



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

Wednesday, November 20, 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 August 21, 2024 meeting**
(The Board will consider approving the minutes from the August 21, 2024 Board meeting.)
- 7. Financial Reporting for the Fiscal Year Ending June 30, 2025**
(The Board will review the LAVWMA Treasurer’s Quarterly Report of Cash and Investments for the 1st Quarter of FY2024-2025, and other financial items for the Fiscal Year ending June 30, 2025.)
- 8. Acceptance of the Audit Report of the Financial Statements for Fiscal Year Ending June 30, 2024, as prepared by its external auditors, Maze & Associates**
(The Board will receive the Audit Report prepared by its external auditors, Maze & Associates on LAVWMA’s Financial Statements for the Fiscal Year Ending June 30, 2024.)

Action
Pages 1-3

Information
Pages 9-15

Action
Pages 16-58

- Information**
Pages 59-78
- 9. LAVWMA Quarterly Report of Operations, 1st Quarter, FY2024-2025**
(The Board will review the Quarterly Report of Operations, 1st Quarter, FY2024-2025)
- Information**
Pages 79-93
- 10. Capital Project Status Reports – Livermore Interceptor Pipeline, the San Leandro Sample Station, and the Export Pipeline and Repairs Project**
(The Board will receive reports on capital projects including the repair of the Livermore Interceptor Pipeline, the San Leandro Station, and the Export Pipeline and Repair.)
- Action**
Pages 94-96
- 11. Update FY 2024-2025 Budget**
(The Board will review and consider adjusting the operating and capital budgets for FY2024-2025.)
- Action**
Pages 97-105
- 12. Board Member Compensation**
(The Board will consider waiving the first reading and introducing Ordinance No. 2024-01 to adjust compensation for LAVWMA Board Members for meeting attendance.)
- Information**
Pages 106-108
- 13. Update on Nutrients to the Bay**
(The Board will receive an update on nutrients to the Bay by agencies that discharge through the East Bay Discharge Authority’s deepwater outfall.)
- Information**
Pages 109-172
- 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 173-180
- 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, February 19, 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 the Directors at the meeting. Comments received after this time will be treated as live comments and read into the record.

LAVWMA Regular Meeting of November 20, 2024

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, August 21, 2024
6:00 p.m.

1. Call to Order

Chair Arun Goel called the meeting to order at 6:06 p.m.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

3. Roll Call

Board Members Present: Chair Arun Goel (arrived at 6:06 p.m.) and Directors Dinesh Govindarao, Evan Branning, Robert Carling, Valerie Arkin, and Julie Testa.

Vice Chair Nibert was absent.

LAVWMA Staff Present: General Manager/Treasurer Levi Fuller, General Counsel Alexandra Barnhill, Administrative Assistant Sheree Davis, and Regional Government Services (RGS) Finance Consultant Tracy Fuller (participated via Zoom).

Member Agency Staff Present: DSRSD Operations Director Dan Gill, Pleasanton Assistant Directors of Public Works Ryan Smith and Tamara Baptista, and Acting Assistant Public Works Director of the City of Livermore, Anthony Smith.

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. No members of the public were present for the duration of the meeting, so public comment was not made on any of the agenda items at this meeting.

6. Consent Calendar

- a. Board Meeting Minutes for the May 15, 2024, meeting.

Director Testa requested a correction to the minutes noting Director Nibert proposed a Motion, and with that correction, Director Govindarao motioned, seconded by Director Carling, to approve Consent Calendar Item No. 6.a.

The Motion passed unanimously (6 – 0).

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

General Manager/Treasurer Fuller provided a summary of the Fourth Quarter Financial Report for the Fiscal Year Ending June 30, 2024. He noted that FY23/24 operating expenses were under budget and that energy costs were over budget as PG&E rates have increased in recent years. EBDA fixed costs were over budget likely due to an increase in NPDES fees. EBDA variable costs are slightly over budget due to an increase in energy and chemical costs. DSRSD's Operations Agreement costs were under budget due to lower-than-expected labor costs.

Director Govindarao inquired as to the difference in interest income between FY2022/23 and FY2023-24, requesting that staff research the difference and report back their findings at a future Board meeting.

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

8. Regional Government Services Update

General Manager Fuller stated that the process of changing AR/AP process from DSRSD to RGS has been more complicated than expected. First, the most challenging issue has been RGS having to manually maintain balance sheets due to a fault in QuickBooks' online version rendering to software unable to maintain accurate balance sheets. The pursuit of alternative financial software packages will require a procurement process and could take 6 or more months to procure and install. Secondly, for security purposes, DSRSD cannot allow a third-party vendor, such as RGS, to access DSRSD's financial software system. Alternatively, DSRSD has manually uploaded numerous LAVWMA financial documents and files to a digital Dropbox where RGS could manually download those files. It was also noted that DSRSD's accountant assigned to manage LAVWMA's accounts receivable, and accounts payable functions was a retired annuitant whose work assignment with DSRSD ended on June 27, 2024. Lastly, LAVWMA's need to set up remote payment processes has been time-consuming and LAVWMA's existing banking institution does not offer all the needed payment processes. These manual work processes have resulted in one-third of RGS' not-to-exceed \$92,000 budget having been spent within the first two months. The first month's invoice was \$18,193, while the second month's invoice was \$13,387. The General Manager noted that he expects RGS' monthly service invoices to continue to decline. However, it is likely that a budget adjustment may be needed before the end of the fiscal year.

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

9. Resolution 24-06 Adopting a Conflict-of-Interest Code for the Livermore-Amador Valley Water Management Agency and Rescinding the Prior Conflict of Interest Code

General Manager Fuller provided an update to the Board stating that because the Fair Political Practices Committee (FPPC) requires LAVWMA's Conflict of Interest Code be updated every five years and whenever there is a change in LAVWMA staff position(s). The transfer of LAVWMA's financial services from DSRSD to RGS eliminated the position of Assistant Treasurer and the FPPC last review of LAVWMA's COI code was in 2018. LAVWMA's 2024 Conflict of Interest Code has been reviewed and approved by the FPPC.

Director Arkin asked if there were any changes other than the elimination of the Assistant Treasurer position. General Manager Fuller stated that there was only one change.

Director Carling motioned, seconded by Director Testa, to approve Resolution 24-06 Adopting a Conflict-of-Interest Code for the Livermore-Amador Water Management Agency and Rescinding the Prior Conflict of Interest Code

The Motion passed unanimously (6 – 0).

10. LAVWMA Quarterly Report of Operations, 4th Quarter, FY2023-2024

The General Manager began by stating that DSRSD staff have done an outstanding job operating LAVWMA facilities. He then provided an overview of the report, noting the operating budgets' labor costs and overall export pump efficiency.

Director Carling asked about the operations of the three new export pumps. General Manager Fuller stated that all three new export pumps are operating well and are being operated in the lead position to fully test their capabilities while they are under warranty.

Director Arkin asked about the impact of power outages. DSRSD Operations Director, Dan Gill, stated PG&E power has been reliable during the summer of 2024.

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

11. Project Status Reports - Livermore Interceptor Pipeline, the San Leandro Sample Station (SLSS), and the Export Pipeline and Repairs Project

General Manager Fuller stated the physical work of the Livermore Pipeline Project has been completed and that the City of Livermore has produced a payment plan for the project to cover the to date project expenses of \$5.8 Million using \$4.3 million from city cash and \$1.5 million from sole use reserves. The GM noted that a true up invoice that is not expected to exceed \$400,000 will be billed to Livermore later in the fiscal year. General Manager Fuller noted that Kermani Consulting Group was hired with a not-to-exceed \$15,000 contract to manage the FEMA reimbursement process for the Livermore Interceptor Pipeline Project. General Manager Fuller plans to extend the not-to-exceed amount to \$25,000 so that KCG can be available to process future requests for information from FEMA, and if necessary, facilitate any appeals of FEMA decisions on granting reimbursements for the Livermore Interceptor Pipeline Project. General Manager Fuller noted that Contractor, McGuire, and Hester, submitted and LAVWMA approved a “no-cost” change order to extend the completion date of the SLSS Project to August 2025. He also mentioned that the Export Pipeline Inspection and Repair Project should begin within the next few weeks with the publication of an RFP for service providers.

Director Carling asked if FEMA issues a reimbursement for the Livermore Interceptor Pipeline Project and whether those funds would go to the City of Livermore. General Manager Fuller responded that they would.

Chair Goel asked if there was any risk of delaying the SLSS Project. General Manager Fuller stated that the station is being rebuilt because of its inadequate design but should be able to be

successfully operate in its existing condition.

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

12. California Regional Water Quality Control Board's Nutrient Permit

General Manager Fuller reported to the Board that the Regional Water Quality Control Board has adopted a Nutrient Permit that requires a 40% reduction in nitrogen to the Bay and that the wastewater community is disappointed with this Nutrient Permit for multiple and major reasons. He noted that BACWA and EBDA along with DSRSD and the City of Livermore (individually) have filed petitions against the Waterboard's Nutrient Permit, but placed those petitions in abeyance, giving BACWA and EBDA Agencies and the Waterboards time to collaborate and work toward an amendment to the Nutrient Permits' Time Compliance Schedule to allow for a compliance date sometime beyond 2034. At this time LAVWMA feels its position is adequately represented by the parties that have filed petitions.

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

13. Board Member Compensation

The Board discussed a discrepancy among the payment for Directors depending on their member agency. The Board provided feedback and direction to staff to make LAVWMA Board member compensation equal for all LAVWMA Board members regardless of which member agency the Board members represent (City of Livermore, City of Pleasanton, or DSRSD) and LAVWMA should pay all Board Members directly. The compensation amount to be adjusted to modern rates since it has not been altered since the 1970s.

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

14. Update and Response to Various Legal and Legislative Issues

General Manager Fuller informed the Board that both LAVWMA and the City of Livermore have considered and signed a conflict waiver as JarvisFay represents both LAVWMA and the City of Livermore on various legal matters. Legal Counsel Barnhill gave an overview of the State of California Supreme Court's recent action in removing the Taxpayer Protection Act from the November Ballot. Ms. Barnhill also gave an overview of a few other legal and legislative actions.

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

15. General Manager's Report

General Manager Fuller provided an update on the Advanced Quantitative Precipitation Information (AQPI) project noting that the project can be useful in informing agencies on how staff and equipment can be more strategically deployed during wet weather events. The project has \$20 million in grant funding to build initial infrastructure; however, the funding may be short on supporting ongoing operations and maintenance. In the future, the AQPI project may ask agencies for funding to assist with ongoing operations and maintenance activities.

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

16. Matters From/For Board Members

There were no matters from/for Board members.

17. Next Regular Board Meeting, Wednesday, November 20, 2024, at 6:00 p.m.

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

18. Adjournment

There being no further action, Chair Goel adjourned the meeting at 7:19 p.m.

Minutes Approved by the Board on _____.

Submitted by,

Levi Fuller
General Manager

ITEM NO. 7 FINANCIAL REPORTING FOR THE FISCAL YEAR ENDING JUNE 20, 2025

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 July 1, 2024, through September 30, 2024

Summary

Attached are the Treasurer's Quarterly Reports of Operations for 1st Quarter FY 2024-2025. Figures for the three-month period ending September 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.

Recommendation

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

Attachments

- A. Operations and Maintenance Fund Budget vs. Actual
- B. Capital Improvement Projects Budgets vs. Actuals
- C. Investment Report – Shows LAVWMA's available cash balances by banking institution.
- D. Treasurer's Quarterly Report
- E. General Management Expenses Listings 1) by date and 2) by vendor

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY

Operations and Maintenance - Budget vs Actual

FY24 and FY25: July through September

	July 2023 - September 2023				July 2024 - September 2024			
	Annual Budget	YTD Actuals	\$ Variance	% Variance	Annual Budget	YTD Actuals	\$ Variance	% Variance
OPERATING REVENUES								
Service charges - DSRSD	\$ 1,468,671	\$ 734,335	\$ (734,336)		\$ 1,544,597	\$ 772,299	\$ (772,299)	-50.0%
Service charges - City of Pleasanton	1,787,852	893,926	(893,926)		1,894,367	947,184	(947,184)	-50.0%
Service charges - City of Livermore	1,576,473	788,236	(788,237)		1,669,330	834,665	(834,665)	-50.0%
Service charges - Reconciled			-				-	
Total operating revenues	4,832,996	2,416,497	(2,416,499)	-50%	5,108,294	2,554,147	(2,554,147)	(0)
OPERATING EXPENDITURES								
Power	1,884,500	272,380	(1,612,120)	-85.5%	2,065,755	287,773	(1,777,982)	-86.1%
LAVWMA share of EBDA O&M - Fixed	740,901	412,403	(328,498)	-44.3%	742,098	437,225 (2)	(304,873)	-41.1%
LAVWMA share of EBDA O&M - Variable	243,378	136,868	(106,510)	-43.8%	266,042	137,755 (2)	(128,287)	-48.2%
Operations agreement	1,451,650	262,153	(1,189,497)	-81.9%	1,442,894	325,985	(1,116,909)	-77.4%
Professional services	355,564	121,867	(233,697)	-65.7%	434,500	101,383	(333,117)	-76.7%
City of Livermore sole use O&M	25,000	8,757	(16,243)	-65.0%	25,000	8,554	(16,446)	-65.8%
Insurance	106,620	121,642	15,022	14.1%	106,620	141,217	34,597	32.4%
Permits	25,384	-	(25,384)	-100.0%	25,385	-	(25,385)	-100.0%
Repairs and Maintenance	-	-	-		-	-	-	
Miscellaneous	-	-	-		-	760	760	
Total operating expenses	4,832,996	1,336,070	(3,496,926)	-72%	5,108,294	1,440,652	(3,667,642)	-71.8%
Operating income (loss)	(0)	1,080,427	(1,080,427)		-	1,113,495	(1,113,495)	
NON-OPERATING REVENUE (EXPENSE)								
Amortization/Depreciation		-	-	-	-	-	-	-
EBDA Debt		-	-	-	-	-	-	-
Interest Income	-	23,968	(23,968)		-	3,313	(3,313)	
Total non-operating revenue (expense)	-	23,968	(23,968)		-	3,313	(3,313)	
Net Income	\$ (0)	\$ 1,104,395	\$ (1,104,395)		\$ -	\$ 1,116,808	\$ (1,116,808)	

(2) Details see GM approved invoices tab.

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

	ANNUAL BUDGET July 2023 - September 2023					YTD ACTUAL July 2024 - September 2024						
	2021 Debt Service	Joint-Use Repair & Replacement	Dual-Use Repair & Replacement	Sole-Use Repair & Replacement	Total	2021 Debt Service	Joint-Use Repair & Replacement	Dual-Use Repair & Replacement	Sole-Use Repair & Replacement	Total	Variance	
<u>REPAIR & REPLACEMENT REVENUES</u>												
Service charges - DSRSD	\$ 2,585,385	\$ 139,800	\$ -	\$ -	\$ 2,725,185	\$ 2,269,665	\$ 69,900	\$ -	\$ -	\$ 2,339,565	-14%	
Service charges - City of Pleasanton	2,211,738	139,800	-	-	2,351,538	1,941,647	69,900	-	-	2,011,547	-14%	
Service charges - City of Livermore	1,849,778	120,400	-	-	1,970,178	1,623,888	60,200	-	-	1,684,088	-15%	
Service- Due from members- City of Livermore	-	-	-	-	-	-	-	-	-	-	n/a	
Interest income	-	-	-	-	-	1,857	173,829	2,286	23,588	201,560		
Total Repair & Replacement Revenues	6,646,900	400,000	(0)	(0)	7,046,900	5,837,057	373,829	2,286	23,588	6,035,200	-14%	
<u>REPAIR & REPLACEMENT EXPENDITURES</u>												
Non-routine Repair	-	400,000	-	-	400,000	-	91,889	-	34,037	125,926	-69%	
Principal	4,925,000	-	-	-	4,925,000	4,925,000	-	-	-	4,925,000	0%	
Interest	1,721,900	-	-	-	1,721,900	910,199	-	-	-	910,199	-47%	
Miscellaneous	-	-	-	-	-	538	(187)	125	-	476	n/a	
Total Repair & Replacement Expenditures	6,646,900	400,000	-	-	7,046,900	5,835,737	91,702	125	34,037	5,961,601	-15.4%	
Net Cash Flow	\$0	\$0	\$0	\$0	\$0	\$1,320	\$282,127	\$2,160	-\$10,449	\$73,599		

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

Investments	Par Value	Market Value	Book Value	% of Portfolio	RoR	Credit Rating
Bank of America	\$ 43,376	\$ 43,216	\$ 43,376	0%	2.49%	N/A
Chase Bank	\$ -	\$ -	\$ -	0%	0.00%	N/A
California Asset Management Program	\$ 13,334,311	\$ 13,334,311	\$ 13,334,311	92%	5.29%	N/A
Local Agency Investment Fund	\$ 1,191,706	\$ 1,187,316	\$ 1,191,706	8%	4.51%	
	\$ 14,569,393	\$ 14,564,843	\$ 14,569,393	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

11/15/2024

Approver

Date

**LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
TREASURER'S QUARTERLY REPORT
As of 09/30/2024**

Bank of America Beginning Balance 07/1/2024		\$3,466,956
RECEIPTS/TRANSFERS:		
Receipts	6,070,594	
Wire Transfer from CAMP Investment Acct	5,800,000	
Interest Earned	3,166	
	11,873,760	
DISBURSEMENTS/TRANSFERS:		
Wire Transfer to CAMP Investment Acct	8,400,000	
Disbursements	1,060,419	
Debt Service	5,835,199	
Bank Fees	1,722	
	15,297,340	
Net Cash Flow		(3,423,580)
Balance Per Bank Statement 09/30/2024		43,376
Outstanding Wire Payment		0
Deposit in Transit		0
Balance Per Books 09/30/2024		\$43,376

CASH & INVESTMENT SUMMARY Per BOOKS:

Bank of America Checking		43,376
Chase Bank Checking		0
California Asset Management Program (CAMP)		13,334,311
Local Agency Investment Fund (LAIF)		1,191,706

TOTAL LIQUIDY BALANCE Per Books 09/30/2024 **\$14,569,393**

CASH & INVESTMENT SUMMARY Per INSTITUTIONS:

Bank of America Checking		43,376
Chase Bank Checking		0
California Asset Management Program (CAMP)		13,334,311
Local Agency Investment Fund (LAIF)		1,191,706
Outstanding Transactions		-

TOTAL LIQUIDY BALANCE Per INSTITUTIONS 09/30/2024 **\$14,569,393**

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.

Approver

Date

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

EFFECTIVE DATE	CHECK NUMBER	VENDOR NAME	ITEM DESCRIPTION	AMOUNT
07/08/2024	206086	EAST BAY DISCHARGERS AUTHORITY	Semi Annual Invoice FY 2023-2024 Fixed	\$437,225.33
07/08/2024	206086	EAST BAY DISCHARGERS AUTHORITY	Semi Annual Invoice FY 2023-2024 Variable	\$137,755.21
07/22/2024	CC	AMAZON MKTPL*RS8SH5EYO	LAVWMA General Manager Farewell	\$78.25
07/22/2024	CC	WALGREENS.COM PHOTO #1624	LAVWMA General Manager Farewell	\$7.14
07/30/2024	0	Jeffery B Vanscoy/Industrial Service	refund AP ck#205841	-\$3,341.00
07/30/2024	0	Jeffery B Vanscoy/Industrial Service	refund AP ck#205841	-\$4,585.00
08/01/2024	206304	LEVI FULLER JR.	LAVWMA Management Services - July 2024	\$16,968.84
08/01/2024	206394	JARVIS FAY LLP	General Counsel Services - May 2024	\$7,926.00
08/01/2024	206394	JARVIS FAY LLP	General Counsel Svcs - FY25	\$2,025.00
08/01/2024	206394	JARVIS FAY LLP	General Counsel for Livermore Int Pipe	\$1,681.00
08/01/2024	206403	REGIONAL GOVERNMENT SERVICES AUTHORITY	07/24 Management & Administrative Services	\$13,387.20
08/01/2024	206559	LEVI FULLER JR.	LAVWMA Management Services - August 2024	\$15,160.59
08/01/2024	206639	JARVIS FAY LLP	General Counsel Services - June 2024	\$7,934.50
08/01/2024	206639	JARVIS FAY LLP	General Counsel Services - June 2024	\$113.50
08/01/2024	206639	JARVIS FAY LLP	General Counsel Services - August 2024	\$109.50
08/01/2024	206639	JARVIS FAY LLP	General Counsel Services - August 2024	\$8,064.00
08/01/2024	206647	REGIONAL GOVERNMENT SERVICES AUTHORITY	08/24 Management & Administrative Services	\$12,898.74
08/22/2024	CC	AMAZON MKTPL*RJ86I8560	LAVWMA Picture Frame for Former GM	\$19.21
08/22/2024	CC	AMZN MKTP US*RJ4YP09K2	LAVWMA Supplies for GM Farewell	\$15.30
08/22/2024	CC	AMAZON MKTPL*RU7KY5Q21	LAVWMA Board Meeting Conference	\$160.80
09/03/2024	206463	VALERIE ARKIN	Board Meeting Attendance - 08/21/2024	\$50.00
09/03/2024	206465	ROBERT CARLING	Board Meeting Attendance - 08/21/2024	\$50.00
09/03/2024	206474	EVAN BRANNING	Board Meeting Attendance - 08/21/2024	\$50.00
09/03/2024	206493	JULIE TESTA	Board Meeting Attendance - 08/21/2024	\$50.00
				<u>\$653,804.11</u>

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

EFFECTIVE DATE	CHECK NUMBER	VENDOR NAME	ITEM DESCRIPTION	AMOUNT
08/22/2024	CC	AMAZON MKTPL*RJ86I8560	LAVWMA Picture Frame for Former GM	\$19.21
07/22/2024	CC	AMAZON MKTPL*RS8SH5EY0	LAVWMA General Manager Farewell	\$78.25
08/22/2024	CC	AMAZON MKTPL*RU7KY5Q21	LAVWMA Board Meeting Conference	\$160.80
08/22/2024	CC	AMZN MKTP US*RJ4YP09K2	LAVWMA Supplies for GM Farewell	\$15.30
07/08/2024	206086	EAST BAY DISCHARGERS AUTHORITY	Semi Annual Invoice FY 2023-2024 Fixed	\$437,225.33
07/08/2024	206086	EAST BAY DISCHARGERS AUTHORITY	Semi Annual Invoice FY 2023-2024 Variable	\$137,755.21
08/01/2024	206394	JARVIS FAY LLP	General Counsel Services - May 2024	\$7,926.00
08/01/2024	206394	JARVIS FAY LLP	General Counsel Svcs - FY25	\$2,025.00
08/01/2024	206394	JARVIS FAY LLP	General Counsel for Livermore Int Pipe	\$1,681.00
08/01/2024	206639	JARVIS FAY LLP	General Counsel Services - June 2024	\$7,934.50
08/01/2024	206639	JARVIS FAY LLP	General Counsel Services - June 2024	\$113.50
08/01/2024	206639	JARVIS FAY LLP	General Counsel Services - August 2024	\$8,064.00
08/01/2024	206639	JARVIS FAY LLP	General Counsel Services - August 2024	\$109.50
07/30/2024	0	Jeffery B Vanscoy/Industrial Service	refund AP ck#205841	-\$3,341.00
07/30/2024	0	Jeffery B Vanscoy/Industrial Service	refund AP ck#205841	-\$4,585.00
08/01/2024	206304	LEVI FULLER JR.	LAVWMA Management Services - July 2024	\$16,968.84
08/01/2024	206559	LEVI FULLER JR.	LAVWMA Management Services - August 2024	\$15,160.59
08/01/2024	206403	REGIONAL GOVERNMENT SERVICES AUTHORITY	07/24 Management & Administrative Services	\$13,387.20
08/01/2024	206647	REGIONAL GOVERNMENT SERVICES AUTHORITY	08/24 Management & Administrative Services	\$12,898.74
07/22/2024	CC	WALGREENS.COM PHOTO #1624	LAVWMA General Manager Farewell	\$7.14
09/03/2024	206463	VALERIE ARKIN	Board Meeting Attendance - 08/21/2024	\$50.00
09/03/2024	206474	EVAN BRANNING	Board Meeting Attendance - 08/21/2024	\$50.00
09/03/2024	206465	ROBERT CARLING	Board Meeting Attendance - 08/21/2024	\$50.00
09/03/2024	206493	JULIE TESTA	Board Meeting Attendance - 08/21/2024	\$50.00
				<u>\$653,804.11</u>

**ITEM NO. 8 ACCEPTANCE OF THE AUDIT REPORT FOR FISCAL YEAR ENDING
JUNE 30, 2024**

Action Requested

Accept the Audit Report for the Fiscal Year ending June 30, 2024, as prepared by Maze & Associates.

Summary

Maze & Associates prepared and submitted the FYE 2024 Audit consisting of the attached Basic Financial Statements and the Memorandum on Internal Control and Required Communications (MOIC). LAVWMA received a clean audit opinion on its financial statements this year. The MOIC is intended for the sole use of management and the Board of Directors. The MOIC concluded that there were no observations or recommendations in this year's Audit requiring action by LAVWMA.

A representative from Maze & Associates will attend the meeting to answer any questions from the Board.

Recommendation

It is recommended the Board accept the Audit Report for the Fiscal Year ending June 30, 2024 as prepared by Maze & Associates.

Attachments

1. Livermore-Amador Valley Water Management Agency Basic Financial Statements for the Fiscal Years Ended June 30, 2024 and June 30, 2023.
2. Livermore-Amador Valley Water Management Agency Memorandum on Internal Control and Required Communications for the Year Ended June 30, 2024.

**LIVERMORE-AMADOR VALLEY
WATER MANAGEMENT AGENCY**

BASIC FINANCIAL STATEMENTS

FOR THE YEARS ENDED JUNE 30, 2024 AND 2023

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LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
BASIC FINANCIAL STATEMENTS
For the Years Ended June 30, 2024 and 2023

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INDEPENDENT AUDITOR'S REPORT

Board of Directors
Livermore-Amador Valley Water Management Agency
Dublin, California

Opinion

We have audited the accompanying financial statements of the business-type activities of the Livermore-Amador Valley Water Management Agency (Agency), California, as of and for the years ended June 30, 2024 and 2023, and the related notes to the financial statements, which collectively comprise the Agency's basic financial statements as listed in the Table of Contents.

In our opinion, the financial statements referred to above present fairly, in all material respects, the respective financial position of the business-type activities of the Agency as of June 30, 2024 and 2023, and the respective changes in financial position and cash flows thereof for the year then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Financial Statements section of our report. We are required to be independent of the Agency and to meet our other ethical responsibilities, in accordance with the relevant ethical requirement relating to our audit. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinions.

Responsibilities of Management for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Agency's ability to continue as a going concern for twelve months beyond the financial statement date, including any currently known information that may raise substantial doubt shortly thereafter.

Auditor's Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Agency's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the financial statements.
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Agency's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control-related matters that we identified during the audit.

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the Management's Discussion and Analysis be presented to supplement the basic financial statements. Such information is the responsibility of management and, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic or historical context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Supplementary Information

Our audit was conducted for the purpose of forming opinions on the financial statements that collectively comprise the Agency's basic financial statements. The accompanying Supplementary Information, as listed in the Table of Contents, is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the basic financial statements. The information has been subjected to the auditing procedures applied in the audit of the basic financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the basic financial statements or to the basic financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the Supplementary Information is fairly stated, in all material respects, in relation to the basic financial statements as a whole.

Other Information

Management is responsible for the other information included in the annual report. The other information comprises the Introductory Section listed in the Table of Contents, but does not include the basic financial statements and our auditor's report thereon. Our opinions on the basic financial statements do not cover the other information, and we do not express an opinion or any form of assurance thereon.

In connection with our audit of the basic financial statements, our responsibility is to read the other information and consider whether a material inconsistency exists between the other information and the basic financial statements, or the other information otherwise appears to be materially misstated. If, based on the work performed, we conclude that an uncorrected material misstatement of the other information exists, we are required to describe it in our report.

Mage & Associates

Pleasant Hill, California
November 12, 2024

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LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY

Management's Discussion & Analysis

June 30, 2024, and 2023

This section of the Agency's Independent Audit Report presents management's discussion and analysis of the Livermore-Amador Valley Water Management Agency's (the Agency) financial condition and activities as of and for the fiscal years ended June 30, 2024, and 2023. Management's Discussion and Analysis (MD&A) is intended to serve as an overview of the Agency's basic financial statements. The MD&A represents management's examination and analysis of the Agency's financial condition and performance.

