	1.42					
5/17/2024	6.83					7.17	7.63	1.41					
5/18/2024	8.06					7.15	7.49	1.44					
5/19/2024	6.53					7.06	7.42	2.00					
5/20/2024	7.62					7.04	7.44	1.95					
5/21/2024	7.15					6.93	7.24	1.56			2	<	10
5/22/2024	5.05		5.7		8.0	6.87	7.18	1.26					
5/23/2024	5.17					6.89	7.22	1.37					
5/24/2024	6.04					7.16	7.55	1.63					
5/25/2024	8.73					6.96	7.18	1.34					
5/26/2024	7.69					6.91	7.14	1.57					
5/27/2024	6.90					6.89	7.13	1.29					
5/28/2024	7.39					6.96	7.10	1.09			4		10
5/29/2024	4.40		7.4		6.2	6.71	7.00	1.19					
5/30/2024	6.18					6.74	7.00	1.06					
5/31/2024	4.80					6.69	7.17	1.27					
Note:													
Column G - pH Minimum; online													
Column H - pH Maximum; online													

Parameter	Flow	CBOD Qual	CBOD	TSS Qual	TSS	pH	pH	Total Residual Chlorine	Total Residual Chlorine	Fecal Qual	Fecal Coliforms	Entero Qual	Enterococci
Units	MGD		mg/L		mg/L	SU	SU	mg/L	mg/L		MPN/100mL		MPN/100mL
Test Method	Daily Average (Mean)		SM 5210 B-2011		SM 2540 D-2011	Instant Min	Instant Max	Daily Average (Mean)	Daily Average (Mean)		SM 9221 C,E-2006		Enterolert
MDL			2.0		1.2								
RL			2.0		4.5						2		10
Location	LAVWMA-EXP		LAVWMA-EXP		LAVWMA-EXP	LAVWMA-EXP	LAVWMA-EXP	LAVWMA-EXP	SLSS		SLSS		SLSS
6/1/2024	4.54					6.91	7.28	1.14					
6/2/2024	6.96					6.80	7.10	1.60					
6/3/2024	3.72					6.80	7.03	1.33					
6/4/2024	5.73					6.77	7.03	1.14			13		10
6/5/2024	2.84		4.5		12.0	6.87	7.23	1.11					
6/6/2024	5.15					6.96	7.30	0.69					
6/7/2024	3.60					7.17	7.56	1.34					
6/8/2024	4.40					6.07	7.46	0.83					
6/9/2024	7.41					6.96	7.16	2.05					
6/10/2024	6.65					6.91	7.27	1.54					
6/11/2024	6.75					6.94	7.22	1.35			17	<	10
6/12/2024	5.29		5.7		10.0	6.72	7.17	1.05					
6/13/2024	2.39					6.93	8.09	0.64					
6/14/2024	2.69					6.93	7.22	0.74					
6/15/2024	4.31					6.87	7.04	1.35					
6/16/2024	4.35					6.85	7.04	1.81					
6/17/2024	4.14					6.91	7.03	1.63					
6/18/2024	3.63					6.85	7.14	1.23			17		10
6/19/2024	2.38		4.7		5.4	7.09	7.30	1.01					
6/20/2024	2.70					7.10	7.52	0.59					
6/21/2024	4.29					6.90	7.19	0.64					
6/22/2024	5.74					6.78	7.19	1.22					
6/23/2024	6.20					6.91	7.12	1.51					
6/24/2024	3.23					6.96	7.41	1.37					
6/25/2024	2.72					6.66	7.61	0.50			70	<	10
6/26/2024	2.72		4.8		9.2	6.99	7.70	0.34					
6/27/2024	2.56					7.04	7.52	0.25					
6/28/2024	2.52					7.01	7.22	0.52					
6/29/2024	4.10					6.93	7.12	1.26					
6/30/2024	3.46					6.84	7.04	1.81					
Note:													
Column G - pH Minimum; online													
Column H - pH Maximum; online													

Langelier Saturation Index Report (Livermore, DSRSD, LAVWMA)

The Langelier Saturation index is used to predict corrosion potential on the export pipeline. Keeping a Langelier index between -0.5 – 0.5 is a good target.

CITY OF LIVERMORE LIVERMORE WATER RECLAMATION PLANT							
Livermore - 2nd Quarter 2024 Langelier pH Saturation Index							
Collection DATE	TDS (mg/L)	Temp (°C)	Ca Hardness (mg/L CaCO ₃)	Alkalinity (mg/L CaCO ₃)	pH (Actual)	pH Saturation	Langlier Index
04/03/24	677	21.0	83	343	7.7	7.5	0.1
May	no data available						
06/05/24	548	26.0	65	306	7.5	7.6	-0.1
MAXIMUM	677	26.0	83	343	7.7	7.6	0.1
MINIMUM	548	21.0	65	306	7.5	7.5	-0.1
AVERAGE	613	23.5	74	325	7.6	7.6	0.0
DUBLIN SAN RAMON SERVICES DISTRICT WASTEWATER TREATMENT FACILITY							
DSRSD -2nd Quarter 2024 Langelier pH Saturation Index							
Collection DATE	TDS (mg/L)	Temp (°C)	Ca Hardness (mg/L CaCO ₃)	Alkalinity (mg/L CaCO ₃)	pH (Actual)	pH Saturation	Langlier Index
04/09/24	728	20.7	130	324	7.5	7.3	0.2
05/07/24	658	22.0	115	282	7.4	7.3	0.1
06/24/24	1726	22.8	91	868	7.7	7.1	0.6
MAXIMUM	1726	22.8	130	868	7.7	7.3	0.6
MINIMUM	658	20.7	91	282	7.4	7.1	0.1
AVERAGE	1037	21.8	112	491	7.5	7.2	0.3
Note: On 6/24/2024, elevated alkalinity and TDS suspected to be caused by high brine content of the sample due to low flow at EFF-002F2.							
DUBLIN SAN RAMON SERVICES DISTRICT WASTEWATER TREATMENT FACILITY							
LAVWMA - 2nd Quarter 2024 Langelier pH Saturation Index							
Collection DATE	TDS (mg/L)	Temp (°C)	Ca Hardness (mg/L CaCO ₃)	Alkalinity (mg/L CaCO ₃)	pH (Actual)	pH Saturation	Langlier Index
04/09/24	729	20.5	126	327	7.5	7.3	0.2
05/07/24	652	22.0	109	296	7.3	7.3	0.0
06/24/24	576	24.5	80	320	7.2	7.4	-0.2
MAXIMUM	729	24.5	126	327	7.5	7.4	0.2
MINIMUM	576	20.5	80	296	7.2	7.3	-0.2
AVERAGE	652	22.3	105	314	7.3	7.3	0.0



Livermore-Amador Valley Water Management Agency

CAPITAL PROJECT STATUS REPORT AUGUST 15, 2024

LIVERMORE PIPELINE INTERCEPTOR PROJECT

- All material and construction work are complete.
- Administrative Work
 - Completion of Livermore Easement
 - Working with FEMA Consultant, Kermani Consultant Group (KCG)
 - Livermore Project Payment Plan
 - \$5,805,971.12 Project Cost as of April 1, 2024
 - \$5,324,741.31 - Contract
 - \$481,229.81 - Labor
 - \$4.3M from The City of Livermore
 - \$1.5M from "Sole Use" reserves
 - "Sole Use" reserve balance \$1.764M as of June 30, 2024
 - The City of Livermore and LAVWMA will develop a plan to restore to "Sole Use" reserves.
 - LAVWMA to invoice Livermore for the remaining project cost balance later in FY24/25. Estimated at ~ \$400,000.00
 - FEMA Reimbursement
 - There are four Livermore Pipeline FEMA Projects

Project #	Category	Title	Type	Process Step	Best Available Cost	Best Available Federal Share Cost
734124	F	LAVWMA SEWER PIPE RELOCATION	Work Order to Completed / Fully Documented	Pending FEMA Review	\$6,250,000.00	\$4,687,500.00
734134	B	100 % Cost share Livermore RIP RAP	Work Completed / Fully Documented	Obligated	\$23,059.50	\$17,294.63
735667	F	Pipeline Removal & CAP	Work Completed / Fully Documented	Pending Initial Project Development	\$1,000,000.00	\$750,000.00
736361	Z	LAVWMA (Livermore) Management Cost	Management Costs	Pending Formulation Completion	\$0.00	\$0.00

FEMA Reimbursement

- FEMA and CalOES confirmed (7-24-2024 and 8-8-2024 that all documentation needed for project reimbursement review has been submitted for projects #734124 and #734134. On August 14, 2024 FEMA requested additional documentation on project #734124. On August 15, 2024 FEMA acknowledged that some of the request for additional information was “unreasonable”. As of August 15 awaiting additional direction from FEMA.
- Maintain active engagement with FEMA and Cal OES throughout the review and approval process.
- Ensure organized and audit-ready cost backup documentation for post-disaster and three-year audit periods.
- Anticipate FEMA inquiries regarding environmental reviews and permits upon project completion.
- Prepare a comprehensive project history document detailing contractor selection, scope of work instructions, and cost justification.
- Justify the use of time and material or design-build contracts, ensuring clarity on scope and cost controls.
- Prepare a complete appeal package promptly, if challenged by FEMA, to avoid project denial.

Easement Acquisition

- Zone 7 Easement – Completed and registered with Alameda County.
 - Appraisal Conducted by Associated Right of Way Services, Inc.
 - Appraised Value - \$500.00
- Livermore Easement – Pending.
 - 1st Appraisal conducted by Associated Right of Way Services, Inc.
 - 1st Appraisal value - \$500.00
 - Appraisal Rejected by Livermore
 - City/Airport acquired the property using bond money from the FAA.
 - Therefore, a Market Rent Access Agreement may be used instead of the traditional current market access purchase agreement.
 - Length of a market rent could be into perpetuity or some other time, exe. 50 Years.
 - August 15 Livermore convey to LAVWMA and LAVWMA convey to appraiser to conduct second appraisal based on 50-year lease/rent agreement.
 - LAVWMA needs property access for operations, maintenance, and repair work.
 - The City of Livermore will pay for the cost of the easement/license access agreement.
 - This FAA type property appraisal is beyond the second appraisal cost estimate of \$12,000. An additional \$1800.00 will be needed to complete the LAVWMA access agreement process.
 -



July 24, 2024

Levi Fuller, General Manager
Livermore Amador Valley Water Management Agency
7051 Dublin Blvd.
Dublin, CA 94568

RE: Reimbursement for Livermore Sole-Use Pipeline Realignment Project

Dear Mr. Fuller:

As we have previously discussed, the City of Livermore is requesting the approval of the Livermore Amador Valley Water Management Agency (LAVWMA) Board of Directors for the following actions related to reimbursement for the Livermore Sole-Use Pipeline Realignment Project:

1. Authorize the use \$1,500,000 of the existing Livermore sole use pipeline repair and replacement reserve funds for this project.
2. Invoice the City of Livermore for the remaining approximately \$4,300,000 in project costs. A budget appropriation for these funds has been approved by the Livermore City Council on July 22, 2024.

Furthermore, the City of Livermore is committed to working with you to determine the appropriate level of reserves to be held in the Livermore sole use pipeline repair and replacement reserve account and how to replenish these reserves over time. The City of Livermore appreciates you taking the lead on working with the Federal Emergency Management Agency and the California Office of Emergency Services to try to maximize external reimbursement for this project.

If you should have any questions about this letter, please contact me using the contact information below.

Respectfully,

A handwritten signature in blue ink, appearing to read "Anthony Smith", with a long horizontal flourish extending to the right.

Anthony Smith
Acting Assistant Public Works Director
(925) 960-8100
awsmith@livermoreca.gov

Levi Fuller
July 24, 2024
Page 2 of 2

CC: Robert Carling, LAVWMA Board Member/Livermore Vice Mayor
Evan Branning, LAVWMA Board Member/Livermore Councilmember
Judy Erlandson, Livermore Acting Public Works Director
Paul Spence, Livermore Assistant City Manager
Marianna Marysheva, Livermore City Manager

SAN LEANDRO SAMPLE STATION IMPROVEMENTS
<ul style="list-style-type: none">• Contractor has requested and LAVWMA approved a “No Cost” Change Order• New Target Project Completion date August 1, 2025• Key Issues Resulting in Project Delay:<ul style="list-style-type: none">○ Delivery of 30” Ball Valve due November 2024○ Delivery of 16” Control Valve due September 2024○ TESCO Programming Responsiveness particularly during wet weather○ Avoiding or Minimizing Station Shutdowns for Contractor work during wet weather



Livermore-Amador Valley Water Management Agency
Celebrating 50 years 1974 - 2024

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
SAN LEANDRO SAMPLE STATION DESIGN IMPROVEMENTS
(CIP LAVWMA-2023-01 AND DSRSD CIP 23-L005)
CONTRACT CHANGE ORDER NO. 03
DATE: 7/22/2024

Title/Subject: Contract Time Extension

Description of Change:

- **Delays including 30" Control Valve, 16" Control Valve, and System Integration** cause components to arrive past current Contract Completion date and during the wet weather season.
- McGuire and Hester have determined that there is insufficient time to complete work within the time restrictions of wet weather construction and request extension to complete the project within the dry weather period of 2025.

Cost of Change: \$0

Contract Time Adjustment:

Substantial Completion: 361 Calendar Days

New S.C. Date: 7/11/2025

Final Completion: 382 Calendar Days

New F.C. Date: 8/01/2025

Percent of Original Contract: 0% (cumulative to date)

This change order constitutes full and complete compensation for all labor equipment, materials, overhead, profit, any and all indirect costs, and time adjustments required to perform the above described change.

Contractor Acceptance: <i>McGuire and Hester</i>	Signed by: <u>Matt Finley</u> A27FC1A0475E408...	7/23/2024
	DocuSigned by: James Alderman	Date
Construction Manager Recommended Approval: <i>HydroScience Engineers, Inc.</i>	Signed by: <u>Kyle Fooks</u> KE78BC7B8591D42E...	7/23/2024
	DocuSigned by:	Date
Project Manager Recommended Approval: <i>DSRSD Project Manager</i>	Signed by: <u>Jason Ching</u> 1C49C8853A3B40B...	7/23/2024
	DocuSigned by:	Date
District Approval: <i>DSRSD Engineering Services Director</i>	Signed by: <u>Steve Delight</u> 0E4300BE85C24E7...	7/23/2024
	DocuSigned by:	Date
LAVWMA General Manager Approval:	Signed by: <u>Levi Fuller</u> E8690EE8CB8540B...	7/23/2024
	DocuSigned by:	Date



July 17, 2024

Sent via email: kfooks@hydrosience.com

HydroScience
Kyle Fooks

Change Order Request: Time Extension

Based on the latest procurement time updates for project critical items, including 30" ball valve, Tesco programming, and the 16" control valve all arriving with the specified wet weather season, McGuire and Hester feels there is insufficient time during these restricted working hours to complete all required work. A time extension per the attached updated schedule is requested for the project. The attached schedule resumes work on the earliest possible dates to meet procurement and dry weather working windows. A time extension to August 1, 2025 is requested per attached schedule.

"The undersigned Contractor certifies under penalty of perjury that its statements and representations in this Change Order request are true and correct. Contractor warrants that this Change Order request is comprehensive and complete as to the Work or changes referenced herein, and agrees that any known or foreseeable costs, expenses, or time extension requests not included herein, are deemed waived."

James Alderman
Project Manager

Cathodic Protection Project

Corrosion Report Submitted and Reviewed by LAVWMA/DSRSD Staff - LAVWMA to create an RFP - by September 15, 2024..

SCADA/PLC Upgrade at the Export Pump Station

On hold as part of the SCADA upgrade project; DSRSD is currently working on the DSRSD Scada portion of this comprehensive DSRSD/LAVWMA Scada project; Most of the work on LAVWMA facilities will not take place until FY25-26.

Export Pipeline Inspection

Contract Awarded to National Plant Services; LAVWMA developed Maintenance Agreement; LAVWMA review of contractor insurance complete; DSRSD developing traffic control and Pipeline Dewatering Plan; LAVWMA processing Dept. of Industrial Relations Project Registration.; and LAVWMA anticipates project field work will start-up in August 2024.

Replace 17 Valve Actuators at Pump Station

DSRSD to start this project August 2024; Staff noticed actuator connectors are failing; new connectors are on order; and all new valves are on site.

Evaluation of Four 600 HP Pumps and Motors

Export Pump #2 pulled (07-22-2024) for inspection; Vendor conducting assessment; [Status of 07-22 Vendor inspection](#)? Assessment should be completed in September 2024.

Air/Vac Valve Assessment and Resolution at EBDA line

Will evaluate next steps based on feedback from EBDA during wet weather. No issues during dry weather.



Livermore-Amador Valley Water Management Agency

Permanently Installed back up power improvements at Pump Station.

LAVWMA and DSRSD determined this project is not needed; and DSRSD to pursue an emergency backup generator agreement with a portable generator vendor.

Other Misc. LAVWMA Renewal/Replacements

DSRSD assessing cracking and concrete slab separation in effluent storage basin #__3__.
DSRSD recommends a repair to basin chalking at a cost of \$12,000.00.

Regional Water Quality Control Board
2024 Watershed Permit for Nutrients Adopted

STATUS

- On Wednesday, July 10, 2024, the Regional Water Quality Control Board adopted the third Watershed Permit for Nutrients.
- The Permit requires a 40% Baywide reduction in dry season nitrogen loads.
- Load limits calculated by multiplying effluent flow by 20.5 mg/l.
- Compliance schedule is over the next 10 years.
- While the Water Board is currently legally constrained to granting no more than 10 years for compliance, the permit does contain language stating that for early actors such as EBDA's members, "the Regional Water Board will consider available regulatory mechanisms to provide more time to comply."
- The Water Board also adopted a resolution directing staff to work toward amending the State's Compliance Schedule Policy to provide more time for multi-benefit projects or innovative technologies.
- While no changes were made to the permit or resolution in response to the POTW community comments at the hearing, the Water Board took note of the practical implementation challenges that agencies shared, and the Waterboard seems committed to finding ways to grant more time.
- Nutrient permit limits will apply from May 1 through September 30 each year as an annual average total inorganic nitrogen load.
- Allows for establishment of a trading program.
- The compliance point for nutrient limits during dry weather will be the EBDA outfall.
- There are no nutrient limits in LAVWMA's wet weather outfall permits currently.

NEXT STEPS

- The POTW community will work with the Water Board to amend the State's Time Compliance Schedule Policy.
- BACWA will continue to coordinate reporting.
- Explore the feasibility of a regional trading program.
- EBDA will be petitioning the permit to the State Water Board but asking for that petition to be put into abeyance. This is a means of preserving EBDA's rights to challenge the permit later if it becomes clear that efforts to extend the timelines will not succeed before the limits take effect. The City of Livermore intends to join EBDA's petition. Several additional agencies in the POTW Community including DSRSD and BACWA are also considering filing a petition regarding the nutrient permit. There are four areas of concern raised by the petition. Those concerns are Petition Issues
 - Early Actor recognition
 - Inadequate Science to create permit limits.
 - Equity and economic justice
 - Time to Comply

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BAY AREA

Poop and pee cause algae blooms in S.F. Bay. Water agencies will spend \$11 billion to fix the problem

By **Tara Duggan**, Reporter
July 10, 2024



Sewage undergoes biological treatment in a tank at the San Jose-Santa Clara Regional Wastewater Facility in 2022.

Noah Berger/Special to the Chronicle 2022

Bay Area cities and counties will soon make major upgrades to their aging wastewater facilities to comply with new regulations that aim to protect the San Francisco Bay from harmful algal blooms. The upgrades are estimated to cost \$11 billion across the region — an average increase for ratepayers of \$200 per year per household.

The new regulations were finalized at Wednesday's meeting of the San Francisco Bay Regional Water Quality Control Board. They're part of a regional permit that is updated every five years.

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The need for the upgrades has been known for a long time but became urgent, regulators say, after major algal blooms in the bay over the past two summers turned the water rust red and killed tens of thousands of fish. Nutrients found in wastewater — especially nitrogen which comes from human urine and other types of waste — are major contributors to algal blooms. And algal blooms are expected to happen more frequently as water temperatures and other conditions change in the bay with global warming.

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An algal bloom along the bay trail near Emeryville in July 2023.

Carlos Ávila González/The Chronicle

Wastewater is already treated for pathogens and pollutants before going into the bay, but nutrients are not removed by most Bay Area facilities. The new permit requires agencies to take extra steps to reduce nutrients by 40% over 10 years. However, the water board also passed a resolution Wednesday that will allow it to explore ways to extend the timeline for more complex projects.

“We need more time to get the best projects and to mitigate the cost to our ratepayers,” said Lorien Fono, executive director of Bay Area Clean Water Agencies,

which represents 40 agencies under the regional permit. However, she said that the agencies agree with the need to take action to prevent more algal blooms.

At the most basic level, removing nutrients usually involves moving treated wastewater through multiple tanks and encouraging the growth of bacteria that digest them. What makes the process challenging is that many Bay Area facilities don't have much space to expand in this way, and they have to keep their facilities running while they make major upgrades.

Some of the upgrades will bring additional benefits. In Palo Alto, for example, a horizontal levee planned for the bay will send highly treated water into a restored wetland, which will remove nutrients while also providing wildlife habitat and protection from flooding and sea level rise.



Dear sturgeon washed ashore at Point Molate Beach in Richmond during an algal bloom in August 2023.

Don Fera/Special to the Chronicle

The increased costs to ratepayers will come at a time when many other utility bills are spiking, and the exact amount will vary depending on where the ratepayer lives and how much work still needs to be done, Fono said. She said there are plans to lobby for federal and state funding to offset the expense of the upgrades.

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Rising sea levels and algae blooms threaten our coast. Nature may have a solution



The majority of the wastewater treatment facilities were built in the 1970s and 1980s and are overdue for other upgrades that can be completed at the same time. Some agencies have already begun updating equipment to comply with the new regulations, which have long been expected, while others are still in the process.

The San Francisco Public Utilities Commission has budgeted \$1.5 billion to address nutrient reduction from wastewater discharged into the bay from its Southeast Treatment Plant. Planning began last year and the project is expected to take approximately 15 years, said Nancy Hayden Crowley, SFPUC press secretary, in an email.

“We recognize that nutrient loading is the most important water quality issue facing San Francisco Bay, and the SFPUC will continue working as

expediently as possible to continue to do its part to ensure the bay is healthy, but (we) urge the water board to provide agencies the time necessary to execute these complex and costly improvements,” she said.

The East Bay Municipal Utility District’s upgrades were originally estimated to cost \$1.5 billion-\$2 billion, but the agency recently found a solution that will bring expenses down to the hundreds of millions of dollars, according to Andrea Pook, a spokesperson for EBMUD.

EBMUD expects the project to decrease nitrogen levels by up to 65% by the end of next year.

Jon Rosenfield, a senior scientist at the environmental nonprofit San Francisco Baykeeper, called the new regulations “a long overdue first step” and agrees that they should be passed. But his organization has asked the water board to set earlier deadlines for less complex projects, in order to more quickly address the imminent risk of algal blooms.

“We just went through two summers of the bay turning a biblical color of red,” Rosenfield said.



A pair of birds onshore at Point Molate Beach in Richmond, where dead sturgeon washed ashore during an algal bloom in August 2023.

Don Fera/Special to the Chronicle 2023

Baykeeper also argues that a reduction of nutrients by 40% is not enough to prevent harmful algal blooms, based on research that wastewater agencies have spent millions of dollars to support.

Fono agrees that there needs to be work done to reduce “the uncertainty in our understanding of the impacts of nutrients in the bay.” She said that Bay

Area Clean Water Agencies understands that the limits could change in the future, “but we caution that it’s difficult to plan projects to comply with a moving target.”

Some agencies are taking unusual steps to reduce nutrients. EBMUD, for example, used to accept animal blood from meat processing plants in its waste reduction stream as a source of income. But because the blood contains high levels of nutrients, it stopped doing so after the algal bloom of 2022, Pook said, which reduced nitrogen in its wastewater by 8%.

Reach Tara Duggan: tduggan@sfnchronicle.com;

Twitter: [@taraduggan](https://twitter.com/taraduggan)

July 10, 2024



Tara Duggan
REPORTER



Tara Duggan is a staff writer in the Chronicle’s climate and environment team who focuses on the marine environment. Previously in the Chronicle’s Food department for 19 years, where she earned a James Beard Foundation Award, Tara has written several investigations and the narrative story “The Fisherman’s Secret,” a finalist for an Online Journalism Award in 2020. She is the author of

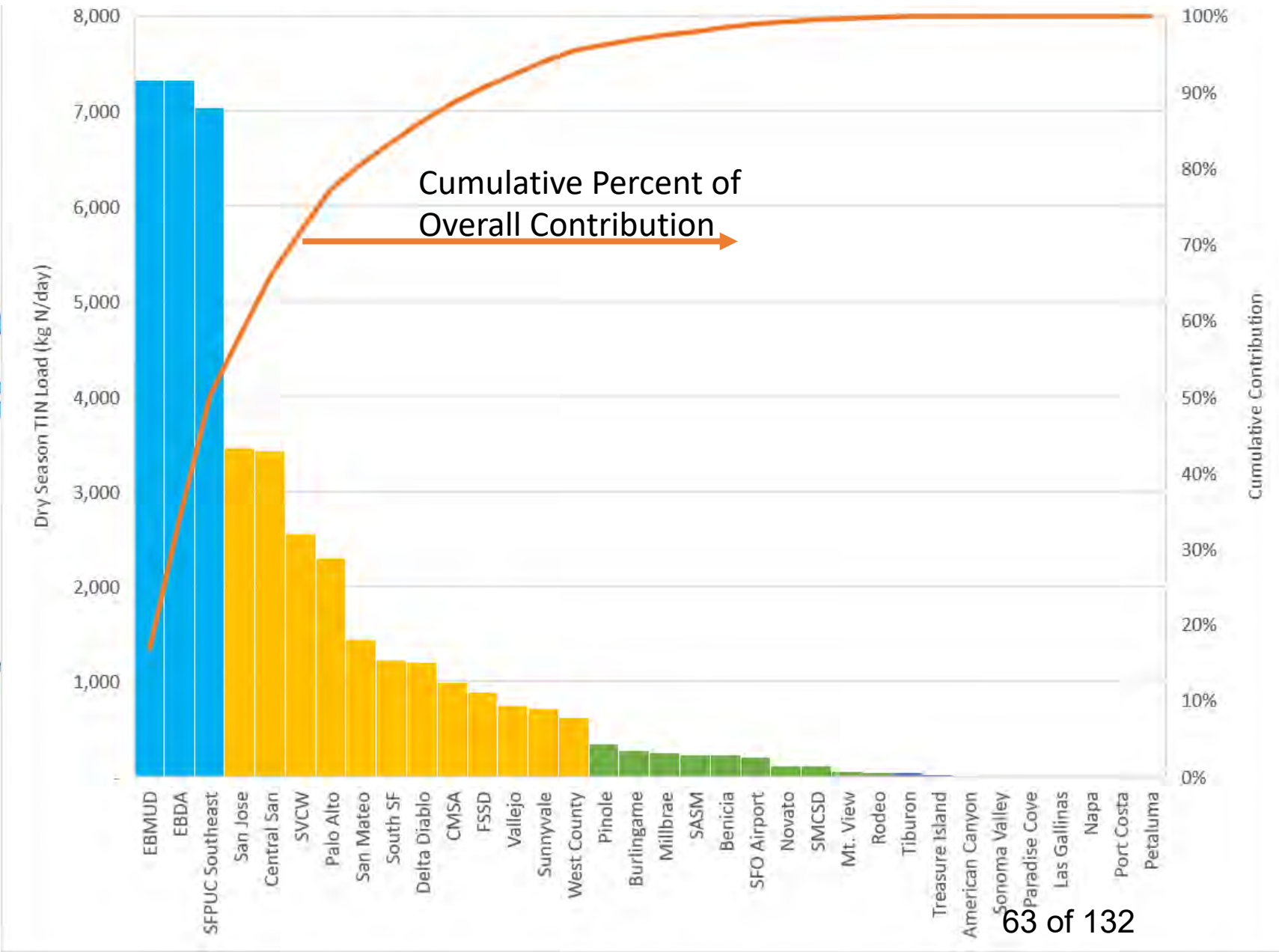


San Francisco Bay Nutrient Watershed Permit

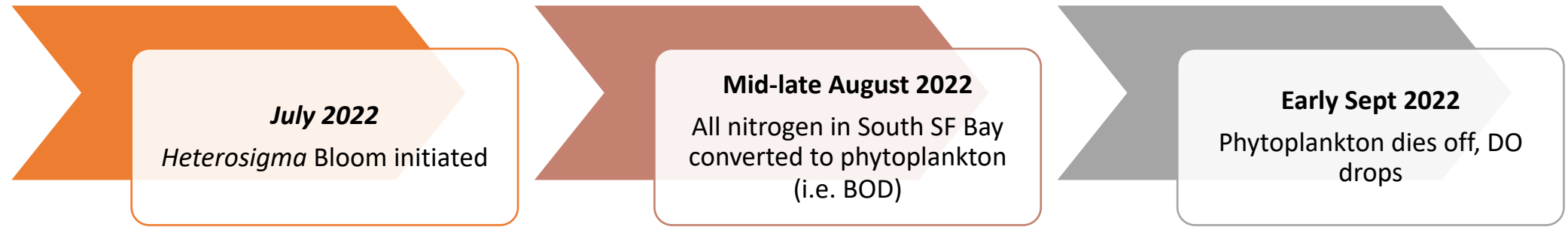
CASA 2024 Annual Conference
Monterey, CA

Lorien Fono
BACWA Executive Director

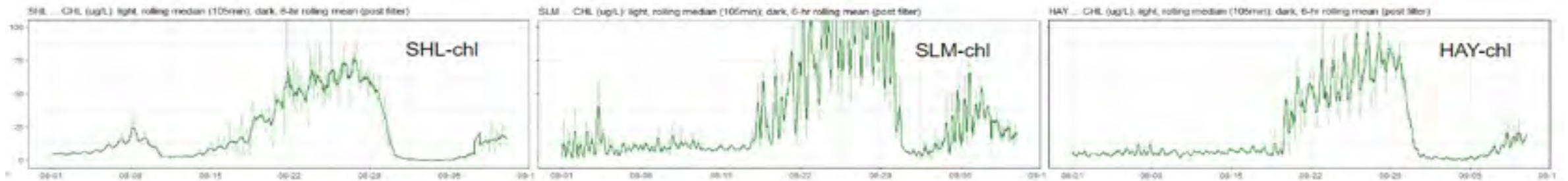
40 POTWs discharge 86% of dry season nitrogen to SF Bay



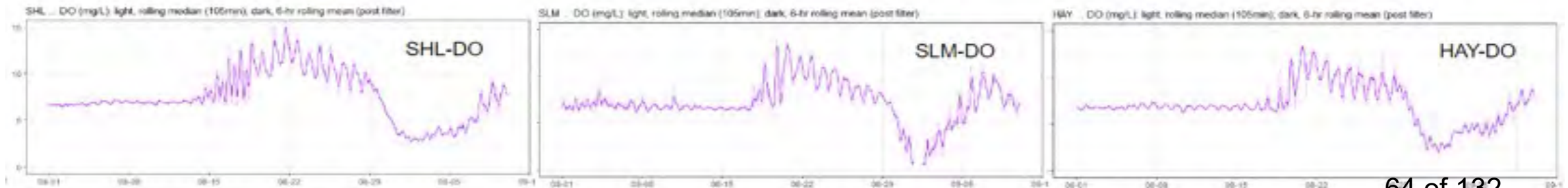
In August 2022 a *Heterosigma akashiwo* bloom led to a major fish kill in SF Bay



Chlorophyll



Dissolved O2

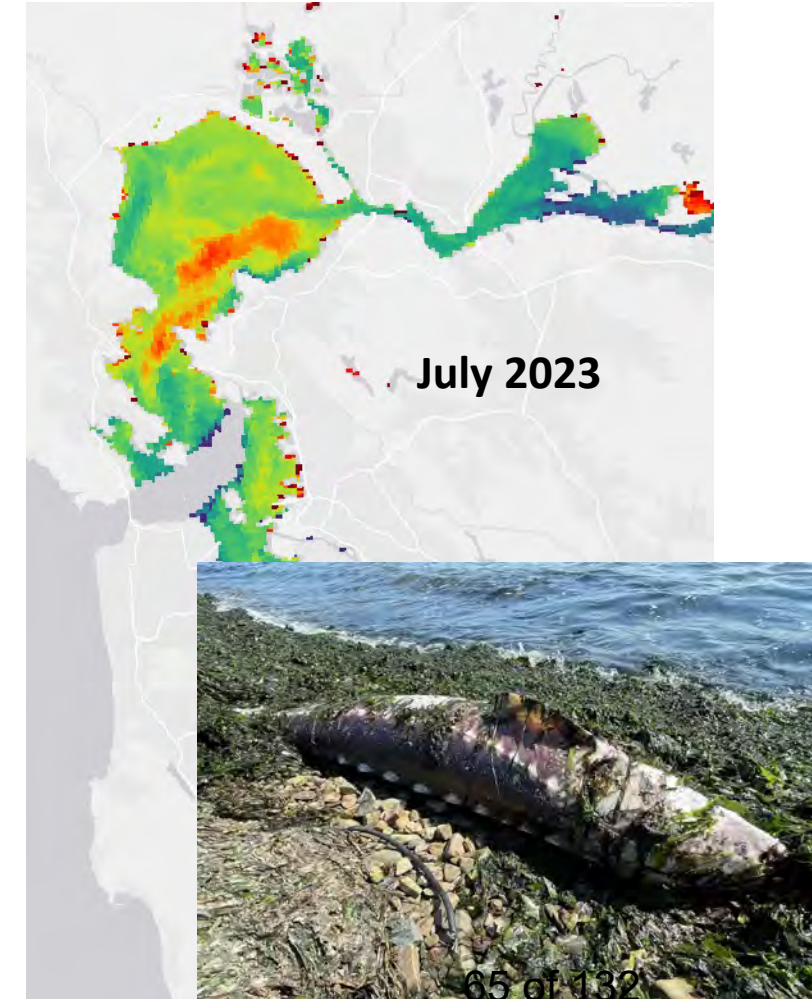
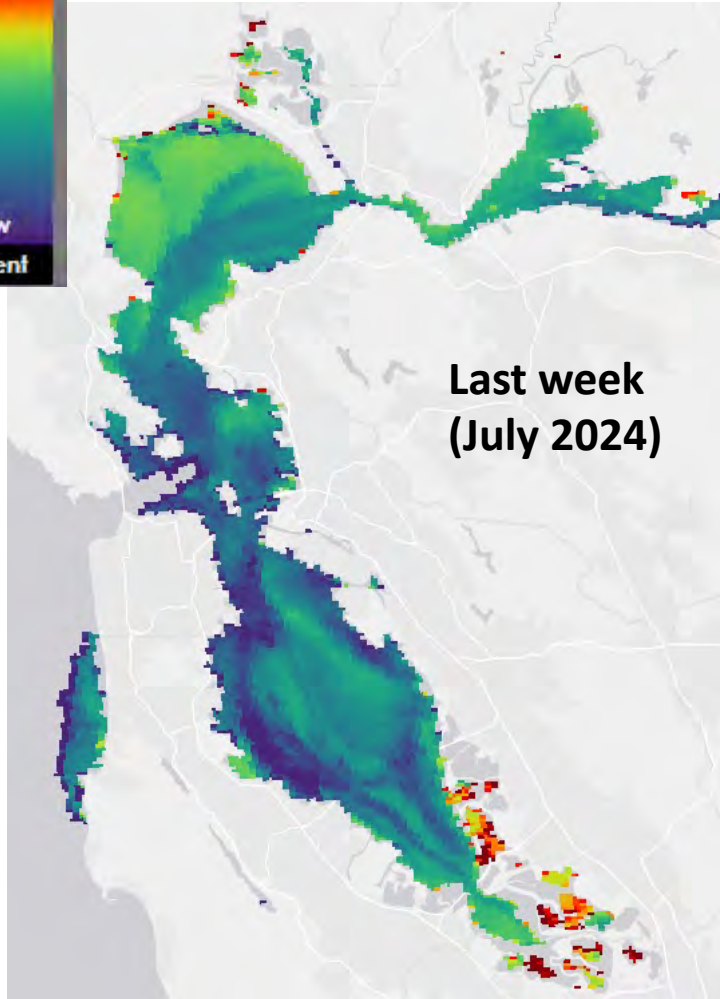
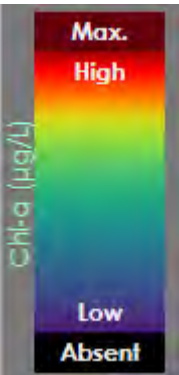