This information should be read in conjunction with the audited financial statements and accompanying notes that follow on page 11. The information in the MD&A is presented under the following headings:

- Organization and Business
- Overview of the Financial Statements
- Financial Analysis of the Agency
- Request for Information

Organization and Business

The Livermore-Amador Valley Water Management Agency (the Agency) is a joint powers agency that was formed in 1974 by a joint exercise of powers agreement between the City of Pleasanton, the City of Livermore, and the Dublin-San Ramon Services District. The Agency has implemented a water quality management program involving wastewater disposal. The Agency operates an export pump station and pipeline connecting with the East Bay Dischargers Authority's system, and discharges treated wastewater through a deep-water outfall into the San Francisco Bay. The Agency currently has an Amended and Restated Joint Exercise of Powers Agreement dated September 10, 1997, among the members. This agreement, among other things, sets forth capacity limitations and capacity rights of each member as well as cost-sharing procedures for 1) debt service, 2) fixed operating costs related to capacity rights, and 3) variable operating costs related to actual use of the export facilities. The Agency negotiated a Second Amended and Restated Sewer Service Contract dated August 1, 2021, as part of a FY 2021/2022 LAVWMA debt refinancing.

Overview of the Financial Statements

The basic financial statements include a *statement of net position*, a *statement of revenues, expenses, and changes in net position*, a *statement of cash flows*, and *notes to financial statements*. The report also contains other required supplementary information in addition to the basic financial statements.

The Agency's basic financial statements include:

The *statement of net position* presents information on the Agency's assets and liabilities, with the difference between the two reported as net position. It provides information about the nature and amount of resources and obligations at fiscal year-end.

The *statement of revenues, expenses, and changes in net position* presents the results of the Agency's operations over the course of the fiscal year and information as to how the *net position* changed during the year.

The *statement of cash flows* presents changes in cash and cash equivalents resulting from operational, capital, and related financing, and investing activities. This statement summarizes the annual flow of cash receipts and cash payments, without consideration of the timing of the event giving rise to the obligation or receipt.

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY

Management’s Discussion & Analysis

June 30, 2024, and 2023

The notes to basic financial statements provide additional information that is essential to a full understanding of the data provided in the basic financial statements and can be found beginning on page 11 of this report.

Financial Analysis

Table 1 summarizes net position at June 30, 2024, and 2023, and Table 2 summarizes revenues, expenses, and changes in net position for the years ended June 30, 2024, and 2023. Both tables also include variances from the prior year in dollars and as a percentage of the prior year.

Table 1
Summary of Net Position
 June 30, 2024, and 2023

	2024	2023	Variance	Percent Change
Assets:				
Current assets	\$ 18,729,221	\$ 18,336,423	\$ 392,798	2.1%
Noncurrent assets:				
Capital assets, net of accumulated depreciation	103,564,710	100,326,000	3,238,710	3.2%
Total assets	<u>122,293,931</u>	<u>118,662,423</u>	<u>3,631,508</u>	<u>3.1%</u>
Liabilities:				
Current liabilities	8,845,783	6,881,616	1,964,167	28.5%
Noncurrent liabilities				
Long-term debt outstanding	49,633,198	55,082,731	(5,449,533)	-9.9%
Total liabilities	<u>58,478,981</u>	<u>61,964,347</u>	<u>(3,485,366)</u>	<u>-5.6%</u>
Deferred inflow of resources:				
Gain on refunding	2,463,575	2,803,378	(339,803)	-12.1%
Total deferred inflows of resources	<u>2,463,575</u>	<u>2,803,378</u>	<u>(339,803)</u>	<u>-12.1%</u>
Net position:				
Invested in capital assets, net of related debt	55,591,135	47,277,622	8,313,513	17.6%
Unrestricted	5,760,240	6,617,076	(856,836)	-12.9%
Total net position	<u>\$ 61,351,375</u>	<u>\$ 53,894,698</u>	<u>\$ 7,456,677</u>	<u>13.8%</u>

- The total assets of the Agency increased \$3.6 million in FY 2024 from FY 2023. This compares to a prior year decrease of \$2.3 million in FY 2023 from FY 2022. The increase in current assets includes the net impact of a reduction in “due from member agencies” and an increase in cash on hand. Other changes include increases in capital assets reflecting the substantial completion of the Livermore interceptor pipeline project and the completion of three new export pumps.
- Total liabilities decreased \$3.48 million in FY 2023 from FY 2022. This compares to a prior year decrease of \$4.4 million in FY 2023 from FY 2022, and a decrease of \$9.2 million in FY 2022 from FY 2021. The decrease is primarily due to the issuance of 2021 Sewer Revenue Refunding Bonds (Note 5). The Livermore

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY

Management’s Discussion & Analysis

June 30, 2024, and 2023

interceptor pipeline project and the three new export pumps and the timing of those projects are also influencing these figures.

- Net position overall has increased in each of the last three years as debt has been paid down as a result of refunding the 2011 Sewer Revenue Refunding Bonds.

Table 2

Summary of Revenues, Expenses and Changes in Net Position

Years ended June 30, 2024, and 2023

	2024	2023	Variance	Percent Change
Operating revenues:	\$ 11,996,736	\$ 11,692,552	304,184	2.6%
Operating expenses:	8,672,089	8,775,043	(102,954)	-1.2%
Net operating income (expenses)	3,324,647	2,917,509	407,138	14.0%
Non operating revenues (expenses)	4,132,030	(386,220)	4,518,250	-1169.9%
Change in net position	\$ 7,456,677	\$ 2,531,289	\$ 4,925,388	194.6%

- Operating revenues come from member agency contributions to cover operating costs, debt, and capital replacement. FY 2024 operating revenues increased \$0.3 million due to JPA member contribution advances and the year-end expense true-up.
- Operating expenses decreased \$0.1 million in FY 2024 compared to an increase of \$2 million in the prior fiscal year. The modest decrease in operating expenses is due to a net impact from many small increases and decreases in a myriad of operating expenses, including items like bank fees, utilities, contract services, materials and supplies, insurance, and permits.
- Non-operating revenues (expenses) reflect a net decrease in non-operating expenses over the last two years as debt is being paid down as a result of the refunding of the 2011 Sewer Revenue Refunding Bonds.

Request for Information

This financial report is designed to provide the public, LAVWMA’s JPA members, and creditors with a general overview of the Livermore-Amador Valley Water Management Agency’s finances and demonstrate the Agency’s accountability for the money it received and manages. If you have any questions about this report or need additional financial information regarding the Agency, please contact:

General Manager
 Livermore-Amador Valley Water Management Agency
 7051 Dublin Boulevard
 Dublin, CA 94568
 (925) 828-0515

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
STATEMENTS OF NET POSITION
JUNE 30, 2024 AND 2023

	2024	2023
<u>ASSETS</u>		
Current assets:		
Cash and investments (Note 2B)	\$14,267,236	\$17,429,917
Due From members (Note 4)	148,689	906,506
Service charges receivable	4,300,000	-
Interest receivable	13,296	-
Total current assets	<u>18,729,221</u>	<u>18,336,423</u>
Non-current assets:		
Capital assets (Note 3):		
Construction in progress	1,083,856	544,653
Depreciable, net of accumulated depreciation	102,480,854	99,781,347
Total non-current assets	<u>103,564,710</u>	<u>100,326,000</u>
Total assets	<u>122,293,931</u>	<u>118,662,423</u>
<u>LIABILITIES</u>		
Current liabilities:		
Accounts payable	470,893	1,309,199
Due to members (Note 4)	-	-
Interest payable	931,137	837,417
Unearned revenue	2,518,753	-
Current portion of long-term debt (Note 5)	4,925,000	4,735,000
Total current liabilities	<u>8,845,783</u>	<u>6,881,616</u>
Long-term liabilities:		
Bond issuance premium, net of amortization (Note 5)	9,048,198	9,572,731
Long-term debt less current portion (Note 5)	40,585,000	45,510,000
Total long-term liabilities	<u>49,633,198</u>	<u>55,082,731</u>
Total liabilities	<u>58,478,981</u>	<u>61,964,347</u>
<u>DEFERRED INFLOWS OF RESOURCES</u>		
Gain on refunding (Note 5)	2,463,575	2,803,378
Total deferred inflows of resources	<u>2,463,575</u>	<u>2,803,378</u>
<u>NET POSITION</u> (Note 7)		
Net investment in capital assets	55,591,135	47,277,622
Unrestricted	5,760,240	6,617,076
Total net position	<u>\$61,351,375</u>	<u>\$53,894,698</u>

The accompanying notes are an integral part of these financial statements

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
 STATEMENTS OF REVENUES, EXPENSES
 AND CHANGES IN NET POSITION
 FOR THE YEARS ENDED JUNE 30, 2024 AND 2023

	<u>2024</u>	<u>2023</u>
Operating revenues:		
Service charges (Note 4)	\$11,883,095	\$10,786,046
Service charges - other (Note 4)	<u>113,641</u>	<u>906,506</u>
Total operating revenues	<u>11,996,736</u>	<u>11,692,552</u>
Operating expenses:		
Energy	2,068,188	2,030,320
EBDA O&M costs	1,049,380	788,239
Operations agreement	1,186,527	1,739,733
Professional services	433,283	626,471
Livermore sole use O&M	27,851	26,741
Miscellaneous	263,235	131,745
Repairs and maintenance	-	15,974
Depreciation and amortization	<u>3,643,625</u>	<u>3,415,820</u>
Total operating expenses	<u>8,672,089</u>	<u>8,775,043</u>
Operating income	<u>3,324,647</u>	<u>2,917,509</u>
Non-operating revenues (expenses)		
Capital contribution	4,300,000	-
Interest income	803,877	478,215
Gain on refunding	339,803	594,656
Bond interest expense	<u>(1,311,650)</u>	<u>(1,459,091)</u>
Total non-operating revenues (expenses)	<u>4,132,030</u>	<u>(386,220)</u>
Change in net position	<u>7,456,677</u>	<u>2,531,289</u>
Net position, beginning of year	<u>53,894,698</u>	<u>51,363,409</u>
Net position, end of year	<u><u>\$61,351,375</u></u>	<u><u>\$53,894,698</u></u>

The accompanying notes are an integral part of these financial statements

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
STATEMENTS OF CASH FLOWS
FOR THE YEARS ENDED JUNE 30, 2024 AND 2023

	2024	2023
Cash flows from operating activities:		
Receipts from member contributions	\$8,454,553	\$10,963,570
Payments to suppliers	(3,348,017)	(4,498,707)
Net cash provided (used) by operating activities	<u>5,106,536</u>	<u>6,464,863</u>
Cash flows from capital and related financing activities:		
Contributed capital	4,300,000	-
Acquisition of capital assets	(6,882,335)	(177,852)
Principal paid on long-term debt	(4,735,000)	(4,545,000)
Interest paid on long-term debt	(1,742,463)	(2,100,691)
Net cash (used) by capital and related financing activities	<u>(9,059,798)</u>	<u>(6,823,543)</u>
Cash flows from investing activities:		
Interest on cash and investments	790,581	478,215
Net cash provided by investing activities	<u>790,581</u>	<u>478,215</u>
Net (decrease) in cash and cash equivalents	<u>(3,162,681)</u>	<u>119,535</u>
Cash and cash equivalents - beginning of period	<u>17,429,917</u>	<u>17,310,382</u>
Cash and cash equivalents - end of period	<u>\$14,267,236</u>	<u>\$17,429,917</u>
Reconciliation of operating income to net cash provided (used) in operating activities:		
Operating income	\$3,324,647	\$2,917,509
Adjustments to reconcile operating income to cash flows from operating activities:		
Depreciation and amortization	3,643,625	3,415,820
Changes in certain assets and liabilities:		
Decrease (increase) in due from members	757,817	(1,136,986)
Decrease (increase) in service charges receivable	(4,300,000)	-
Decrease (increase) in bond issuance costs	-	408,004
Increase (decrease) in accounts payable	(838,306)	860,516
Increase (decrease) in unearned revenue	2,518,753	-
Increase in due (from) to members	-	-
Net cash provided (used) by operating activities	<u>\$5,106,536</u>	<u>\$6,464,863</u>

The accompanying notes are an integral part of these financial statements

**LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEARS ENDED JUNE 30, 2024 AND 2023**

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. General

Livermore-Amador Valley Water Management Agency (the Agency) is a joint powers agency that was formed in 1974 by a joint exercise of powers agreement between the cities of Pleasanton and Livermore and the Dublin-San Ramon Services District. The Agency has implemented a water quality management program involving wastewater disposal. The Agency operates an export pipeline connecting with the East Bay Dischargers Authority's (EBDA) system and discharges treated wastewater, through a deep-water outfall, into San Francisco Bay. The Agency currently has an Amended and Restated Joint Exercise of Powers Agreement dated September 10, 1997, among the members. This agreement, among other things, sets forth capacity limitations and capacity rights of each member as well as cost-sharing procedures for debt service and fixed operating costs related to capacity rights and variable operating costs related to actual use of the export facilities.

The Agency has a separate Master Agreement with EBDA that governs the terms and conditions by which the Agency uses capacity in the EBDA facilities. The Master Agreement was entered into in 2007 and was set to expire on January 1, 2020. It was extended three times. First through June 30, 2020, secondly through December 31, 2020, and most recently through June 30, 2021. The most recent extension was approved by the Board at the November 18, 2020 meeting. These extensions were granted to give the parties more time to negotiate the terms and conditions for an amended and restated Master Agreement. The Amended and Restated Master Agreement between the Agency and EBDA was approved by both parties in May 2021. The agreement became effective July 1, 2021 and will be in effect until June 30, 2040. The cost terms were retroactive to July 1, 2020.

B. Reporting Entity

The Agency is the only entity included in these financial statements.

C. Fund Accounting

The accounts of the Agency are organized on the basis of funds, each of which is considered a separate accounting entity. The Agency maintains a proprietary fund that is used to account for the financing of goods or services provided by the Agency to other governments on a cost-reimbursement basis.

The Agency is a proprietary entity; it uses an enterprise fund format to report its activities for financial statement purposes. Enterprise funds are used to account for operations that are financed and operated in a manner similar to private business enterprises, where the intent of the governing body is that the costs and expenses, including depreciation, of providing goods or services to the general public on a continuing basis be financed or recovered primarily through user charges.

An enterprise fund is used to account for activities similar to those in the private sector, where the proper matching of revenues and costs is important and the full accrual basis of accounting is required. With this measurement focus, all assets and all liabilities of the enterprise are recorded in its balance sheet, all revenues are recognized when earned and all expenses, including depreciation, are recognized when incurred.

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEARS ENDED JUNE 30, 2024 AND 2023

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

D. Basis of Accounting

Records of the Agency are maintained on the accrual basis. Revenues are recognized when earned and expenses are recognized when incurred.

Operating revenues, such as charges for services, result from exchange transactions associated with the principal activity of the fund. Exchange transactions are those in which each party receives and gives up essentially equal values. Non-exchange transactions, in which the Agency gives or receives value without directly receiving or giving equal value in exchange, include member contributions.

Revenue from member contributions is recognized in the fiscal year in which it is earned. Nonoperating revenues, such as interest income, result from nonexchange transactions or ancillary activities.

E. Use of Estimates

The basic financial statements have been prepared in conformity with U.S. generally accepted accounting principles, and as such, include amounts based on informed estimates and judgments of management with consideration given to materiality. Actual results could differ from those estimates.

F. Cash and Cash Equivalents

The Agency places certain funds with the State of California's Local Agency Investment Fund (LAIF). The Agency is a voluntary participant in LAIF, which is regulated by California Government Code Section 16429 under the oversight of the Treasurer of the State of California and the Pooled Money Investment Board. The State Treasurer's office pools these funds with those of other governmental agencies in the state and invests the cash. The fair value of the Agency's investment in this pool is reported in the accompanying financial statements based upon the Agency's pro-rata share of the fair value provided by LAIF for the entire LAIF portfolio (in relation to the amortized cost of that portfolio).

The monies held in the pooled investment funds are not subject to categorization by risk category. The balance available for withdrawal is based on the accounting records maintained by LAIF, which are recorded on the amortized cost basis. Funds are accessible and transferable to the master account with twenty-four hours' notice. Financial statements for LAIF can be obtained from the California State Treasurer's Office: State Treasurer's Office, 915 Capitol Mall, Suite 110, Sacramento, CA 95814.

Cash and investments are used in preparing the statement of cash flows because these assets are highly liquid and are expended to liquidate liabilities arising during the year.

G. Capital Assets

Capital assets are recorded at cost. Assets with an initial cost of more than \$10,000 and an estimated useful life greater than three years are capitalized. Infrastructure assets with an initial cost of more than \$25,000 are capitalized. Depreciation of property and equipment is provided on the straight-line method over the following useful lives:

Pipeline and Export Facility	20-50 years
Pump Station	10-25 years
Intangible	33 years
Equipment	3-25 years

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEARS ENDED JUNE 30, 2024 AND 2023

NOTE 1 – SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)

H. Bond Issuance Costs and Bond Premium

Bond issuance costs and premium are amortized on a straight-line basis over the term of the bond.

I. Fair Value Measurements

Fair value is defined as the price that would be received to sell an asset or paid to transfer a liability in an orderly transaction between market participants at the measurement date. The Agency categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The fair value hierarchy categorizes the inputs to valuation techniques used to measure fair value into three levels based on the extent to which inputs used in measuring fair value are observable in the market.

Level 1 inputs are quoted prices (unadjusted) in active markets for identical assets or liabilities.

Level 2 inputs are inputs - other than quoted prices included within level 1 - that are observable for an asset or liability, either directly or indirectly.

Level 3 inputs are unobservable inputs for an asset or liability.

If the fair value of an asset or liability is measured using inputs from more than one level of the fair value hierarchy, the measurement is considered to be based on the lowest priority level input that is significant to the entire measurement.

J. Deferred Inflows of Resources

In addition to liabilities, the statement of financial position or balance sheet will sometimes report a separate section for deferred inflows of resources. This separate financial statement element represents an acquisition of net position or fund balance that applies to a future period(s) and so will not be recognized as an inflows of resources (revenue) until that time. The Agency reports deferred inflows from one source, gain on refunding of long-term debt. These amounts are deferred and recognized as an inflow of resources in the period that the amounts become available.

NOTE 2 – CASH AND INVESTMENTS

A. Policies

California Law generally requires banks and savings and loan institutions to pledge government securities with a market value of 110% of the Agency's cash on deposit or first trust deed mortgage notes with a value of 150% of the deposit as collateral for these deposits. Under California Law this collateral is held in a separate investment pool by another institution in the Agency's name and places the Agency ahead of general creditors of the institution. The Agency has waived collateral requirements for the portion of deposits covered by federal depository insurance. As of June 30, 2024 and 2023, the Agency's cash in bank was insured or collateralized as discussed above.

Cash and investments are recorded at market value.

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
 NOTES TO BASIC FINANCIAL STATEMENTS
 FOR THE YEARS ENDED JUNE 30, 2024 AND 2023

NOTE 2 – CASH AND INVESTMENTS (Continued)

B. Composition

Cash and investments consist of the following as of June 30:

	2024	2023
Cash in Bank	\$2,547,754	\$553,471
California Local Agency Investment Fund	1,174,069	3,069,842
U.S. Treasury Bills		13,806,604
California Asset Management Program	10,545,413	
Total cash and investments	<u>\$14,267,236</u>	<u>\$17,429,917</u>

C. Investments Authorized by the California Government Code and the Agency's Investment Policy

The Agency's Investment Policy and the California Government Code allow the Agency to invest in the following provided the credit ratings of the issuers are acceptable to the Agency; and approved percentages and maturities are not exceeded. The table below also identifies certain provisions of the California Government Code, or the Agency's Investment Policy where the Agency's Investment Policy is more restrictive.

Limit	Minimum Rating	Maximum Maturity	Authorized Investment
None	None	5 years	Collateralized Certificate of Deposits purchased from banks or savings and loan institutions as authorized by statute
30%	None	5 years	Negotiable Certificates of Deposit
None	None	5 years	U.S. Treasury Bills, Notes, and Bonds
None	None	5 years	Securities of Government Agencies (e.g., Federal Home Loan Bank, Federal National Mortgage Association, Federal Home Loan Mortgage Corporation, Student Loan Marketing Association, Government National Mortgage Association, Federal Farm Credit Bank, Tennessee Valley Authority)
30%	A	5 years	Medium-Term Corporate Notes
20%	None	N/A	Mutual Funds (Shares of beneficial interest issued by diversified management companies who invest in securities authorized by § 53601)
None	None	5 years	Indebtedness issued by LAVWMA or any local agency in California
Maximum allowed by LAIF	None	N/A	The State of California Local Agency Investment Fund
Maximum allowed by CAMP	None	N/A	The California Asset Management Program

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEARS ENDED JUNE 30, 2024 AND 2023

NOTE 2 – CASH AND INVESTMENTS (Continued)

D. Credit Risk

Credit risk is the risk that an issuer of an investment will not fulfill its obligation to the holder of the investment. This is measured by the assignment of a rating by a nationally recognized statistical rating organization. At June 30, 2024, the Agency's investments in CAMP had a rating, as provided by Moody's investment rating system, of A-1+. The Agency's investment in LAIF is not rated.

Concentration of credit risk is the risk of loss attributed to the magnitude of investments in a single issuer. At June 30, 2024 and 2023, there are no instances of concentration risk.

E. Interest Rate Risk

Interest rate risk is the risk that changes in interest rates will adversely affect the fair value of an investment. Generally, the longer the maturity of an investment, the greater the sensitivity of its fair value to changes in market interest rates. California Government Code limits investments in U.S. Treasury Obligations, commercial paper, and negotiable certificates of deposit to a maximum maturity of five years, 270 days, and five years, respectively, which helps to mitigate this risk since the prices of fixed-income securities with a longer time to maturity tend to be more sensitive to changes in interest rates. At June 30, 2024 and 2023, the Agency's investments had a maturity of less than one year.

F. Local Agency Investment Fund

The Agency is a voluntary participant in the Local Agency Investment Fund (LAIF) that is regulated by California Government Code Section 16429 under the oversight of the Treasurer of the State of California. The Agency reports its investment in LAIF at the fair value amount provided by LAIF, which is the same as the value of the pool share. The balance available for withdrawal is based on the accounting records maintained by LAIF, which are recorded on an amortized cost basis. Included in LAIF's investment portfolio are collateralized mortgage obligations, mortgage-backed securities, other asset-backed securities, loans to certain state funds, and floating rate securities issued by federal agencies, government-sponsored enterprises, United States Treasury Notes and Bills, and corporations. At June 30, 2024 and 2023, these investments matured in an average of 217 and 260 days, respectively.

G. Fair Value Measurements

The Agency categorizes its fair value measurements within the fair value hierarchy established by generally accepted accounting principles. The hierarchy is based on the valuation inputs used to measure fair value of the assets. Level 1 inputs are quoted prices in an active market for identical assets; Level 2 inputs are significant other observable inputs; and Level 3 inputs are significant unobservable inputs.

The Agency's investment in U.S. Treasury Bills are Level 1, valued using quoted market prices. The Agency's investment in the Local Agency Investment Fund is exempt from the fair value measurement hierarchy.

**LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
 NOTES TO BASIC FINANCIAL STATEMENTS
 FOR THE YEARS ENDED JUNE 30, 2024 AND 2023**

NOTE 3 – CAPITAL ASSETS

The following is a summary of changes in capital assets for the year ended June 30, 2024:

	Balance at June 30, 2022	Additions	Transfers	Balance at June 30, 2023	Additions	Transfers	Balance at June 30, 2024
Non-depreciable assets:							
Construction in progress	\$3,300,252	\$177,852	(\$2,933,451)	\$544,653	\$6,709,698	(\$6,170,495)	\$1,083,856
Total non-depreciable assets	<u>3,300,252</u>	<u>177,852</u>	<u>(2,933,451)</u>	<u>544,653</u>	<u>6,709,698</u>	<u>(6,170,495)</u>	<u>1,083,856</u>
Capital assets being depreciated:							
Pipeline	118,274,222	-	-	118,274,222	-	-	118,274,222
Pump station	19,388,236	-	2,875,427	22,263,663	-	457,019	22,720,682
Export facility	5,767,500	-	58,024	5,825,524	172,637	5,713,476	11,711,637
Intangibles	10,000,000	-	-	10,000,000	-	-	10,000,000
Total capital assets being depreciated/amortized:	<u>153,429,958</u>	<u>-</u>	<u>2,933,451</u>	<u>156,363,409</u>	<u>172,637</u>	<u>6,170,495</u>	<u>162,706,541</u>
Less:							
Accumulated depreciation	(45,590,488)	(3,112,790)	-	(48,703,278)	(3,340,595)	-	(52,043,873)
Accumulated amortization	<u>(7,575,754)</u>	<u>(303,030)</u>	<u>-</u>	<u>(7,878,784)</u>	<u>(303,030)</u>	<u>-</u>	<u>(8,181,814)</u>
Net capital assets being depreciated/amortized	<u>100,263,716</u>	<u>(3,415,820)</u>	<u>2,933,451</u>	<u>99,781,347</u>	<u>(3,643,625)</u>	<u>6,170,495</u>	<u>102,480,854</u>
Total capital assets, net	<u>\$103,563,968</u>	<u>(\$3,237,968)</u>	<u>-</u>	<u>\$100,326,000</u>	<u>\$3,238,710</u>	<u>-</u>	<u>\$103,564,710</u>

Depreciation and amortization expense for the Agency for June 30, 2024 and June 30, 2023 was \$3,643,625 and \$3,415,820, respectively.

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEARS ENDED JUNE 30, 2024 AND 2023

NOTE 4 – SERVICE CHARGES TO MEMBERS

Under the terms of the Agency’s Sewer Service Contract with its members, the members pay the Agency a service charge equal to their share of the actual costs of operating the pipeline and pump station. The members are required to make advance payments to the Agency based on estimated costs. When advance payments are more or less than actual costs, differences are billed or refunded to the members in accordance with their participation percentage as specified in the agreement.

The following schedule reconciles the advance payments received from members with the actual costs of operating the pipeline and pump station determine what is owed to or from the members as of June 30, 2024 and 2023:

	2024	2023
Advance payments received from members		
City of Livermore	\$3,547,541	\$3,194,550
City of Pleasanton	4,140,454	3,733,530
Dublin San Ramon Services District	4,195,100	3,857,966
Total services charges	<u>\$11,883,095</u>	<u>\$10,786,046</u>
Advance payments received from members	\$11,883,095	\$10,786,046
Interest earned on operating advances	65,705	72,302
Less advances for:		
Debt service	(6,650,099)	(6,645,700)
Joint Use replacement	(400,000)	(400,000)
Net available for operations and maintenance	<u>4,898,701</u>	<u>3,812,648</u>
Operations and maintenance expenses:		
Power	2,068,188	2,030,320
LAVWMA share of EBDA O&M Costs	1,049,380	788,239
Operations agreement	1,186,527	1,516,960
Professional services	433,283	218,349
Livermore Sole Use O&M	27,851	26,741
Miscellaneous	282,161	122,571
Repairs and maintenance	-	15,974
Total operations and maintenance expenses	<u>5,047,390</u>	<u>4,719,154</u>
Amount due to (due from) members, net	<u>(\$148,689)</u>	<u>(\$906,506)</u>
Amount due to (due from):		
City of Livermore	(\$121,957)	(\$312,917)
City of Pleasanton	(123,122)	(307,966)
Dublin San Ramon Services District	96,390	(285,623)
	<u>(\$148,689)</u>	<u>(\$906,506)</u>

**LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEARS ENDED JUNE 30, 2024 AND 2023**

NOTE 5 – LONG-TERM DEBT

The following is a summary of changes in general long-term liabilities during the year ended June 30, 2024:

	Balance June 30, 2023	Retirements	Balance June 30, 2024	Amount due within one year	More than one year
Revenue Bonds					
2021 Sewer Revenue Refunding Bonds 4%, due 8/1/2031	\$50,245,000	\$4,735,000	\$45,510,000	\$4,925,000	\$40,585,000
Total Long-Term Debt	50,245,000	4,735,000	45,510,000	4,925,000	40,585,000
Plus: Unamortized bond premium	9,572,731	524,533	9,048,198	-	9,048,198
Total Long-Term Debt, net	<u>\$59,817,731</u>	<u>\$5,259,533</u>	<u>\$54,558,198</u>	<u>\$4,925,000</u>	<u>\$49,633,198</u>

The following is a summary of changes in general long-term liabilities during the year ended June 30, 2023:

	Balance June 30, 2022	Retirements	Balance June 30, 2023	Amount due within one year	More than one year
Revenue Bonds					
2021 Sewer Revenue Refunding Bonds 4%, due 8/1/2031	\$54,790,000	\$4,545,000	\$50,245,000	\$4,735,000	\$45,510,000
Total Long-Term Debt	54,790,000	4,545,000	50,245,000	4,735,000	45,510,000
Plus: Unamortized bond premium	10,097,265	524,534	9,572,731	-	9,572,731
Total Long-Term Debt, net	<u>\$64,887,265</u>	<u>\$5,069,534</u>	<u>\$59,817,731</u>	<u>\$4,735,000</u>	<u>\$55,082,731</u>

A. 2021 Sewer Revenue Refunding Bonds

The Agency issued \$54,790,000 of 2021 Sewer Revenue Refunding Bonds on August 11, 2021. Proceeds of the issuance were used to refund the 2011 Sewer Revenue Refunding Bonds and pay costs of issuance. Interest payments are due semi-annually on February 1 and August 1, beginning August 1, 2021. Principal payments are due annually beginning August 1, 2022. The interest rate on the bonds is 4%. The refunding resulted in a net present value savings over the life of the bonds in the amount of \$13,775,080. In fiscal year 2023, the Agency recorded a gain on the refunding in the amount of \$2,803,378 as deferred inflow of resources, which will be amortized over the life of the bonds. The District recognized a portion of the gain on the refunding during fiscal year 2024 in the amount of \$339,803. The balance of the gain on the refunding is \$2,463,575 at June 30, 2024.