3 stations in the South SF Bay

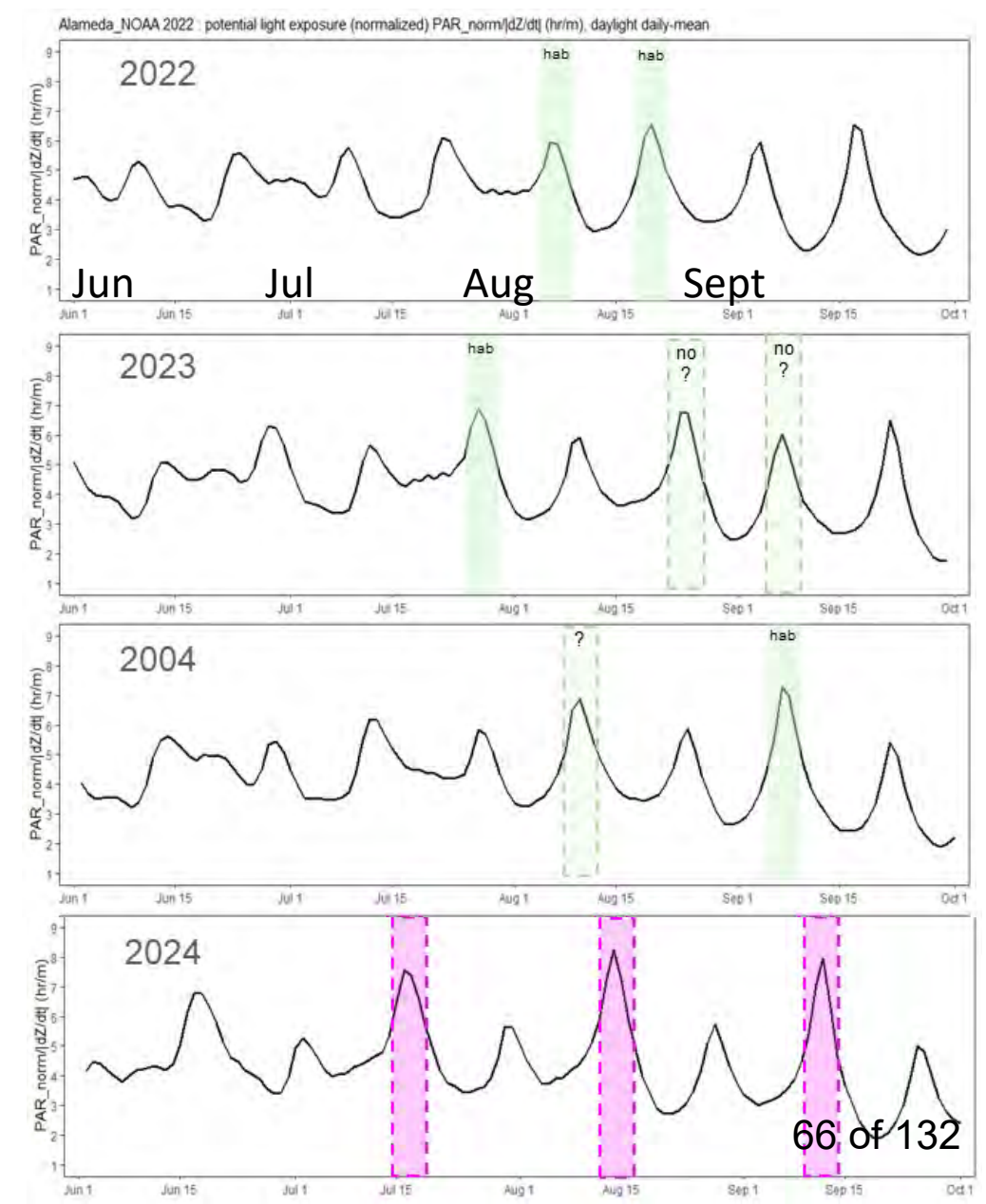
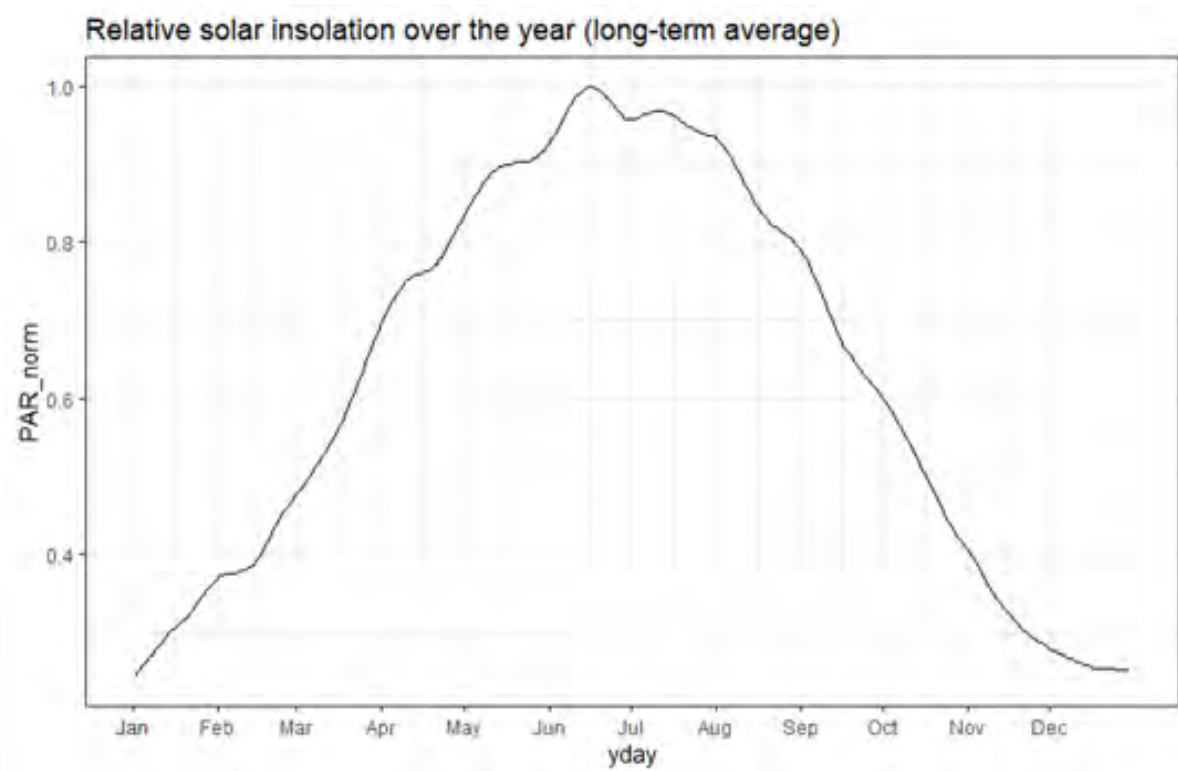
Satellite data can tell us about real-time algae levels

Item No. 12

fhab.sfei.org

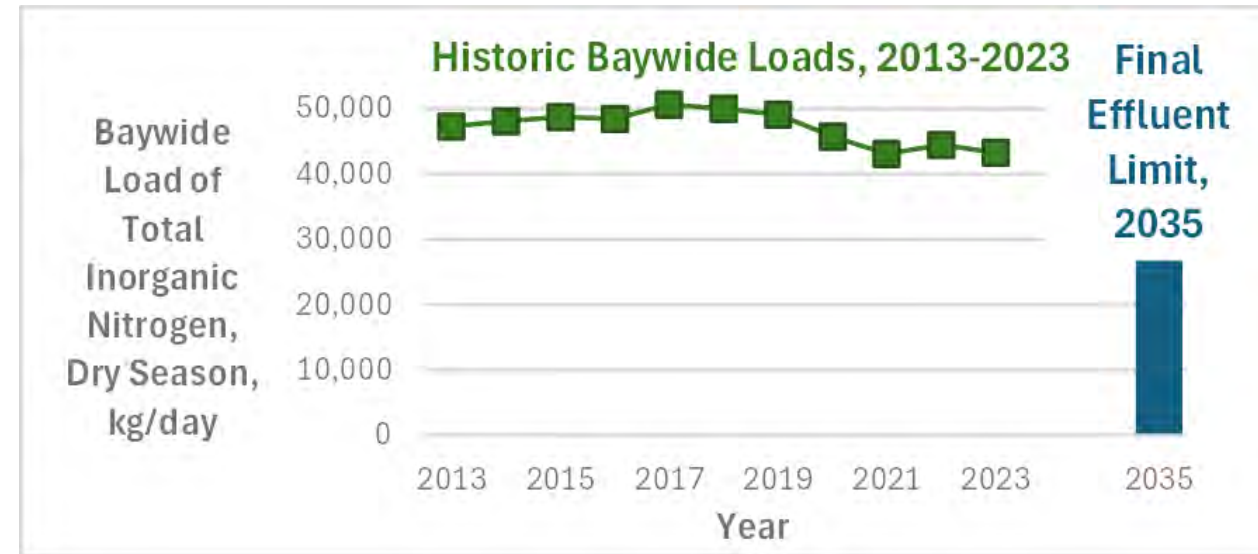


There are windows of opportunity for algal blooms to initiate



Third Watershed Permit adopted July 20, 2024

- Requires **40%** aggregate load reduction
- Apportioned based on current performance – load limits calculated by multiplying effluent flow by **20.5 mg/L** TIN
- **10 year** compliance schedule
- Recognition that early actors, projects with multiple benefits and others will need more time (but doesn't provide more time within the permit)
- Requires regional planning
- Allows establishment of a trading program



San Francisco Chronicle

Item No. 12

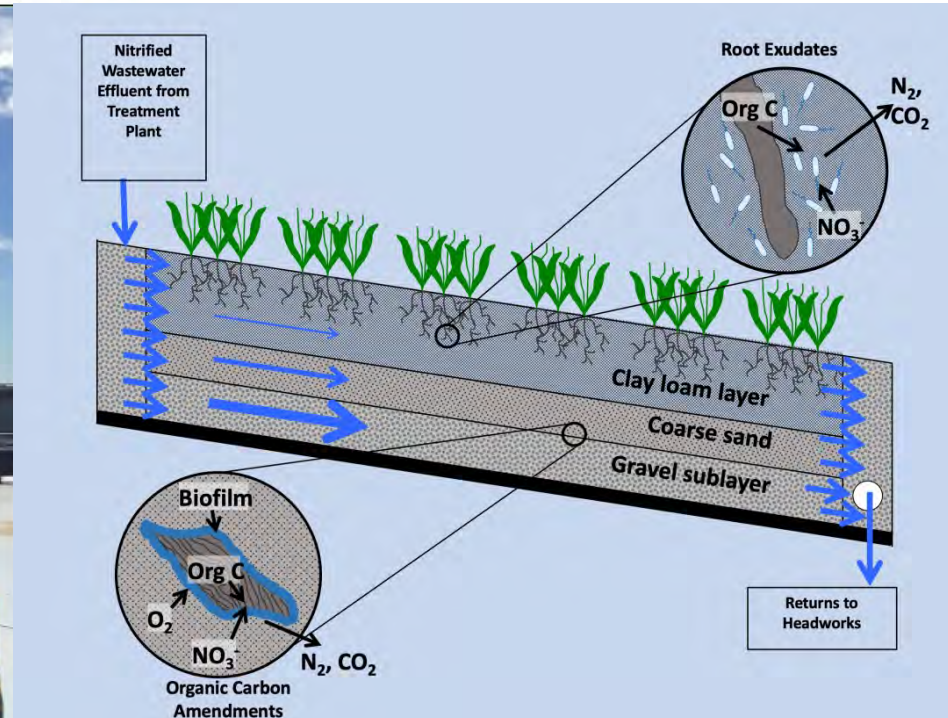
Poop and pee cause algae blooms in S.F. Bay. Water agencies will spend \$11 billion to fix the problem



HARMFUL BLOOMS SPUR MORE WASTEWATER UPGRADES



Aging towers on the Palo Alto shore. Photo: Ariel R Okamoto



10 years isn't enough time for a thoughtful regional approach to nutrient reduction with multiple benefits

Item No. 12



So how do we avoid a regulatory train wreck in 10 years?

RESOLUTION R2-2024-0014

Resolution to Identify and Consider Regulatory Mechanisms to Extend Compliance Schedules for Nutrient Effluent Limitations

Whereas:

1. San Francisco Bay has long been recognized as a nutrient-enriched estuary with higher nutrient (i.e., nitrogen and phosphorus) concentrations than most estuaries in the world. Too much nitrogen and phosphorous can result in excessive phytoplankton growth, which can be associated with harmful algal blooms and low dissolved oxygen concentrations. In San Francisco Bay, nitrogen has more influence on phytoplankton growth than phosphorous. During the dry season, municipal wastewater dischargers account for approximately 86 percent of the total nitrogen load to San Francisco Bay.
2. The Board initiated a Nutrient Management Strategy in 2012 and convened a Steering Committee in 2014, with the participation of U.S. EPA, dischargers, scientists, and non-governmental organizations. The Steering Committee oversees a Nutrient Science Program that includes monitoring, modeling, and special studies to better understand and respond to adverse effects of nutrients on San Francisco Bay.
3. In 2014, the Board issued the first Nutrients Watershed Permit (NPDES Permit CA0038873, Order R2-2014-0014) to provide a consistent approach to regulating municipal wastewater treatment with respect to nutrients. The permit required dischargers to (1) cumulatively contribute \$880,000 per year to the Nutrient Science Program; (2) monitor effluent to characterize nutrient discharge concentrations and loads; and (3) evaluate opportunities to reduce nutrient discharges through treatment plant optimization and upgrades.
4. In 2019, the Board reissued the second Nutrients Watershed Permit (Order R2-2019-0017). The reissued permit required dischargers to (1) cumulatively

Where to next?



- Work with Water Boards to amend State Compliance Schedule Policy
- If not feasible, work on TMDL with realistic timeframe
- BACWA will continue to coordinate reporting
- For those who have not yet started, kick off planning!
- Explore feasibility of a regional trading program

ITEM NO. 13: LAVWMA BOARD COMPENSATION

Action Requested

Provide feedback to staff regarding the compensation of LAVWMA Directors and consider directing the General Manager to return to the Board with an action item to equalize compensation across Member Agencies.

Background

The General Manager has become aware of a discrepancy in the amount of compensation that the Directors of LAVWMA receive for their service as well as the source of those funds. On November 15, 1979, the LAVWMA Board authorized Resolution 79-10 that authorized the directors to be compensated \$50 per LAVWMA Board meeting, which is paid by LAVWMA. However, Directors from DSRSD receive \$195 per LAVWMA Board meeting, which is paid directly by DSRSD. Also, DSRSD contributes towards the operating expenses of LAVWMA, therefore DSRSD pays a portion of the compensation for the City of Livermore and Pleasanton Board Members but not vice versa.

Discussion

Given these discrepancies, the General Manager conducted more research into the nature and history of public official compensation. Special district board member compensation is generally set by the Legislature. Special district board members (such as DSRSD) are generally compensated on a per meeting basis. The amount and frequency is established by the agency's enabling act. For example, the Community Services District Act (Government Code Section 61047) provides that its directors may receive an amount not to exceed \$100 for each day of service, not to exceed six days of service in a month. A day of service includes attending a Brown Act meeting in an official capacity and attendance at certain nonprofit meetings and training programs relevant to the agency's business. City council members typically receive a monthly stipend, based on the size of their city, among other things. Both special districts and cities also have the ability to reimburse their officials for actual expenses incurred. This reimbursement is governed by AB 1234 and requires compliance with certain reporting procedures. A survey of compensation for cities and special districts in the area was conducted and the results are attached as Attachment A.

LAVWMA, as a joint powers agency, has the authority to compensate its Directors because each of the member agency's independently possess this authority. It is up to LAVWMA to adopt a policy on compensation. Staff is seeking direction from the Board on Director compensation. Is the status quo acceptable? If not, does the Board have a recommendation on the amount and/or source of compensation?

If changes in Board Member compensation are proposed, note that the General Manager recommends such changes be made via adoption of an ordinance, which would require a first and second reading at least 5 days apart. This conservative approach is recommended as a best practice in the California Special District Association reference guide *Special Districts: Compensation for*

Directors and Trustees. It is also consistent with various statutory provisions for special districts, such as Public Utilities Code Section 11908-11908.2 (regarding municipal utility districts).

Recommendation

Given the factors above, the General Manager would like direction from the Board on whether there is interest in bringing back an adjustment of Director compensation at a future LAVWMA Board Meeting.

Attachments

Attachment A: Survey of Neighboring Agency Compensation

**Livermore-Amador Valley Water Management Agency Survey of Municipal &
Special District Board Member Compensation**

Agency	Stipend Per Compensable Mtg	Total Monthly Compensation	Notes
City of Dublin		\$1,416.82 per month	Will increase to \$1600.00 per month effective 11/2024
City of Hayward		\$3,608.75 per month	
City of Livermore		\$1070.00 per month	Effective 12/2014
City of Pleasanton		\$1,321.92 per month	
City of San Leandro		\$1900 per month	Effective 1/1/2025
Alameda County Water District	\$175 per meeting		Not to exceed 10 days a calendar month for meetings, conferences, seminars, workshops and tours
Central Contra Costa Sanitary District - Central San	\$200 per meeting		Effective 2022
Dublin San Ramon Services District (DSRSD)	\$195 per meeting		
East Bay Dischargers Authority (EBDA)			Effective 1/1/2024, Commissioners are compensated \$300 for each day of service per month; and compensation rate shall be reviewed once each calendar year in October and may be adjusted by up to 5% annually effective January 1 by action of the Commission
East Bay Municipal District (EBDA)		\$1,606.50 per month; (2) Board meetings per month	Effective 2/1/2024
Livermore-Amador Water Management Agency	\$50 per meeting		
Oro Loma Sanitary District	\$265 per meeting		
Union Sanitary District	\$218.99 per meeting for up to (7) meetings per month		

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY

RESOLUTION NO. 79-10

A RESOLUTION SETTING A PER MEETING
COMPENSATION RATE AND LIMIT FOR BOARD MEMBERS

WHEREAS, the LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY is a joint exercise of powers agency comprised of the City of Livermore, City of Pleasanton, and Dublin San Ramon Services District; and

WHEREAS, the Board of Directors of said Agency is composed of members from the respective jurisdictions comprising the Agency; and

WHEREAS, said Board members are required to attend monthly board meetings, special meetings, and other meetings at the request of the Board or the Chairman of the Agency; and

WHEREAS, Board members should be compensated for the time devoted to attendance at Board meetings and other authorized meetings.

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY DOES RESOLVE AS FOLLOWS:

Section 1. Authorizes the payment to Primary Directors, and Alternate Directors when serving in place of a Primary Director, of compensation in the sum of Fifty Dollars (\$50.00) per each LAVWMA Board meeting attended, not to exceed a maximum of two Board meetings per month.

Section 2. Authorizes the payment to Primary Directors, and Alternate Directors when authorized to serve in place of a Primary Director, of compensation in the sum of Fifty Dollars (\$50.00) for each additional meeting in excess of those identified in Section 1, provided that attendance at said meetings is authorized in advance by the Board of Directors and/or the Chair of said Board.

Section 3. Authorizes the commencement of payment of the above

1 compensation commencing as of September 13, 1979.

2 Section 4. Approves the budget for Fiscal Year 1979-1980 as
3 submitted by the Agency's Manager, as revised at the Board meeting
4 of November 15, 1979.

5 Section 5. This resolution repeals and rescinds Resolution No.
6 79-9 and shall become effective immediately upon its passage and
7 adoption.