Pursuant to the official statement, each member agency is required to set rates to achieve coverage of 1.1 times debt service. Furthermore, the official statement contains events of default that require the net revenue of the Agency and Members to be applied by the Trustee as specified in the terms of the agreement if any of the following conditions occur: default on debt service payments; the failure of the Agency or Members to observe or perform the conditions, covenants, or agreement terms of the debt; bankruptcy filing by the Agency or Members; or if any court or competent jurisdiction shall assume custody or control of the Agency or Members.

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
 NOTES TO BASIC FINANCIAL STATEMENTS
 FOR THE YEARS ENDED JUNE 30, 2024 AND 2023

NOTE 5 – LONG-TERM DEBT (Continued)

B. Debt Service Maturity

At June 30, 2024, future annual repayment requirements for long-term debt were as follows:

For The Year Ending June 30	Principal	Interest	Total
2025	\$4,925,000	\$1,721,900	\$6,646,900
2026	5,125,000	1,520,900	6,645,900
2027	5,335,000	1,311,700	6,646,700
2028	5,555,000	1,093,900	6,648,900
2029	5,780,000	867,200	6,647,200
2030-2032	18,790,000	1,147,400	19,937,400
Total payments due	<u>\$45,510,000</u>	<u>\$7,663,000</u>	<u>\$53,173,000</u>

NOTE 6 – RISK MANAGEMENT

The Agency’s insurance coverage is as follows:

The Agency is exposed to various risks of loss related to torts: theft, damage, and destruction of assets; errors and omissions; injuries to employees and natural disaster. The Agency joined together with other entities to form the Special District Risk Management Authority (SDRMA), a public entity risk pool currently operating as a common risk management and insurance program for member entities. The purpose of SDRMA is to spread the adverse effects of losses among the member entities and to purchase excess insurance as a group, thereby reducing its cost. The Agency pays annual premiums to SDRMA for its general, liability, and property damage.

SDRMA is governed by a Board composed of one representative from each member agency. The Board controls the operations of SDRMA including selection of management and approval of operating budgets, independent of any influence by member entities.

In addition to the primary insurance types provided for through SDRMA listed above, the Agency also maintains commercial fidelity bonds, public employee dishonesty and public official bonds to protect against employee theft or defalcation. Settled claims for SDRMA or commercial fidelity bonds have not exceeded coverage in any of the past three fiscal years.

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
 NOTES TO BASIC FINANCIAL STATEMENTS
 FOR THE YEARS ENDED JUNE 30, 2024 AND 2023

NOTE 6 – RISK MANAGEMENT (Continued)

The following is a summary of the insurance policies carried by the Agency as of June 30, 2024:

Company Name	Insurance Program		Limits	Deductibles
	Type of Coverage			
Uninsured/underinsured motorists	Each occurrence		\$1,000,000	\$10,000
Auto Liability	Comprehensive liability		5,000,000	1,000
Property coverage	Comprehensive liability		1,000,000,000	1,000
Employee dishonesty	Blanket bond		1,000,000	None
Personal liability coverage (board)	Comprehensive liability		500,000	500
General liability	Comprehensive liability		5,000,000	500
Public officials and employee errors	Comprehensive liability		5,000,000	None
Employment practices liability	Comprehensive liability		5,000,000	None
Employee benefits liability	Comprehensive liability		5,000,000	None
Boiler and machinery coverage	Comprehensive liability		100,000,000	1,000
Special Endorsements	Comprehensive liability		5,000,000	None

Claims and judgments, including provision for claims incurred but not reported, are recorded when a loss is deemed probable of assertion and the amount of the loss is reasonably determinable. As discussed above, the Agency has coverage for such claims, but it had retained the risk for the deductible or uninsured portion of these claims.

The Agency’s liability for uninsured claims is limited to general liability claims, as discussed above, and was estimated to be immaterial. The Agency has not exceeded its insurance coverage limits in any of the last three years.

NOTE 7 – NET POSITION

Net Position is the excess of all the Agency’s assets over all its liabilities. Net Position is divided into three categories which are described as follows:

- **Net investment in capital assets** describes the portion of net position that is represented by the current net book value of the Agency’s capital assets, less the outstanding balance of any debt issued to finance these assets.
- **Restricted** describes the portion of net position that is restricted as to use by the terms and conditions of agreements with outside parties, governmental regulations, laws or other restrictions which the Agency cannot unilaterally alter. These principally include developer fees received for use on capital projects, debt service requirements, and redevelopment funds restricted to low and moderate income purposes. The Agency had no restricted net position.
- **Unrestricted** describes the portion of net position that is not restricted to use.

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
NOTES TO BASIC FINANCIAL STATEMENTS
FOR THE YEARS ENDED JUNE 30, 2024 AND 2023

NOTE 8 – CONTINGENT LIABILITIES

The Agency is involved in various claims and litigation arising in the ordinary course of business. Agency management, based upon the opinion of legal counsel, is of the opinion that the ultimate resolution of such matters will not have a materially adverse effect on the Agency’s financial position or results of operations.

NOTE 9 – MEMBER EQUITY ALLOCATION

A review of the member equity calculation was conducted and each type of asset is allocated according to contractually agreed ownership shares. At June 30, 2024, the members’ respective shares of the Agency’s net position, based on this calculation, are as follows:

	Operation & Maintenance	EBDA Capacity	2021 Debt Service*	Joint-Use Replacement	Dual-Use Replacement	Sole-Use Replacement	TOTAL
Net Position:							
Total Assets	\$1,711,543	\$1,818,185	\$1,724,910	\$107,943,432	\$496,571	\$8,599,290	\$122,293,931
Total Liabilities and Deferred Inflows	1,216,831	-	59,404,161	121,786	-	199,778	60,942,556
	\$494,712	\$1,818,185	(\$57,679,251)	\$107,821,646	\$496,571	\$8,399,512	\$61,351,375
Allocation:							
Livermore	30.10%	18.18%	27.83%	30.10%	-	100.00%	
Pleasanton	34.95%	34.14%	33.27%	34.95%	50.00%	-	
DSRSD	34.95%	47.68%	38.90%	34.95%	50.00%	-	
Member Equity:							
Livermore	\$148,908	\$330,546	(\$16,051,661)	\$32,454,316	-	\$8,399,512	\$25,281,621
Pleasanton	172,902	620,728	(19,192,612)	37,683,665	\$248,285	-	19,532,968
DSRSD	172,902	866,911	(22,434,978)	37,683,665	248,286	-	16,536,786
	\$494,712	\$1,818,185	(\$57,679,251)	\$107,821,646	\$496,571	\$8,399,512	\$61,351,375

* Note that for debt service, blended allocations are shown above. Actual allocations are below:

	Livermore	Pleasanton	DSRSD
Repair (30.46% of total debt)	39.95%	36.71%	23.34%
Expansion (69.54% of total debt)	22.52%	31.77%	45.71%

At June 30, 2023, the members’ respective share of the Agency’s net position, based on this calculation, is as follows:

	Operation & Maintenance	EBDA Capacity	2021 Debt Service*	Joint-Use Replacement	Dual-Use Replacement	Sole-Use Replacement	TOTAL
Net Position:							
Total Assets	\$1,637,662	\$2,121,215	\$71,009	\$109,876,543	\$486,622	\$4,469,372	\$118,662,423
Total Liabilities and Deferred Inflows	1,142,950	-	63,458,526	166,249	-	-	64,767,725
	\$494,712	\$2,121,215	(\$63,387,517)	\$109,710,294	\$486,622	\$4,469,372	\$53,894,698
Allocation:							
Livermore	30.10%	18.18%	27.83%	30.10%	-	100.00%	
Pleasanton	34.95%	34.14%	33.27%	34.95%	50.00%	-	
DSRSD	34.95%	47.68%	38.90%	34.95%	50.00%	-	
Member Equity:							
Livermore	\$148,908	\$385,637	(\$17,640,226)	\$33,022,798	-	\$4,469,372	\$20,386,489
Pleasanton	172,902	724,183	(21,092,021)	38,343,748	\$243,311	-	18,392,123
DSRSD	172,902	1,011,395	(24,655,270)	38,343,748	243,311	-	15,116,086
	\$494,712	\$2,121,215	(\$63,387,517)	\$109,710,294	\$486,622	\$4,469,372	\$53,894,698

* Note that for debt service, blended allocations are shown above. Actual allocations are below:

	Livermore	Pleasanton	DSRSD
Repair (30.46% of total debt)	39.95%	36.71%	23.34%
Expansion (69.54% of total debt)	22.52%	31.77%	45.71%

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SUPPLEMENTAL INFORMATION

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
 SCHEDULE OF SUB FUND ACCOUNT STATEMENTS OF NET POSITION
 JUNE 30, 2024

	Maintenance & Operation	EBDA Capacity	2021 Debt Service
<u>ASSETS</u>			
Cash and equivalents	\$1,381,377	\$ -	\$1,679,945
Investments	179,469	-	44,616
Interest receivable	2,008	-	349
Due from members	148,689	-	-
Service charges receivables	-	-	-
Capital assets, construction in progress	-	-	-
Capital assets, net of accumulated depreciation	-	1,818,185	-
Total assets	<u>1,711,543</u>	<u>1,818,185</u>	<u>1,724,910</u>
<u>LIABILITIES</u>			
Accounts payable	382,166	-	-
Interest payable	-	-	758,500
Unearned revenue	834,665	-	1,623,888
Long-term debt:			
Bond issuance premium, net of amortization	-	-	9,048,198
Due within one year	-	-	4,925,000
Due in more than one year	-	-	40,585,000
Total liabilities	<u>1,216,831</u>	<u>-</u>	<u>56,940,586</u>
<u>DEFERRED INFLOWS OF RESOURCES</u>			
Gain on refunding	-	-	<u>2,463,575</u>
<u>NET POSITION</u>			
Net investment in capital assets	-	1,818,185	(47,973,575)
Unrestricted	494,712	-	(\$9,705,676)
Total net position	<u>\$494,712</u>	<u>\$1,818,185</u>	<u>(57,679,251)</u>

Repair and Replacement Reserve			
Joint-use Replacement	Dual-use Replacement	Sole-use Replacement	Total
\$5,206,274	\$294,977	(\$6,014,820)	\$2,547,753
9,230,327	177,673	2,087,398	11,719,483
2,263	2,015	6,661	13,296
-	-	-	148,689
-	-	4,300,000	4,300,000
1,083,856	-	-	1,083,856
92,420,712	21,906	8,220,051	102,480,854
107,943,432	496,571	8,599,290	122,293,931
61,586	-	27,141	470,893
-	-	172,637	931,137
60,200	-	-	2,518,753
-	-	-	9,048,198
-	-	-	4,925,000
-	-	-	40,585,000
121,786	-	199,778	58,478,981
-	-	-	2,463,575
93,504,568	21,906	8,220,051	55,591,135
14,317,078	474,665	179,461	5,760,240
<u>\$107,821,646</u>	<u>\$496,571</u>	<u>\$8,399,512</u>	<u>\$61,351,375</u>

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
 SCHEDULE OF SUB FUND ACCOUNT ACTIVITY
 FOR THE YEAR ENDED JUNE 30, 2024

	Maintenance & Operation	EBDA Capacity	2021 Debt Service
Operating revenues:			
Service charges - City of Livermore	\$1,576,473	\$ -	\$1,850,668
Service charges - City of Pleasanton	1,787,852	-	2,212,802
Service charges - Dublin San Ramon Services District	1,468,671	-	2,586,629
Service charges other	148,689	-	-
Total operating revenues	<u>4,981,685</u>	<u>-</u>	<u>6,650,099</u>
Operating expenses:			
Power	2,068,188	-	-
LAVWMA share of EBDA O&M	1,049,380	-	-
Operations agreement	1,186,527	-	-
Professional services	433,283	-	-
Livermore sole use O&M	27,851	-	-
Miscellaneous	282,161	-	(28,318)
Total operating expenses and capital outlay	<u>5,047,390</u>	<u>-</u>	<u>(28,318)</u>
Repairs and maintenance	-	-	-
Total operating expenses	<u>5,047,390</u>	<u>-</u>	<u>(28,318)</u>
Operating income (loss)	<u>(65,705)</u>	<u>-</u>	<u>6,678,417</u>
Non-operating revenues (expenses)			
Depreciation and amortization	-	(303,030)	-
Capital contribution	-	-	-
Interest income	65,705	-	1,696
Gain on refunding	-	-	339,803
Bond interest expense and fiscal agent fees	-	-	(1,311,650)
Total non-operating revenues (expenses)	<u>65,705</u>	<u>(303,030)</u>	<u>(970,151)</u>
Changes in net position	<u>-</u>	<u>(303,030)</u>	<u>5,708,266</u>
Net position beginning of period	<u>494,712</u>	<u>2,121,215</u>	<u>(63,387,517)</u>
Net position end of period	<u>\$494,712</u>	<u>\$1,818,185</u>	<u>(\$57,679,251)</u>

Repair and Replacement Reserve			
Joint-use Replacement	Dual-use Replacement	Sole-use Replacement	Total
\$120,400	\$ -	\$ -	\$3,547,541
139,800	-	-	4,140,454
139,800	-	-	4,195,100
(35,048)	-	-	113,641
<u>364,952</u>	<u>-</u>	<u>-</u>	<u>11,996,736</u>
-	-	-	2,068,188
-	-	-	1,049,380
-	-	-	1,186,527
-	-	-	433,283
-	-	-	27,851
8,514	341	537	263,235
<u>8,514</u>	<u>341</u>	<u>537</u>	<u>5,028,464</u>
-	-	-	-
<u>8,514</u>	<u>341</u>	<u>537</u>	<u>5,028,464</u>
<u>356,438</u>	<u>(341)</u>	<u>(537)</u>	<u>6,968,272</u>
(2,867,153)	(8,334)	(465,108)	(3,643,625)
-	-	4,300,000	4,300,000
622,067	18,624	95,785	803,877
-	-	-	339,803
-	-	-	(1,311,650)
<u>(2,245,086)</u>	<u>10,290</u>	<u>3,930,677</u>	<u>488,405</u>
<u>(1,888,648)</u>	<u>9,949</u>	<u>3,930,140</u>	<u>7,456,677</u>
<u>109,710,294</u>	<u>486,622</u>	<u>4,469,372</u>	<u>53,894,698</u>
<u>\$107,821,646</u>	<u>\$496,571</u>	<u>\$8,399,512</u>	<u>\$61,351,375</u>

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**LIVERMORE-AMADOR VALLEY
WATER MANAGEMENT AGENCY**

**MEMORANDUM ON INTERNAL CONTROL
AND
REQUIRED COMMUNICATIONS**

**FOR THE YEAR ENDED
JUNE 30, 2024**

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**LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
MEMORANDUM ON INTERNAL CONTROL
AND
REQUIRED COMMUNICATIONS**

For the Year Ended June 30, 2024

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MEMORANDUM ON INTERNAL CONTROL

Board of Directors
Livermore-Amador Valley Water Management Agency
Dublin, California

In planning and performing our audit of the basic financial statements of the Livermore-Amador Valley Water Management Agency (Agency) as of and for the year ended June 30, 2024, in accordance with auditing standards generally accepted in the United States of America, we considered the Agency's internal control over financial reporting (internal control) as a basis for designing our auditing procedures that are appropriate in the circumstances for the purpose of expressing our opinions on the financial statements, but not for the purpose of expressing an opinion on the effectiveness of the Agency's internal control. Accordingly, we do not express an opinion on the effectiveness of the Agency's internal control.

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the Agency's financial statements will not be prevented, or detected and corrected, on a timely basis.

Our consideration of internal control was for the limited purpose described in the first paragraph and was not designed to identify all deficiencies in internal control that might be material weaknesses. In addition, because of inherent limitations in internal control, including the possibility of management override of controls, misstatements due to error or fraud may occur and not be detected by such controls. Given these limitations, during our audit we did not identify any deficiencies in internal control that we consider to be material weaknesses. However, material weaknesses may exist that have not been identified.

This communication is intended solely for the information and use of management, Board of Directors, others within the organization, and is not intended to be and should not be used by anyone other than these specified parties.

Maze & Associates

Pleasant Hill, California
November 12, 2024

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REQUIRED COMMUNICATIONS

Board of Directors
Livermore-Amador Valley Water Management Agency
Dublin, California

We have audited the basic financial statements of the Livermore-Amador Valley Water Management Agency (Agency) for the year ended June 30, 2024. Professional standards require that we communicate to you the following information related to our audit under generally accepted auditing standards, as well as certain information related to the planned scope and timing of our audit. We have communicated such information in our letter to you dated November 12, 2024. Professional standards also require that we communicate to you the following information related to our audit.

Significant Audit Matters

Qualitative Aspects of Accounting Practices

Accounting Policies – Management is responsible for the selection and use of appropriate accounting policies. The significant accounting policies used by the Agency are described in Note 1 to the financial statements. No new accounting policies were adopted and the application of existing policies was not changed during the year.

Unusual Transactions, Controversial or Emerging Areas – We noted no transactions entered into by the Agency during the year for which there is a lack of authoritative guidance or consensus. All significant transactions have been recognized in the financial statements in the proper period.

Accounting Estimates – Accounting estimates are an integral part of the financial statements prepared by management and are based on management’s knowledge and experience about past and current events and assumptions about future events. Certain accounting estimates are particularly sensitive because of their significance to the financial statements and because of the possibility that future events affecting them may differ significantly from those expected. The most sensitive estimates affecting the Agency’s financial statements were:

Estimated Fair Value of Investments: As of June 30, 2024, the Agency held approximately \$14.3 million of cash and investments as measured by fair value as disclosed in Note 2 to the financial statements. Fair value is essentially market pricing in effect as of June 30, 2024. These fair values are not required to be adjusted for changes in general market conditions occurring subsequent to June 30, 2024.

Estimate of Depreciation: Management’s estimate of the depreciation is based on useful lives determined by management. These lives have been determined by management based on the expected useful life of assets as disclosed in Note 1G to the financial statements. We evaluated the key factors and assumptions used to develop the depreciation estimate and determined that it is reasonable in relation to the basic financial statements taken as a whole.

Disclosures – The financial statement disclosures are neutral, consistent, and clear.

Difficulties Encountered in Performing the Audit

We encountered no significant difficulties in dealing with management in performing and completing our audit.

Corrected and Uncorrected Misstatements

Professional standards require us to accumulate all known and likely misstatements identified during the audit, other than those that are clearly trivial, and communicate them to the appropriate level of management. We did not propose any audit adjustments that, in our judgment, could have a significant effect, either individually or in the aggregate, on the Agency's financial reporting process. However, management identified and recorded an adjustment to service charges receivable and capital contributions in the amount of \$1,500,000 after our audit fieldwork that was adjusted in the financial statements.

Professional standards require us to accumulate all known and likely uncorrected misstatements identified during the audit, other than those that are trivial, and communicate them to the appropriate level of management. We have no such misstatements to report to the Board of Directors.

Disagreements with Management

For purposes of this letter, a disagreement with management is a financial accounting, reporting, or auditing matter, whether or not resolved to our satisfaction, that could be significant to the financial statements or the auditor's report. We are pleased to report that no such disagreements arose during the course of our audit.

Management Representations

We have requested certain representations from management that are included in a management representation letter dated November 12, 2024.

Management Consultations with Other Independent Accountants

In some cases, management may decide to consult with other accountants about auditing and accounting matters, similar to obtaining a "second opinion" on certain situations. If a consultation involves application of an accounting principle to the Agency's financial statements or a determination of the type of auditor's opinion that may be expressed on those statements, our professional standards require the consulting accountant to check with us to determine that the consultant has all the relevant facts. To our knowledge, there were no such consultations with other accountants.

Other Audit Findings or Issues

We generally discuss a variety of matters, including the application of accounting principles and auditing standards, with management each year prior to retention as the Agency's auditors. However, these discussions occurred in the normal course of our professional relationship and our responses were not a condition to our retention.

Other Matters

We were engaged to report on the supplemental information that accompanies the financial statements, but is not required supplementary information. With respect to this supplemental information, we made certain inquiries of management and evaluated the form, content, and methods of preparing the information to determine that the information complies with accounting principles generally accepted in the United States of America, the method of preparing it has not changed from the prior period, and the information is appropriate and complete in relation to our audit of the financial statements. We compared and reconciled the supplemental information to the underlying accounting records used to prepare the financial statements or to the financial statements themselves.

This information is intended solely for the use of the Board of Directors and management and is not intended to be, and should not be, used by anyone other than these specified parties.

Maze & Associates

Pleasant Hill, California
November 12, 2024

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**ITEM NO. 9 LAVWMA QUARTERLY REPORT OF OPERATIONS FOR 1ST QUARTER
FY2024-2025**

Action Requested

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

Summary

LAVWMA's Quarterly Report of Operations for the 1st Quarter, FY2024-2025 is attached for the Board's review. The LAVWMA General Manager would like to commend DSRSD staff for doing a great job during the first quarter of FY24/25. The LAVWMA GM would like to highlight the following items from the report:

- Overall YTD Costs are at 17% of Budget.
- Labor Costs are at 25.2 % of Budget.
- Pump Efficiency was 75.3%.
- During the first quarter all of the City of Dublin and City of San Ramon wastewater was recycled.

These quarterly reports are prepared by DSRSD staff and summarize all LAVWMA operations and maintenance activity for each quarter. Dan Gill, DSRSD Operations Director, will be available to answer any questions from the Board.

Recommendation

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

Attachment

LAVWMA Quarterly Report of Operations, 1st Quarter, FY2024-2025.

Prepared by



Dublin San Ramon
Services District

Water, wastewater, recycled water

LAVWMA

QUARTERLY REPORT OF OPERATIONS

FY 2024-2025, 1st Quarter



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

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Executive Summary

For the first quarter fiscal year ending (FYE) 2025, the Livermore-Amador Valley Water Management Agency (LAVWMA) export conveyance system operated well without any major outages or disruptions. Just over 544 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).

This quarter the overall efficiency of the pumping system averaged 75.3% (Table 1; quarterly range FYEs 2023 & 2024 [n=8]: 66.0% to 74.0%), with an average electrical cost of \$577 per MG, or \$188 per acre-foot (AF; Table 1 or section Electrical Usage, Efficiency, & Cost for more details). Preventative maintenance (PM) work orders outnumbered corrective maintenance (CM) work orders 20.54 to 1 (quarterly range FYEs 2023 & 2024 [n=8]: 9.57 to 23.45; section Maintenance for more details).

For convenience, some year-to-date (YTD) values compared to budgeted are shown below (section Expenditures & Budget Utilization: Labor & O&M for more details).

- Overall costs: YTD \$621,831; Budget \$3,530,499
- Electrical costs: YTD \$290,717; Budget \$2,065,755
- Labor costs: YTD \$297,739; Budget \$1,182,824
- Labor hours: YTD 1,349.50; Budget 5,411
- WOs last quarter: 422.6 hours 215 PMs and 39.5 hours 12 CMs
- WOs this quarter: 351.9 hours 267 PMs and 34.5 hours 13 CMs
- Pump Efficiency: July-74.1% August-76.7% September-73.2%

Current Quarter Metrics

Monthly export flow increased each month from Jul-Sep, which is sometimes observed for this period as DERWA recycled water demand decreases into late summer and early fall (Figure 1). Calculated flows for Dublin San Ramon (DSR) were zero each month this quarter (Figure 1, left plot). Pump efficiency remained consistent each month at about 73-77%.

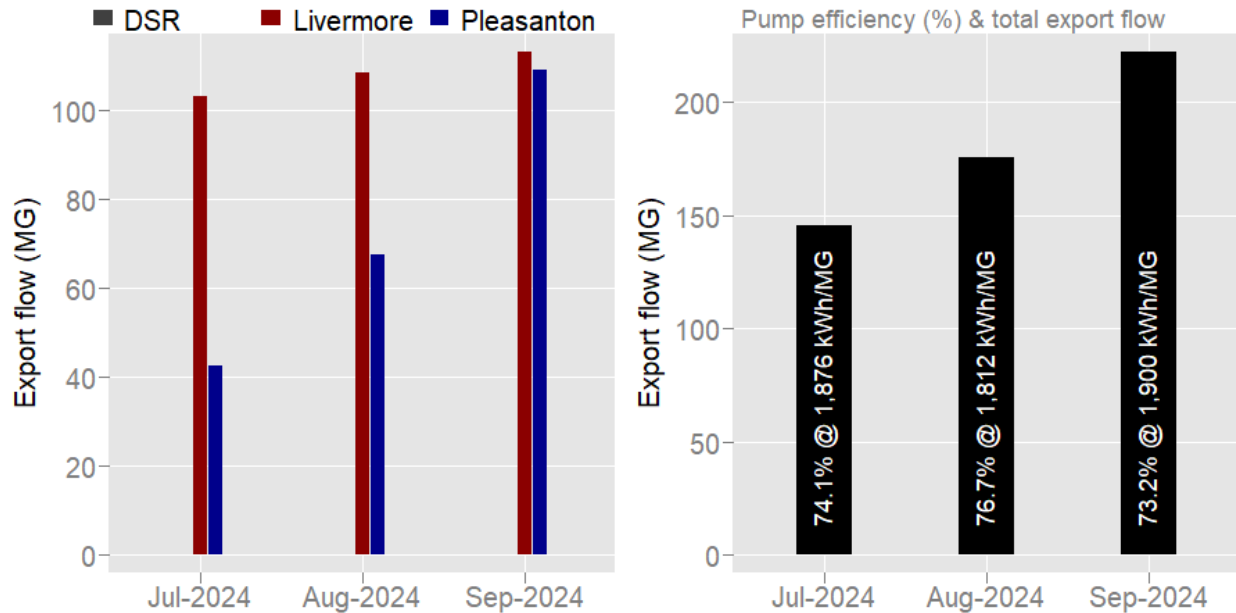


Figure 1 - LAVWMA Quarter 1 FYE 2025 export flows for Jul-2024, Aug-2024, & Sep-2024; monthly flows shown by source (left plot) and as total (right plot) with pump efficiency (%) at noted kilowatt hour (kWh) per million gallons (MG); NOTE: flow & pump efficiency data displayed by calendar month, not PG&E billing period

Most usage for either feeder (service) was done during non-peak hours (Figure 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.