8 THIS RESOLUTION WAS ADOPTED ON NOVEMBER 15, 1979, BY THE FOLLOWING
9 VOTE:

10 AYES: EBERT, FAHEY, JEFFERY, KAMENA, MERCER, WOOD

11 NOES: NONE

12 ABSENT: NONE

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14 
KENNETH R. MERCER, Chair

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16 
KENNETH C. SCHEIDIG, General Counsel
17 APPROVED AS TO FORM

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Livermore-Amador Valley Water Management Agency

August 3, 2024

Re: Informed written consent to represent the City of Livermore

Dear Alexandra:

We understand that the City of Livermore ("City") retained Jarvis Fay in November 2023 to represent it in the following lawsuits:

- *Alameda County Taxpayers' Assn. & Alan Heckman v. City of Livermore* (Alameda Superior Court case no. 23CV047436); and
- *Alameda County Taxpayers' Assn. & Alan Heckman* (on behalf of himself and others similarly situated) (Alameda Superior Court case no. 24CV058036).

We have considered your firm's request for a conflict waiver and LAVWMA consents to Jarvis Fay's representation of the City in the two lawsuits. LAVWMA waives any conflict between Jarvis Fay's representation of the City in the lawsuits identified above, and your firm's continued representation of LAVWMA, including but not limited to your General Counsel services and your firm's representation of LAVWMA to acquire an easement over the City's property for the Livermore Interceptor Pipeline Emergency Repair Project.

Levi

DocuSigned by:

8B690EE9CB8540B...

Levi Fuller
LAVWMA General Manager

Supreme Court Removes Taxpayer Protection Act from the November Ballot

By Michael G. Colantuono, Esq

On June 20, the California Supreme Court took the rare step of removing a measure from the statewide ballot. The California Business Roundtable's "Taxpayer Protection and Government Accountability Act" — the "TPA," but named the "Taxpayer Deception Act" by its detractors in local government and elsewhere — would have imposed many new restrictions on State revenues and essentially all local revenues from taxes to library fines to water rates. It would have required two-thirds-voter approval for all special taxes, whether proposed by local legislators or initiative petition, reversing six recent court decisions allowing such taxes by majority vote.

The California Business Roundtable removed essentially the same measure from the 2018 ballot in exchange for a multi-year ban on local soda taxes and may have intended to trade this measure for a ban on vehicle-miles-travelled taxes — taxes on peripheral real estate development to fund transportation infrastructure briefly considered by the San Diego Association of Governments. Rather than bargain, the Legislature sued.

The Legislature, Governor Newsom, and former Senate President Pro Tem John Burton petitioned the California Supreme Court for a writ of mandate ordering Secretary of State Shirley Weber to withhold the measure from the ballot. Such petitions are very rarely granted, as it is the role of the California Supreme Court to decide important legal issues on appeal and not as the first

court to hear them. However, the petitioners, with support from several local government associations as amici curiae ("friends of the court"), persuaded the Court to issue an order to show cause. The order invited briefing in December and January and the Court heard argument on May 8th. As expected, the Court acted by the Secretary of State's June 27th deadline to certify measures for the November ballot.

Legislature v. Weber raised two issues. First, petitioners argued the measure would revise the state Constitution — which an initiative cannot do — rather than amend it. Second, they argued the measure would impair essential governmental powers — to impose taxes, delegate fee-making procedures to the Executive branch, and for that branch to fully administer the finances of government programs.

Justice Goodwin Liu's decision for a unanimous Supreme Court ordered Secretary of State Weber not to place the initiative on the Fall ballot because it is an improper revision. A revision can only be proposed by the Legislature or a constitutional convention. The Court concluded the initiative is a revision because it makes fundamental changes to the distribution of authority under our Constitution:

- It would strip the Legislature of the power to tax, requiring voter approval of any tax increase, even if affecting only one taxpayer;

- It would strip the Legislature of the power to delegate fiscal functions to the Executive Branch, requiring every minor fee increase (like that to replace a driver's license) to come to the floor of the Legislature;
- It would strip local governments of the power to delegate fiscal functions to agency staff and greatly expand voter approval authority over local revenues.

The Court did not conclude that any one of these changes would be a revision beyond the reach of the initiative power, only that the combination certainly is.

The case is significant not only because it removes a very problematic proposal from the Fall ballot but also because it represents a very rare action by the California Supreme Court to review an initiative proposal before the election. It is also only the fourth decision to invalidate an initiative constitutional amendment as a revision and the first since a 1999 decision striking a proposal to delegate to the courts the task of redistricting the Legislature.

This is a huge win for the State's leaders, for local government, and for all who value government services. The Court cited the local government amicus brief we filed for the League of California Cities, the California State Association of Counties, the California Special Districts Association, and other local government associations, referencing its arguments repeatedly. The Court quoted our brief:

Local government amici curiae argue that the TPA thus "revises the structure of local government, fundamentally changing the responsibilities of local legislators and administrators, and stripping charter counties of their power to establish administrative structures and charter cities of their 'plenary authority' (Cal. Const., art. XI, § 5) to determine the roles and responsibilities of their officials." Further, they argue

that the TPA's restrictions on the ability of state and local governments to raise revenue without voter approval or to enact fees not subject to referendum "transform[s] the constitutional relationship of state and local governments, making the latter dependent on the State for fiscal survival but stripping the State of the ability to provide necessary funding."

In three other places it cites our brief to note the range of impacts the initiative would have had on local governments.

Now the fight turns to two other constitutional amendments the Legislature placed on the Fall ballot. ACA 13 (Ward, D-San Diego) would require any initiative constitutional amendment that imposes a super-majority voting requirement to be approved by that same super-majority. Although the TPA will no longer be part of this debate, the broader question of allowing a simple majority to impose super-majority approval requirements remains.

ACA 1 (Aguilar-Curry, D-Woodland) would allow voters to approve local government bonds for housing and infrastructure (broadly defined) with 55 percent approval, rather the two-thirds that has been required since 1978's Proposition 13. This is modeled on a 2000 measure which lowered the voting threshold for school bonds. As we go to press, ACA 10 and AB 2813 are pending the Senate Local Government Committee to make adjustments to that measure to win the neutrality of the California Realtors Association.

The business interests which spent millions qualifying the TPA for the ballot have stated they will campaign against these measures.

Policy debates about how to fund government services continue, of course. But June 20, 2024 was a good day for local government and its advocates.

Colantuono, Highsmith & Whatley is a law firm with five offices around California that represents public agencies throughout the state. Its municipal law practice includes public revenues, land use, housing, CEQA, LAFCO matters, public safety liability defense, and associated appeals and trial court litigation. We are committed to providing advice that is helpful, understandable, and fairly priced.

<https://chwlaw.us>



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Item No. 14

Significant Legislative Highlights

Bill Report

2024 Mid-Year Legislative Report

Disclaimer: This publication is provided for general information and is not offered or intended as legal advice. Readers should seek the advice of an attorney when confronted with legal issues and attorneys should perform an independent evaluation of the issues raised in these materials.



2024 Mid-Year Legislative Report

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2024 MID-YEAR LEGISLATIVE REPORT: *The Voice of Special Districts*

In the second year of the 2023-2024 Legislative Session, the California State Legislature introduced and CSDA reviewed 2,464 measures. CSDA's Legislative Committee adopted positions on 1,491 bills and other measures, including 128 priority positions, such as support, support if amended, oppose, oppose unless amended, concerns, and neutral positions following amendments.

Important measures on which CSDA has been engaged include:

AB 2631 (M. Fong) Local agencies: ethics training.

- CSDA co-sponsored this bill to provide the Fair Political Practices Commission with the statutory authority to provide free ethics training to public agency officials. This bill is necessary so that the Commission can be provided with the requisite appropriation from the state to make changes to the course platform.
 - This measure is co-sponsored along with the California State Association of Counties and the League of California Cities.

ACR 163 (Hart) Special Districts Week.

- CSDA sponsored this resolution to continue to spotlight the value of the essential local services provided by special district members.
 - The resolution proclaimed the week of May 19, 2024, to May 25, 2024, to be Special Districts Week.
 - This resolution builds on resolutions from previous years, in which the Legislature had similarly encouraged all Californians to be involved in their communities and be civically engaged with their local government.

SB 1164 (Newman) Property taxation: new construction exclusion: accessory dwelling units.

- This bill would have exempted accessory dwelling units (ADUs) from property taxation until either: 1) 10 years passed since the completed construction of the unit, 2) there was a subsequent change in ownership of the accessory dwelling unit, or 3) the unit was converted to any use other than for residential housing.
 - CSDA worked with coalition members including the California State Association of Counties, League of California Cities, California Teachers Association, Urban Counties of California, and Rural County Representatives of California to oppose this elimination of vital property tax revenue used to fund essential local services. Estimates from the Board of Equalization predicted the loss of \$20 million annually in property tax revenue if the bill were made law.
 - SB 1164 will not be moving forward this session, after the author pulled the bill from consideration in the Assembly.



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Additional Local Revenue:

CSDA has worked to protect special district revenues, supporting legislation to ensure their stability and protect agencies from costly litigation, and opposing legislation which would reduce revenues.

- [**Administration's Charter Schools Educational Revenue Augmentation Fund \(ERAF\) Trailer Bill Proposal**](#) - CSDA joined with the Urban Counties of California, Rural County Representatives of California, California State Association of Counties, League of California Cities, County of San Mateo, County of Marin, and County of Napa in opposing a proposal from the Newsom Administration that sought to insert charter schools into the calculation and distribution of monies in each county's ERAF, thereby reducing potential excess ERAF returns to local agencies, including special districts. The proposal was rejected by the Legislature and was not included in the relevant budget bills, Assembly Bill 164 or Senate Bill 164.
- [**AB 1827 \(Papan\)**](#) - CSDA joined a coalition in support of this measure that seeks to ensure water service providers can adequately capture the cost of service. This bill would permit the inclusion of the incrementally higher costs of water service due to the higher water usage demand of parcels, the maximum potential water use, projected peak water usage, or any combination of those factors in the fees or charges for property-related water service.
- [**AB 2257 \(Wilson\)**](#) - CSDA joined local agency stakeholders in supporting this legislation that would reduce agencies' exposure to adverse judicial intervention by requiring a potential litigant to participate in the Proposition 218 rate-setting process, provided the agency abides by specified procedures established by the bill.
- [**SB 1072 \(Padilla\)**](#) - CSDA and coalition partners are advocating for this legislation that ensures agency revenues are not exposed to disruptive Proposition 218 remedies incompatible with agency finance structures. The bill would provide that, if a court determines a certain charge was unlawful, the appropriate remedy would be to apply any excess fees collected toward reducing the cost for the agency to provide that service moving forward.

Housing and Development Related Fees Legislation:

Several legislative measures were introduced in 2024 that propose restrictions on development-related fees. CSDA is actively collaborating with other local government advocates to oppose these measures either partially or entirely, and to educate legislators and their staff on the importance of the Mitigation Fee Act, development impact fees, the Quimby Act, and connection and capacity charges.

- [**SB 937 \(Wiener\)**](#) - CSDA led a coalition of local government partners in opposing unless amended this measure that, among other things, for certain project types of residential developments, would generally prohibit the collection of interest on impact fees that are deferred until the completion of a development at final inspection or certificate of occupancy. It would also lock those fees in when the development is approved and is eligible to pull a building permit. Amendments were recently added that included a 5-year cap on deferral of fees if a permitted project has not broken ground.



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- [AB 2729 \(Patterson, Joe\)](#) - CSDA formed a coalition of local government partners to oppose this measure that, among other things, would require development impact fees be the same amount as would have been paid had the fees and charges been paid prior to the issuance of building permits and the local agency shall not charge interest or other fees on any amount deferred. The measure has a provision to collect the fees earlier in the process but would require that the local agency begin the improvements within 24 months. This measure has been proposed to be amended in its last committee to narrow the types of developments it applies to.
- [SB 1210 \(Skinner\)](#) - While introduced as a measure to cap utility-related development fees, this bill was dramatically amended to only require all utilities, both private and public, to post a schedule of fees for a service connection, capacity, or other point of connection charge for each housing development type. However, this paragraph does not apply to a utility that continues to post a schedule of their fees in accordance with existing law. With these amendments CSDA and its partners moved from an oppose position to a neutral position.
- [AB 3068 \(Haney\)](#) - This measure will create the Adaptive Reuse Investment Incentive Program to incentivize converting existing buildings into residential or mixed-use developments. Among other things, it only allows impact fees directly related to the impacts resulting from the change of use of the site from nonresidential to residential or mixed use. Any fees charged shall be proportional to the difference in impacts caused by the change of use and be collected on the date the certificate of occupancy is issued. The bill has contractual protections for those deferred fees. The author accepted committee amendments that would strike the provision that impact fees can only be collected at certificate of occupancy and change the verbiage regarding fees that can assessed from "direct" impacts and "proportional" to language that reflects "reasonably related" and "roughly proportional." CSDA changed its position from oppose unless amended to neutral after those amendments.
- [AB 1820 \(Schiavo\)](#) - After numerous positive amendments, this bill would now authorize a development proponent that submits a preliminary application for a housing development project per Senate Bill 330 guidelines to request a preliminary fee and exaction estimate for cities and counties, and fee schedules for special districts and schools. Additionally, after an application is approved and is eligible to pull building permits, the bill would require all local agencies to provide the development proponent with a total sum amount of all fees and exactions that will apply to the project with 30 business days. The total sum is a good faith estimate for informational purposes and is not legally binding on the agency. The bill has been amended in other respects which are beneficial to special districts. With the totality of amendments, CSDA and its partners moved from opposed to neutral.

Brown Act:

CSDA, having previously led several efforts to make changes to the Brown Act, has remained engaged in legislative efforts to reform the state's open meeting laws, including:

- [AB 817 \(Pacheco\)](#) - CSDA joined several local government stakeholders in supporting AB 817, which sought to make service on public agency advisory bodies more



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accessible by providing more flexibility to members to participate remotely. Faced with amendments antithetical to the bill's intent, AB 817 failed to advance out of the Senate Local Government Committee.

- [AB 2302 \(Addis\)](#) - CSDA has supported this bill which seeks to clarify that separate convenings of an agency in a single calendar day amount to a single "meeting" under the Brown Act, recasting existing limits on the number of times members of a legislative body can participate remotely in meetings for just cause or emergency circumstances.

Surplus Land Act (SLA):

CSDA remains a leader in connection with the SLA and Department of Housing and Community Development (HCD) efforts to update guidelines implementing the SLA.

- [HCD Draft Updated SLA Guidelines](#) - In 2023, Governor Gavin Newsom signed two laws that made several changes to the requirements of the SLA, [AB 480 \(Ting\)](#) and [SB 747 \(Caballero\)](#), with both laws taking effect on January 1, 2024. CSDA led coalitions on both bills. Following the recent enactment of AB 480 and SB 747, HCD released its Draft Updated Surplus Land Act Guidelines issued February 23, 2024 (Draft Updated Guidelines). The Draft Updated Guidelines (and current guidelines) are inconsistent with the statute and may result in operational challenges for special districts. As a result, CSDA issued a Call to Action to its members, and submitted a lengthy [comment letter to HCD](#). The Draft Updated Guidelines are still in process and have not yet been adopted in final form.
- [SB 1134 \(Caballero\)](#) - In response to HCD's Draft Updated Guidelines, this measure was amended to remove HCD's exemption from the Administrative Procedures Act related to SLA rulemaking. Instead, the measure would require that: "Any rule, policy, or standard of general application issued by the Department of Housing and Community Development in implementing this article shall be subject to the rulemaking provisions of the Administrative Procedure Act...." CSDA and partner associations maintain a support if amended position on the bill, to address an error.

Labor and Employment:

High vacancy rates at local government employers have given rise to several measures which may negatively impact special district operations and unnecessarily increase expenses. The bills on which CSDA has been most engaged, include:

- [AB 2557 \(Ortega\)](#) - This bill burdens the process for local governments and schools to contract out for statutorily authorized special services by requiring onerous website reporting obligations, contract requirements, and notifications. The bill is expected to disincentivize contractors from doing business with local agencies and increase costs and delays. CSDA is a leader of the local government coalition opposed to the bill.
- [AB 2489 \(Ward\)](#) - A companion to AB 2557, this measure would burden the process for local governments and schools to contract out for statutorily authorized special services by requiring contractors to use employees who meet or exceed the minimum qualifications and standards required of bargaining unit civil service employees who perform or performed the same job functions, and by exposing contractors' employee



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data. The bill was expected to disincentivize contractors from doing business with local agencies and increase costs and delays. CSDA was a leader of the local government coalition opposed to the bill, which was held on the Assembly Appropriations Committee Suspense File and will not be advancing this year.

- [**AB 2561 \(McKinnor\)**](#) - This bill would require a local agency with high vacancy rates to, upon request by the recognized employee organization, meet and confer and hold a public hearing, regarding the high vacancy rates and strategies to reduce them.

CSDA has also been highly engaged on other labor and employment legislation which may have adverse impacts on special districts' ability to provide essential services or maintain safe workplaces. The bills on which CSDA has been most engaged include:

- [**AB 2404 \(Lee\)**](#) - This bill would provide protections for employees to engage in sympathy striking and remove sympathy striking from bargaining. This bill was similar to AB 504 (Reyes, 2023), which was opposed by CSDA and vetoed by Governor Newsom. CSDA has an oppose position on AB 2404, and was working with a local government coalition to oppose and amend the bill. The bill was held on the Assembly Appropriations Committee Suspense File and will not be advancing this year.
- [**SB 1116 \(Portantino\)**](#) - This bill would provide unemployment benefits to workers who are currently employed, and not seeking other employment, but who are on strike. This bill is a reintroduction of SB 799 (Portantino, 2023), which was opposed by CSDA and vetoed by Governor Newsom. CSDA led the local government coalitions opposing the 2023 and 2024 versions of the bill. SB 1116 failed passage in the Assembly Insurance Committee.
- [**AB 2751 \(Haney\)**](#) - This bill would require employers to institute a workplace policy granting employees the right to disconnect from employer communication during nonworking hours, with exceptions, and establish enforcement mechanisms. The bill exempts employees covered by valid collective bargaining agreements. The bill was held on the Assembly Appropriations Committee Suspense File and will not be advancing this year.
- [**SB 399 \(Wahab\)**](#) - This two-year bill will prohibit employers from taking action against employees who decline to participate in employer-sponsored meetings or receive communications, the purpose of which is to share the employer's opinion about political or religious matters. CSDA is leading a local government coalition with an oppose position on the bill because of its unique impacts on local government workplaces where routine activities may be regarded as political matters.
- [**AB 2421 \(Low\)**](#) - With limited exceptions, this bill would prohibit a public employer from questioning any employee or employee representative regarding communications made in confidence between an employee and an employee representative in connection with representation relating to any matter within the scope of the recognized employee organization's representation. CSDA is leading a local government coalition with an oppose position on the bill.



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SB 252 (Gonzalez): Public retirement systems: fossil fuels: divestment.