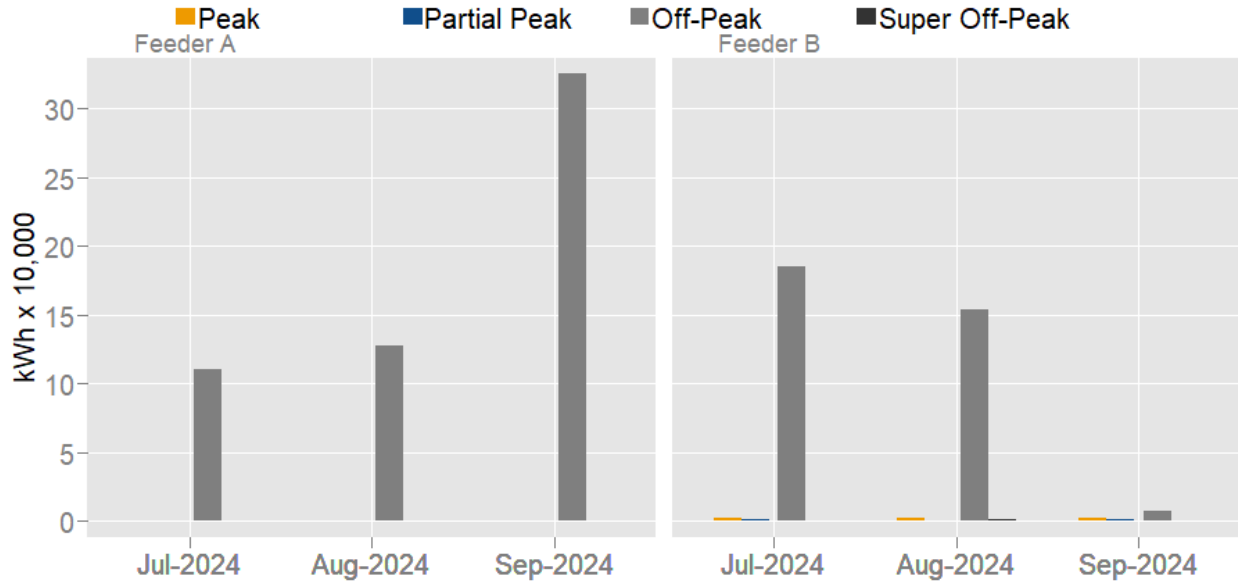


Figure 2 - LAVWMA Quarter 1 FYE 2025 electric usage as kilowatt hour (kWh) for PG&E billing cycles Jul-2024, Aug-2024, & Sep-2024; billing cycle usage displayed separately for feeder A (left) & feeder B (right) by time of use: peak, partial peak, off-peak; & super off-peak

Labor and utilities covered the largest fraction of overall cost in Q1 FYE 2025 (Figure 3, 3 left-most plots). There were no expenses for non-routine work this quarter.

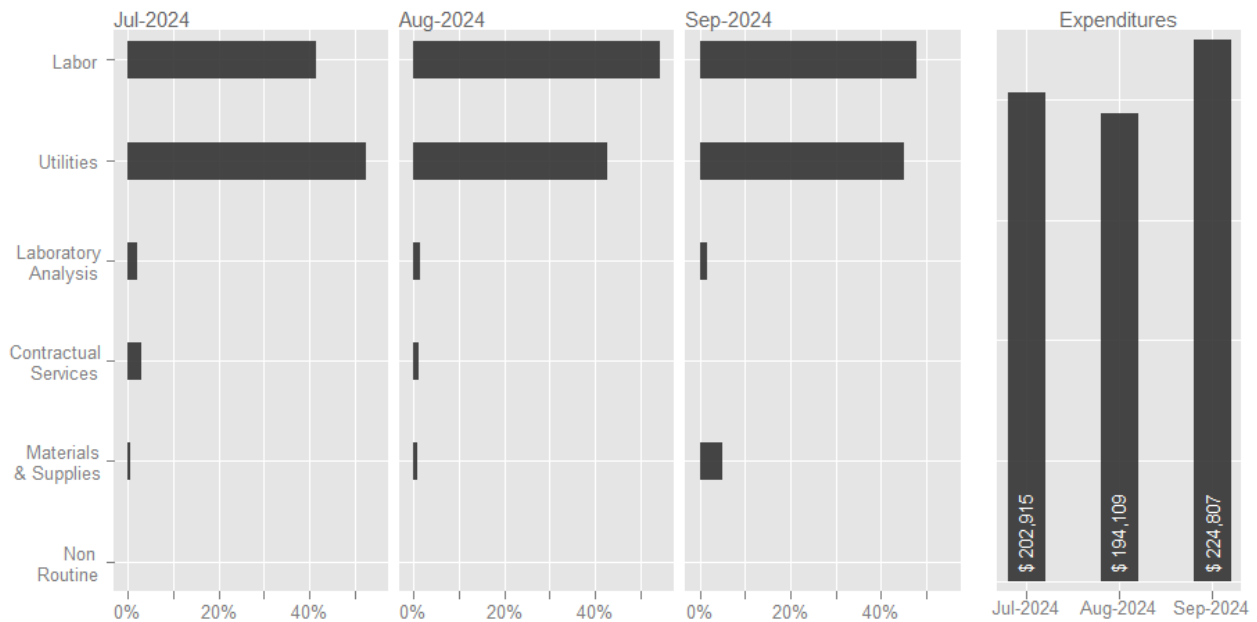


Figure 3 - LAVWMA Quarter 1 FYE 2025 expenditures for Jul-2024, Aug-2024, & Sep-2024 as percent of total cost by type (labor, utilizes, laboratory analysis, contractual services, materials & supplies, & non routine; left plot) and as monthly total (right plot)

There were no major equipment failures in Q1 FYE 2025, the pipeline and pumping plant ran without issue. Preventative maintenance (PM) work orders exceeded corrective maintenance (CM) work orders each month during Q1 FYE 2025 (Figure 4, right plot).

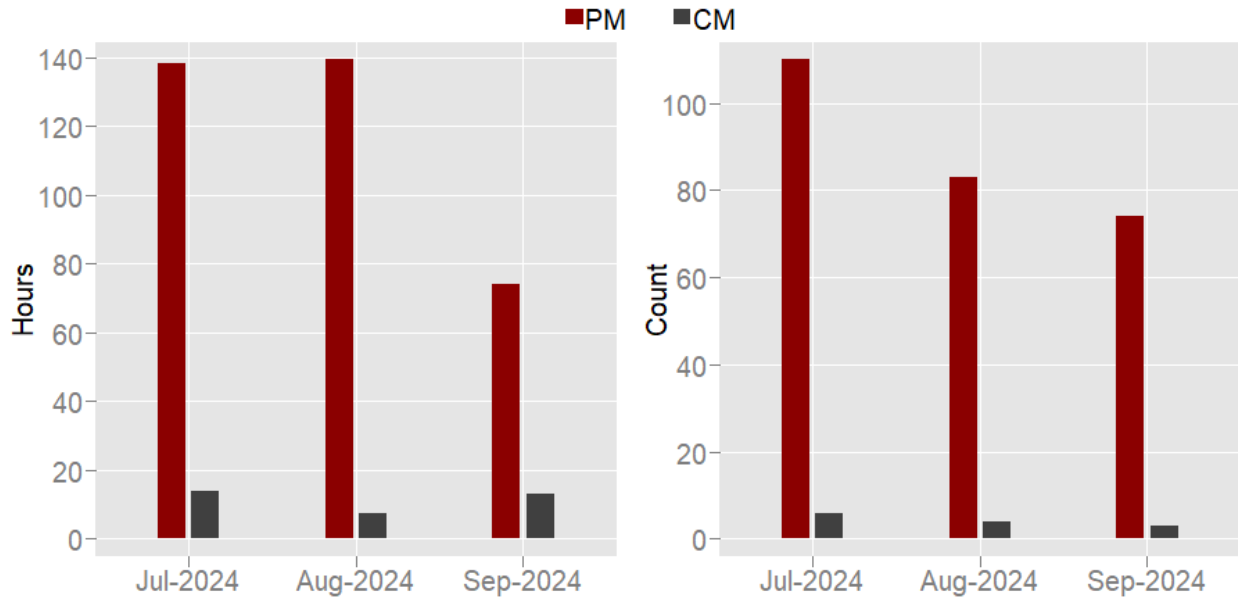


Figure 4 - LAVWMA Quarter 1 FYE 2025 preventative maintenance (PM) & corrective maintenance (CM) work order hours (left plot) and count (right plot) for Jul-2024, Aug-2024, & Sep-2024

Operations

Of the 544 MG of effluent conveyed through the LAVWMA system during the first quarter, 0 MG came from Dublin San Ramon (DSR), 325 MG from the City of Livermore, and 219 MG 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 351.85 hours completing 267 preventative maintenance (PM) work orders and 34.5 hours completing 13 corrective maintenance (CM) work orders on LAVWMA equipment and systems. Refer to Figure 4 for monthly breakdown (work order data updated 21-Oct-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 export pump number 2 has been pulled and we are sending the motor out to be overhauled and are awaiting bids for rebuilding the pump.

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

Electrical

- Disconnected Pump 2 in preparation for pump inspection
- Troubleshoot wash down motor at Pump Station
- Performed maintenance on outdoor lighting at the LAVWMA pumping plant

Instrument & Controls

- Performed routine preventive maintenance and calibrations on chlorine and pH analyzers
- Troubleshoot and replaced combined chlorine sensor
- At SLSS troubleshoot and repaired discharge pressure transmitter tubing

Operations

- Drained back 42-inch pipeline and removed pumps 1-5 from service in support of export pipeline inspection; pumps remained out of service until inspection complete, during which time exports flowed through the 36-inch pipeline

Mechanical

- Removed Pump 2 from service (07-Sep-2024) for disassembly and rebuilding
- Resumed pipeline inspections with National Plant (24-Sep-2024); dewatering was required for condition assessment; inspections done in sections beginning with pressure side (pumping station to before gravity feed)

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).

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

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

where

- $\overline{GPM} = \frac{\text{Export Flow (MG)} \times 10^6}{d \times 1440 \text{ min/d}}$
- 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 2025 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-2024	31	299,594	160	1,876.20	74.1%	\$105,687	\$0.35	\$662	\$216
Aug-2024	31	286,133	153	1,874.75	74.2%	\$81,928	\$0.29	\$537	\$175
Sep-2024	30	336,042	187	1,792.35	77.6%	\$99,963	\$0.30	\$533	\$174
Q1									
Average		307,256	167	1,848	75.3%	\$95,859	\$0.31	\$577	\$188
Total	92	921,769	500	5,543		\$287,578			
Minimum		286,133	153	1,792	74.1%	\$81,928	\$0.29	\$533	\$174
Maximum		336,042	187	1,876	77.6%	\$105,687	\$0.35	\$662	\$216
YTD									
Average		307,256	167	1,848	75.3%	\$95,859	\$0.31	\$577	\$188
Total	92	921,769	500	5,543		\$287,578			
Minimum		286,133	153	1,792	74.1%	\$81,928	\$0.29	\$533	\$174
Maximum		336,042	187	1,876	77.6%	\$105,687	\$0.35	\$662	\$216

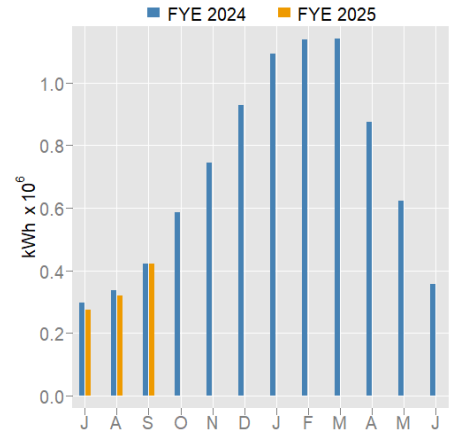


Figure 5 - LAVWMA monthly kWh usage FYE 2024 & FYE 2025 through Sep-2024

Table 2 - LAVWMA FYE 2025 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-2024	0	0	110,784	0	\$34,670	2,028	1,778	185,003	0	\$71,017
Aug-2024	0	0	127,927	0	\$35,306	2,160	0	154,258	1,788	\$46,622
Sep-2024	0	0	325,319	0	\$90,559	2,056	1,689	6,978	0	\$9,404
Q1										
Average	0	0	188,010	0	\$53,512	2,081	1,156	115,413	596	\$42,348
Total	0	0	564,030	0	\$160,535	6,244	3,467	346,239	1,788	\$127,043
Minimum	0	0	110,784	0	\$34,670	2,028	0	6,978	0	\$9,404
Maximum	0	0	325,319	0	\$90,559	2,160	1,778	185,003	1,788	\$71,017
YTD										
Average	0	0	188,010	0	\$53,512	2,081	1,156	115,413	596	\$42,348
Total	0	0	564,030	0	\$160,535	6,244	3,467	346,239	1,788	\$127,043
Minimum	0	0	110,784	0	\$34,670	2,028	0	6,978	0	\$9,404
Maximum	0	0	325,319	0	\$90,559	2,160	1,778	185,003	1,788	\$71,017

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 increased each month in Q1 (Table 4).

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

Table 3 - LAVWMA FYE 2025 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-2024	108	0	144	28	94	2	13	1	263	1	654
Aug-2024	313	0	135	1	213	8	10	16	119	6	820
Sep-2024	102	0	93	0	97	261	0	277	0	271	1,102
Q1											
Average Hours	174	0	124	10	134	90	7	98	127	93	859
Std Dev Hours	120.3	0.0	27.1	16.2	67.7	147.9	6.6	155.5	131.7	154.6	226.4
Hours	523	0	372	29	403	271	22	294	382	279	2,576
Min Hours	102	0	93	0	94	2	0	1	0	1	654
Max Hours	313	0	144	28	213	261	13	277	263	271	1102
Total Average Hours	174	0	124	10	134	90	7	98	127	93	859
Total Std Dev Hours	120.3	0.0	27.1	16.2	67.7	147.9	6.6	155.5	131.7	154.6	226.4
Total Hours	523	0	372	29	403	271	22	294	382	279	2,576
Total Min Hours	102	0	93	0	94	2	0	1	0	1	654
Total Max Hours	313	0	144	28	213	261	13	277	263	271	1102

Table 4 - LAVWMA FYE 2025 monthly percent pump utilization; quarterly and YTD summaries provided below monthly values

Pump Utilization	
Q1	
Jul-2024	9.8%
Aug-2024	12.2%
Sep-2024	17.0%
Q1	
Average Pump Utilization	13.0%
Min Pump Utilization	9.8%
Max Pump Utilization	17.0%
Total Average Pump Utilization	13.0%
Total Min Pump Utilization	9.8%
Total Max Pump Utilization	17.0%

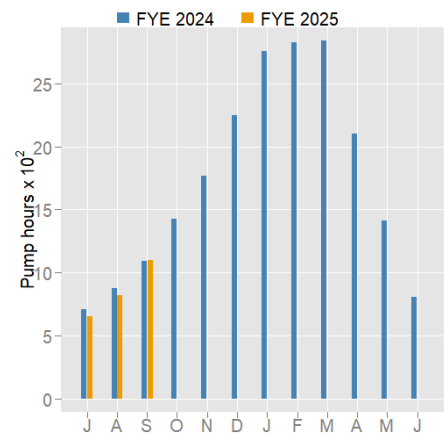


Figure 6- LAVWMA FYE 2024 & FYE 2025 monthly pump hours through Sep-2024

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

Basin Levels

Table 5 - LAVWMA FYE 2025 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-2024	2.01	0.08	2.38	1.49
Aug-2024	3.35	0.08	3.48	2.31
Sep-2024	3.09	0.09	3.21	2.13
Q1				
Average	2.82	0.08	3.02	1.97
Minimum	2.01	0.08	2.38	1.49
Maximum	3.35	0.09	3.48	2.31
YTD				
Average	2.82	0.08	3.02	1.97
Minimum	2.01	0.08	2.38	1.49
Maximum	3.35	0.09	3.48	2.31

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 2025 flow is 3,356 MG at an estimated cost of \$1,052 / MG.

Table 6 - LAVWMA FYE 2025 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	325.05	219.24	544.29
Jul-2024	0.00	103.27	42.54	145.81
Aug-2024	0.00	108.55	67.49	176.04
Sep-2024	0.00	113.23	109.21	222.44
Total	0.00	325.05	219.24	544.29
Q1				
Average	0.00	108.35	73.08	181.43
Minimum	0.00	103.27	42.54	145.81
Maximum	0.00	113.23	109.21	222.44
YTD				
Average	0.00	108.35	73.08	181.43
Minimum	0.00	103.27	42.54	145.81
Maximum	0.00	113.23	109.21	222.44

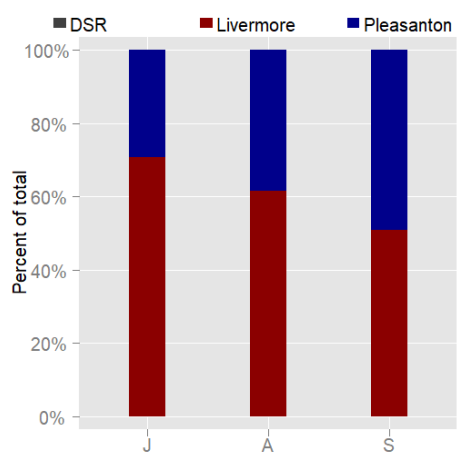


Figure 7- LAVWMA FYE 2025 through Sep-2024 monthly export flows by region as a percent of total; DSR = Dublin San Ramon

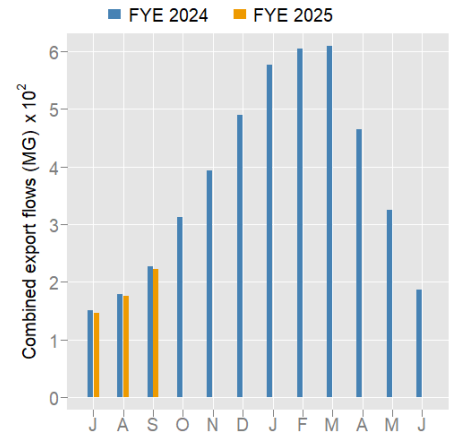


Figure 8 - LAVWMA FYE 2024 & FYE 2025 through Sep-2024 monthly combined export flows (MG)

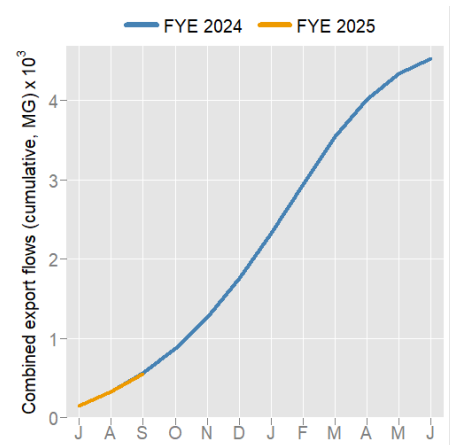


Figure 9 - LAVWMA FYE 2024 & FYE 2025 through Sep-2024 monthly cumulative combined export flows (MG)

Expenditures & Budget Utilization: Labor & O&M

Expenses this quarter included crane inspections, SCADA software maintenance, and underground service alert. Overall O&M expenses increased slightly in September compared to the previous two months.

Table 7 - LAVWMA FYE 2025 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	\$297,739	\$324,092	\$621,831	\$1,142	\$372
Jul-2024	\$84,522	\$118,392	\$202,915	\$1,392	\$453
Aug-2024	\$105,323	\$88,786	\$194,109	\$1,103	\$359
Sep-2024	\$107,893	\$116,914	\$224,807	\$1,011	\$329
Total	\$297,739	\$324,092	\$621,831	\$1,142	\$372
Q1					
Average	\$99,246	\$108,031	\$207,277	\$1,168	\$381
Minimum	\$84,522	\$88,786	\$194,109	\$1,011	\$329
Maximum	\$107,893	\$118,392	\$224,807	\$1,392	\$453
YTD					
Average	\$99,246	\$108,031	\$207,277	\$1,168	\$381
Minimum	\$84,522	\$88,786	\$194,109	\$1,011	\$329
Maximum	\$107,893	\$118,392	\$224,807	\$1,392	\$453

Table 8 - LAVWMA FYE 2025 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-2024	\$202,915	5.7%	\$3,327,584	\$84,522	7.1%	\$1,098,302
Aug-2024	\$397,024	11.2%	\$3,133,475	\$189,846	16.1%	\$992,978
Sep-2024	\$621,831	17.6%	\$2,908,668	\$297,739	25.2%	\$885,085

Table 9 - LAVWMA FYE 2025 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	1,349.5	
Jul-2024	383.5	2.2
Aug-2024	471.5	2.7
Sep-2024	494.5	2.9
Total	1,349.5	
Q1		
Average	449.8	2.6
Minimum	383.5	2.2
Maximum	494.5	2.9
YTD		
Average	449.8	2.6
Minimum	383.5	2.2
Maximum	494.5	2.9

Expenditures: Livermore Sole Use Facilities

Table 10 - LAVWMA FYE 2025 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-2024		\$0	\$745
Aug-2024		\$0	\$609
Sep-2024		\$0	\$686
	Labor	A/P	Total
Q1			
Total		\$0	\$2,040
Average		\$0	\$680
Minimum		\$0	\$609
Maximum		\$0	\$745
Total Total		\$0	\$2,040
Total Average		\$0	\$680
Total Minimum		\$0	\$609
Total Maximum		\$0	\$745

Detailed YTD O&M Budget Comparison to Actual Expenses

LAVWMA
BUDGET COMPARISON TO ACTUAL EXPENSES: GOODS & SERVICES

Current FY Period: 3

		ACTUAL EXPENSES BILLED TO LAVWMA FOR REGULAR O&M														YTD	YTD
		Budget	July	August	September	October	November	December	January	February	March	April	May	June	TOTAL	Budget	
		FY 2024-2025	2024	2024	2024	2024	2024	2024	2025	2025	2025	2025	2025	2025			
Project Total:	Labor																
	Staff	\$1,182,824	\$84,522	\$105,323	\$107,893										\$297,739	\$295,706	
	Subtotal	\$1,182,824	\$84,522	\$105,323	\$107,893	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$297,739	\$295,706	
Phase Total:	Materials & Supplies																
	Operations Supplies	\$21,400	546	\$679	\$242										\$1,467	\$5,350	
	Mechanical Supplies	\$31,890	\$527	\$911	\$294										\$1,732	\$7,973	
	Electrical Supplies	\$38,900	\$15		\$10,743										\$10,759	\$9,725	
	Subtotal	\$92,190	\$1,088	\$1,589	\$11,279	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$13,957	\$23,048	
Analysis	Laboratory Analysis																
Biochemical Oxy	Compliance Testing	\$11,300	\$1,435	\$1,148	\$1,148										\$3,731	\$2,825	
Demand & Total	Operational Support Testing	\$4,900	\$628	\$628	\$628										\$1,884	\$1,225	
Langelier Index	Special Sampling	\$29,400	\$2,485	\$788	\$2,288										\$5,561	\$7,350	
	Subtotal	\$45,600	\$4,548	\$2,564	\$4,064	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$11,176	\$11,400	
Phase Total:	Contractual Services																
	Sub-surface Repairs	\$15,750													\$0	\$3,938	
	Street Sweeping	\$5,000													\$0	\$1,250	
	Cathodic Protection Survey & Repairs	\$47,250													\$0	\$11,813	
	Underground Service Alert	\$4,800	\$610												\$610	\$1,200	
	SCADA software maintenance contract	\$10,000	\$5,365												\$5,365	\$2,500	
	Remote monitoring annual service for PS and Re	\$1,950													\$0	\$488	
	HVAC Maintenance/Repairs	\$800													\$0	\$200	
	Termite/Pest Control	\$950													\$0	\$238	
	Landscape/weed maintenance	\$11,200													\$0	\$2,800	
	Smartmeter Covers	\$1,800													\$0	\$450	
	Janitorial Service	\$10,000		\$1,950											\$1,950	\$2,500	
	Other Services	\$3,130													\$0	\$783	
	Misc Professional/Contractual Services	\$31,500			\$317										\$317	\$7,875	
	Subtotal	\$144,130	\$5,976	\$1,950	\$317	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$8,242	\$36,033	
Phase Total:	Utilities																
	Electricity (PG&E)	\$2,062,355	\$106,398	\$82,537	\$100,649										\$289,585	\$515,589	
	Water & Sewer (Pleasanton)	\$1,100			\$195										\$195	\$275	
	Water (EBMUD)	\$1,300	\$236		\$264										\$500	\$325	
	Telephone/communications	\$1,000	\$146	\$146	\$146										\$437	\$250	
	WW Treatment (DSRSD)	\$0													\$0	\$0	
	Subtotal	\$2,065,755	\$106,780	\$82,683	\$101,254	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$290,717	\$516,439	
Phase Total:	Non-Routine																
		\$0													\$0	\$0	
	Subtotal	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	
	Monthly Total	\$202,915	\$194,109	\$224,807	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$621,831	\$882,625	
	YTD Total	\$3,530,499	\$202,915	\$397,024	\$621,831	\$621,831	\$621,831	\$621,831	\$621,831	\$621,831	\$621,831	\$621,831	\$621,831	\$621,831	\$621,831	\$882,625	
	Combined Export Flow, mg	3356	146	176	222										544	839	
	Pumping Efficiency		74.1%	76.7%	73.2%												
	Monthly Cost, \$/mg	\$1,392	\$1,392	\$1,103	\$1,011												
	YTD Running Cost, \$/mg	\$1,052	\$1,392	\$1,234	\$1,142	-	-	-	-	-	-	-	-	-	\$1,142		

LAVWMA
BUDGET COMPARISON TO ACTUAL EXPENSES: LABOR

Current FY Period: 3

ACTUAL EXPENSES BILLED TO LAVWMA FOR REGULAR O&M														
FY 2024-2025	Jul 2024	Aug 2024	Sep 2024	Oct 2024	Nov 2024	Dec 2024	Jan 2025	Feb 2025	Mar 2025	Apr 2025	May 2025	Jun 2025	YTD TOTAL	YTD Budget
<i>Estimated Personnel Hours</i>														
Division 51 - FOD	50	20.00	-	-	-	-	-	-	-	-	-	-	20.00	12.50
Water/Wastewater Sys Lead Op	0												-	-
Water/Wastewater Sys OP IV-On Call	0												-	-
Water/Wastewater Sys OP IV	0												-	-
Water/Wastewater Sys OP III	0												-	-
Water/Wastewater Sys OP I/II	43	20.00											20.00	10.75
Maintenance Worker	0												-	-
Supervisor	7												-	1.75
Division 52 - WWTP	2,832	148.00	176.50	251.50	-	-	-	-	-	-	-	-	576.00	708.00
Process Lead Operator IV/V	289	15.00	32.00	33.00									80.00	72.25
Senior WWTP Operator III	1,013	45.00	46.50	67.50									159.00	253.25
WWTP Supervisor	0	3.50											3.50	-
Operator In Training	0												-	-
Operator II	1,431	84.50	98.00	151.00									333.50	357.75
Operator II (SLSS)	0												-	-
Operations Superintendent	99												-	24.75
Ops Director	0												-	-
Division 53 - MECH	1,107	176.00	250.50	155.00	-	-	-	-	-	-	-	-	581.50	276.75
Senior Mechanic-Crane Cert	54	41.50	85.00	53.00									179.50	13.50
Senior Mechanic - USA	72	4.00	9.00	21.00									34.00	18.00
Maintenance Worker	54												-	13.50
Mechanic I/II	882	111.50	141.00	59.50									312.00	220.50
Mechanic II-Crane Cert	0												-	-
Mechanic I/II - USA	0	19.00	15.50	21.50									56.00	-
Mechanic II-Crane Cert - USA	0												-	-
Supervisor	45												-	11.25
Division 54 - ELEC	1,080	34.50	42.50	88.00	-	-	-	-	-	-	-	-	165.00	270.00
Senior Instrument/Controls Tech	45	7.50	6.00	9.00									22.50	11.25
Instrumentation & Controls Tech I/II	504	17.00	12.50	31.00									60.50	126.00
Ice Supervisor	0	2.00	3.50	2.00									7.50	-
Senior Electrician	45	3.00	11.00	4.00									18.00	11.25
Electrician I/II	441	4.00	5.00	36.00									45.00	110.25
Principal Electrical Engineer	45	1.00	4.50	6.00									11.50	11.25
Division 55 - Laboratory	0	-	-	-	-	-	-	-	-	-	-	-	-	-
EC Inspector II-Pretreatment	0												-	-
Laboratory Technician	0												-	-
Supervisor	0												-	-
Division 26 - SAFETY	54	-	-	-	-	-	-	-	-	-	-	-	-	13.50
Safety Officer	54												-	13.50
Division 40 - ENG	288	5.00	2.00	-	-	-	-	-	-	-	-	-	7.00	63.00
Senior Civil Engineer-SME	36												-	-
Associate Engineer	108	5.00	2.00										7.00	27.00
Construction Inspector I/II	72												-	18.00
Engineering Technician II	36												-	9.00
GIS Analyst	36												-	9.00
<i>Total Estimated Personnel Hours</i>	5,411													
<i>FTE</i>	2.6													
Total Monthly Hours		383.50	471.50	494.50	-	-	-	-	-	-	-	-	1,349.50	1,343.75

EBDA Monthly Reports

Parameter	Flow	CBOD Qual	CBOD	TSS Qual	TSS	pH	pH	Total Residual Chlorine	Total Residual Chlorine	Fecal Qual	Fecal Coliforms	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
7/1/2024	6.10					6.99	7.84	1.41				
7/2/2024	3.95					7.52	8.14	1.45			22	10
7/3/2024	2.96		3.6		9.2	7.60	8.12	0.39				
7/4/2024	3.12					7.21	8.02	0.03				
7/5/2024	2.69					6.28	7.93	0.71				
7/6/2024	5.52					7.42	8.19	1.04				
7/7/2024	4.99					7.46	7.81	2.70				
7/8/2024	5.22					7.58	7.98	2.06				
7/9/2024	4.36					7.75	8.16	1.84			170	30
7/10/2024	4.77		4.9		8.0	6.61	7.94	1.75				
7/11/2024	3.91					7.49	7.82	2.21				
7/12/2024	3.87					7.19	8.28	1.94				
7/13/2024	5.31					7.59	8.19	1.73				
7/14/2024	5.55					7.66	7.98	2.38				
7/15/2024	4.71					7.71	8.27	1.68				
7/16/2024	4.36					7.51	7.98	1.30				< 10
7/17/2024	3.69		2.5		8.0	6.87	7.89	1.35				
7/18/2024	1.56					7.51	7.95	0.76				
7/19/2024	4.61					7.39	8.10	0.00				
7/20/2024	6.00					7.63	8.28	0.51				
7/21/2024	5.56					7.44	7.90	3.46				
7/22/2024	4.79					7.53	7.82	4.41				
7/23/2024	4.88					7.58	7.88	2.50			50	10
7/24/2024	3.48		2.8		6.6	7.56	7.85	1.44				
7/25/2024	3.56					7.68	8.02	0.98				
7/26/2024	3.27					7.95	7.95	1.00				
7/27/2024	4.59					7.82	8.37	1.00				
7/28/2024	6.90					7.44	7.89	0.68				
7/29/2024	6.48					7.32	7.79	0.68				
7/30/2024	5.80					7.49	7.82	0.45		<	2	< 10
7/31/2024	4.58		2.8		6.2	7.49	7.81	0.24				

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	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 (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
8/1/2024	3.92					7.37	7.75	0.11				
8/2/2024	3.54					7.57	7.96	0.27				
8/3/2024	6.45					7.50	8.38	0.51				
8/4/2024	6.67					7.47	8.14	1.02				
8/5/2024	5.40					7.37	7.71	0.58				
8/6/2024	4.68					7.57	7.90	0.22				10
8/7/2024	4.47		3.1		9.0	7.65	8.15	0.29				
8/8/2024	4.86					7.85	8.19	1.02				
8/9/2024	4.03					7.92	8.23	0.61				
8/10/2024	4.68					7.69	8.22	0.44				
8/11/2024	6.15					7.49	8.04	0.77				
8/12/2024	5.10					7.29	7.98	0.40				
8/13/2024	5.64					7.61	7.94	0.56				10
8/14/2024	6.00		3.9		8.4	7.70	7.98	0.75				
8/15/2024	6.23					7.80	8.04	0.38				
8/16/2024	5.47					7.55	8.20	0.09				
8/17/2024	6.82					7.32	7.89	0.15				
8/18/2024	6.99					7.58	7.73	0.09				
8/19/2024	5.15					7.58	7.95	0.02				
8/20/2024	6.67					7.68	8.04	0.00			<	10
8/21/2024	5.71		4.4		8.2	7.76	7.99	0.20				
8/22/2024	5.31					7.82	8.04	0.10				
8/23/2024	5.88					7.61	7.93	0.01				
8/24/2024	7.00					7.63	7.90	0.92				
8/25/2024	7.86					7.56	7.73	1.10				
8/26/2024	6.04					7.63	7.90	0.17				
8/27/2024	7.59					7.41	7.73	0.04			<	10
8/28/2024	6.15		7.7		14	7.42	7.66	0.01				
8/29/2024	4.17					7.44	7.79	0.01				
8/30/2024	4.25					7.47	7.82	0.00				
8/31/2024	7.98					7.40	7.76	0.58				

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	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 (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
9/1/2024	8.74					7.42	7.61	2.53				
9/2/2024	6.11					7.48	7.65	1.65				
9/3/2024	6.01					7.46	7.66	0.91			12	< 10
9/4/2024	5.79		4.2		10	7.40	7.58	1.01				
9/5/2024	5.36					7.31	7.63	0.86				
9/6/2024	6.46					7.30	7.57	0.99				
9/7/2024	6.04					7.25	7.68	0.99				
9/8/2024	6.45					7.39	7.56	0.77				
9/9/2024	6.34					7.30	7.61	0.44				
9/10/2024	7.40					7.41	7.66	0.33			50	< 10
9/11/2024	6.93		3.9		7.6	7.32	7.61	0.07				
9/12/2024	8.14					7.34	7.53	0.44				
9/13/2024	6.79					7.28	7.61	0.47				
9/14/2024	6.86					7.18	7.65	0.24				
9/15/2024	8.24					7.22	7.61	0.26				
9/16/2024	7.44					7.36	7.62	0.09				
9/17/2024	7.41					7.43	7.57	0.05			30	< 10
9/18/2024	8.14		6.3		7.7	7.15	7.55	0.10				
9/19/2024	8.69					7.42	7.53	0.06				
9/20/2024	8.10					7.33	7.63	0.04				
9/21/2024	8.14					7.19	7.56	0.13				
9/22/2024	9.41					7.28	7.47	0.29				
9/23/2024	8.03					7.36	7.51	0.20				
9/24/2024	7.65					7.23	7.52	0.08			2	10
9/25/2024	8.10		4.4		6.7	7.42	7.63	0.03				
9/26/2024	8.18					7.42	7.62	0.25				
9/27/2024	7.28					7.33	7.66	0.43				
9/28/2024	7.70					7.44	7.62	0.48				
9/29/2024	8.41					7.47	7.68	0.41				
9/30/2024	6.70					7.40	7.68	0.32				

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 - 3rd 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
07/08/24	529	23.0	73	286	7.7	7.6	0.1
08/07/24	504	23.0	62	300	7.6	7.6	0.0
09/04/24	560	27.0	63	353	7.4	7.5	0.0
MAXIMUM	560	27.0	73	353	7.7	7.6	0.1
MINIMUM	504	23.0	62	286	7.4	7.5	0.0
AVERAGE	531	24.3	66	313	7.6	7.6	0.0

DUBLIN SAN RAMON SERVICES DISTRICT WASTEWATER TREATMENT FACILITY

DSRSD -3rd 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
07/16/24	731	25.3	118	341	7.4	7.2	0.2
08/10/24	710	26.7	121	280	7.3	7.3	0.0
09/07/24	626	26.9	94	236	7.2	7.4	-0.2
MAXIMUM	731	26.9	121	341	7.4	7.4	0.2
MINIMUM	626	25.3	94	236	7.2	7.2	-0.2
AVERAGE	689	26.3	111	286	7.3	7.3	0.0

DUBLIN SAN RAMON SERVICES DISTRICT WASTEWATER TREATMENT FACILITY

LAVWMA - 3rd 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
07/16/24	600	25.8	93	284	7.4	7.4	0.0
08/10/24	883	25.2	182	410	7.5	7.0	0.5
09/07/24	652	25.5	97	268	7.3	7.4	-0.1
MAXIMUM	883	25.8	182	410	7.5	7.4	0.5
MINIMUM	600	25.2	93	268	7.3	7.0	-0.1
AVERAGE	712	25.5	124	321	7.4	7.3	0.1

ITEM NO. 10 CAPITAL PROJECT STATUS REPORTS – LIVERMORE INTERCEPTOR PIPELINE, THE SAN LEANDRO SAMPLE STATION, AND THE EXPORT PIPELINE AND REPAIRS PROJECT

Action Requested

None at this time.

Summary

The table below lists Board approved capital projects for FY2024/25. The San Leandro Sample Station project has a completion date of August 2025 due to delay in the delivery of critical equipment because of supply chain delays beyond the control of the contractor. The Scada/PLC project is delayed until DSRSD completes Phase I of the DSRSD WWTP Scada/PLC Project. DSRSD is working on an alternative plan to the Backup Power Improvements at the pump station project. All other capital projects in the FY2024/25 budget are on schedule to be completed by the end of the FY2024/25 fiscal year.

FY2024/25 Capital Program Expenditures *Carryover (FY 2023/24)	Budget
*Export Pipeline Inspection (Attachment A)	\$850,000
*Replace 17 Valve Actuators at Pump Station	\$95,000
Evaluation of Four 600 HP Pumps and Motors	\$150,000
*Livermore Pipeline Replacement	\$200,000
*Air/Vac Valve Assessment and Resolution at EBDA pipeline	\$100,000
*Back Up Power Improvements at Pump Station	\$0
Other Misc. LAVWMA Renewal/Replacements	\$50,000
Other Misc. EBDA Renewal/Replacements	\$50,000
CIP Planning/Mgmt./Contingency	\$50,000
*San Leandro Sample Station Design Improvements	\$1,675,000
*Cathodic Protection Projects	\$250,000
*SCADA/PLC Upgrade at the Pump Station	\$600,000
Total Expenditures	\$4,070,000

Recommendation

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

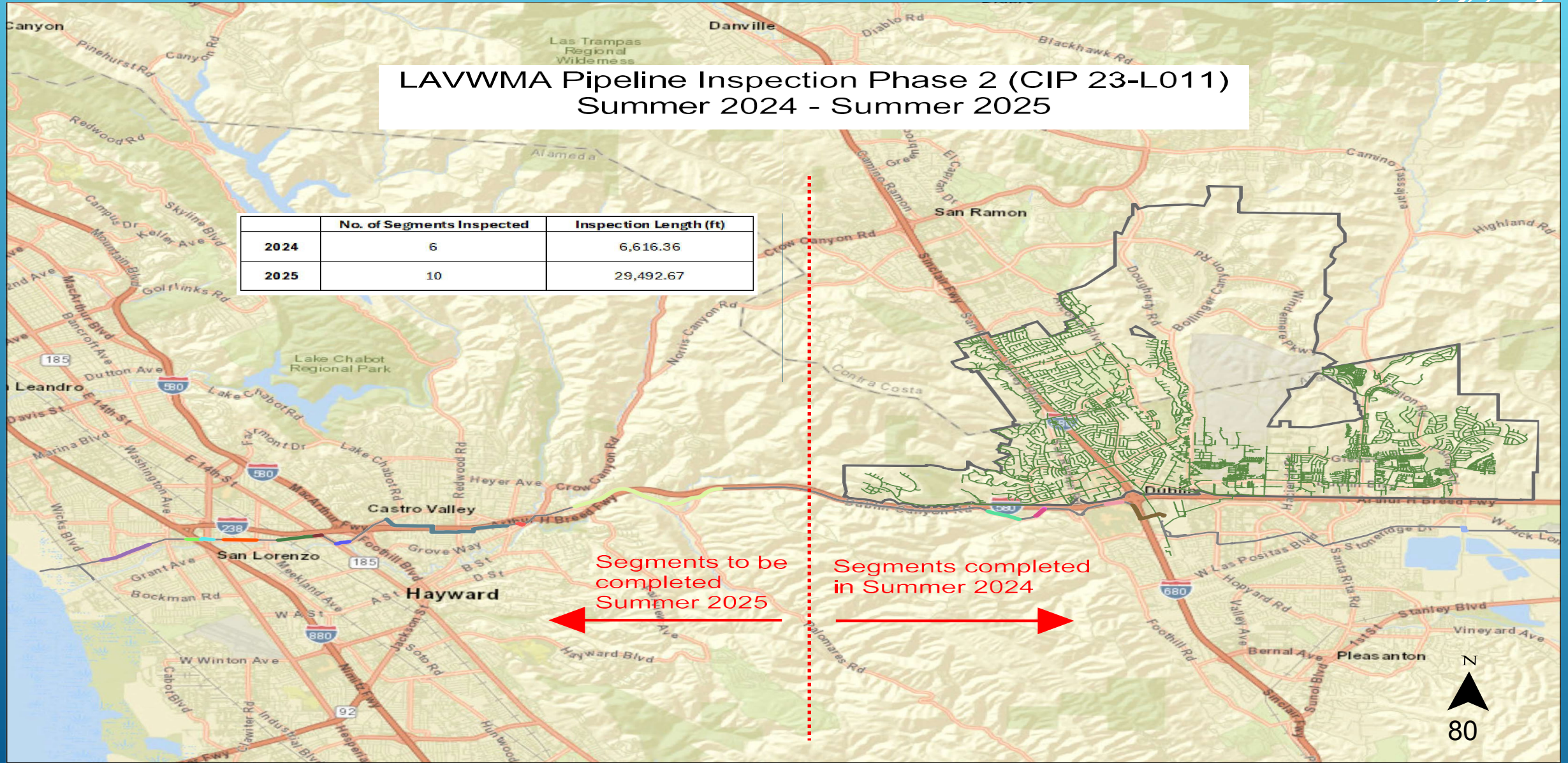
Attachments

- A. Report on the Export Pipeline Inspection and Repair Project
- B. Report on Livermore Interceptor Project

LAVWMA EXPORT PIPELINE INSPECTION AND REPAIR PROJECT FY24/25

LAVWMA Pipeline Inspection Phase 2 (CIP 23-L011)
Summer 2024 - Summer 2025

	No. of Segments Inspected	Inspection Length (ft)
2024	6	6,616.36
2025	10	29,492.67

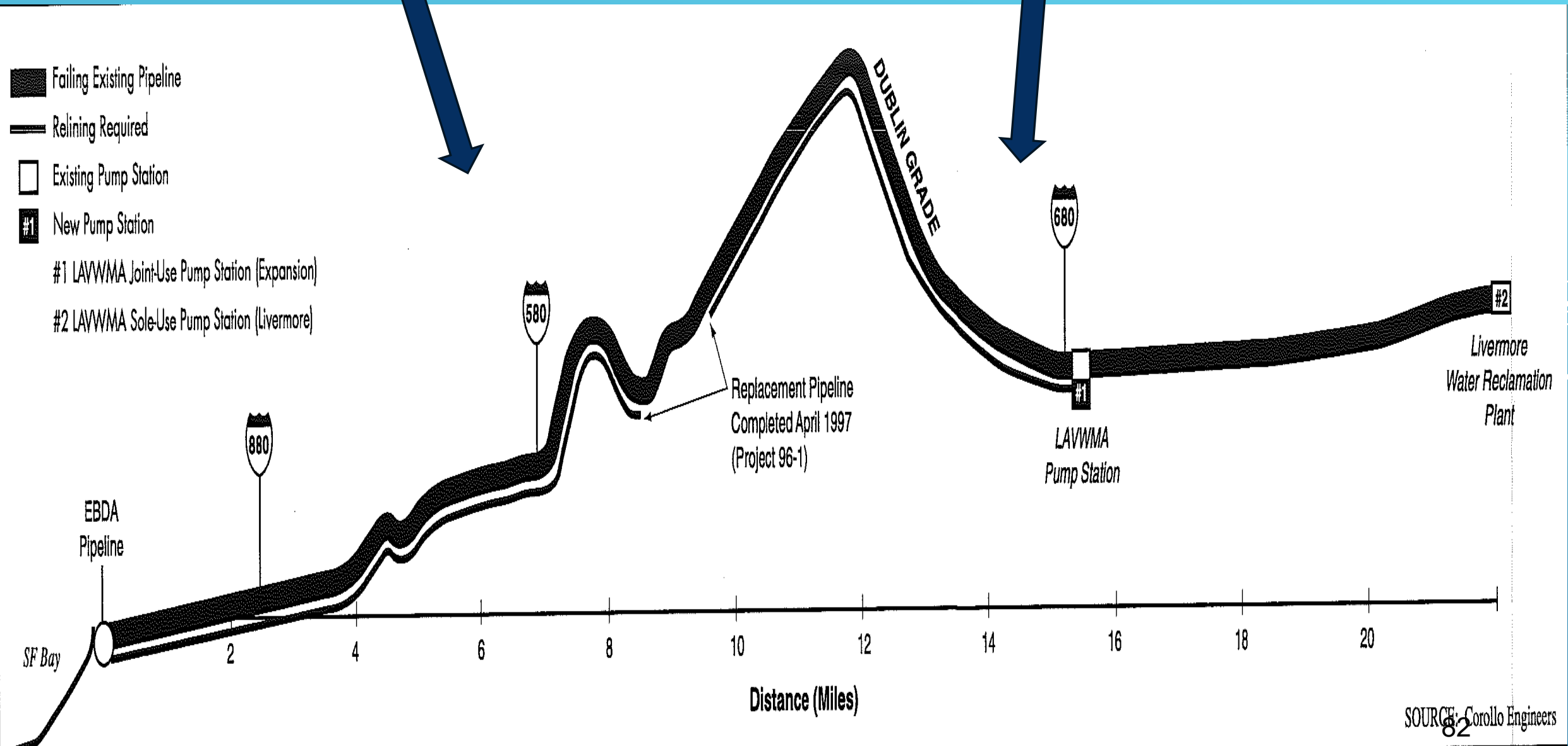




← Path of LAVWMA Pressurized Pipeline

Inspect and spot repair gravity section summer of 2025

Inspect and spot repair pressure side fall of 2024



COSTCO PROJECT SITE

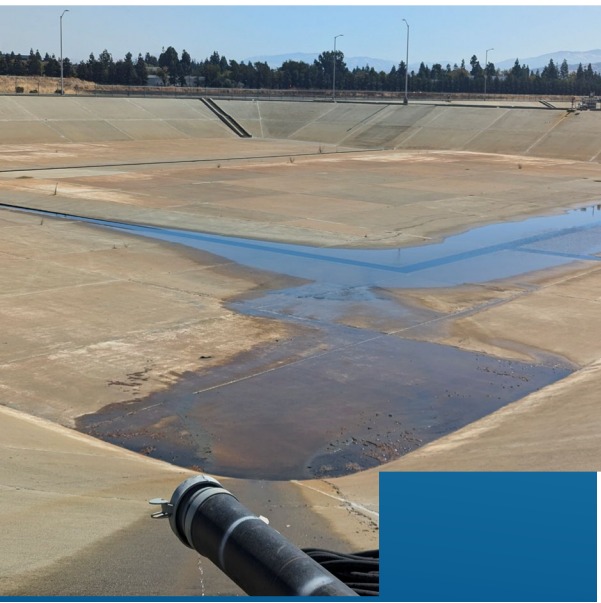




LAVWMA Air Relief valve and manhole.

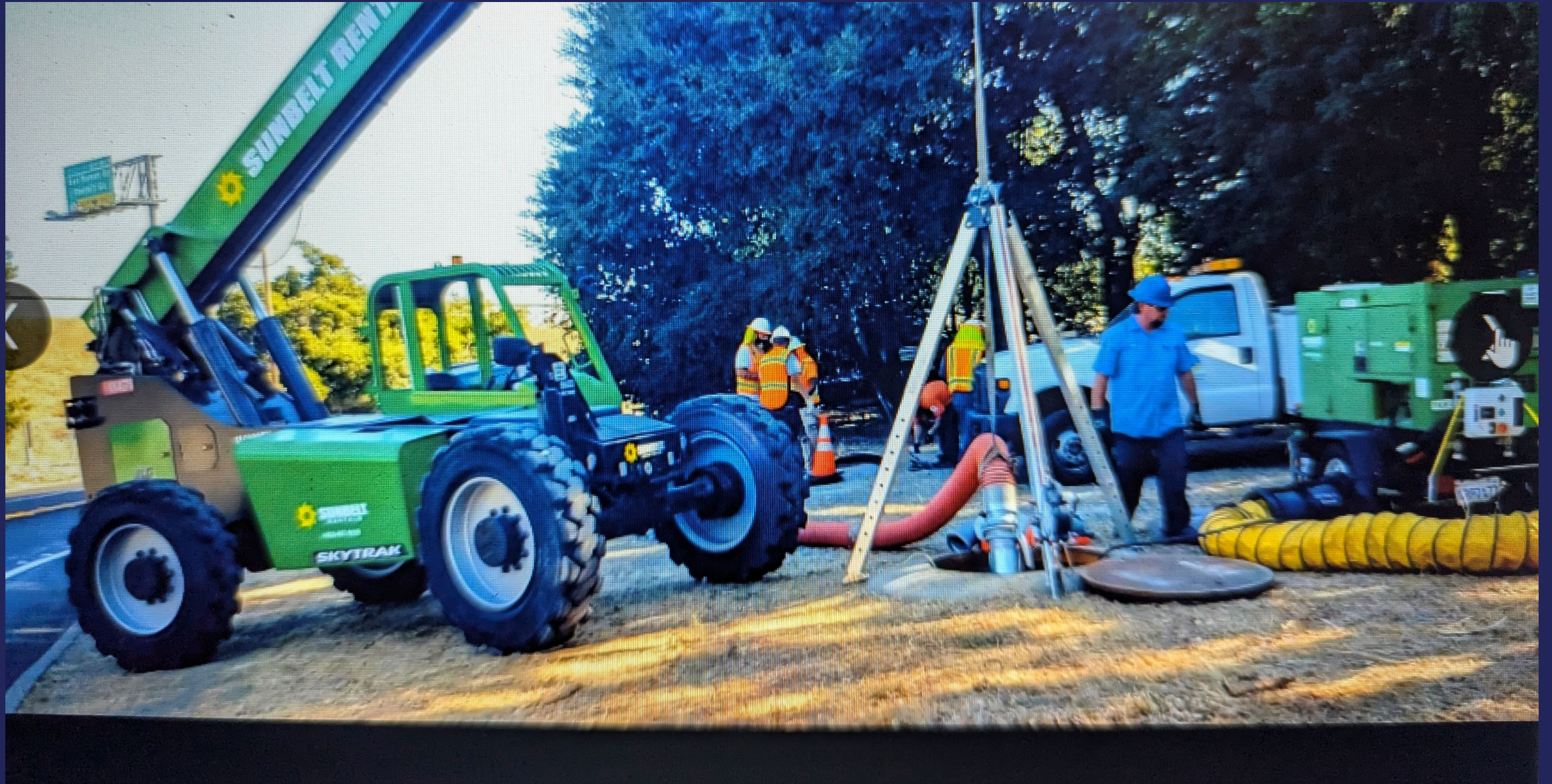
- Was paved over by Costco asphalt contractor.
- DSRSD staff added rings to bring the covers up to surface elevation.

Pipeline Dewatering

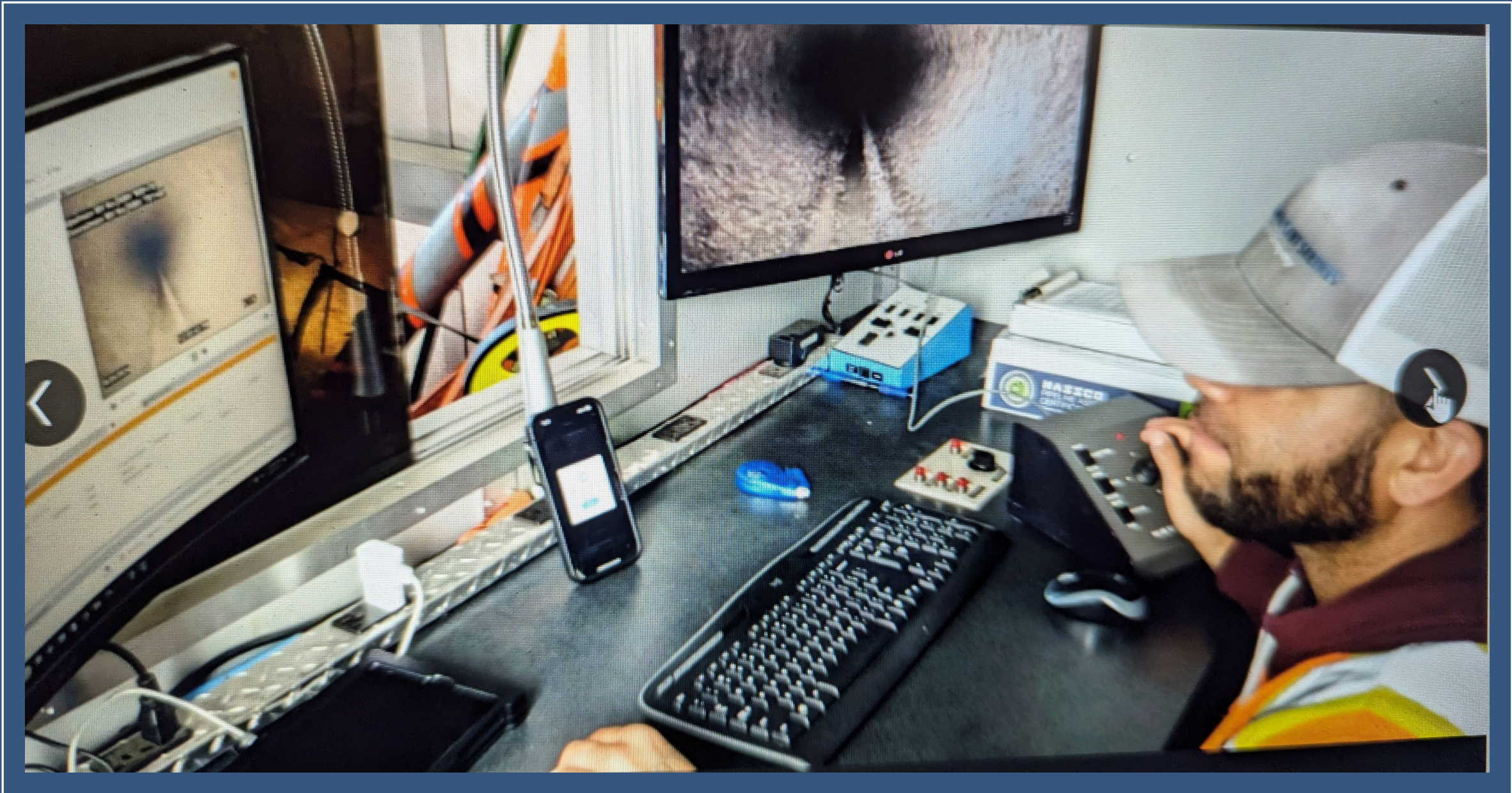


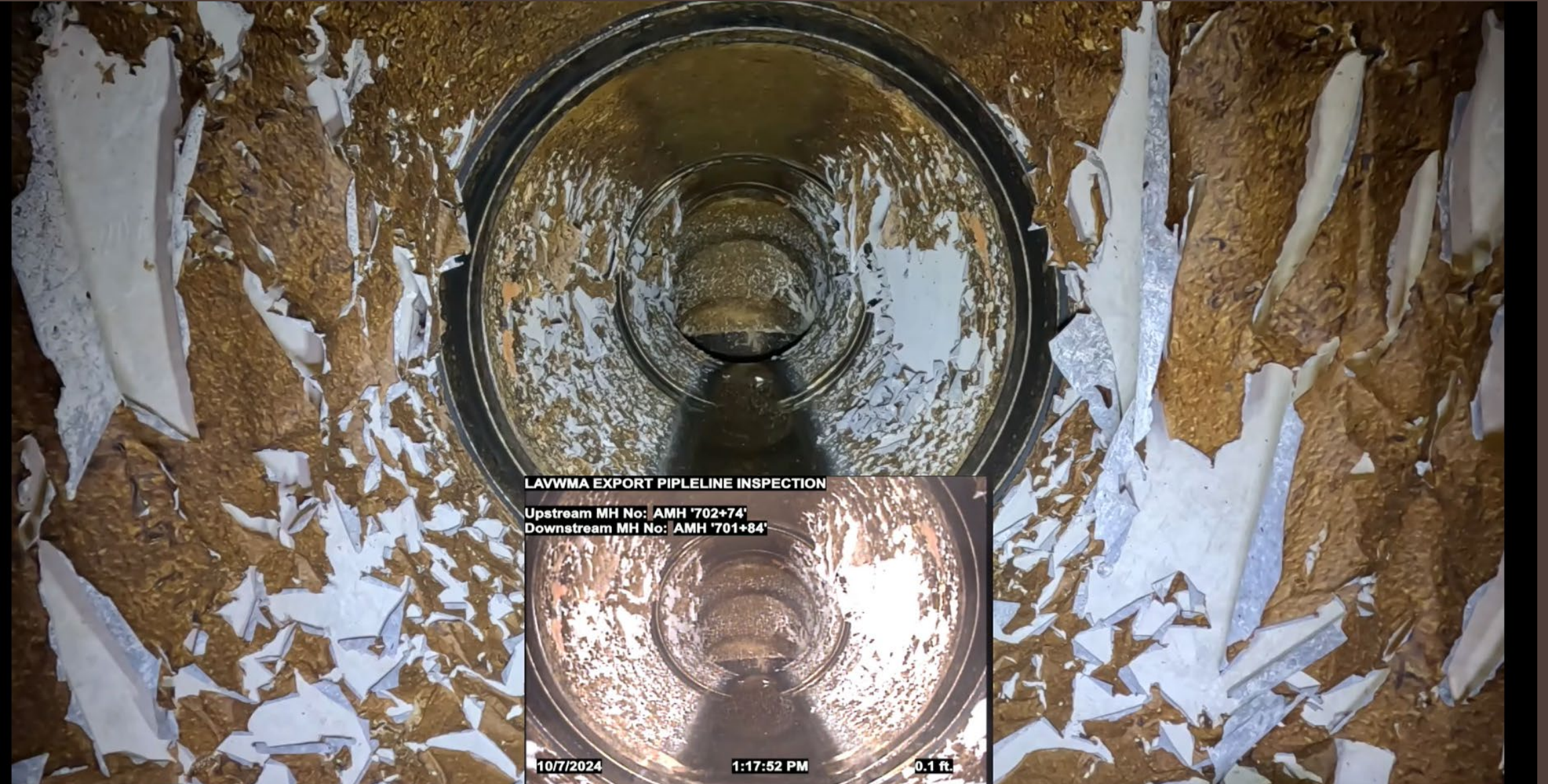












Export Pipeline Project Video

https://youtu.be/GNr7hrjQye0?si=iBcudn4hGif_PIJU

ITEM NO. 10 Report on Livermore Interceptor Pipeline Project

A. Construction Status

- The construction work for this project has been completed as of June 2024.
- DSRSD engineering staff managed the construction project.
- The former LAVWMA General Manager provided administrative oversight.