- This two-year bill would require CalPERS and CalSTRS to divest from fossil fuel companies. CSDA led a coalition with an oppose position on the bill because investment decisions should be left to the CalPERS Board of Administration, and because of the detrimental impacts of divestment on employer contribution rates. The bill will not advance this year after the author declined to accept amendments proposed by the Assembly Public Employment and Retirement Committee.

Public Works:

CSDA and its coalition partners have been actively involved with several public works bills this year. The bills on which CSDA has been most engaged include those impacting prevailing wage, gate safety standards, and cost accounting standards.

- **AB 1890 (Patterson, Joe)** - This bill requires the awarding body of a public works contract to provide notice to the Department of Industrial Relations if there is a change in the identity of a contractor or subcontractor performing the project or, within 30 days, if the total amount of the contract change exceeds \$10,000. CSDA has an oppose unless amended position and has engaged with the author, the sponsors and other local government advocates to seek positive amendments to the bill.
- **AB 2149 (Connolly)** - CSDA has joined with other local government advocates to oppose this measure that creates a framework for the inspection and repair of "regulated gates," imposes administrative fines for violations, and declares unrepaired and dangerous gates to be a public nuisance. A regulated gate is defined as any gate that weighs more than 50 pounds and is more than 48 inches wide or more than 84 inches high that is located in an area that is intended to be used by the public, an entire community or neighborhood, or any considerable number of persons. The gate has to meet several requirements and standards including a positive stop. The bill would require the owner of a regulated gate to have it inspected on or before July 1, 2026, and have it reinspected at least once every 10 years by a professional or qualified employee to ensure that the regulated gate complies with the requirements. Gate-owner includes all state and local agencies.
- **AB 2182 (Haney)** - CSDA is opposing this measure that makes numerous changes to state public works law including authorizing the Director of Industrial Relations (Director) to dismiss the request of a contractor or subcontractor for a review of a civil wage and penalty assessment due to the contractor's or subcontractor's failure to appear for a prehearing conference or hearing and granting joint labor-management committees (JLMCs) reasonable access to public works job sites. The bill requires, among other things, that if during any semiannual period the Director determines there has been a change in any prevailing wage rate in any locality, the Director will make such change available to the awarding body and the Director's determination will be final. Such determination shall apply on its effective date to any contract that is awarded, or for which notice to bidders is published after July 1, 2025.



**California Special
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- **[AB 2192 \(Carrillo, Juan\)](#)** - CSDA is supporting this measure, that would increase project cost limits specified in the Uniform Public Construction Cost Accounting Act (CUPCCA) and separate the negotiated contracts and purchase order limits from the force account limits. This bill also refines the oversight authority of the CUPCCA Commission. This bill includes increasing the dollar amount of projects that may be performed pursuant to CUPCCA by the employees of a public agency by force account order from \$60,000 to \$70,000 and separating the negotiated contracts and purchase order limits from the force account limits while setting the new limit for these procurements at \$100,000. It also increases the dollar amount of projects that are subject to CUPCCA's informal bidding procedures from \$200,000 to \$220,000 and increases the dollar amount of projects that are subject to CUPCCA's formal bidding requirements from \$200,000 to \$220,000, among other technical changes.

California Air Resources Board (CARB) Advanced Clean Fleets (ACF) Regulation:

In April 2023, CARB passed its ACF regulation, which requires local government medium and heavy-duty fleets to transition to Zero-Emission Vehicles (ZEVs). The ACF regulation became effective as of October 1, 2023. The regulation calls for a transition to ZEV purchase schedule: Beginning January 1, 2024, 50 percent of the total number of vehicles purchases for the California fleet made in each calendar year must be ZEVs, and starting January 1, 2027, 100 percent of purchases for the California fleet in each calendar year must be ZEVs. CSDA advocated directly with CARB members and staff, provided written comments, and testified in opposition to the regulation during the public hearing, citing timeline, cost, infrastructure and emergency response concerns.

CSDA is now engaging in related efforts which may help special districts preparing for this monumental transition, including:

- **[Climate Resilience Bond 2024](#)** - CSDA along with its city and county partners has advocated for up to \$500 million of any potential Climate Resilience Bond to be targeted at the infrastructure and vehicles for local agencies to comply with the ACF / ZEV mandate. At this time, it appears the Climate Resilience Bond will not directly include this request.
- **[AB 173 \(Committee on Budget\)](#)** - California Department of Transportation (Caltrans) sought approximately \$250 Million to comply with ZEV mandates. Working closely with city and county partners, CSDA was able to advocate for adding reporting language to this Caltrans transportation budget trailer bill. This language requires Caltrans to annually compile and report information to the Legislature regarding the ZEVs the department purchases, owns, or leases. This will help all public agencies to gain valuable insights on how infrastructure and vehicle acquisition mandates can be addressed.
- **[AB 637 \(Jackson\)](#)** - CSDA is supporting this bill which would allow a fleet owner that rents a ZEV or ZEVs for a cumulative total of 260 days in a calendar year to be deemed as having ownership of one ZEV for purposes of meeting the ACF mandate.



**California Special
Districts Association**

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- o [**SB 1393 \(Niello\)**](#) - CSDA supported this measure which would have provided for an appeals committee when a local agency is denied a request for an exemption from the ACF / ZEV mandates. The proposed committee would review appeals of denied requests for exemptions from the requirements of the ACF regulation and make recommendations to the state board with respect to the denial of the exemption request. This measure failed to advance.
- o [**AB 2266 \(Petrie-Norris\) and SB 1387 \(Newman\)**](#) - CSDA held support positions on these very similar measures which sought to expand eligibility for the Hybrid and Zero-Emission Truck and Bus Voucher Incentive Project (HVIP) to include a ZEV exceeding 8,500 pounds that is either purchased for fleet operations by a public or private fleet or by an individual for personal and (substantially in furtherance of) commercial use. These measures would have defrayed some costs of acquisition of certain ZEVs and allowed local agencies to apply for a voucher (currently \$7500 for a vehicle of this type) from the state for the purchase of a broader selection of ZEVs, including pick-ups. AB 2266 failed to advance, while SB 1387 remains pending.

CSDA remains hard at work advancing the interests of special districts in the Legislature. Interim Recess, beginning upon adjournment on July 3, marks the deadline for each house to pass bills out of their respective policy committees. The Legislature will return on August 5 and complete the session by August 31. Stay tuned to CSDA eNews and Advocacy News for future updates.



**California Special
Districts Association**

Districts Stronger Together

2024 MID-YEAR LEGISLATIVE REPORT: *The Voice of Special Districts*

A report of bills tracked by CSDA with priority positions can be
[viewed at this link](#)

The report provides links to each of the tracked measures, together with CSDA Summaries, copies of letters submitted to the Legislature by CSDA, and other pertinent information concerning bill status. The report lists CSDA's position on each bill.

The report lists the lobbyist assigned to each bill. For additional information on a particular bill, please contact the assigned lobbyist: Director of State Legislative Affairs Aaron Avery at aarona@csda.net; Legislative Representative Marcus Detwiler at marcusd@csda.net; and, Legislative Representative Anthony Tannehill at anthonyt@csda.net.

General questions can be directed to Aaron Avery.

ITEM NO. 15 GENERAL MANAGER'S REPORT

Action Requested

None at this time. This is an information item only.

Summary of General Manager Work Activity

Summary – Levi Fuller

The General Manager (GM) agreement is for a term of two years and began on April 01, 2024. There is a limitation of 1,000 hours per fiscal year for General Manager's Administrative Services (GMAS). For the fiscal year ending June 30, 2024, the GM billed LAVWMA 97.75 total hours. For FY 2024/25, the GM has billed 76 total hours. To date, approximately 35% of the General Manager's time has been dedicated to the newly added Treasurer responsibilities, as well as tasks associated with the transition of accounts receivable and accounts payable function from Dublin San Ramon Services District to Regional Government Services, and administrative responsibilities in pursuing FEMA reimbursement, easement acquisition and other tasks associated with the Emergency Livermore Pipeline Repair Project.

Summary – Chuck Weir

The Former General Manager's (FGM) tenure began on April 17, 2014. A two-year extension was approved on April 20, 2016, a three-year extension was approved on February 21, 2018, and an additional three-year extension was approved on February 17, 2021. The agreement requires a report on hours worked during the fiscal year at each Board meeting. There is a limitation of 1,000 hours per fiscal year for General Manager's Administrative Services (GMAS). For the fiscal year ending June 30, 2024, the FGM has billed LAVWMA 682 hours for GMAS and 149.50 hours for Project 24-LO24 (Emergency Livermore Pipeline Repair Project). Hours worked on the Emergency pipeline repair are not included in the 1000-hour GMAS limit.

In addition to the brief description below, there are several items of interest for the Board's review:

1. Financial Management

- The GM assumed the additional role of Livermore-Amador Valley Water Management Agency (LAVWMA) Treasurer on May 15, 2024.
- The GM reviewed and signed the Financial Services Agreement with RGS and forwarded the mentioned Agreement to need-to-know parties.
- LAVWMA and RGS completed a transfer of \$5.8 million from the California Asset Management Program (CAMP) to Bank of America (BofA) to facilitate a bond payment on July 30, 2024.
- LAVWMA and RGS completed a bond payment "wire" transfer in the amount of \$5,835,199.03 on July 31, 2024, which was due August 01, 2024, from the BofA to US Bank.
- A collaboration between LAVWMA, DSRSD, and RGS has resulted in all vendor payments being made by their required due dates.
- LAVWMA and RGS are not aware of any past due accounts.

- DSRSD and RGS are assessing the recently discovered inability of the QuickBooks online software version of producing the correct balance sheets. (QuickBooks acknowledges that their system will not produce a correct balance sheet for any of their customers. This is a QuickBooks problem, not a LAVWMA-specific problem.)
- RGS is:
 - Manually maintaining financial spreadsheets as the Quickbooks online version contains an error, making it unreliable for financial spreadsheet management.
 - Developing a short and long-term strategy in overcoming the challenges associated with QuickBooks' online version balance sheet failure.
 - Executing a proof-of-concept and then evaluating the very near-term balance sheet workaround.
 - Researching software alternatives to QuickBooks.
 - Communicating this issue to several stakeholders including LAVWMA's external auditors.
- The GM purchased a 1-year license extension of the QuickBooks online version.
- LAVWMA is currently working on the process of getting GM Fuller and Strategic Services Consultant, Tracy Fuller, designated as Primary Administrators on LAVWMA's Financial Accounts:
 - Bank of America
 - California Asset Management Program
 - Local Area Investment Fund (LAIF)
 - US Bank – Bond Holder

		Levi	Tracy
BofA	Checking	Access	Access
BofA	Token	Yes	Yes
LAIF	Savings	Access	Pending
CAMP	Savings	Access	Pending
US BANK	Bond Trustee	Access	Pending

- The GM has had multiple communications with LAVWMA account representatives at BofA, CAMP, LAIF, and US Bank.
- The GM has made minimum weekly checks of LAVWMA account balances at BofA, CAMP, LAIF, and US Bank.
- The GM corrected the “wire” banking/routing information between LAVWMA's CAMP to LAVWMA's BofA account. CAMP was set up to “wire” funds to BofA using routing information for San Francisco, in lieu of Portland, Oregon the (correct branch).
- GM submitted to CAMP correct “wire” forms and deleted the incorrect “wire” forms.
- GM submitted to CAMP correct “ACH” forms and deleting the incorrect “ACH” forms.
- RGS has begun to pay a few direct vendors, while in the process of setting up (ACH) templates for direct vendors (approximately fifteen vendors). DSRSD's Munis software

program was set up and able to pay these vendors. Historically, LAVWMA only paid three vendors via Bank of America by wire.

- LAVWMA renewed the Small District Risk Management Agency (SDRMA) insurance, in the amount of \$141,193.43, with additional insured endorsement for GM Fuller and Administrative Assistant, Sheree Davis.
- LAVWMA paid the East Bay Dischargers Authority (EBDA) invoice on July 5, 2024, in the amount of \$574,980.54.
- LAVWMA paid the DSRSD Operations and Maintenance invoice on July 24, 2024, in the amount of \$919,201.67.
- There have been multiple, daily including weekends, scheduled and unscheduled meetings between the GM and RGS Consultant, Tracy Fuller.
- The GM has had several discussions with the City of Livermore's Acting Public Works Director, Anthony Smith, regarding the balance of "sole use" reserves and Livermore's payment plan for the Livermore Pipeline Project.
- The GM is developing an analysis of LAVWMA's need for a Rehabilitation and Replacement Reserve Policy.
 - The GM Fuller reviewed the Reserve Policy for DSRSD, Alameda County Water District (ACWD), and EBDA.
- The GM reviewed and approved numerous invoices in DSRSD's Munis software system.
- The GM reviewed and approved legal counsel invoices.
- The GM responded to all requests for information from Financial Auditors, Maze & Associates.
- GM Fuller reviewed and signed the Treasurer's Quarterly Financial Report for 4th Quarter FY2023-24. (RGS)

2. Operations and Maintenance

- The GM reviewed the 4th Quarter FY2023-24 Quarterly Report of Operations; (DSRSD)
 - Met with DSRSD staff to discuss changes to future reports.
- LAVWMA Operations and Maintenance (O&M) meetings in both May and July.
 - The GM attended and received status updates on Capital and O&M Projects.
- EBDA Managers Meetings.
 - The GM attended the (monthly) meetings; and
 - Recorded and sent Meeting Minutes to relevant DSRSD, Livermore, and Pleasanton staff members.
- Nutrient Permit
 - The GM attended several virtual POTW community meetings.
 - Reviewed Regional Water Boards Permit.
 - Participated in staff discussions regarding future impacts to LAVWMA; and
 - Communicated with LAVWMA legal counsel on this matter.
- The GM reviewed DSRSD Laboratory Reports for the San Leandro Sample Station (SLSS).
- The GM performed bi-monthly inspections of the Pump Station.
- The GM performed (1) one Inspection of the San Leandro Sample Station.

- The GM attended the monthly East Bay Leadership Council Meetings.
- The GM attended the online session and the site visit of the Advanced Quantitative Precipitation Information (AQPI) rainfall technology.
- The GM attended the California Association of Sanitation Agency (CASA) Conference in Monterey, CA from July 31st - August 1st, as well as attended the following training/presentations:
 - General Managers Forum and Discussion
 - CSRMA Training Seminar
 - Change Management
 - Regulatory Deep Dive (Nutrients)
 - The Value and Complexities of Communication
 - CASA Business Meeting
 - Resilience in Action (Carbon and Energy)
 - The Future of Water
 - Conference Closing Session (Legal and Political Issues)
- Number 2 Export was pulled for inspection on August 5, 2024. Once the pump has been disassembled and inspected, staff will know what level of repair, rebuild, replacement, and effort that is needed.
- Three new Trillium export pumps are operating well. So far, no mechanical issues have been observed.
- Zone 7 brine has a higher percentage of effluent flow due to water recycling.
- Bacti sample of July 2024 from the SLSS had a mean of Fecal-61 and Enterococcus-14.
 - EBDA's outfall permit allows a mean of 500 and 90 percentile with a max of 1100 – Fecal.
 - EBDA's outfall permit allows a geometric mean of 280 and no more than 10 percent of samples above 1100 for Enterococcus.
- The GM signed and returned the project acknowledgment plans for the Alameda County Streetscape Project, which will raise (1) one LAVWMA manhole cover and 3 LAVWMA valve covers located on Mission Boulevard in Alameda County.

3. Capital Projects

- **Export Pipeline Inspection Project**
 - Collaborated with legal counsel in creating a LAVWMA-specific Maintenance Agreement for this project and future projects. The Agreement included updated regulations required for Public Works Maintenance Agreements.
 - DSRSD O&M staff are working on the project's traffic control and pipeline dewatering plans.
 - Created a LAVWMA-specific project code list (historically LAVWMA used DSRSD's project codes).

- Registering this project with the Department of Industrial Regulations (DIR).
- Reviewed and approved Contractor, National Plant Services (NPS) insurance policies for the project, ensuring LAVWMA and NPS are properly insured.

Livermore Pipeline Interceptor Project

- Attended bi-monthly meetings with FEMA regarding this Project.
- After evaluation and interviews with three FEMA consulting firms (Berquist, Kermani Consulting Group (KCG), and Witt O'Brien), LAVWMA entered a not-to-exceed 15K agreement with KCG as their new consultant.
- LAVWMA, DSRSD, and KCG staff submitted numerous (>50) reports, forms, and notarized letters to FEMA and CalOES related to FEMA's reimbursement for this Project. Up until August 15, 2024, FEMA and CalOES have indicated that both agencies have all the information they need to assess project reimbursement.
- FEMA has "obligated" approved reimbursement for "riprap" portion of the project with a ~ 17K obligation sent to CalOES for distribution. CalOES confirmed LAVWMA has submitted all documents needed to pay reimbursement.
- August 15, 2024, FEMA made an additional document request in order to continue to evaluate a reimbursement for up to ~ \$4.69 Million reimbursement. KCG Consulting is working on additional documentation request.
- GM Fuller renewed LAVWMA's System for Awards Management (SAM) registration.
- DSRSD received (3) three ZONE 7 easements that have been recorded with Alameda County.
- LAVWMA commissioned contractor, Right of Way Services (RWS), to complete a second appraisal of the Livermore easement at Project site. The second appraisal must conform to FAA requirements associated with Livermore Airport. August 15, 2024, LAVWMA received direction from Livermore to pursue a long-term rental easement. August 15, 2024, that information was passed on to appraiser.
- The GM assumed the role of Entity Administrator with FEMA for the Project. Submitted notarized form to FEMA and CalOES on this matter.
- The GM made several visits to the Project site.
- Multiple communications with the City of Livermore regarding the City's Project payment strategy.

San Leandro Sample Station Project

- The GM attended bi-monthly meetings with SLSS Project Designer (HydroScience), Contractor (McGuire and Hester), and DSRSD on this Project.
- The GM worked with all involved to delay project due to equipment delivery delays and concerns that the Project work would go into the wet weather season.
- McGuire and Hester requested, and LAVWMA and HydroScience approved, a no cost change order to delay the Project date to August 1, 2025.
 - 16-inch control valve has a target delivery date of September 30, 2024.
 - 30-inch control valve has a target delivery date of February 28, 2025.

- The GM Communicated Project delay to the City of San Leandro and to the San Leandro's Heron Bay Homeowners Association as work will now be done along the Heron Bay Trail in the summer of 2025.

Other Capital Project Updates at Operations and Maintenance Meeting

- Meeting with Alameda County Water District staff on Regional Advance Purification Pilot Project.

4. Legal and Administrative

- In collaboration with LAVWMA Administrative Assistant, Sheree Davis, the GM researched, selected, and prepared items for the LAVWMA Board meeting agenda and packet.
- In collaboration with LAVWMA Administrative Assistant, The GM prepared an agenda, facilitated the LAVWMA Staff Advocacy Group (SAG) meeting held on August 14, 2024, and sent out meeting notes to SAG Team members from DSRSD, Livermore, Pleasanton and LAVWMA Legal Counsel.
- The GM attended weekly scheduled meetings with LAVWMA Administrative Assistant, Sheree Davis, as well as held multiple unscheduled phone and email correspondence with the same.
- The GM performed check-ins and requested guidance from legal counsel on multiple topics and issues that came to his attention.
- The GM communicated on multiple topics with DSRSD, EBDA, EBDA GMs, Livermore's Acting Assistant Public Works Director / Water Resources Division Manager, and members of their respective staff, as necessary.
- Established reoccurring one on one meeting schedule with DSRSD GM, DSRSD Operations Director, Livermore Acting Assistant Public Works Director, and plan to do the same with Pleasanton's new Assistant Director of Public Works.
- The GM reviewed EBDA's petition of the Regional Water Board's R2-2024-0013 Nutrient Permit (petition is in abeyance). Petition Issues are as follows:
 - Failure to Recognize Early Actors
 - Inadequate science to create permit limits.
 - Equity and economic justice
 - Time to Comply
- Multiple correspondences (~ 12) with the Assistant Political Reform Consultant of the Fair Political Practices Commission's (FPPC) Legal Division, in preparation of updating LAVWMA's Conflict of Interest Code.

The AQPI Project

(Advanced Quantitative Precipitation Information)
Building a State-of-the-Art Observation and
Forecast System for the San Francisco Bay Area

Jon Rutz, Atmospheric Scientist, CW3E
Mark Boucher, Senior Hydrologist, Contra Costa County Flood
Control and Water Conservation District
Dale Roberts, Principal Engineer, Sonoma County Water Agency

June 18, 2024
EBLC - Water, Energy, and Environment Task Force




1

AQPI Project Team Partners and Supporters

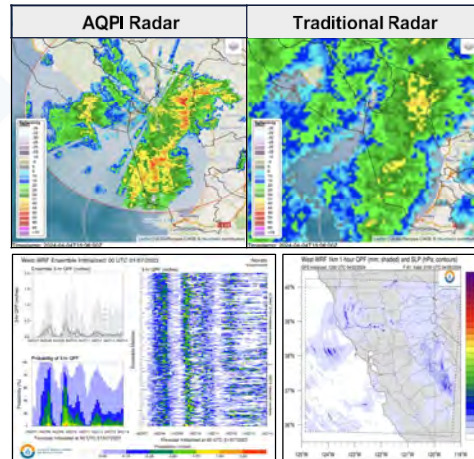


2

What is the AQPI System?

AQPI is an rainfall observation and forecast system for the Greater San Francisco Bay Area.

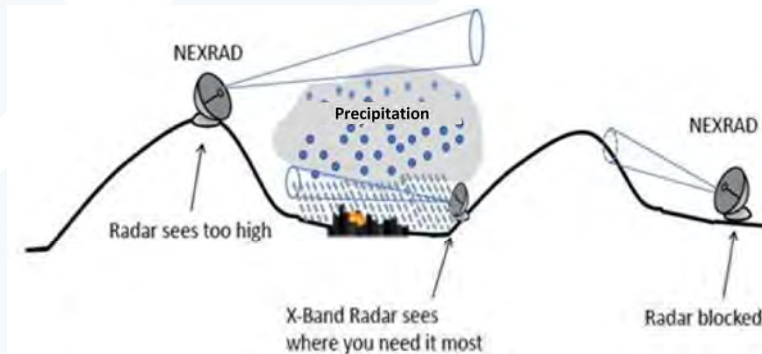
- Provides enhanced radar observations, radar-derived products, weather and hydrology forecast tools, and a decision support framework for project partners
- Began with \$20M grant from CA DWR; local partner agency committee (LPAC) provides support and advocacy; administration moving from Sonoma Water to CW3E
- Ongoing funding (\$1.9M/yr; \$1M/yr federal; \$0.9M/yr state) leverages the CA DWR grant
- When the grant expires (pursuing NCE for radar installs), more funding is needed to operate and maintain the system



3

Why is AQPI Needed?

When heavy rain impacts the Bay Area, decision makers need accurate weather information to act. AQPI complements the traditional radar network by strategically working around beam blockage & overshoot, and providing higher spatial & temporal resolution.



4

Some Types of Radar



S-band (NEXRAD) Radar

Range: **High**
 Spatial Resolution: **Low**
 Temporal Resolution: **Low**
 Cost: **High**



C-band Radar

Range: **Medium**
 Spatial Resolution: **Medium**
 Temporal Resolution: **Medium**
 Cost: **Medium**



X-band Radar

Range: **Low**
 Spatial Resolution: **High**
 Temporal Resolution: **High**
 Cost: **Low**

5

Radar Deployment

AQPI radar coverage (at right) and installation status (below):

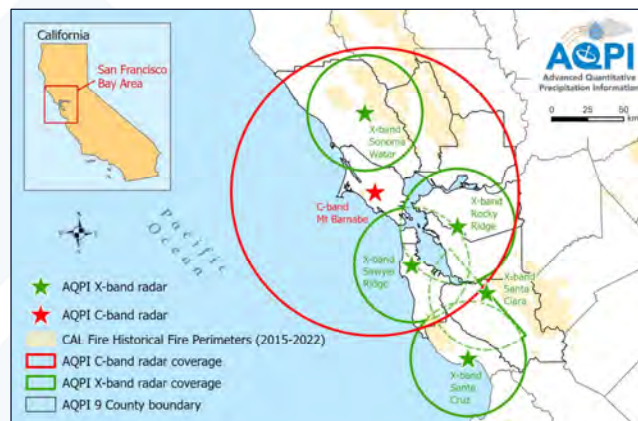
X-Band Radars:

- Sonoma Water (2018)
- Santa Clara (2019)
- Santa Cruz* (2022)
- Rocky Ridge (2024)
- Sawyer Ridge (Fall 2024)

C-Band Radars:

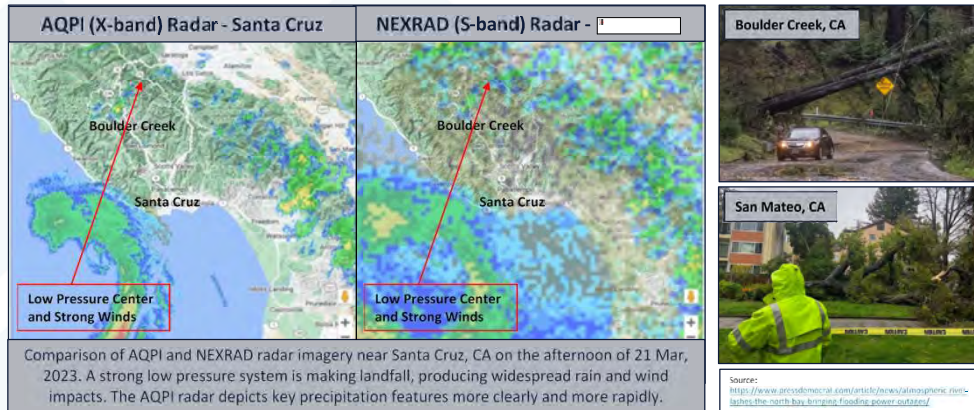
- Mt Barnabe (Summer 2025)

* Separate funding source



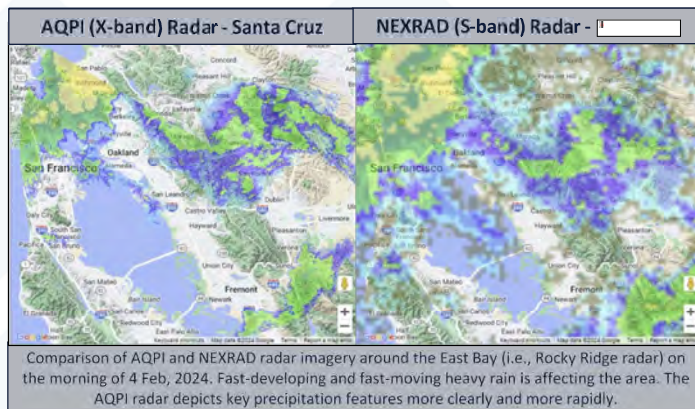
6

AQPI Radar Advantages



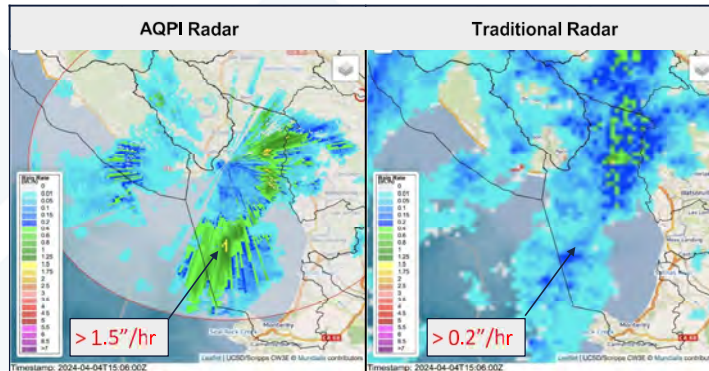
7

AQPI Radar Advantages



8

AQPI Radar Advantages



Huge difference in rain rates, which largely drive impacts.
This has potentially life-saving significance.

9

Stakeholder Feedback

Overall, stakeholders identify three key benefits: improved spatial and temporal resolution, and redundancy

- **Mike Anderson, CA State Climatologist, DWR:** "DWR's State Operations Center used AQPI resources to improve situational awareness of storm activity in the Bay Area in its efforts to incorporate information and forecasts to guide deployment of emergency response resources."
- **Emily Zedler, Engineer, Valley Water:** "Although the DAX was operational during this series of storms, the more nearby MUX on Mount Umunhum was down for part of that timeframe— and having the more detailed/nearby radar images available was useful in confirming what was seen on the DAX. The instantaneous rain rates feature is also quite useful for gaging rain rates, and the National Weather Service actually touted this feature during one of the County Operational Area meetings."
- **Mark Strudley, Executive Director, Pajaro Regional Flood Management Agency:** "The enhanced resolution compared with the NWS S-Band radar allowed for better visibility of incoming storm systems. During the convective phases of some storms, the X-band radar was able to discern active precipitation lower in the atmosphere than the NWS S-band was able to detect. This enhanced the emergency management community's ability retract evacuation orders and warnings with more confidence as the remnants of the storm were more evident."
- **DWR Video on AQPI:** Available via LinkedIn ([click here](#))

10

CoSMoS: Coastal Storm Modeling System

CoSMoS is a coastal inundation model developed by USGS

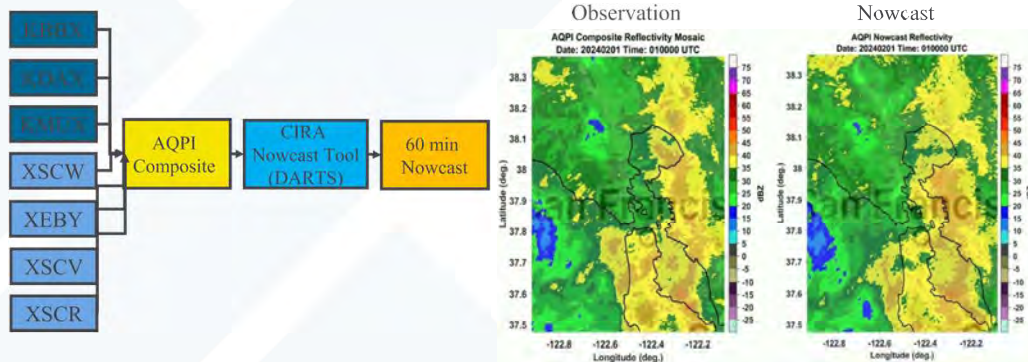
- Takes into account a variety of atmospheric and oceanic inputs
- Produced hourly with HRRR, 18-h lead time (36 h every 6 h), covers elevations < 10 m
- Outputs water level (relative to ocean surface) and water depth (relative to land surface)



11

Radar Nowcast

CIRA nowcast tool (DARTS) produces radar reflectivity nowcast for up to one hour and updates every 2 mins. DARTS uses last 60 minutes radar data to estimate the storm intensity evolution and motion dynamics.



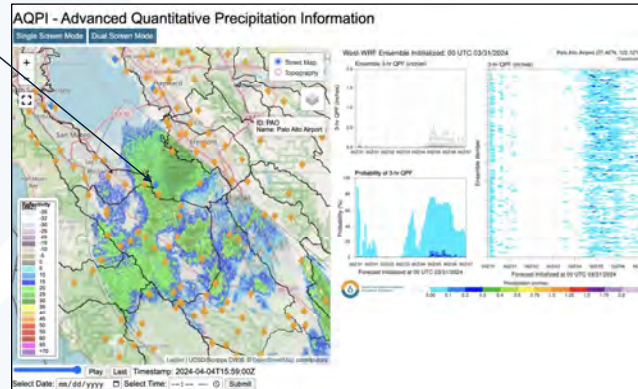
12

New User Interface Development

West-WRF meteogram data from this point (clickable) is displayed at right

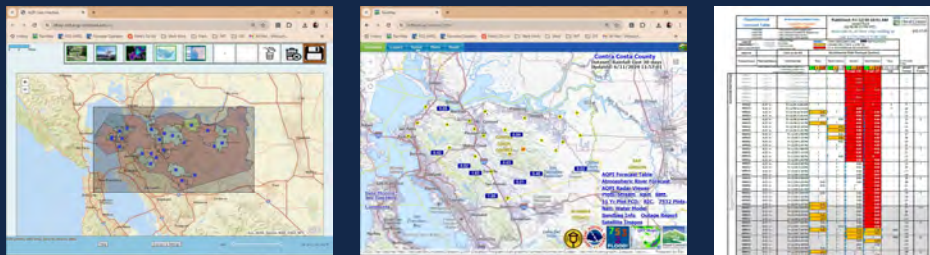
Clicking on any of the orange points will display rain gauge observations at right. We are going to work on QC'ing these at high temporal resolution.

Along with continuing to improve visualization, we will begin working on digital services (delivery of observation and forecast data to users).



13

Using AQPI Forecast Data

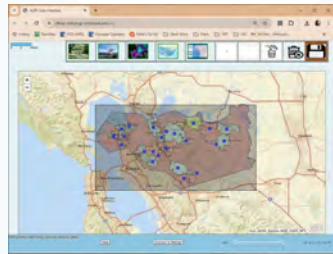


Mark Boucher, Senior Hydrologist, Contra Costa County
Flood Control and Water Conservation District

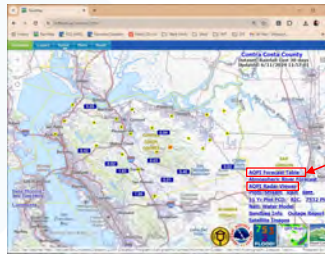


14

Overview



- AQPI interface for Contra Costa County
- We determine where we do the forecasts: At points or an area for gridded data.



- We have our own data collection system (not forecasts) available to the public:

www.ccflood.us

or

<https://www.contracosta.ca.gov/rainmap>

- We leverage our data with the AQPI forecast to assess the flood threat in Contra Costa County.
- **AQPI Forecast Table**

15

Antecedent Conditions used in Contra Costa County

Antecedent conditions* that have preceded flooding in Contra Costa County:

7 5 3

7" of rain for the season starting on July 1.

5" of rain in the last 30 days.

3" of rain in the last 7 days

If these conditions are met or nearly met, we are "primed" for flooding.

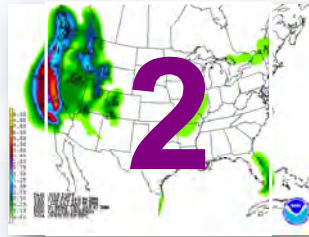


*Antecedent conditions are the conditions that exist prior to an event. In our case, they indicate how wet the watershed is. **It is more likely to flood when the watershed is saturated.**

16

Forecast Conditions

2" of rain in the 24-hour
forecast ... flooding is likely.



17

Antecedent and Forecast Conditions



18

Antecedent and Forecast Conditions: 7 5 3 2 Flood! Protocols



The antecedent data comes from Contra Costa rainfall data.

19

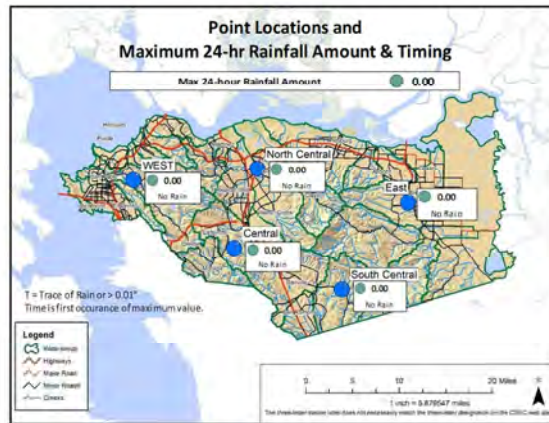
Antecedent and Forecast Conditions: 7 5 3 2 Flood Protocols



24-hour forecast comes from AQPI forecast data.

20

Five AQPI Forecast Locations



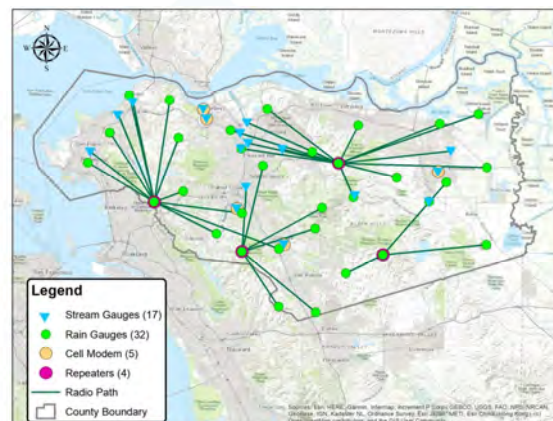
Currently using just **5 points** from AQPI for the forecast threshold. This is due to the complexity of the calculations and formatting.

Near future changes in the software approach will make it more feasible to use more points.

21

Data Collection System

We collect data from our gauges and update our RainMap data every 15 minutes.



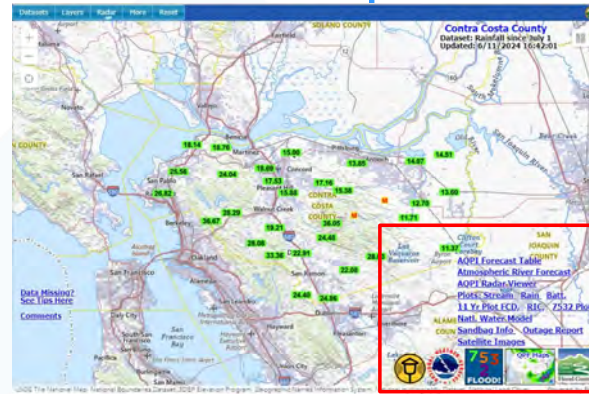
45 stations
32 rain gauges

We use these for tracking the antecedent conditions near the 5 points.

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How do YOU get to the data?