B. Project Costs

- The Livermore pipeline is a “sole use” facility.
- As of June 2024, the cost for the project was \$5.8 million dollars.
- The City of Livermore will pay those project costs through.
 - \$4.3 million in cash
 - A transfer of \$1.5 million from “joint use” to “sole use” reserves.
- There is an estimated additional \$200,000.00 in project costs associated with project closeout activities such as securing easements, pursuing FEMA reimbursement, and other administrative activities. LAVWMA will send a true-up invoice to Livermore for those costs late in FY24/25.

C. Easements

- A property easement with Zone 7 has been secured for \$500.00 and that easement has been registered with Alameda County.
- A second FAA compliant easement appraisal was completed by Krauss Appraisal on September 10, 2024. The City of Livermore has accepted this appraisal and will be sending LAVWMA an invoice in the amount of \$1700.00 for a 50-year easement lease agreement.

D. FEMA Reimbursement

- There are ongoing weekly communications between LAVWMA and FEMA staff on the following FEMA projects.
- FEMA Project # 734134 - FEMA has approved reimbursement in the amount of \$17,294.63 for the initial rip-rap project that provided a temporary project from additional soil and creek bank erosion at the project site. Cal-OES is processing this reimbursement.
- FEMA Project # 734124 – FEMA has indicated a best available reimbursement for this project is \$4,057,479.63. LAVWMA, DSRSD, and FEMA Consultant, Kermani Consulting Group, have submitted numerous documents and responded to numerous requests for information (RFI). FEMA staff are processing the documents and information submitted.
- FEMA Project #735667 – This project is inactive and is a placeholder in the FEMA reimbursement program in the event that LAVWMA is asked to remove the old, buried Livermore pipeline. The cost estimate for such a project is estimated at \$1 million dollars, and the best available reimbursement would be \$750,000.

ITEM NO. 11 Update FY 2024-2025 Budget - Operating and Capital Budget Adjustment

Action Requested

The Board to consider adjusting the FY 2024-2025 Operating and Capital Budgets

Summary

Operating Budget - The LAVWMA Board to consider approval of an adjustment to the FY 2024-2025 Operating Budget in the amount of \$188,500. This adjustment increases the overall operating budget of \$5,108,294 by 3.69%.

This budget adjustment proposes three increases to the FY 2024-2025 Operating Budget for professional services and technology.

1. Increase by \$61,000 the professional services budget for Regional Government Services' (RGS) management of LAVWMA's finance and accounting functions inclusive of Accounts Receivable and Accounts Payable tasks. This will increase the current total budget from \$92,000 to \$153,000. The FY 2024-2025 budget was not adjusted to add funds for Regional Government Services.
2. The LAVWMA General Manager proposes an increase of \$30,000 to the FY24/25 operating budget to provide for the procurement and installation of an online financial package. software. The \$30,000 increase consists of \$22,500 to purchase the software and \$7,500 for the procurement process, designing charts of accounts and migrating data from LAVWMA's old accounting records to the new accounting system. Historically, DSRSD used QuickBooks desktop program to maintain LAVWMA balance sheets. During the process of transitioning financial processes from DSRSD to Regional Government Services (RGS) DSRSD and RGS learned that QuickBooks online program contains functional errors that renders the program incapable of producing accurate balance sheets. This has led to RGS having to spend a great deal of time manually producing balance sheets for day-to-day financial accounting and having to manually produce spreadsheets during the annual audit. QuickBooks has been working to correct the errors in their online program for months prior to LAVWMA, DSRSD, and RGS becoming aware of this problem. However, after 7 months of staff manually working around this programming error, the programming error has not been corrected. LAVWMA will go through a proper procurement process and purchase an online financial program with the capability to produce accurate balance sheets.

3. Increase by \$97,500 the professional services budget to hire a company to copy, digitize, and store approximately 175 file boxes (15" x 12" x 10") of paper records currently being held and stored by DSRSD. The boxes contain all project files, contract records, historical documents, Board minutes, et cetera. LAVWMA is seeking to establish a secure cloud-based digital storage system. The LAVWMA General Manager would like to hire a records management consultant to copy and digitize these files. The next step would be to store those files in a certified and secured cloud program and categorize those files for easy search by pertinent staff. The last step would be to allow for the disposal of outdated files in compliance with records retention requirements. The cost for this effort is estimated at \$97,500.
 - \$52,000 initial copying and digitizing of paper files
 - \$35,000 for purchase of a certified cloud storage program
 - \$3000 preparing an RFP, vetting the responses, and awarding a contract.
 - \$7500 annual cloud storage fee

Capital Budget - The Board shall also consider approval of an adjustment to the FY 2024-2025 Capital Budget in the amount of \$245,000. This adjustment increases the overall capital budget of \$4,470,000 by 5.48%.

1. This budget adjustment proposes an increase to the FY 2024-2025 Capital Budget for professional services to fund the establishment of on-call engineering services agreements with one or more engineering consulting firms. A Request for Qualifications procurement process will be undertaken to identify qualified firms and their rates.
2. \$220,000 includes the estimated cost for preparing an RFP, evaluating, and selecting an engineering firm, as well as the estimated cost of that firm completing several projects on LAVWMA's behalf.
3. This budget adjustment proposes to increase the budget for a study of the cause of entrained air in the LAVWMA pipeline from \$100,000 to \$125,000.

Conclusion – The five requested budget adjustments total \$433,500, or 4.52% of the \$9,578,294 current operating and capital budgets.

It is expected that once RGS is fully managing all finance and accounting functions, and LAVWMA has an agreement with an engineering consultant for on-call engineering services, these proposed increases in the Operating and Capital Budgets will be significantly offset by reduced charges from DSRSD not having to provide LAVWMA with these services and by

Page 1

Agenda Explanation
Livermore-Amador Valley
Water Management Agency
Board of Directors
November 20, 2024

DSRSD's engineering staff having a reduced role in supporting LAVWMA with engineering services.

LAVWMA FY2024/25 Approved Budget

Recommendation

Staff Recommends Board Approval

Attachment

No Attachments

ITEM NO. 12 BOARD MEMBER COMPENSATION

Action Requested

The Board will consider approval of Ordinance No. 2024-01 establishing compensation for members of the Livermore-Amador Valley Water Management Agency (“LAVWMA”) Board of Directors for service rendered in their official capacity as a Director of LAVWMA.

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, authorizing 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 are 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. East Bay Discharge Authority recently conducted a similar survey. Those results are attached as Attachment B.

LAVWMA, as a joint powers agency, has the authority to compensate its Directors because each of the member agencies independently possesses this authority. It is up to LAVWMA to adopt a policy on compensation. If the LAVWMA Board desires to adopt a change in Board Member compensation, 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).

Attachments

Attachment A: Ordinance No. 2024-01

Attachment B: Survey of Neighboring Agency Compensation conducted by LAVWMA

Attachment C: Regional District Board Compensation conducted by East Bay Discharge Authority

ORDINANCE NO. 2024-01

**ORDINANCE FOR THE BOARD OF DIRECTORS
OF THE LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY
REGARDING BOARD MEMBER COMPENSATION FOR MEETING ATTENDANCE**

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, LAVWMA has regular meetings of its Board of Directors on a quarterly basis; and

WHEREAS, the Chair of the Livermore-Amador Valley Water Management Agency may call special meetings for the Board of Directors when necessary; and

WHEREAS, pursuant to the Joint Exercise of Powers Act, Government Code Section 6502, LAVWMA may jointly exercise any power common to its member agencies; and

WHEREAS, the cities of Pleasanton and Livermore may compensate their officials pursuant to Government Code 36516; and

WHEREAS, Dublin San Ramon Services District may compensate its officials pursuant to the Community Services District Law, Government Code Section 61047 and Water Code 20200 *et seq.*; and

WHEREAS, on November 15, 1979, the LAVWMA Board of Directors opted to exercise the common power to compensate its Directors and adopted Resolution 79-10, which authorized the Directors to be compensated fifty dollars (\$50) per LAVWMA Board meeting; and

WHEREAS, the compensation rate for LAVWMA’s Directors has not been adjusted by LAVWMA in the intervening 45 years; and

WHEREAS, the Board desires to update the policy regarding Director compensation for attendance of meetings; and

WHEREAS, in accordance with Water Code section 20203 and Government Code section 6066, a public hearing was held on November 20, 2024, at 6:00 pm, and a notice of said hearing was duly published in the newspaper once a week for two weeks prior to the public hearing.

NOW THEREFORE, BE IT ORDAINED by the Board of Directors of the Livermore-Amador Valley Water Management Agency, as follows:

SECTION 1. ORDINANCE

(A). Purpose.

Ord. No. 2024-01

This ordinance is enacted for the purpose of establishing compensation for members of the Livermore-Amador Valley Water Management Agency (“LAVWMA”) Board of Directors for service rendered in their official capacity as a Director of LAVWMA.

(B). Compensation

The daily compensation for all members of the Board of Directors of the Livermore-Amador Valley Water Management Agency shall be two hundred dollars (\$200) for service rendered in their official capacity.

(C). Official Service

The following activities shall be considered service rendered in an official capacity that is eligible for compensation under this Ordinance:

- 1) Attendance by any Director at a meeting of LAVWMA, whether regular, special, or emergency.
- 2) Attendance by any Director at a committee meeting of LAVWMA.
- 3) Attendance at orientation, educational activities, site visits, trainings, and briefings for Board member(s) organized by LAVWMA staff.
- 4) Attendance at training programs that Board members must take as required by law (e.g. ethics training and sexual harassment prevention training) located in the State of California or webinars.
- 5) Attendance by any Director in their official capacity at meetings, conferences, seminars, educational events, regional meetings, committee meetings, and trainings located in the State of California or webinars of the following agencies and organizations and their committees:
 - a. East Bay Dischargers Authority (EBDA)
 - b. Alameda or Contra Costa County Board of Supervisors
 - c. Regional Water Quality Control Board (RWQCB)
 - d. Federal Emergency Management Agency (FEMA)
 - e. California Legislature
 - f. League of California Cities (Cal Cities)
 - g. California Special District Association (CSDA)
 - h. Alameda County Special Districts Association (ACSDA)
 - i. California Association of Sanitation Agencies (CASA)
 - j. Bay Area Clean Water Agencies (BACWA)
 - k. Water Education Foundation (WEF)
- 6) All other activities must be approved by the Board and compensation specifically authorized in order to be considered service rendered in an official capacity that is eligible for compensation under this Ordinance.

Ord. No. 2024-01

(D). Number of Days

- 1) The number of days for which the Directors of LAVWMA may receive compensation shall not exceed six (6) days per calendar month, combined between attendance at meetings of the LAVWMA Board, committee meetings, or other service in their official capacity as a Director of LAVWMA.
- 2) Compensation for days of travel will only be provided if such travel days are reasonably necessary to attend the meeting or activity. Travel days are considered reasonably necessary if attendance at the meeting or activity would require travel outside the hours of 7:00 a.m. to 8:00 p.m. on the actual beginning or ending days of the activity. Unless specifically approved by the Board, a Director will not be eligible for compensation for more than any one travel day before the beginning, nor more than any one travel day after the end of the activity attended, respectively.

(E). Payment

The Livermore-Amador Valley Water Management Agency shall pay all Board members per day for service rendered in their official capacity as a Director of LAVWMA.

SECTION 2. PUBLICATION

This Ordinance shall be published once within thirty (30) days after adoption in a newspaper of general circulation printed, published, and circulated in LAVWMA's jurisdiction.

SECTION 3. EFFECTIVE DATE

Pursuant to Water Code 20204, this Ordinance shall become effective 60 days from the date of its approval, which shall be January 20, 2025.

SECTION 4. PETITION TO PROTEST

As required by Water Code Section 20204, if a written petition protesting the adoption of this Ordinance is presented to the Board of Directors by January 20, 2025, this ordinance shall be suspended, and the Board of Directors of LAVWMA shall reconsider this Ordinance.

SECTION 5. REPEAL AND AMENDMENT

This Ordinance supersedes all prior policies on compensation for meeting attendance, including, but not limited, to Resolution 79-10. This Ordinance may be repealed or amended at any time in the future by a majority vote of the Board of Directors of LAVWMA.

SECTION 6. SEVERABILITY

Ord. No. 2024-01

If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of the Ordinance. This Board declares that it would have adopted this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of the Ordinance would be subsequently declared invalid or unconstitutional.

PASSED, APPROVED, AND ADOPTED this 20th day of November, 2024.

LIVERMORE-AMADOR VALLEY WATER MANAGEMENT AGENCY

By: _____

Arun Goel, Chair

ATTEST:

By: _____

Levi Fuller, Jr., General Manager

APPROVED AS TO FORM:

General Counsel

I, _____, Board Clerk of LAVWMA, certify Ordinance No. 2024-01 was introduced to the Board at a meeting held on November 20, 2024, and subsequently passed and adopted by the Board at a regular meeting held on November 20, 2024 by the following vote:

Ord. No. 2024-01

AYES:
NOES:
ABSENT:
ABSTAIN:

Board Clerk

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

	Agency	Stipend Per Compensable Mtg	Total Monthly Compensation	Notes
1	City of Dublin		\$1,416.82 per month	Will increase to \$1600.00 per month effective 11/2024
2	City of Hayward		\$3,608.75 per month	
3	City of Livermore		\$1070.00 per month	Effective 12/2014
4	City of Pleasanton		\$1,321.92 per month	
5	City of San Leandro		\$1900 per month	Effective 1/1/2025
6	Alameda County Water District	\$175 per meeting		Not to exceed 10 days a calendar month for meetings, conferences, seminars, workshops and tours
7	Central Contra Costa Sanitary District - Central San	\$200 per meeting		Effective 2022
8	Dublin San Ramon Services District (DSRSD)	\$195 per meeting		
9	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
10	East Bay Municipal Utility District (EBMUD)		\$1,606.50 per month; (2) Board meetings per month	Effective 2/1/2024
11	Livermore-Amador Water Management Agency	\$50 per meeting		
12	Oro Loma Sanitary District	\$265 per meeting		
13	Union Sanitary District	\$218.99 per meeting for up to (7) meetings per month		

BOARD MEMBER COMPENSATION OVERVIEW SELECTED PUBLIC AGENCIES WITHIN THE REGION	
Agency	Per Meeting Compensation
West County Wastewater District	\$400.00
East Bay Dischargers Authority	\$300.00
Oro Loma Sanitary District	\$265.00
Castro Valley Sanitary District	\$260.00
Union Sanitary District	\$218.99
Dublin San Ramon Services District	\$195.00
Fairfield Suisun Sewer District	\$179.91
Alameda County Water District	\$175.00
Delta Diablo	\$170.00
Livermore-Amador Valley Water Management Agency	\$50.00

Source : East Bay Discharge Authority October 17, 2024 Board Agenda Packet.

ITEM NO. 13 - Update on Nutrients to the Bay

Action Requested

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

Summary

- Nutrient loads to San Francisco Bay are higher than other estuaries. Historically, the Bay has been resilient to negative impacts of nutrients. Scientists believe the Bay high turbidity discourages the growth of aquatic plants, such as algae.
- Over the last decade, trends have led the scientific community, regulatory organizations, and public treatment works agencies to question whether the Bay's resilience to nutrient loading is weakening spawn efforts to reduce nutrients to the Bay.
- LAVWMA Member agencies, Dublin San Ramon Services District (DSRSD) and the City of Livermore, have been diverting nutrient loads away from the Bay for decades due to those agencies' recycled water programs, considered "early actors" in regards to the RWQCB's Watershed permit.
- Since 2012, Bay Area Clean Water Agencies (BACWA) has collaborated with stakeholders and the San Francisco Regional Water Quality Control Board (RWQCB) to implement a Nutrient Management Strategy and Watershed permits in 2014 and 2019.
- In the summer of 2022, a harmful algae bloom caused a decrease in Bay dissolved oxygen concentrations, resulting in a significant fish kill. While it is unclear exactly what triggered the event, it is likely nitrogen loads contributed to the magnitude of this occurrence.
- In July of 2024, the RWQCB issued the third Watershed Permit with the goal of reducing nitrogen to the Bay from wastewater agencies by 40% by 2034. This permit became effective on October 1, 2024.
- The Third Watershed permit currently requires all POTWs to submit an annual report to the RWQCB on seasonal nutrient loads to the Bay.
- Compliance with final nitrogen limitations shall be determined seasonally based on discharges from May 1 through September 30.
- The combined amount of nitrogen being discharged to the Bay through the East Bay Dischargers Authority's (EBDA) deep water outfall is below the current permit limit, but is above the limit scheduled to become effective in 2034.
- Agencies that discharge to the Bay through the EBDA outfall currently have more than one billion dollars of infrastructure upgrade projects in some stage of development or construction, which will reduce nutrients to the Bay over the next ten years (by 2034).
- BACWA and EBDA agencies are working collaboratively with the Regional Water Board on the compliance schedule for nutrients limits to San Francisco Bay.

Recommendation

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

Attachment

EBDA Agency's Nutrients to the Bay – Update November 2024
 Item No. 14

EBDA Agencies Nutrients to the Bay – Update November 2024

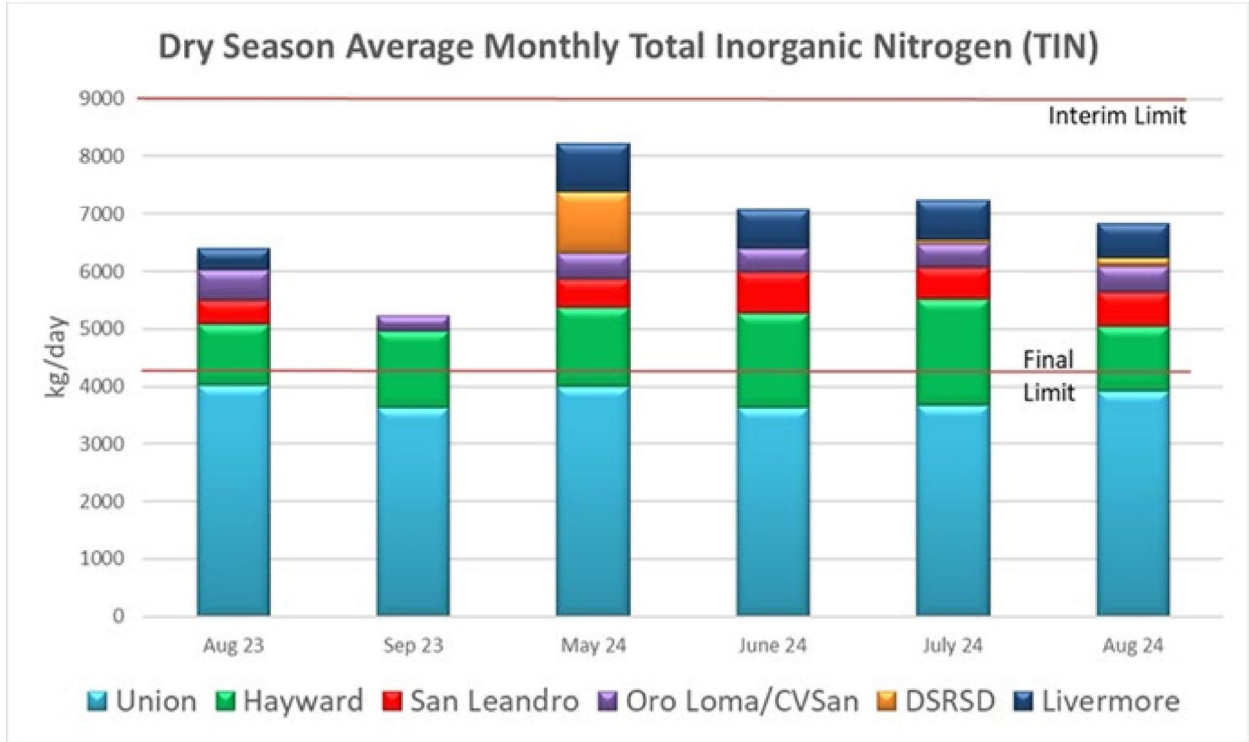
Background

Nutrients in the form of nitrogen and phosphorus are a concern in estuaries. Historically, San Francisco Bay has been very resilient to the potential negative impact of nutrients and had not experienced eutrophication where low dissolved oxygen conditions have had negative impacts on the aquatic environment.

Dublin San Ramon Services District and the City of Livermore have been diverting nutrients away from San Francisco Bay for more than 2 decades because of those agencies' recycled water programs. Since 2012 Bay Area Clean Water Agencies (BACWA) has worked proactively with the San Francisco Bay Regional Water Quality Control Board (RWQCB) and has funded scientific research to determine to impact of nutrients to San Francisco Bay. Agencies that discharge to the Bay via the East Bay Discharge Authority Bay outfall has and/or have under construction more than a billion dollars of infrastructure improvements which will reduce nutrient loads to the San Francisco Bay.

On July 10, 2024, a third Watershed permit for nutrients was adopted by RWQCB and became effective October 1, 2024. Annual reporting to the RWQCB of agency nutrients to the Bay is now required. BACWA and EBDA agencies are collaborating with the RWQCB to reduce nutrients to the bay and allow agencies the appropriate time to complete these extremely expensive, complex, and multi-year facility upgrades.

- Interim Limit 9000 kg/day– Current NPDES permitted limit to the Bay.
- Final Limit 4200 kg/day– NPDES permitted limit to the Bay due to become effective in 2034.



- Interim Limit 9000 kg/day– Current NPDES permitted limit to the Bay.
- Final Limit 4200 kg/day– NPDES permitted limit to the Bay due to become effective in 2034.

ITEM NO. 14 UPDATE AND RESPONSE TO VARIOUS LEGAL AND LEGISLATIVE ISSUES

Action Requested

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

Summary

Attached for the Board's information are the following items:

Attachment No. 15.a Handouts from California Special District's Association (CSDA) AB 1234 – Ethics Training Handout. The Training covered the following topics:

- Conflicts of Interest
- Political Reform Act
- Constitutional Issues
- Competitive Bidding Requirements
- Transparency Laws
- Fair Decision Making and Processes

Attachment No. 15.b Bay Area Clean Water Agencies (BACWA) Bulletin for October 2024. This report describes significant permitting and regulatory issues at both a state and federal level that are of interest to Bay Area wastewater treatment agencies. BACWA has released an RFP to select a consulting firm to assist BACWA with:

- Preparation of Group Annual Reports for 2026-2029.
- Compliance milestone reporting for 2025-2029.
- Development of a Regional Plan that details efforts to come into compliance with the final effluent limitations and identifies alternatives to achieve lower limits, should they be required in future permits. This task will begin with a scoping plan due July 1, 2025.

The project will require the consultant to compile information from the forty wastewater treatment facilities included in the Nutrient Watershed Permit. Proposals were due to BACWA on November 6, 2024.

Attachment No. 15.c National Communication Guidance: PFAS and Biosolids Management

Recommendation

There is no recommendation at this time.

Agenda Explanation
Livermore-Amador Valley
Water Management Agency
Board of Directors
November 20, 2024

Attachments

- 15.a CSDA, AB 1234 - Ethics Training Handout
- 15.b BACWA October 2024 Bulletin
- 15.c National Communication Guidance: PFAS and Biosolids Management

AB 1234 – Ethics Training

California Special Districts Association (CSDA)
October 22, 2024

Gary B. Bell, Esq.
Mackenzie D. Anderson, Esq.

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Why are We Here?

- State law requires certain local officials to receive two hours of ethics training every two years.
- This requirement applies to elected and appointed officials who receive either compensation for their public services or reimbursement for their expenses
- The contents of this training comply with the State's requirements and satisfy your ethics training requirement

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Objectives

- To keep you out of trouble!
- Earn a certificate/ensure compliance with mandatory ethics education
- To familiarize you with the laws that govern public service
- And most importantly to ensure public trust in the political process

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What we will Cover

- Conflicts of Interest
- Political Reform Act
- Constitutional Issues
- Competitive Bidding Requirements
- Transparency Laws
- Fair Decision Making and Processes

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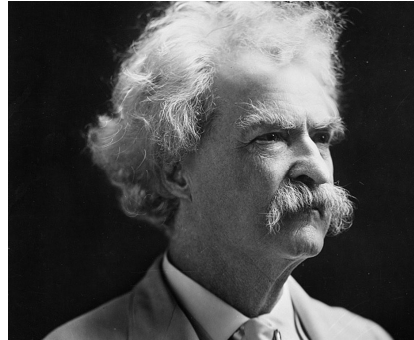
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Conflict of Interest

“Always do right – this will gratify some and astonish the rest.”

- Mark Twain



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Conflict of Interest Outline

1. Government Code § 1090
2. Political Reform Act
3. Common Law Bias / Due Process Requirements
4. Nepotism
5. Incompatible Offices
6. Government Code § 1126



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Government Code § 1090

Public officials “shall not be financially interested in any contract made by them in their official capacity, or by any body or board of which they are members.”



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Government Code § 1090

- Absolute prohibition on financial interests in contract made by public official or the board of which the official is a member
- Prohibition applicable, despite:



- Objectively fair and reasonable contracts
- Contracts let to lowest bidder
- Official abstains from participation

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Government Code § 1090

What Constitutes “Making a Contract”?