RainMap



Links to various resources.

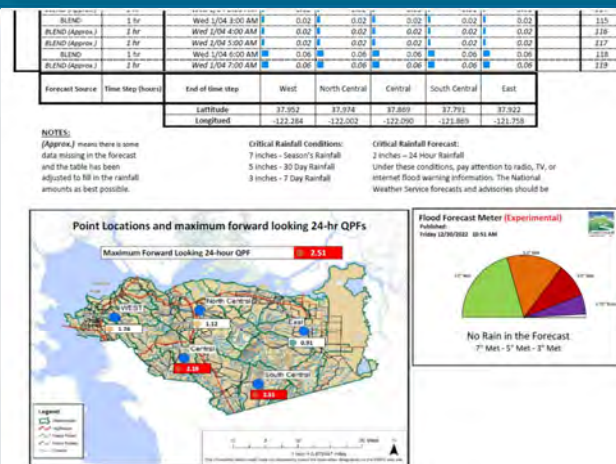
www.ccfflood.us

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Forecast Table Using the 5 Points

The map of the 5 points used for the AQPI forecast is shown further down the sheet.


A "Flood-O-Meter" also gives and at-a-glance view of the situation.



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Summary					
<p>AQPI is a federal, state, and local partnership that is driven by stakeholder needs, and has a growing user base. It is building a state-of-the-art observation and forecast system for the San Francisco Bay Area.</p> <ul style="list-style-type: none"> Contra Costa County uses AQPI data to drive an innovative rainfall forecast table and 7532 Flood! protocols, which can be used by agencies and the public to increase awareness of potential flooding A new user interface with more robust decision support via data display and delivery is being built More funding needed soon... <ul style="list-style-type: none"> Minimum O&M cost: \$2.3M/yr Current funding: \$1.9M/yr, but workable given existing DWR grant. Fully-leveraged AQPI investment: \$3.2M/yr provides for innovation, development, and more advanced weather/hydro modeling 	<table border="1"> <thead> <tr> <th>Contact</th> </tr> </thead> <tbody> <tr> <td> Jon Rutz (jrutz@ucsd.edu) AQPI Program Management, CW3E Mark Boucher (mark.boucher@pw.cccounty.us) Sr. Hydrologist, Contra Costa County Flood Control Dale Roberts (Dale.Roberts@scwa.ca.gov) , Principal Engineer, Sonoma County Water Agency </td> </tr> </tbody> </table> <table border="1"> <thead> <tr> <th>Information / Data Access</th> </tr> </thead> <tbody> <tr> <td> CW3E AQPI Webpage: Access Here AQPI User Interface: Access Here NOAA Radar Archive: Access Here NEXRAD and AQPI Radar Side-by-Sides RainMap: Access Here </td> </tr> </tbody> </table>	Contact	Jon Rutz (jrutz@ucsd.edu) AQPI Program Management, CW3E Mark Boucher (mark.boucher@pw.cccounty.us) Sr. Hydrologist, Contra Costa County Flood Control Dale Roberts (Dale.Roberts@scwa.ca.gov) , Principal Engineer, Sonoma County Water Agency	Information / Data Access	CW3E AQPI Webpage: Access Here AQPI User Interface: Access Here NOAA Radar Archive: Access Here NEXRAD and AQPI Radar Side-by-Sides RainMap: Access Here
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Q & A					
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<h2>Questions?</h2>					

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General Manager's Notes

Event: May 21, 2024 - East Bay Leadership Council

Meeting Topic – ***Water Supply Planning in Face of Drought and Ecosystem Flows***

Presenter(s) – Richard C. Luthy and Bridget Giles – Stanford University

Three main points of the Presentation:

1. Impact of the amended Bay-Delta Plan (BDP)
2. Coping Strategies
3. A specific example of Energy Efficient ReUse

Two of the key benefits of water sources

- Fish Habitat
- Urban Supply

1. Impact of the amended Bay-Delta plan on the Tuolumne River (TR), 40% of the TR's water must stay in the river for fish and other aquatic life.
 - a. Wet Years No Impact, Drought years severe impact
 - b. How would the 40% limitation have impacted the past?
 - i. Looking at SFPUC Tuolumne Storage 1994 – 2022
 - a. Last severe drought year SFPUC Tuolumne storage would have experienced a 330,000 AF deficit.
 - b. Historical cutback was 25% < 1 year.
 - c. To offset the BDP 40% limitation an additional 35% cutback for 4 years to recover normal reservoir levels.
 - c. How will the 40% limitation impact future water supply?
 - i. More conditions in the future with critically low storage
 - ii. More time to recover storage levels after a drought.
 - d. The Waterboard is currently in the process of making an amendment to the 2018 Bay-Delta Plan. The amendment could result in restrictions in pulling water out of the Delta (45 – 65% reserved for aquatic environment) which could mean severe water supply shortages in drought years. (See Attachments)

2. Coping Strategies

- a. Because of the anticipated impacts of climate change additional new water supplies will be required.
- b. The need for new water supplies is more critical because of the BDP amendment.
- c. New Supplies
 - i. Potable Reuse
 - ii. Non potable Reuse
 - iii. Stormwater capture
 - iv. Brackish Water Desalination
 - v. Conservation
 - vi. Water Transfers
- d. New Storage
 - i. Groundwater Recharge
 - ii. Reservoir Expansion
 - iii. Water Banking - The right to use or foregoing water deliveries during certain periods and “banking” that water for future use and/or transactions between water sellers and buyers.

3. A specific example of Energy Efficient ReUse

- a. Stanford has a pilot project at Silicon Valley Clean Water Agency
- b. A bioreactor that uses anaerobic bacteria to remediate wastewater.
- c. Anaerobic treatment is less expensive than aerobic treatment which is currently used in most conventional wastewater treatment plants.
- d. Anaerobic treatment also produces methane gas which can be used to generate energy.
- e. If anaerobic treatment is successful full-scale facilities would comprise less than half the footprint of conventional aerobic treatment processes.

Conclusions

California will require policy decisions to expand water supplies because of:

- Climate Change
- Impacts of the Bay Delay Plan Amendment

Draft Staff Report in Support of the Sacramento/Delta Update to the Bay-Delta Water Quality Control Plan

This document provides information and FAQs related to the State Water Resources Control Board's (State Water Board or Board) release of a draft Staff Report in support of updates to the Bay-Delta Water Quality Control Plan (Bay-Delta Plan or Plan) for the Sacramento River and Delta watersheds (Sacramento/Delta) and information on the Board's next steps.

What is the Bay-Delta watershed and why is it important?

The Bay-Delta watershed includes the Sacramento and San Joaquin River systems, the Delta, Suisun Marsh, and San Francisco Bay. The Sacramento and San Joaquin River systems, including their tributaries, drain water from about 40% of California's land area, supporting a variety of beneficial uses, including fish and wildlife, agricultural, and municipal. The Bay-Delta is one of the most important ecosystems in California and the hub of the state's water supply system. As the largest tidal estuary on the west coast of the Americas, it provides habitat to a vast array of aquatic, terrestrial, and avian wildlife in the Delta, San Francisco Bay, and near-shore ocean, as well as a diverse assemblage of species upstream of the Delta. The Sacramento and San Joaquin Rivers and the Delta also provide a portion of the water supply for two-thirds of Californians, millions of acres of farmland, a variety of industrial purposes, and commercial and recreational fishing and boating businesses. The Bay-Delta watershed is home to nearly 100 California Native American tribes that rely upon these waterways, the surrounding lands, and the native fish and fauna for subsistence, cultural, and religious purposes. In addition, the Bay-Delta watershed is important to local communities for a variety of purposes, including quality of life, drinking water, subsistence fishing, and recreation.

The Bay-Delta watershed is widely recognized to be in a state of prolonged decline that has brought some species to the brink of extinction. Changes in land use due to agricultural practices, urbanization, discharges of contaminants, flood control and climate change, combined with substantial and widespread water development and infrastructure projects have resulted in precipitous drops in an array of species that depend on the ecosystem. The Board is engaged in efforts in the Bay-Delta to address the declines of native aquatic species and the ecosystem they depend upon.

What is a Water Quality Control Plan and how is it updated?

Water quality control plans are enforceable standards designed to protect the water quality of our lakes, rivers, and streams to ensure they can continue to be used for purposes like recreation, agriculture, and municipal uses. Under California law, the State and Regional Water Boards regulate activities and factors that may affect the quality of waters of the state. The Boards develop water quality control plans that specify how the waters are used, called beneficial uses, water quality objectives to protect those uses, and a program of implementation to achieve those objectives. The Board's water quality control planning programs are certified as regulatory programs by the Secretary of the Natural Resources Agency and are exempt from certain procedural requirements of the California Environmental Quality Act (CEQA), such as preparation of an environmental impact report (EIR). The draft Staff Report includes functionally equivalent analyses as an EIR that comply with CEQA.

Water quality control plans are reviewed and updated through the following process:

- 1) **Review:** The State and Regional Water Boards (for regional plans) regularly review the plan to determine if changes should be considered.
- 2) **Revise:** The Board develops updates to the plan, as appropriate, through a public process that includes consideration of alternatives and evaluates the environmental and economic effects of the proposed changes as part of a staff report. The process involves public review and comment on various draft documents, including the staff report, the scientific basis report (describing the science upon which the proposed revisions are based), and the proposed updates to the plan itself. Public input informs the development of final plan amendments that are proposed for consideration and adoption by the Board.
- 3) **Implement:** The Board initiates a subsequent process to implement the plan using its relevant authorities, and it coordinates with other agencies and parties on additional actions. The primary possible methods for implementing the plan include development of regulations, water right requirements, and water quality certification requirements for hydroelectric projects. The State Water Board and Regional Water Boards may also take other actions that can assist with implementation of the plan, including providing funding and other permitting, science, and related actions that support implementation. The Board also works with others on actions they should take to assist with implementation, including riparian revegetation, channel modifications, and other physical habitat improvements, as well as other actions to protect beneficial uses of water and obtain additional information on the effects of flow, water quality, and other conditions on beneficial uses.
- 4) **Adaptively manage:** Adaptive management actions are considered and implemented based on monitoring and special studies to ensure the effectiveness of the implementation actions.

- 5) Evaluate:** The Board continually evaluates the effectiveness of the plan and considers whether changes are needed to the plan itself or its implementation, which initiates the review process again.

What is the Bay-Delta Plan?

The Bay-Delta Plan is the water quality control plan for the Bay-Delta watershed, and it:

- Identifies beneficial uses of water in the Bay-Delta watershed, such as municipal, industrial, agricultural, and fish and wildlife.
- Establishes largely flow dependent water quality and flow objectives designed to reasonably protect those beneficial uses from the effects of salinity (from saltwater intrusion and agricultural drainage) and water project operations (flows and diversions). The objectives are both narrative and numeric. Narrative objectives describe the general water quality and flow conditions that must be attained through watershed management. Numeric objectives provide a quantitative limitation on the pollutant concentrations or flow levels that must remain in the stream to protect the identified instream beneficial uses (e.g., cubic feet per second (cfs) of flow or percentage of unimpaired flow).
- Identifies a program of implementation that identifies how the objectives will be met through actions by the Board and recommendations to others, and includes monitoring, special studies, evaluation, and reporting measures.

The Bay-Delta Plan was first adopted by the Board in 1978 (formerly abbreviated as “The Delta Plan”) and most recently amended in 2018 for Lower San Joaquin River flows and southern Delta salinity. The last major update for the Sacramento River and Delta portions occurred in 1995; the Board is now considering updated Sacramento/Delta provisions.

What is the status of the Bay-Delta Plan update and implementation?

The Board initiated separate processes to revise, adopt, and implement flow-dependent water quality objectives for the reasonable protection of fish and wildlife in the Bay-Delta Plan. The Plan is being updated and implemented through separate processes because two vast and distinct river systems join to form the Bay-Delta: the Sacramento River in the north and the San Joaquin River in the south. These river systems are fed by snowmelt from differing geographic regions and vary significantly in terms of precipitation, topography, and at-risk native fish and wildlife.

The processes to update and implement the Bay-Delta Plan are in different stages. The first process is referred to as the Lower San Joaquin River/southern Delta salinity (LSJR/SD) update and is currently in the implementation stage. The LSJR/SD update to the Bay-Delta Plan began in 2008 and concluded in 2018 when the Board adopted updated flow objectives for the reasonable protection of fish and wildlife in the Lower

San Joaquin River and its three eastside tributaries (Stanislaus, Tuolumne, and Merced Rivers), and a program of implementation to achieve the objectives. While updating the fish and wildlife objectives, the Board also revised the southern Delta salinity objective for the reasonable protection of agricultural beneficial use. Currently, the Board is developing a regulation and taking other actions to implement the LSJR/SD update to the Bay-Delta Plan. For additional information on that process, visit the [LSJR/SD webpage](#).

The second process is referred to as the Sacramento/Delta update and is currently in the planning stage. Major steps in that planning process are described below. The Sacramento/Delta update process began in 2012 when the State Water Board released a notice of preparation of environmental documentation to support the update. Following which, the State Water Board conducted a number of technical workshops to inform the update effort. In 2016, the State Water Board released a draft Scientific Basis Report identifying the science supporting possible Sacramento/Delta updates to the Bay-Delta Plan for public review and comment, and held a public workshop. Based on public comments, the report was updated and submitted to independent peer review and a final [Scientific Basis Report](#) was released in 2017. In 2018 the State Water Board released a [Framework](#) for possible Sacramento/Delta amendments to the Bay-Delta Plan identified by Board staff. In 2022, the Board received a [memorandum of understanding](#) (MOU) proposing voluntary agreements (VAs) for updating and implementing the Bay-Delta Plan. In early 2023, the Board released a draft Scientific Basis Report Supplement for the VAs for public review and comment, including a public workshop. Also, between early and mid-2023, the Board conducted several listening sessions to receive input from California Native American tribes and environmental justice groups.

Most recently, on September 28, 2023, the Board released a draft Staff Report for potential Sacramento/Delta updates to the Bay-Delta Plan for public review and comment.

What is the draft Staff Report?

The draft Staff Report is an environmental document that complies with CEQA and other laws and provides the public with an opportunity to review and comment on the analyses. It does not include a specific proposal for moving forward with the Sacramento/Delta updates. Rather, the draft Staff Report evaluates potential economic, environmental, and other impacts, and associated mitigation measures, of a range of alternatives for updating the Bay-Delta Plan, including what is referred to as the proposed Plan amendments alternative that is based on the 2018 Framework, the proposed VAs alternative, along with other alternatives.

The draft Staff Report has been under development for over ten years. Because the VAs were received later in the process, the VAs alternative is evaluated in a separate chapter of the draft Staff Report. Public input on the draft Staff Report will help inform the Board's planning process and eventual adoption of Sacramento/Delta updates to

the Bay-Delta Plan. The draft Staff Report also includes the final draft Scientific Basis Report Supplement in support of the VAs that will be submitted for independent peer review.

Has the Board identified a preferred pathway for updating the Sacramento/Delta components of the Bay-Delta Plan?

No, the Board is still considering all possible pathways for updating the Sacramento/Delta components of the Bay-Delta Plan. The Board has yet to make any decision on how to move forward with the Sacramento/Delta update and all alternatives described in the draft Staff Report are available for consideration during the public planning process. The possible pathways include alternatives based on percentages of unimpaired flow (i.e., the natural water production of a river basin, unaltered by upstream diversions, storage, or by export or import of water to or from other watersheds). Another possible pathway is through the proposed VAs. The VAs may be incorporated into the proposed Bay-Delta Plan amendments following receipt of comments on the draft Staff Report and peer review of the VA Scientific Basis Report.

What is included in the proposed Plan amendments alternative?

The proposed Plan amendments alternative, as described in the draft Staff Report, is based on the 2018 Framework for possible Sacramento/Delta updates to the Bay-Delta Plan. The proposed Plan amendments alternative includes the following proposed objectives and implementation measures: new year-round inflow requirements for the Sacramento River, its tributaries and eastside tributaries to the Delta (Mokelumne, Calaveras, and Consumnes Rivers) of 55% of unimpaired flows, with an adaptive range of 45–65%; tributary inflows protected as Delta outflows; new requirements for cold water habitat in the Sacramento River and Delta eastside tributaries; new and modified interior Delta flow requirements for Delta exports; recommendations for complementary ecosystem protection actions that others should take; and adaptive management, monitoring, evaluation, special study, and reporting provisions.

What are the proposed voluntary agreements?

The VAs are a proposal, developed by several water users and state agencies (together, VA parties), not including the Board, for an alternative pathway for updating and implementing the Bay-Delta Plan. Because the proposed VAs were received after much of the draft Staff Report was prepared, the VAs are analyzed in a chapter separate from the analyses for the other alternatives. In addition, the VAs are analyzed in a supplement to the 2017 Scientific Basis Report that is also part of the draft Staff Report (draft Scientific Basis Report Supplement, described further below). The VAs term sheet and other supporting documents describing the proposed VAs, as developed by the VA parties, are included as appendices to the draft Staff Report.

The VAs propose flow and habitat restoration actions on the Sacramento, Feather, American, Yuba, and Mokelumne rivers, Putah Creek, and in the Delta. The VAs also include a proposal for the Tuolumne River, which is being considered separately. The VAs are proposed by water users, the Secretaries of the state's Environmental Protection Agency and Natural Resources Agency, the Directors of the Departments of Water Resources and Fish and Wildlife, and the U.S. Bureau of Reclamation. The proposed VAs include measures aimed at achieving two objectives: 1) a new narrative objective to achieve the viability of native fish populations; and 2) to contribute to the existing narrative objective to double salmon populations by 2050. These objectives are proposed to be achieved through implementation of flow and non-flow habitat restoration to improve spawning and rearing capacity for salmonids, estuarine species, and other native fishes. The proposed VAs also include substantial state and public water agency funding commitments, and governance and science programs to direct flows and habitat restoration, conduct assessments, and develop strategic plans and annual reports.

The VAs propose an initial eight-year term. If approved by the Board and shown to be effective, the term could be extended or modified. If the proposed VAs are not found to be effective through a process laid out in the VAs term sheet, a regulatory pathway could apply to VA parties after the Board takes certain steps. The draft Staff Report assumes the regulatory pathway would apply to non-VA parties. The draft Staff Report also assumes that the regulatory pathway includes the inflow, outflow, and cold water habitat provisions of the 2018 Framework, with the exception that these provisions would be identified in the program of implementation rather than in the objectives.

As directed by State Water Board Resolution 2018-0059, Board staff provided technical and regulatory support to the California Natural Resources Agency in developing a Delta watershed-wide VA and incorporated the VA as an alternative in its draft Staff Report supporting the Bay-Delta Plan update. The Board, however, is not a signatory to the VA and has not made any decisions on whether a VA will be adopted as part of the Plan update. The Board will conduct a full public review process before considering whether to incorporate any VAs into the Bay-Delta Plan update.

How are the proposed VAs being considered?