- Voting to approve
- Designing specifications
- Preliminary discussions
- Negotiating
- Actual signing of contract
- For consultants: Entering into contracts on matters when previously provided design or other services

(People v. Superior Court (Sahlolbei) (2017) 3 Cal.5th 230)

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Gov't Code § 1090 Exceptions

- The Remote Interest Exception
 - Disqualifies official, but board may act
 - Example: Conflicted member is an officer/employee of a non-profit
- The Non-interest Exception
 - The financial interest “doesn’t count” and is ignored
 - Example: Conflicted member is an unpaid officer of a non-profit
- The Rule of Necessity
 - Non-statutory rule applicable only in very limited circumstances

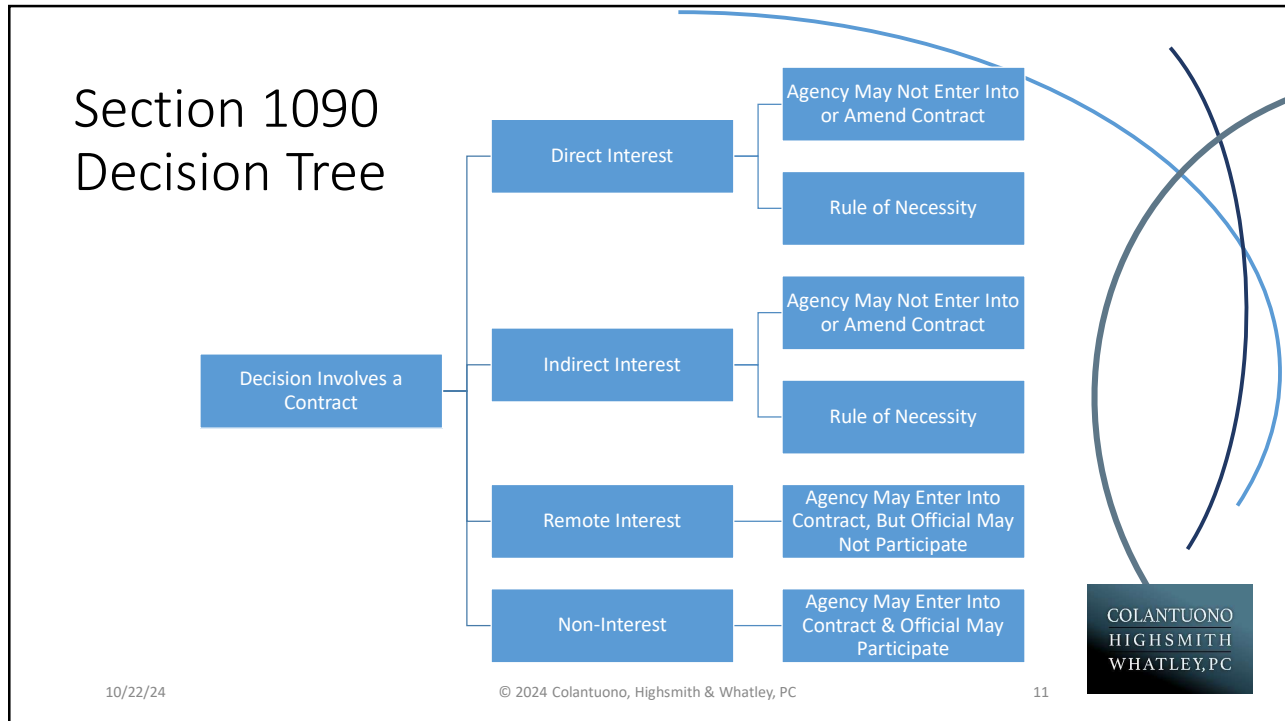
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Government Code § 1090

Harsh Consequences

- Contract is void and unenforceable
- Agency may keep benefit of the contract
- Official must disgorge any monies
- Violation is a **felony**
 - Fine,
 - Imprisonment,
 - Lifetime ban from public office

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Political Reform Act v. Common Law

- The Political Reform Act – Public Officials are disqualified from participating in governmental decisions in which they have financial interest
- Common Law – prohibits officials acting in their own interests at the expense of the public’s interest
- Perceptions vs. requirements

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Conflict of Interest under PRA: Basic Rule

“A **public official** ... has a prohibited conflict of interest and **may not make, participate in making, or in any way use or attempt to use his or her official position to influence** a governmental decision when he or she knows or has reason to know he or she has a disqualifying financial interest. A public official has a **disqualifying financial interest** if the decision will have a **reasonably foreseeable material financial effect**, distinguishable from the effect on the public generally, directly on the public official, or his or her immediate family, or on any financial interest.”

- Cal. Code Regs, tit. 2, § 18700 (emphases added)

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Does the Political Reform Act Apply?

```
graph TD; A[Public Official] --> B[Governmental Decision]; B --> C[Financial Interest];
```

Public Official

Governmental Decision

Financial Interest

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“Public Official” Defined

- Persons who are members, officers, employees, or consultants of a public agency
- Consultants who serve in a staff capacity by contract, or make decisions on behalf of the public agency

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Who is a “Public Official”?



87200 Filers



Designated Public Servants



Consultants who serve in a staff capacity by contract, or make decisions on behalf of the public agency

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Making or Attempting to Influence a Governmental Decision

- Very broad and includes:
 - Voting
 - Discussing
 - Lobbying
- Applies to any use of your government position to affect any governmental decision.

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“Financial Interests” Defined

- Personal finances and finances of immediate family member (spouse/partner/dependent child)
- Business entity with investment of \$2,000 or more
- Real property valued at \$2,000 or more
 - Leases too, but under a special rule
- Source of income of \$500 or more in past 12 months
- Business entity as director, officer, partner, trustee, employee, or management position
- A donor, intermediary, agent for a gift or gifts over \$590 in past 12 months

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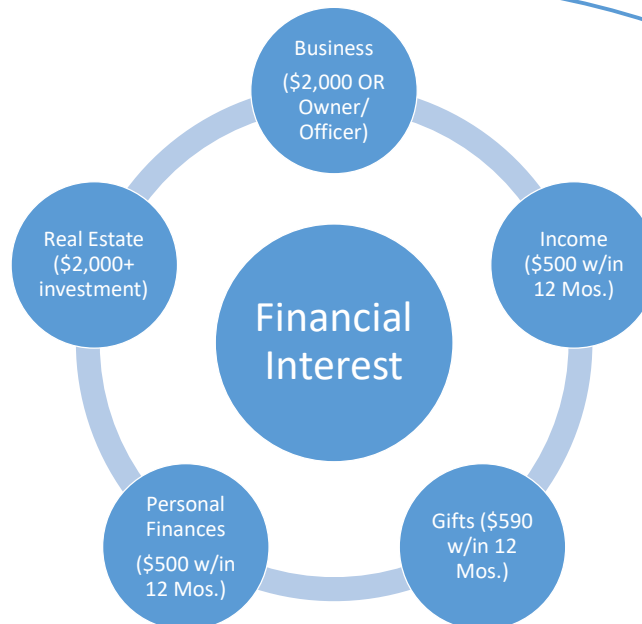
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What is a
“Financial
Interest”?



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“Reasonably Foreseeable”: Determining Disqualifying Conflict of Interest

- Explicitly Involved: Named party or subject of governmental decision, e.g., license, permit, entitlement, or contract
- Not Explicitly Involved: Realistic possibility and more than hypothetical or theoretical
- “Whether the public official has the type of financial interest that would cause a similarly situated person to weigh the advantages and disadvantages of the governmental decision on his or her financial interest in formulating the position.”



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4-Step Test: Is the Interest Disqualifying?

Is there a reasonably foreseeable effect on the financial interest?

Is the effect material?

Is the effect indistinguishable from the effect on the public generally?

Is there an exception that applies?



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“Material”: Determining Disqualifying Conflict of Interest

- Depends on the type of financial interest involved in the governmental decision
- Generally: Means “important enough to matter”
 - “A reasonably prudent person” would conclude the decision would change the value of the business or entity
 - “One penny rule” no longer applies
- Public official may not participate in governmental decision affecting real property within 500 feet of his or her real property **without written clearance from FPPC**

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“Indistinguishable from Public Generally”: Determining Disqualifying Conflict of Interest

- Effect of governmental decision on public official’s financial interest is not unique compared to effect on a significant segment of the public
- “Significant segment” includes:
 - 25% of businesses or entities in the jurisdiction
 - 25% of all real property in the jurisdiction
 - 25% of all individual’s in the jurisdiction
 - 15% of residential real property in jurisdiction, if applicable
- And no disproportionate effect on public official’s financial interest
- Exception: Assessments, taxes, fees, rates, charges that apply equally to public official’s financial interest or entire jurisdiction

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Conflicts Under the Levine Act (SB 1439)

- Campaign contribution of more than \$250 from a party or participant in a proceeding involving a license, permit, or other entitlement for use
 - “[A]ll business, professional, trade, and land use licenses and permits and all other entitlements for use, including all entitlements for land use, all contracts (other than competitively bid, labor, or personal employment contracts), and all franchises.”



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Conflicts Under the Levine Act (SB 1439)

- New Rules:
 - While proceeding is pending and for 12 months following “final decision,” cannot accept, solicit, or direct contribution of more than \$250 from party of participant
 - Cannot make, participate in making, or attempt to influence decision in a proceeding involving a license, permit, or other entitlement for use if willfully or knowingly received contribution of more than \$250 from party or participant
- Can return contribution within 30 days from the time the officer knows, or should have known, about the contribution and proceeding involving a license, permit, or other entitlement for use
- Not retroactive to contributions received in 2022 per FPPC opinion



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What To Do If There Is a Conflict

- **Publicly identify** each financial interest on the record after agenda item announced and before consideration
- **Recuse yourself** from participation in discussion and refrain from attempting to influence
- **Abstain** from voting
- **Leave the room** while the item is discussed (unless on consent calendar or another exception applies)

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Conflict of Interest

How to Obtain Advice

- Agency Attorney
- Own attorney
- 1-866-ASK-FPPC
- FPPC Advice Letters



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Violations & Fines of the PRA

- Criminal
- Civil (fines!)
- The Court of Public Opinion
- Decision could be invalidated



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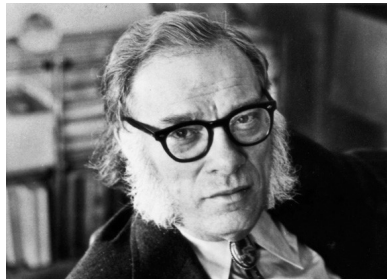
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Common Law Bias/Due Process

“Never let your sense of morals get in the way of doing what is right.”

- Isaac Asimov



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Common Law Bias/Due Process

- Public officials cannot use their official position for private benefit.
- Due process in an administrative hearing demands an appearance of fairness and the absence of even a *probability* of outside influence on the adjudication.
- Doesn't preclude holding opinions; just participation by someone with a closed mind as to a quasi-judicial decision.

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The Appearance of Bias

- How it may look to others ...



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Nepotism

- For example:



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Nepotism

- No specific state laws concerning nepotism.
- May be affected by “income” interest under Political Reform Act or definition of “family” under Political Reform Act.
- Local agency may draft anti-nepotism policy.
- Federal funding requirements.

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Due Process

- Constitutional guarantee that citizens may not be deprived of:
 - Life
 - Liberty (good reputation, incarceration)
 - Property (civil service job, real or personal property)
- Without “due process.”

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Due Process

Requires:

- Notice of the intended action;
- Opportunity to prepare;
- Opportunity to be heard; and
- Fair and impartial hearing.

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Incompatible Offices

“One cannot serve two masters.”

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Incompatible Offices

- Exists if any significant clash of duties exists between the offices, if the dual holdings would be improper because of public policy, or if one officer exercises supervisory, auditory or removal power over the other.
- Examples: water district director and city council position; school board member and city council member
- Offices are incompatible when one:
 - Audits, overrules, or removes members of the other
 - Possibility of a significant clash of duties or loyalties
 - Public policy considerations make it improper
- Does not apply to an employment position
- Forfeit the first office upon acceding to the second

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Government Code § 1126

- “[A] local agency officer or employee shall not engage in any employment, activity, or enterprise for compensation which is inconsistent, incompatible, in conflict with, or inimical to his or her duties as a local agency officer or employee or with the duties, functions, or responsibilities of his or her appointing power or the agency by which he or she is employed.”
- Agency must provide “anti-moonlighting” policy.

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Other Political Reform Act Issues

- Statements of Economic Interest (Form 700s)
- Gifts
- Travel Payments
- Honoraria
- Mass Mailing

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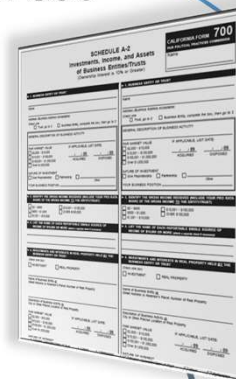
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Statement of Economic Interest

- All local agencies adopt conflict of interest codes.
- Requires disclosure of personal financial interests to:
 - Alert official to a personal, financial interest that might be affected
 - Inform the public about potential conflicts of interest



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Gift Restrictions

- “What you get free costs too much.”
 - Jean Anouilh



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Gift Restrictions

- No local elected office holder, candidate for local elected office, or designated employee of a local agency may accept any gift or gifts from a **single source** aggregating in excess of \$590 (1/1/23 – 12/31/24)
- Gifts aggregating \$50 or more in the reporting period must be disclosed on a Form 700
- Practice Tip: Ask the value of all gifts, so you can properly track and report them.

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Gift Restrictions

Is it a gift?

- A “payment made by any person of any thing of value when the official does not provide full consideration for the value of the benefit received.”
- Rebates
- Gifts to Family (unless no business before official in 12 months prior or foreseeable future + established)



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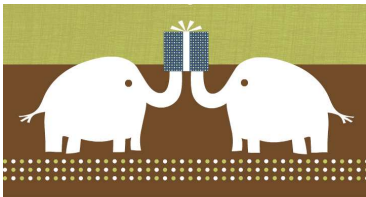
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Exceptions to Gift Restrictions



When is a gift not a gift?

- Informational material (electronic media ok).
- Home hospitality.
- Gifts from family (expanded to include more distant relations and former family)
- Reciprocal gifts (between friends during special occasions; \$500; not lobbyists)

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Exceptions to Gift Restrictions

- Ceremonial Role (2 tickets to entertainment event)
- Gambling, Prizes, Raffles (must report as income; not because of official status)
- Gifts for Attending Wedding
- Bereavement Gifts (typically provided)
- Acts of Neighborliness (free ordinary services polite people provide without charge)
- Dating (unless lobbyist or matter pending before agency)
- Gifts of Human Compassion (Charity from within social circle to offset medical or living expenses when in need)

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Exceptions to Gift Restrictions

- Gifts from Close Friends (“long term, close personal friendship, unrelated to the official’s position with the agency”)
 - But be careful. Mayor of San Francisco was required to pay \$23,000 partly for accepting gift from close friend who was also City employee
- Catch all Exemption: If it is clear that the gift is not from a lobbyist or someone who was attempting to influence the official’s official position, then the gift is exempt.



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Gifts of Travel

- Not Reportable, unlimited
 - Ride-sharing, training paid for by government, government travel, bona fide business travel for official’s private business (not speeches), certain campaign travel.
- Reportable, unlimited
 - USA governmental travel; Presentation at conference, paid by charity or foreign government; Travel directly related to official business paid directly to agency
- Reportable and limited



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Gift Restriction Summary



Gifts aggregating \$50 or more in the reporting period must be disclosed on a Form 700



Gifts aggregating \$590 or more in the reporting period from a single source are a conflict of interest



Return to donor within 30 days



Donate to a charity, but can't claim as a tax deduction

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Travel Payments: Article XII, § 7

A transportation company may not grant free passes or discounts to anyone holding an office in this State; acceptance of a pass or discount by a public officer, other than a Public Utilities Commissioner, shall work a forfeiture of that office.



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Honorariums



- No local elected office holder, candidate for local elected office, or designated employee, including Commissioners, may accept any honorarium.
- “Honorarium” means a payment for a speech given, article published, or attendance at any public or private conference, convention, meeting, social event, meal, or like gathering.

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Mass Mailing Restrictions

Items prepared or mailed at state or local public expense may not:

- Feature an elected officer affiliated with the agency; or
- Include the name, photograph, or other reference to an elected officer if the item is prepared in coordination with the elected officer.

Applies if 200 pieces or more by mail



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Exceptions to Mass Mailing Rule



Press Releases



Inter/Intra-Agency
Communications



Payment/ Collection
of Funds



Letterhead/Roster
Listing



Essential Program
Mailings



Legal Notices



Directories



Meeting Notices

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Other Restrictions

- Gifts of Public Funds
- Extra Compensation
- Bribery
- Embezzlement
- Due Process

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Gifts of Public Funds

All expenditures of public funds must be for a public purpose.

- Cal. Const., Art. XVI, Section 6



- Does the expenditure serve the public interest?

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Misuse of Public Resources

- **Rule:** No use of public funds or resources for personal, non-public purposes, including campaigns.

- **“Public Resources”**

- staff time,
- office equipment,
- supplies,
- excludes incidental, or
- minimal uses.



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Misuse of Public Resources

- **Penalties:** disqualification from office, jail, civil penalties up to \$1,000 / day plus 3x the value of the unlawful use.
- **Tip:** Ensure that expense or use is consistent with adopted agency policy or practice.

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Extra Compensation

- Extra compensation paid to employees after services have already been rendered is generally prohibited.
 - Cal. Const. art. XI, § 10(a)
- **Exception:** When retroactive compensation is paid to employees pursuant to terms of newly negotiated MOU covering the period for which retroactive compensation is being paid



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Bribery

- Penal Code § 68:
 - “Every officer...who asks, receives, or agrees to receive, any bribe, upon any agreement or understanding that his or her vote, opinion, or action upon any matter then pending, or that may be brought before him or her in his or her official capacity” is guilty of bribery
- Penalties: prison, fine, loss of office, barred from office for life



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Bribery

- Crime to solicit, receive or agree to receive a benefit in exchange for one or more official actions
- Benefit is broadly construed
 - Jobs
 - Campaign Contributions
- State Law prohibits public officials from trading votes with one another (if you scratch my back...)

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Embezzlement

- Penal Code § 424 & Gov't Code § 8314:
 - Personal use, private loan, refusal to turn over public money
 - Campaign or electoral use of public property
- Penalties: prison, loss of office, barred from office for life
- "Incidental and minimal use" is not a violation

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Questions?



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Competitive Bidding Requirements

Bidding requirements for public works projects

- “Public works projects” is defined as: “[A]n agreement for the erection, construction, alteration, repair, or improvement of any public structure, building, road, or other public improvement of any kind.” (PCC, § 1101.)
- Specific requirements for different types of special districts –
 - Public Utility Districts (PCC, §§ 20190, et seq.)
 - Community Services Districts (PCC, §§ 20680, et seq.)
 - Principal acts

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Competitive Bidding Requirements

Many special districts have adopted Uniform Public Construction Cost Accounting Act (the “Act”)

- Applies to all “public projects” as defined in PCC section 22002
- Three levels of competitive bidding:
 - Contracts \$60,000 and less: by force account, negotiated contract, or purchase order
 - Contracts \$60,001 to \$200,000: Informal bidding
 - Contracts \$200,001+: Formal bidding

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Competitive Bidding Requirements

Rejecting All Bids:

- If bids are unacceptable, all bids may be rejected.
- The board may conclude (by a 4/5 vote) that the project can be performed more economically by:
 - day labor;
 - agency employees; or
 - open market purchase of materials and supplies.
- No further bidding to construct the project

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Competitive Bidding Requirements

General exceptions to competitive bidding:

- **Emergency:** By a four-fifths vote that an emergency exists
- **Supplies, equipment and (non-public works) services:**
 - State law requires adopted policy (including bidding regulations)

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Competitive Bidding Requirements

Warning:

- Before engaging in any contracting activity, research and confirm the governing regulations.
- Note: Competitive bidding laws are not the same as prevailing wage laws, and many special districts (especially water districts) have more flexibility

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Competitive Bidding Requirements

Violations of Competitive Bidding Laws:

- Contact is void and illegal;
- Contract cannot subsequently be ratified; and
- Contractor has no right to reimbursement for service or materials furnished, even if they were rendered in compliance with contract requirements.



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The Brown Act

“Government ought to be all outside and no inside.”

- Woodrow Wilson



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Purpose of the Brown Act

“All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency, except as provided in this chapter.”



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Legislative Body

- City Council, Board of Supervisors, District Board
- Any committee created by formal action of the City Council, BOS, or Board (ordinance, resolution, minute action)
- Any committee created by a committee
- Standing Committees
- Not ad hoc committees

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What is a Meeting?

“Any congregation of a majority of the members of a legislative body at the same time and place, to **hear, discuss, or deliberate** upon any item that is within the subject matter jurisdiction of the legislative body or the local agency to which it pertains.”

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What is a Meeting?

Any use of a **series of communications** of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.

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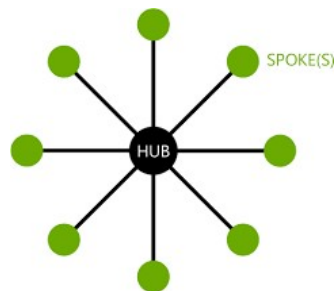
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Serial Meetings

- Daisy Chain
- Hub and Spoke
- Serial Briefings
- Email



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Exceptions to the Scope of the Meeting Definition

- Individual Contacts
- Conferences
- Community Meetings
- Meetings of another Legislative Body
- Social or Ceremonial Occasions

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Teleconferencing

- Audio or video or both connecting locations;
 - The notice and agenda identify the remote location;
 - Agenda posted at remote location, which is accessible to the public;
 - All votes are by roll call;
 - All locations comply with the Brown Act, including allowing public participation;
 - A quorum participates from within the jurisdiction
- ** Special rules under AB 361 relax all of this ****

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Teleconferencing under AB 2449

- Remote participation under the following circumstances:
 - Just Cause
 - Caregiving
 - Illness
 - Mental or physical disability
 - Official business travel
 - Emergency Circumstances
 - Physical or medical emergency
- Agency may still use previous rules.

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Teleconferencing under AB 2449

Certain rules apply:

1. Quorum's physical location open to the public
2. Hear, observe, and address the legislative body
3. Audio and visual technology
4. Disclose other individuals
5. Limited use

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Agendas and Public Comment

- Agenda must be posted 72 hours (regular meeting) in advance with brief description of each item of business
- Limited to agendized items unless special circumstances justify addition to agenda
- Every agenda must allow comment on items on the agenda prior to action
- Regular agendas must allow comment on items not on the agenda but within agency's jurisdiction ("Public comment")

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Agendas and Public Comment

- "Briefly respond" to comments or questions or to report on individual activities
- Agendize for subsequent discussion
- Special circumstances
 - Emergencies (floods, fires, strikes)
 - Subsequent need (2/3 vote)



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Closed Sessions



- Limited topics, typically limited to Board and necessary staff
- Specified agenda format and “reporting out” requirements
- Don’t go into closed session without legal assistance
- Don’t disclose closed session confidences

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Dealing with the Public

- Public right to photograph and record (audio/video)
- Reasonable time, place, and manner restrictions permitted



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Enforcement

- Court of Public Opinion
- Written notice and opportunity to cure
- Civil Action
- Criminal Action



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Brown Act Conclusion

- **Complicated details, but simple general rule**
 - Do the public's business in public
 - Remember it's all about transparency
 - Give the public notice and an opportunity to participate
- **When in doubt, ask for help**

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California Public Records Act

“A popular government, without popular information, or the means of acquiring it, is but a prologue to a farce or a tragedy; or, perhaps, both.”

- Pres. James Madison



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California Public Records Act

Purpose:

“In enacting this chapter, the Legislature, mindful of the right of individuals to privacy, finds and declares that access to information concerning the conduct of the people’s business is a fundamental and necessary right of every person in this state.”

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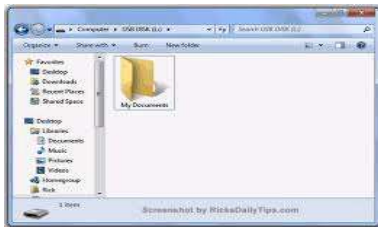
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California Public Records Act

- “Any writing
- containing information relating to the conduct of the public’s business
- prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics.”



- Employment contracts specifically included
- Includes emails, even if on personal email account if concerning public business

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Retention and Destruction

- Your Agency may have a records retention policy.
- Typically, records must be:
 - Preserved for period specified by policy
 - Destroyed only after approval by designated persons, including the Board Secretary and General Counsel

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Public Records Requests

An agency must:

- Make records available for inspection during business hours
- Redact confidential portions so balance can be made available
- Provide copies “promptly” at cost if “reasonably identifiable”
- Respond within 10 days of request unless “unusual circumstances” justify up to 14 more days

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Exemptions from Duty to Disclose

- “Preliminary drafts, notes or memoranda ... not retained ... in the ordinary course of business, provided that the public interest in withholding those records clearly outweighs the public interest in disclosure.”
- Pending litigation
- “personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy”
- Documents of agency contractors that are not by contract owned by the agency

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More Exemptions from Duty to Disclose

- Real estate appraisals
- Taxpayer data received in confidence
- Records protected by legal privilege (attorney client, work product, etc.)
- Security assessments
- General balancing exception:
 - “Public interest served by not disclosing the record clearly outweighs the public interest served by disclosure.”



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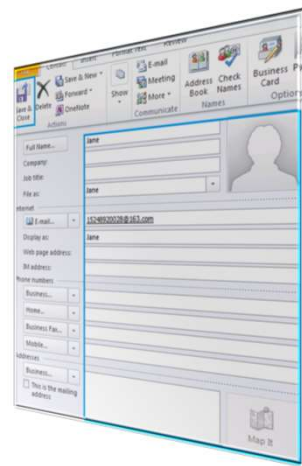
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Public Officials' Home Address and Phone Number

“No state or local agency shall post the home address or telephone number of any elected or appointed official on the Internet without first obtaining the written permission of that individual”



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Duty to Assist Requestor

The agency will:

- Assist requester to identify records responsive to request
- Describe the medium and location in which records exist
- Provide suggestions to overcome “any practical basis for denying access.”
- Or provide index of records (if an Index exists can provide and let requester identify the records they want)

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Electronic Records

The agency:

- Must make electronic records available in electronic format
 - In any format used by the agency
 - In any format in which agency holds it
- May recover only direct cost of duplication
- Requester pays hardware and software costs for unusual formats
- No duty to compromise computer system security



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Remedies

- Requesters can sue to challenge denial
- Burden is on the agency to justify withholding records
- Agency has no right of appeal; review is by discretionary writ
- Agency pays legal fees on loss
- Agency wins fees only if suit is “clearly frivolous”

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Recommendations

- Don't create unhelpful records
- Copy staff on all items provided to entire legislative body
- Don't retain records without a reason
- Segregate exempt from non-exempt records
- Segregate personal from public
- Be careful with email and texts

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Ethical Decision-Making

“Whenever two good people argue over principles, they are both right.”

- Marie Ebner von Eschenbach



Goff

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General Thoughts on Ethical Decision-Making

- Is the action legal?
- Does it meet your own sense of right and wrong?
- Is it good public policy?
- Is it consistent with the agency's or the community's values?
- Does it comply with the Golden Rule?



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General Thoughts on Ethical Decision-Making

- Don't be afraid to invite ethics into the room
- There is often more than one "right" answer and it is okay to disagree about what is right or wrong
- The Institute for Local Government has good resource materials at <https://www.ca-ilg.org/>
- General Counsel is also here for you as well

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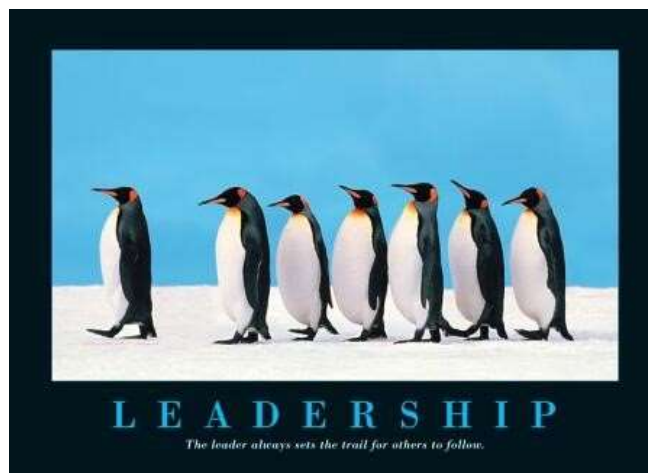
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Conclusion

"Management is doing things right; leadership is doing the right things."

- Peter Drucker



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Questions and Answers



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**California Special
Districts Association**
Districts Stronger Together

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Levi Fuller

From: Bay Area Clean Water Agencies <noreply@bacwa.org>
Sent: Thursday, October 10, 2024 12:31 PM
To: Levi
Subject: BACWA Bulletin - October 2024



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- [PFAS Source Control Efforts Boosted by Recent Legislation](#)
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- [Member News: Wastewater Treatment Plant Tours are Back Online](#)
- [What's new in BACWA's Committees](#)
- [Upcoming Events](#)

BACWA Bulletin - October 2024

Meetings

- Recycled Water Committee - Tues 10/15, Virtual + Oakland
- Executive Board - Fri 10/18, Virtual + Martinez
- Lab Committee - Tues 10/22, Virtual
- Collection System Committee - Thurs 11/14, Virtual
- [Visit the Calendar for details](#)

Upcoming Events

- [Regional Monitoring Program Annual Meeting](#) (Free) - 10/16, Berkeley
- [CWEA Northern Safety Day](#) - 10/16, Woodland
- [U.S. EPA Pretreatment 101 Training](#) (Free) - 10/21 - 10/23, Sacramento
- [CWEA/CASA Innovative Technology Seminar](#) - 10/30, San Francisco
- [California Bioresources Alliance Symposium](#) - 11/19 - 11/20, Davis

[View previous BACWA Bulletins](#)

BACWA Releases RFP for Nutrient Watershed Permit Compliance Support

This week, BACWA issued a Request for Proposal (RFP) for compliance support for tasks required by the [2024 Nutrient Watershed Permit](#). The 5-year permit went into effect on October 1, 2024, and requires compliance with dry season effluent limits for Total Inorganic Nitrogen by the water year beginning October 1, 2034. The Nutrient Watershed Permit contains several provisions that BACWA plans to complete on behalf of its members, aided by a consultant team that will be chosen through this competitive process. The RFP is available on the [BACWA website](#) and proposals are due **Wednesday, November 6th**. The scope of work includes:

- Preparation of Group Annual Reports for 2026-2029
- Compliance milestone reporting for 2025-2029
- Development of a Regional Plan that details efforts to come into compliance with the final effluent limitations and identifies alternatives to achieve lower limits, should they be required in future permits. This task will begin with a scoping plan due July 1, 2025.

The project will require the consultant to compile information from the 40 wastewater treatment facilities included in the Nutrient Watershed Permit. Questions on the RFP should be submitted to [Lorien Fono](#) by Thursday, October 17. A selection committee made up of BACWA staff and BACWA members will select the consultant based on the proposals received.

Request for Proposals

PFAS Source Control Efforts Boosted by Recent Legislation

PFAS continues to be a threat to wastewater agencies, especially due to concern over PFAS in biosolids (see this [September 2024 handout on PFAS and Biosolids Management](#) from CASA and the biosolids sector). Two bills recently signed by Governor Newsom are a minor victory in the effort to tackle this problem using a pollution prevention approach:

- [AB 2515](#) will ban PFAS in menstrual products starting in 2029.
- [AB 347](#) addresses concerns with enforcement of consumer product bans. It will help the [Department of Toxic Substances Control](#) enforce existing rules related to PFAS in textiles, juvenile products, and food packaging. It also may open the door for future PFAS restrictions in consumer products. Previous legislative attempts to ban PFAS in menstrual products (AB 246), cleaning products (AB 727), and artificial turf (AB 1423) were vetoed by the Governor in 2023 due to concerns about the State's enforcement capabilities, and this new bill will help allay those concerns.

A recent study completed through [UC Irvine](#) (link to [Executive Summary](#)) found that showers, laundry, and urine were the largest contributors to PFAS in residential wastewater. Menstrual products may also contribute to the load in wastewater. Hygiene products make up about 7% of the material collected at wastewater treatment plant headworks accordingly to [this recent study](#) conducted by the [Responsible Flushing Alliance](#).

Limited Spots Remaining for October 18th Tour of Central San's Nutrient Removal Pilot Project

On Friday, October 18, following the BACWA Executive Board meeting, Central San will be offering a tour of their Membrane Aerated Biofilm Reactor (MABR) pilot project. Lunch will be provided at 12:30 pm tour participants. MABR was one of the nutrient removal technologies heavily featured at the August 2024 [Dr. David](#)

Jenkins Technical Series Nutrient Seminar. Secondary process intensification through MABR is intended to remove nutrients while maintaining a low 1.2-day Solids Retention Time (SRT). The technology has the potential to reduce the cost of complying with the Nutrient Watershed Permit compared to more conventional process upgrades. Additional information on the pilot project is available on the **Central San website**. Space is limited. If you're interested in attending, **please register here** by Friday, October 11.

Member News: Wastewater Treatment Plant Tours are Back Online

After in-person events paused during the pandemic, many BACWA member agencies are once again offering public tours on a regular schedule, including:

- **EBMUD** (Oakland) offers two monthly tours on Wednesdays and Saturdays
- **NapaSan** (Napa) offers monthly tours on each third Thursday
- **Dublin San Ramon Services District** (Pleasanton) offers quarterly tours on Thursdays
- **Oro Loma Sanitary District** (San Lorenzo) offers quarterly tours on Wednesdays
- **Central San** (Martinez) offers both walking plant tours and a biking tour of its service area.

These regulatory scheduled public tours are in addition to the virtual tours, school field trips, and other specially arranged tours provided by many BACWA member agencies.



Photo Credit: [Oro Loma Sanitary District](#)

Send in updates from your agency to post here!

What's new in BACWA's Committees

AIR Committee

Thank you to NapaSan for hosting the committee's **September meeting!** The packed meeting agenda included:

- Implementation of AB 1594 via amendments to **CARB's Advanced Clean Fleets** regulations
- BAAQMD's preparation of a white paper on anaerobic digestion to inform future regulations (see **Oct. 9th BAAQMD presentation**)
- Updates on the statewide pooled emissions study of air toxics



- Preparation for the **September BAAQMD workgroup meeting**

NapaSan staff also provided a tour of their **new linear generator from Mainspring**, which produces electricity using gas from NapaSan's digesters (pictured above). The next AIR committee meeting is scheduled for Wednesday, December 11th.

BAPPG

The **October meeting** featured a preview of the fall public outreach campaign on FOG and BAPPG's annual pollutant prioritization discussion. The pollutants prioritized for BAPPG activities in FY26 are Pesticides, FOG, and PFAS. The next committee meeting will be held Wednesday, December 4th.

Collections Systems Committee

The next committee meeting will be held on Thursday, November 14th.

Laboratory Committee

The next committee meeting will be held on Tuesday, October 22nd will include several presentations about implementing the EPA's **2023 Methods Update Rule**. DSRSD will host the December 10th joint meeting with the Permits Committee at their treatment plant in Pleasanton.

Permits Committee

The October meeting included a presentation from Central San staff on KLIR software for tracking compliance deadlines, as well as updates on the Regional Water Board's **2024 Basin Plan Triennial Review** and the **Nutrient Watershed Permit**. DSRSD will host the December 10th joint meeting with the Lab Committee at their treatment plant in Pleasanton.

Recycled Water Committee

The next meeting is scheduled for Tuesday, October 15th (see **agenda**) and will feature an update on recycled water planning at the City of Palo Alto.

Upcoming Events

October 16th: Regional Monitoring Program Annual Meeting, Berkeley (FREE)

The [31st Annual Meeting](#) of the Regional Monitoring Program for Water Quality in San Francisco Bay (RMP) will be held on Wednesday October 16, 2024, at the David Brower Center in Berkeley, CA, from 9:00 AM to 4:00 PM and online via the Zoom platform. The meeting will feature updates on the science and management of emerging contaminants, nutrients, and microplastics. A [preliminary agenda](#) is available now, and registration will be available soon through the [SFEI](#) website.

October 16th: CWEA Northern Safety Day, Woodland

[Northern Safety Day](#) is one of CWEA's most popular and highly-attended training events each year. It's an opportunity for members to participate in safety training as well as networking with fellow members and vendors. This event is a must-attend for wastewater professionals including collection system crews, operators, mechanics, instrumentation technicians, electricians, and safety officers. Check out the [flyer](#) or [register here](#).

October 21 - 23: U.S. EPA Pretreatment 101 Training -- Sacramento (FREE)

U.S. EPA is hosting a free introductory level Pretreatment 101 training in Sacramento at the California Environmental Protection Agency Headquarters. The training will take place over three days, from the afternoon of Monday, October 21st through the morning of Wednesday October 23rd. Topics include an overview and history of the national pretreatment regulations, pretreatment standards, local limits, and industrial user inventories and permitting. More information is available at this [registration link](#).

October 30th: CASA-CWEA Innovative Technology Seminar, SFPUC Southeast Community Center, San Francisco

Join CASA and CWEA for their popular Innovative Technology Seminars. A lineup of experts from agencies, universities, and technology companies will share their latest case studies and advanced research projects on biogas, biosolids, energy recovery, and PFAS removal technologies. Discover the opportunities for introducing innovative treatment and management for biosolids, biogas, energy recovery, and the game changing technologies reshaping our profession. See [event flyer](#) for full agenda and registration.

November 19th - 20th: California Bioresources Alliance Symposium, UC Davis

The 19th Annual California Bioresources Alliance Symposium hosted by UC Davis will bring together experts, innovators, and community leaders to discuss and drive the future of California's bio-economy. Find out more about the conference and register on the [conference website](#).

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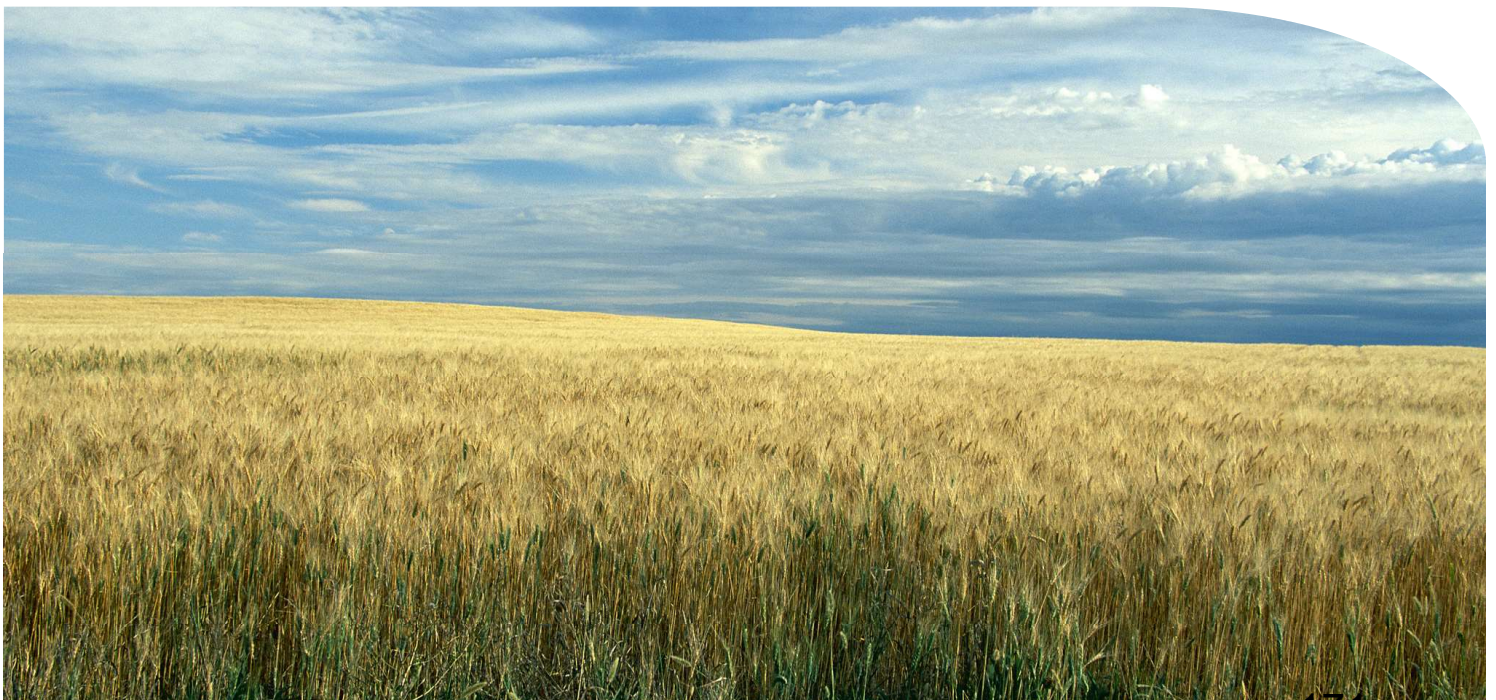
NATIONAL COMMUNICATION GUIDANCE: PFAS AND BIOSOLIDS MANAGEMENT

WHAT ARE BIOSOLIDS, AND WHY DO WE APPLY THEM TO LAND?

Wastewater treatment plants clean wastewater by using naturally-occurring microorganisms to consume waste, then separating solids from liquids. The separated solids are further treated to reduce pathogens and break down organic matter. At the end of this treatment process, biosolids – a carbon- and nutrient-rich product – are produced. Biosolids treated to meet federal and state standards are a renewable resource that is often beneficially used as an alternative to synthetic fertilizer.

LAND APPLICATION OF BIOSOLIDS:

- Builds soil health. Biosolids land application enriches the soil by returning nutrients and organic matter back to the land. Biosolids contain elements essential for plant growth, including nitrogen, phosphorus, and many other nutrients. Unlike synthetic fertilizer, the high organic content in biosolids also increases soil aeration and water retention. This can mitigate soil erosion and nutrient leaching which are common challenges with modern farming practices. Use of biosolids in place of synthetic fertilizer offers a low-cost way for farmers to invest in their land and promote a local, circular economy.
- Fights climate change. Biosolids land application both directly and indirectly decreases CO₂ in the atmosphere. Because biosolids are high in organic matter, land application sequesters carbon for significant periods of time. Furthermore, biosolids land application offsets the use of synthetic fertilizers which are carbon intensive to produce.
- Conserves Landfill Capacity and Reduces Greenhouse Gas. Landfill space is limited. Fewer landfills are willing to accept biosolids because organic matter increases the production of methane, a potent greenhouse gas. (US EPA reference: <https://www.epa.gov/gmi/importance-methane>) Some states have placed restrictions on the use of landfills for biosolids in an attempt to mitigate climate change as well as address concerns associated with landfilling wet wastes like biosolids.





NATIONAL COMMUNICATION GUIDANCE: PFAS AND BIOSOLIDS MANAGEMENT

REGULATION & HISTORY:

Biosolids land application is regulated under the Clean Water Act by the U.S. EPA (40 Code of Federal Regulations Part 503) to support and ensure responsible recycling. The EPA regulates the quality and amount of biosolids that can be land applied and, in that way, limits the amount of metals and pathogens that end up in the soil. Typically, biosolids contain similar concentrations of metals as natural soil and 99% of pathogens found in wastewater are destroyed in the treatment process. The EPA requires regular testing of biosolids that are land applied. EPA reviews available information on pollutants in biosolids every two years to determine if they might pose a risk to human health or the environment, requiring additional regulation.

WHY IS THERE CONCERN ABOUT PFAS IN BIOSOLIDS?

Per- and polyfluoroalkyl substances (PFAS) have been used extensively for manufacturing a wide range of products in the industrial and commercial sectors since the mid-1900's. Eliminating the non-essential use of PFAS is the long term solution. When it became known that some of these PFAS compounds pose significant health concerns, investigations revealed the presence of these chemicals in various consumer products, including food wrappers, cleaning agents, clothing, upholstery, cosmetics, cookware, etc. PFAS compounds persist in the environment long after they are introduced. Because of this characteristic and their widespread use, PFAS are unfortunately found almost everywhere in the environment, including rainwater and household dust, and biosolids are no exception. Wastewater treatment plants are passive receivers of waste from the community and do not produce or use PFAS in their processes, thus, PFAS concentrations in wastewater and biosolids tend to reflect the industrial and domestic practices in society.

While the vast majority of biosolids have PFAS levels that are far less than that of household items like cosmetics, carpets and even some organic food, some wastewater treatment plants have received higher levels of PFAS than expected due to facilities that use or produce PFAS discharging to their sewer system. Reported issues of high PFAS presence in biosolids land application are linked with significant waste loads generated by industries or direct application of residuals coming from the industrial sources before PFAS was a known issue. These exceptions are often highlighted in the news and can unfairly represent all wastewater utilities and all biosolids.

WHAT'S BEING DONE TO MITIGATE THIS CONCERN?

As part of the EPA's biennial regulatory review, they have identified PFAS as a class of pollutants that merit additional study. EPA is conducting a science-based risk assessment to determine if there is a need for additional regulation. Development and implementation of any new standards will occur through a formal administrative process that allows for public input. If any standards are adopted, compliance is monitored through the Clean Water Act's enforcement provisions. This compliance mechanism is already well established for compounds currently regulated in land-applied biosolids.

Research by academic institutions is also being conducted to understand the behavior of PFAS in the environment. Early results have found that the movement of PFAS in soil or within a crop are dependent on the type of PFAS compound. However, PFAS studies on land-applied biosolids have found minimal leaching past two feet deep and minimal plant uptake, though more studies on different crops, soil types, and climates are ongoing.

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ITEM NO. 15 GENERAL MANAGER'S REPORT

Action Requested

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

Summary

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). After assuming the duties of General Manager at the May 15, 2024 meeting of the LAVWMA Board of Directors, the LAVWMA GM also took on the responsibility of serving as LAVWMA's Treasurer. To date, approximately 35% of the General Manager's time has been dedicated to the newly added Treasurer responsibilities.

As of October 31, 2024, the LAVWMA General Manager/Treasurer worked 276.25 hours during FY2024/25, which is trending below the hours designated solely for General Manager Administrative Services.

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

1. Financial Management

- LAVWMA and RGS completed a bond payment "wire" transfer in the amount of \$5,835,199.03 on July 31, 2024, which was due on August 01, 2024 from the Bank of America 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.
- In collaboration with Regional Government Services (RGS) and the LAVWMA Board Chair, LAVWMA signed and submitted several packets of documents to J.P. Morgan Chase. LAVWMA is in the process of setting up a bank checking account with J.P. Morgan Chase, which will allow the LAVWMA General Manager or the Strategic Services Consultant at RGS to issue bank checks so that LAVWMA can pay vendors. This service was not offered by any of the financial institutions with which LAVWMA had accounts prior to transitioning AR/AP functions from DSRSD to LAVWMA. The LAVWMA General Manager/Treasurer and the Strategic Services Consultant at RGS will serve as the accounts Authorized Signers. The LAVWMA General Manager/Treasurer will serve as the Authorized Officer of this account.
- DSRSD and RGS are assessing the inability of the QuickBooks online software version to produce 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.)
- The GM reviewed and approved multiple invoices from LAVWMA vendors.
- The GM responded to all requests for information from Financial Auditors, Maze & Associates.

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- GM Fuller reviewed and signed the Treasurer’s Quarterly Financial Report for 1st Quarter FY2024-25. (RGS)

2. Operations and Maintenance

- The GM reviewed the 1st Quarter FY2024-25 Quarterly Report of Operations. (DSRSD)
- LAVWMA Operations and Maintenance (O&M) meetings in both September and November 2024.
 - The GM attended and received status updates on Capital and O&M Projects.
- EBDA Managers Meetings.
 - The GM attended the (monthly) EBDA Managers meetings; and
 - Recorded and sent Meeting notes to relevant DSRSD, Livermore, and Pleasanton staff members.
- GM attended the October 17, 2024, Board of Directors Meeting of the East Bay Discharge Authority.
- The GM attended the monthly East Bay Leadership Council’s – Water Task Force Committee.
- Nutrient Permit
 - The GM attended several virtual POTW community meetings;
 - Reviewed Regional Water Boards Permit;
 - Participated in staff discussions regarding future impacts to LAVWMA;
 - Communicated with LAVWMA legal counsel on this matter; and
 - Attended BACWA’s David Jenkins workshop on Nutrients.
- 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 one Inspection at the San Leandro Sample Station

3. FY25 Capital Projects

- Several meetings with DSRSD senior staff on long term management of capital and maintenance projects.
- Developed and submitted a Request for Proposal to hire an engineering consultant to study causes and solutions to air entrainment in the LAVWMA pipeline. The RFP was posted on the LAVWMA Website and was electronically submitted to seven engineering consulting firms. Proposals were due November 15, 2024. Several meetings with DSRSD staff, EBDA Staff and interested consultants regarding this issue.
- Meetings with pertinent stakeholders at DSRSD regarding next steps to all 12 Projects in the LAVWMA FY24/25 Capital Project Program.

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 of Public Works Maintenance Agreements.
- Received and reviewed insurance requirements, drug-free workplace, and other programs necessary to execute Maintenance Agreement with the

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- contractor, National Plant Services.
- The agreement has been signed and executed by LAVWMA and the contractor, National Plant Services.
- Visited the project site on several occasions to review the pipeline inspection process.
- Collaborated with Administrative staff and this project was registered with the Department of Industrial Relations (DIR).

Livermore Pipeline Interceptor Project

- The GM attended bi-monthly meetings with FEMA regarding this Project.
- GM Fuller facilitated a second FAA compliant easement appraisal of Livermore property at the project site. The appraisal was completed by Krauss Appraisal on September 10, 2024. The City of Livermore has accepted this appraisal and will be sending LAVWMA an invoice in the amount of \$1700.00 for a 50-year easement lease agreement.
- FEMA Project # 734134 - FEMA has approved reimbursement in the amount of \$17,294.63 for the initial rip-rap project that provided a temporary project from additional soil and creek bank erosion at the project site. Cal-OES is processing this reimbursement.
- FEMA Project # 734124 – FEMA has indicated a best available reimbursement for this project is \$4,057,479.63. LAVWMA, DSRSD and FEMA Consultant Kermani Consulting Group have submitted numerous documents and responded to numerous requests for information (RFI). FEMA staff process the documents and information submitted.
- FEMA Project #735667 – This project is inactive and is a placeholder in the FEMA reimbursement program if LAVWMA is asked to remove the old, buried Livermore pipeline. The cost estimate for such a project is estimated at \$1 million dollars and the best available reimbursement would be \$750,000.

San Leandro Sample Station Project

- The GM attended meetings with SLSS Project Designer (HydroScience), Contractor (McGuire and Hester), and DSRSD on this Project.
- LAVWMA approved a no-cost change order with McGuire and Hester to move the completion date for this project to August of 2025 due to supply chain delivery delays of essential project components.
- The GM communicated delays in the project schedule 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 and other stakeholders on Regional Advance Purification Pilot Project.

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4. Legal and Administrative

- Monthly individual check-in meetings with executive staff of LAVWMA Member Agencies DSRSD, The City of Livermore and The City of Pleasanton.
- In collaboration with LAVWMA Administrative Assistant, DSRSD Staff and Legal Counsel, the GM researched, selected and prepared agenda and agenda packet for the LAVWMA November 20, 2024 meeting of the LAVWMA Board of Directors.
- In collaboration with LAVWMA Administrative Assistant, The GM prepared an agenda, facilitated the LAVWMA Staff Advocacy Group (SAG) meeting held on November 13, 2024, and sent out meeting notes to SAG Team members of DSRSD, Livermore, Pleasanton, and LAVWMA Legal Counsel.
- The GM attended weekly scheduled meetings with LAVWMA Administrative Assistant.
- The GM requested and received guidance from legal counsel on multiple topics and issues in management of LAVWMA affairs.
- 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.
- Several meetings with DSRSD Records Management staff in an effort to develop a records management and retention plan for LAVWMA.

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- GM attended California Special District’s Association (CSDA) AB 1234 – Ethics Training. The Training covered the following topics:
 - Conflicts of Interest
 - Political Reform Act
 - Constitutional Issues
 - Competitive Bidding Requirements
 - Transparency Laws
 - Fair Decision Making and Processes

Recommendation

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

Attachments

- Attachment A – No Claims Letter from SDRMA
- Attachment B – Fuel Cell Presentation from IEEE Event



August 28, 2024

Jerry Pentin, Board Chair
Livermore-Amador Valley Water Management Agency
7051 Dublin Boulevard
Dublin California, 94568-3018

Re: No Paid Property/Liability Claims in 2023-24

Dear Jerry,

On behalf of SDRMA Board of Directors and staff, I am thrilled to extend our heartfelt congratulations to you and your organization for achieving an outstanding milestone during the 2023-24 program year—completing the year with no “paid” property/liability claims! A “paid” claim for the purposes of this recognition represents the first payment on an open claim during the prior program year and excludes property claims.

In recognition of this significant accomplishment, I am pleased to inform you that Livermore-Amador Valley Water Management Agency has earned one credit incentive point (CIP). This well-deserved recognition not only highlights your excellence in risk management, but also rewards your efforts by reducing your annual contribution amount. It is our way of acknowledging the hard work and dedication that went into maintaining a safe and secure environment.

This remarkable achievement is a testament to the dedication, diligence, and proactive risk management strategies that you and your team have consistently demonstrated. Managing risks effectively is no small feat, and your success in preventing paid claims speaks volumes about your commitment to safety, careful planning, and the well-being of your community and employees.

We are genuinely excited about your success and look forward to continuing our partnership in fostering a culture of safety and responsibility within your special district. Your leadership sets a powerful example for other members, and we are proud to have Livermore-Amador Valley Water Management Agency as a part of SDRMA.

Once again, congratulations on this exceptional achievement. Please do not hesitate to reach out if there is anything we can do to support your continued success.

Sincerely,

A handwritten signature in blue ink that reads "Sandy Seifert-Raffelson".

Sandy A. Seifert-Raffelson, President
Board of Directors
Special District Risk Management Authority



Oakland East Bay IAS invites you to attend a Technical Meeting on **October 17, 2024**

Title: **Solid Oxide Fuel Cell Technology and Applications**

Speakers: Carl Cottuli, Head of Development Engineering, Bloom Energy
Debasmita Mukherjee, Sr. Manager Product Reliability Engineering, Bloom Energy

Date: Thursday, October 17, 2024

Time: No-host social at 5:30pm; Presentation at 6:00pm; Dinner at 7:00pm
Presentation continues at 7:45pm; Adjourn by 8:30pm

Place: Zio Fraedo's, 611 Gregory Lane, Pleasant Hill. Call 925-933-9091 if you need directions.

RSVP: **Please make reservations by October 14** by contacting Mike Nakamura via email: mnakamura@dsrsd.com or telephone: (925) 875-2356 or by registering via vTools at: <https://events.vtools.ieee.org/m/424587> (Payable via Credit Card on vTools only)

Cost: The cost of dinner is \$35 for IEEE members, \$25 for student and retired members, \$40 for non-members. (Payable as Cash or Check at the door)

Meeting Description:

- Solid Oxide Fuel Cell (SOFC) and how it works
- Typical Applications from Historic to more Recent
- Artificial Intelligence/Machine Learning Load support with Fuel Cells
- Revitalization of Natural Gas
- Energy Transition to H₂
- Reduce Time to Power: Skip the Grid and go Independent

About the Speakers:

Carl Cottuli holds the role of Head of Development Engineering at Bloom Energy and has the responsibility of setting standards and driving global product development using fuel cell-based technology for application in the electrical and hydrogen environments. Carl has over twenty-five years of experience in managing global technical teams engaged in governmental, industrial, and enterprise opportunity engagement. His expertise includes electrical and mechanical product and system design as well as installation for service industries. While holding senior leadership positions at market-leading corporations he has been advising on corporate strategy, organizational design, and product roadmaps by focusing his teams on the addressable markets for the various products. Carl's educational background consists of an Electronic Engineering degree and continuing education in coursework focused on gaining direct knowledge as needed in various roles including project management, process development, and lean building. Carl has been granted over 40 technology patents for innovations in power, cooling, and fuel cell products.

Debasmita Mukherjee is a Sr. Manager of Product Reliability Engineering at Bloom Energy and leads the product reliability team for Bloom Energy fuel cell and electrolyzer products. Her technical expertise in systems and reliability engineering and new product development has enabled Bloom Energy to develop reliable and sustainable customer energy solutions. Debasmita has 9+ years of experience in hardware product reliability engineering at Bloom Energy and Rivian specifically in the clean energy sector such as fuel cell-based power generation as well as electric vehicles in the sustainable transportation domain. She directed efforts on reliability testing of new fuel cell and electric vehicle equipment/features and drove reliability improvement redesigns. She has extensive experience in integrating system architecture, product design engineering, application engineering, manufacturing, marketing, sales and services efforts. Debasmita's leadership skills are in the area of microgrid reliability, stand-alone power generation reliability, statistical reliability data analysis, design for reliability, reliability testing, and failure analysis. Debasmita received her BS degree in Chemical Engineering from Jadavpur University, Kolkata, India and MS degree in Chemical Engineering from San Jose State University, California, US. Debasmita has been involved in designing reliable system architectures for datacenters and microgrid applications at Bloom Energy over past several years. She has been an IEEE member for the last two years.

Upcoming Meetings - Mark your Calendars:

November 21, 2024 – TBD

IEEE- IAS/OEB Officers:

Chair: Michael Nakamura, Dublin San Ramon Services District, (925) 875-2356, mnakamura@dsrsd.com
Vice-Chair: Kent Liang, Pacific Gas and Electric Company, (415) 613-5051, kent.liang@pge.com
Treasurer: Brian Pumphrey, Cummins Sales and Service, (510) 347-6639, brian.pumphrey@cummins.com
Secretary: Vincent Yong, Pacific Gas and Electric Company, (925) 266-1441, hxyt@pge.com
Membership: Bob Salter, e2energy technologies, (415) 308-2384, r.salter@ieee.org
Publicity Chair: Luis Soria, Pacific Gas and Electric Company, (415) 793-7909, lmsq@pge.com