The proposed VAs are being evaluated as part of the Sacramento/Delta update to the Bay-Delta Plan, with the exception of the Tuolumne River portion of the proposal. The Tuolumne River VA is being evaluated separately because the proposal is not fully consistent with the 2018 Lower San Joaquin River and southern Delta amendments and will likely require changes to the existing Plan. For additional information on the process for considering the Tuolumne River VA, visit the [LSJR/SD webpage](#).

In January 2023, Board staff, in coordination with the Departments of Water Resources and Fish and Wildlife, developed a [draft Scientific Basis Report Supplement](#) that documents the science supporting the Sacramento/Delta provisions of the proposed VAs. The report was revised based on public comments and a final draft is included as

an appendix to the draft Staff Report. The final draft Scientific Basis Report Supplement will be submitted for independent, scientific peer review pursuant to legal requirements, and may be revised further based on comments received through the peer review and public process.

The Board anticipates receiving additional documentation from VA parties in late 2023. That additional information, public comments on the draft Staff Report, and peer review comments on the draft final Scientific Basis Report Supplement will inform next steps on possible incorporation of the VAs into the Bay-Delta Plan.

What are tribal beneficial uses and how are they being considered?

In addition to the objectives and implementation measures described in the report, the Board is also considering adding tribal and subsistence fishing beneficial uses to the Bay-Delta Plan, including Tribal Tradition and Culture (CUL), Tribal Subsistence Fishing (T-SUB), and Subsistence Fishing (SUB).

The Board established definitions for tribal and subsistence fishing beneficial uses in 2017, in collaboration with California Native American tribes and the public. Tribal beneficial uses (TBUs) are unique to tribes and defined as follows:

- **Tribal Tradition and Culture (CUL):** the uses of water that support the cultural, spiritual, ceremonial, or traditional rights or lifeways of California Native American tribes.
- **Tribal Subsistence Fishing (T-SUB):** the uses of water involving the non-commercial catching or gathering of natural aquatic resources for consumption by individuals, households, or communities of California Native American tribes to meet needs for sustenance.

At the same time, a third beneficial use was established for subsistence fishing by other individuals or cultures and is defined as follows:

- **Subsistence Fishing (SUB):** the uses of water involving the non-commercial catching or gathering of natural aquatic resources, including fish and shellfish, for consumption by individuals, households, or communities, to meet needs for sustenance.

Board staff held listening sessions in March and May of 2023 to gather input from tribal leaders on the Board's efforts to update and implement the Bay-Delta Plan. Through that outreach, tribal representatives requested the specific recognition of tribal beneficial uses in the Plan. At its meeting on June 7, 2023, the Board received input on the possible addition of these three beneficial uses.

Aquatic life beneficial uses identified in the Bay-Delta Plan form the basis for implementation actions related to flow, water project operations, and physical

restoration for the reasonable protection of fish and wildlife. During the Bay-Delta Plan update outreach efforts, tribal members and representatives expressed that numerous tribal beneficial uses are intrinsically reliant on a healthy aquatic ecosystem and inherently encompass the deep connection many tribes have with fisheries, specifically salmon; and that flow-based actions to support aquatic life would also strengthen or further those connections. The State Water Board recognizes the centrality that vital fish populations and aquatic life have for cultural, spiritual, ceremonial, and traditional rights and lifeways.

Incorporation of the TBUs into the Bay-Delta Plan is not proposed as a formal “designation” of the uses as applying to specific waterbodies or waterbody segments within the Bay-Delta. California’s Porter-Cologne Water Quality Control Act envisions that most water quality control planning will be accomplished on a regional, hydrologic basis by the Regional Water Boards. (Wat. Code, §§ 13000, 13240–13245.) Additional work and collaboration are needed among the tribes, the State Water Board, and the Regional Water Boards to define the proper scope and identify the effects of formal designations as applicable to the geographical area of the Bay-Delta watershed. Prior to formal designation of the TBUs, the State Water Board and the two Regional Boards will exercise their existing authorities to protect the TBUs on a case-by-case basis. This applies to discharge permitting and specific water right actions. The Board is expected to make a decision on the pathway for incorporating, designating, and protecting TBUs when Plan amendments are considered for adoption at a future Board meeting.

Why has the process to update the Bay-Delta Plan taken so long?

The Bay-Delta watershed is a complex and vast system that serves as a critical and highly valued resource for the State. The watershed encompasses much of the state and supports a vast array of native fish and fauna from headwater reaches out to the Pacific Ocean and beyond. The watershed provides a portion of the water supply to most Californians and supplies much of the State’s industries and farmland. The watershed is also home to numerous California Native American tribes whose cultures and ways of life are deeply entwined with the natural environment of the Bay-Delta. Providing balanced protection of these different and sometimes competing uses is immensely complicated from a technical, policy, and legal perspective. The decisions on Bay-Delta Plan updates will also affect and be affected by numerous other efforts and actions in the State. As such, the update efforts require careful and extensive evaluation and public engagement on those evaluations, including the development of new tools and methods.

The time required to conduct this work has taken longer than expected due to the nature of the work and evolving conditions. In addition, Bay-Delta planning staff had to be redirected to manage water rights and water supplies during two of the State’s worst and most extensive droughts, from 2012 to 2015 and again from 2020 to 2022. In addition, time has been spent to provide due consideration to possible voluntary means

of updating and implementing the Bay-Delta Plan that may provide improvements to the environment through both flow and habitat restoration at lower water supply costs.

Despite delays, significant progress has been made. The Board updated the Bay-Delta Plan's Lower San Joaquin River flow and southern Delta salinity provisions in 2018 and is in the process of implementing those changes and considering the associated Tuolumne River VA. The Board began the process to update the Sacramento/Delta portions of the Bay-Delta Plan in 2012. The Board held several public workshops on technical issues between 2012 and 2014 and issued a draft Scientific Basis Report for the Sacramento/Delta update in 2016 and a final in 2017. In 2018, the Board issued the Framework for the Sacramento/Delta updates prior to the adoption of the updates for the Lower San Joaquin River and southern Delta. The State Water Board received the proposed VAs in late 2022. In early 2023, the Board released a draft Scientific Basis Report for the VAs for public review and comment. The release of the draft Staff Report is the most significant step to date in the process to consider Sacramento/Delta updates to the Bay-Delta Plan. It will be followed by responses to comments on the draft Staff Report and development of specific proposed changes to the Bay-Delta Plan that will be brought to the Board for consideration, anticipated in late 2024.

What are the upcoming opportunities for public input on the draft Staff Report?

The draft Staff Report is available for public review on the [Bay-Delta webpage](#). During the public comment period, Board staff will hold two public workshops to explain the draft Staff Report and provide an opportunity for the public to ask questions to facilitate their review of the report. The workshops will be followed by a multiday public hearing before the Board to receive oral comments. Additional details on the public meetings and how to submit comments can be found in the notice for the draft Staff Report.

What are the next steps in the planning process?

As discussed above, after considering the comments received on the draft Staff Report, Board staff will develop and circulate draft proposed Sacramento/Delta changes to the Bay-Delta Plan, including the program of implementation (collectively referred to as Plan amendments). These draft Plan amendments will be the specific regulatory text for the Plan itself and will be part of a full public process. Draft language is anticipated to be released for public review and comment in early to mid-2024. The Board will also hold public meetings to receive input.

The input received on the draft Staff Report and the draft Plan amendments will inform the final Staff Report and final proposed Plan amendments, which will be brought before the Board for consideration at a future meeting. The Board plans to consider adoption of the Sacramento/Delta updates in late 2024 during a public process.

To stay informed of Bay-Delta processes, [subscribe](#) to the Board's "Bay Delta Notices" email list (listed under Water Rights).

How is the Board incorporating tribal input and perspectives?

The Board has been engaging with California Native American tribes through listening sessions, meetings, and one-on-one discussions to incorporate their perspectives and interests in the Plan update and implementation. In summer 2022, the Board sent an invitation for tribal consultation for the regulation to implement the 2018 Lower San Joaquin River and southern Delta update. In early 2023, the Board also requested consultation on the Sacramento/Delta update with tribes located in the Bay-Delta and Trinity River watersheds.

Board staff are working to incorporate tribal traditional ecological knowledge into the Bay-Delta Plan to help inform technical and policy considerations, including: improving adaptive management decisions; monitoring; evaluation for plan effectiveness at protecting fish and wildlife and possible tribal beneficial uses; and future updates and implementation. The Board is interested in feedback from tribes regarding its efforts, including assessing if existing and future actions are providing for the reasonable protection of beneficial uses.

How is the Board considering environmental justice in the Bay-Delta Plan update and implementation processes?

Black, indigenous, people of color (BIPOC) and disadvantaged communities have sought greater inclusion in the Bay-Delta Plan update and implementation processes. In response to their feedback, the Board hosted a public listening session in March 2023 focused on environmental justice issues in the Plan update. The Board received questions and comments about the update process and heard concerns about how flow and water quality changes are impacting subsistence fishing and causing harmful algal blooms (HABs) in the Delta, among other important issues. In response, staff held a second public listening session on June 7, 2023, and received further input from representatives of environmental justice organizations as well as BIPOC and disadvantaged communities.

The Board is actively working to address concerns regarding declines of native fish species that have impacted subsistence fishing opportunities through the update and implementation of the Bay-Delta Plan. In addition, the Board is investing in new monitoring strategies to identify management and mitigation actions to reduce the impacts of HABs. The Board encourages members of environmental justice organizations and BIPOC and disadvantaged communities to provide input on future actions the Board could undertake to address these and other issues.

Where are additional resources located?

More information on the Bay-Delta Plan update and implementation processes can be found on the following webpages:

- [Bay-Delta Watershed](#)
- [Sacramento/Delta Update](#)

- [Lower San Joaquin River Flows and Southern Delta Salinity Update and Implementation](#)
- [Voluntary Agreements](#) (State Water Board)
- [Voluntary Agreements](#) (California Natural Resources Agency)

For additional questions, contact staff at SacDeltaComments@waterboards.ca.gov.

(This FAQ was last updated on September 28, 2023.)



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- [Adoption Hearing for Nutrient Watershed Permit Delayed to July 10th](#)
- [Stricter Emissions Requirements Coming for Standby Generators](#)
- [Save the Date! Nutrient Removal Workshop to be held August 29th to Benefit Prof. David Jenkins Scholarship](#)
- [Laboratory Committee Wraps up Multi-Year Training Series on New Laboratory Standards](#)
- [Member News: Silicon Valley Clean Water Launches New \\$580 Million Wastewater Conveyance System](#)
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BACWA Bulletin - June 2024

Meetings

- [Laboratory Committee - Tues 6/25, Virtual](#)
- [Recycled Water Committee - Tues 7/16, Virtual](#)
- [Executive Board - Fri 7/19, Virtual + Orinda](#)
- [Visit the Calendar for details](#)

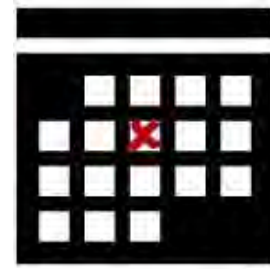
Upcoming Events

- [Write Like a Pro: Effect Communication Workshop - 6/27, Oakland](#)
- [Nutrient Watershed Permit Adoption Hearing - 7/10, Oakland](#)

- [CWEA Mid-Summer Collection Systems Seminar](#) - 7/10 - 7/12, San Luis Obispo
- [CASA Annual Conference](#) - 7/31 - 8/2, Monterey
- [David Jenkins Nutrient Technical Workshop](#) - 8/29, Oakland
- [WaterReuse California Conference](#) - 9/15 - 9/17, Garden Grove
- [WEFTEC](#) - 10/5 - 10/9, New Orleans

[View previous BACWA Bulletins](#)

Adoption Hearing for Nutrient Watershed Permit Delayed to July 10th



On Wednesday, July 10th, the Regional Water Board will hold an adoption hearing to consider reissuing the Nutrient Watershed Permit. Members are encouraged to testify at the adoption hearing, and can join the meeting **virtually** or in-person at the Regional Water Board offices in Oakland.

About two weeks before the hearing (around June 27th), the Regional Water Board plans to release materials related to the adoption hearing. These materials will include a response-to-comments document; a revised version of the **April 2024 draft permit** reflecting input from the public comment period; and a draft resolution directing Regional Water Board staff to consider options for providing more time to comply with the permit's final effluent limitations, which will otherwise going into effect for the 2035 dry season.

To join planning efforts related to the adoption hearing, contact **Lorien Fono**.

Stricter Emissions Requirements Coming for Standby Generators

Later in 2024, the **Bay Area Air Quality Management District** (BAAQMD) plans to update its **BACT / TBACT Workbook** for diesel engines > 50 hP and < 1,000 hP used for emergency power. BAAQMD expects that these engines will soon be required to meet USEPA's Tier 4 emission requirements. Other regions of the state, such as the **Sac Metro AQMD**, have already adopted Tier 4 emissions standards for diesel engines > 50 hP. BAAQMD plans to release a public notice and host public workshops on this topic later in 2024. Unlike the previous Tier 4 BACT determination for large standby generators (>1,000 hP) in late 2020, this rule change is not expected to apply retroactively.

If you would like to join the **Air Issues & Regulations Committee** to follow this and other rule changes, contact **Mary Cousins**.

Save the Date!

Nutrient Removal Workshop to be held August 29th to Benefit Prof. David Jenkins Scholarship

On Thursday, August 29th, BACWA will host an in-depth technical workshop on nutrient removal in Bay Area water reclamation facilities at the offices of the Regional Water Board in downtown Oakland. This workshop is designed to provide technical knowledge to operate retrofitted conventional wastewater treatment plants to accomplish nitrogen removal goals. [Link to flyer](#). Proceeds will benefit creation of an endowment for the new **Professor David Jenkins Operator Scholarship**.

Laboratory Committee Wraps up Multi-Year Training Series on New Laboratory Standards

In 2020, the State Water Board adopted new comprehensive regulations for the **Environmental Laboratory Accreditation Program**. The new regulations replaced the previous state-specific accreditation standards with a national laboratory standard established by The NELAC Institute (TNI). Since July 2021, the BACWA Laboratory Committee has been hosting a series of virtual monthly training sessions on the TNI standards to help members maintain their laboratory accreditation. The series was led by Diane Lawver of **QA Solutions**. The training sessions reached more than 100

members of the BACWA Laboratory Committee and the Central Valley Clean Water Association, providing more than 3,000 contact hours. In June 2024, the committee wrapped up the 30th and final training session. All sessions were recorded. For access to the recordings and related materials, contact **Mary Cousins**. Thank you to the Laboratory Committee leaders for developing this valuable member resource!

BACWA Meeting Locations

In 2023, the Executive Board and Nutrient Strategy Team returned to meeting in-person, as required by State law regarding public meetings. Committees are meeting in-person based on the direction of each committee's leaders and membership. Where possible, a hybrid videoconferencing option will be offered. Questions and concerns can be directed toward Executive Director **Lorien Fono**.

Member News: Silicon Valley Clean Water Launches New \$580 Million Wastewater Conveyance System

After 16 years in the making, Silicon Valley Clean Water (**SVCW**) recently celebrated the official opening of its historic, award-winning \$580 million Regional Environmental Sewer Conveyance Upgrade (**RESCU**) Program. The RESCU Program involved converting SVCW's conveyance system from a 60-year-old, failing force-main system to a more efficient gravity system, which involved three massive projects:

- The 3.3-mile Gravity Pipeline;
- Front of Plant, including a new Receiving Lift Station and new headworks; and
- Pump Stations Improvements

Read more about the RESCU program [here](#) or in the [Daily Journal](#) (San Mateo).



Photo courtesy of SVCW

Send in updates from your agency to post here!

What's new in BACWA's Committees

Asset Management Committee

In early June, the committee held an **in-person workshop** at Central San in Martinez, featuring presentations on **CMMS software selection** from Hazen & Sawyer, and a presentation on **electrical condition assessment** from HDR and ArcSine. Thank you to all the participants!

AIR Committee

The **May meeting** featured a presentation on Central San's **Fleet Electrification Strategic Plan** to reduce greenhouse gas emissions and implement the California Air Resources Board (CARB's) Advanced Clean Fleet and Advanced Clean Cars regulations. The committee also prepared for ongoing engagement with the Bay Area Air Quality Management District (see materials from **June BACWA-BAAQMD workgroup meeting**), and received updates on state legislation and BACT for Tier 4 engines (see above).

BAPPG

The **June meeting** included two presentations on strengthening social equity and public engagement in infrastructure planning, one from **Amy Kronson** of the State Water Board's Office of Public Participation, and the other from **Prof. Khalid Osman** of Stanford University. The next meeting is scheduled for August 7th.

Collections Systems Committee

The next committee meeting is scheduled for August 8th.

Laboratory Committee

The next regular committee meeting will be held on Tuesday, June 25th.

Permits Committee

The **June meeting** included continued discussions on the Nutrient Watershed Permit, updated **Sea Level Rise guidance** from the Ocean Protection Council, and **Basin Planning** initiatives at the Regional Water Board. The next committee meeting will be held on Tuesday, August 13th.

Recycled Water Committee

The next meeting is scheduled for Tuesday, July 16th.

Upcoming Events

June 27th: Write Like a Pro: CWEA Workshop on Effective Communication, Oakland

See the **informational flyer and agenda** or **register here** for this full-day workshop on effective communication. Want to get your project presented at a conference? What is a request for a proposal? How do manufacturers and contractors work together to build and start-up projects? How do you persuade others to support a project? Join us for an in-person, interactive workshop on the core components and subtle nuances of written communication across our industry.

July 10th - July 12th: CWEA Mid-Summer Collection Systems Seminar, San Luis Obispo

With California's wild weather whiplash, collection system professionals and managers need to be ready for anything. Droughts, deluges, and more.

CWEA's Collection System Committee is proud to present two days of training, a vendor expo in San Luis Obispo and the annual summer meeting so you can build your skills, network with fellow sewer pros, and prepare for whatever is coming down the

pipeline. For more information, check out the [flyer](#) or [CWEA website](#).

July 31st - August 2nd: CASA Annual Conference, Monterey

The CASA Annual Conference will be held at the Monterey Marriott. The [program](#) will feature speakers and panels that focus on giving our agencies the tools for success, and working together to achieve shared goals. We will also feature three different tracks this year with opportunities for high-level policy discussions as well as deep technical dives, and some excellent networking opportunities as well! For more information to register, see the [CASA Annual Conference website](#).

September 15th - 17th: WaterReuse California Conference, Garden Grove

The 2024 WaterReuse California Conference will unite the engineers, environmentalists, and experts who energize water reuse in California. Participants will enjoy numerous technical sessions and panels on the most pressing reuse issues, while convening and connecting in beautiful Garden Grove. [Register here](#).

October 5th - 9th: WEFTEC, New Orleans

WEFTEC, the Water Environment Federation's Technical Exhibition and Conference, is the largest annual water quality exhibition in North America and offers water quality professionals an array of water quality education and training opportunities. [Register here](#)

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