

**LAS VIRGENES – TRIUNFO
JOINT POWERS AUTHORITY
MINUTES
REGULAR MEETING**

5:00 PM

August 3, 2020

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Stephen Bigilen.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **5:00 p.m.** by Chair Lewitt via teleconference in the Board Room at Las Virgenes Municipal Water District headquarters at 4232 Las Virgenes Road, Calabasas, CA 91302. The meeting was conducted via teleconference pursuant to the provisions of the Governor's Executive Order, N-29-20, which suspended certain requirements of the Ralph M. Brown Act to support social distancing guidelines associated with response to the coronavirus (COVID-19) outbreak. Josie Guzman, Clerk of the Board, conducted the roll call.

Present: Directors Caspary, Lewitt, Lo-Hill, Nye, Orkney, Polan (connected to the teleconference at 5:03 p.m.), Renger, Shapiro, Tjulander, and Wall.

Absent: None.

2. APPROVAL OF AGENDA

Director Caspary moved to approve the agenda. Motion seconded by Director Wall. Motion carried by the following roll call vote:

AYES: Caspary, Lewitt, Lo-Hill, Orkney, Renger, Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: Polan

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

Director Polan connected to the teleconference at 5:03 p.m.

A Minutes: Regular Meeting of July 6, 2020 and Special Meeting of July 13, 2020: Approve

Director Orkney moved to approve the Consent Calendar. Motion seconded by Director Tjulander. Motion carried unanimously by roll call vote.

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Pure Water Project Las Virgenes-Triunfo: Update

Joe McDermott, Director of Engineering and External Affairs, reported that six proposals were received for program management/owner's advisor services for the Pure Water Project Las Virgenes-Triunfo, and staff was in the process of reviewing the proposals and scheduling interviews. He also reported that the ribbon-cutting ceremony for the Pure Water Demonstration Facility, scheduled on September 11th, was moving forward as a hybrid live/virtual event. He stated that staff was planning on conducting a tasting of the treated water with the JPA Board prior to the ribbon-cutting event, while practicing social distancing guidelines.

John Zhao, Director of Facilities and Operations, reported that staff had taken over operation of the Pure Water Demonstration Facility. He noted that laboratory results from the treated water indicated that all parameters were within state and federal drinking water limits with the exception of chlorate, which was a degradation of sodium hypochlorite. He stated that the discrepancy might have been from a bad batch of chemicals supplied by the manufacturer or from the ultraviolet light disinfection process. He also stated that a new batch of sodium hypochlorite was ordered from a different manufacturer.

Director Lo-Hill suggested that the mural artist be included as part of a virtual tour so that she may discuss the various aspects of the mural.

Director Orkney commended staff on the virtual tour arranged for the Association of Water Agencies of Ventura County (AWAVC) WaterWise Breakfast Program. She commented that although there were some audio issues, she realized that staff was working on improvements.

Administering Agent/General Manager David Pedersen stated that staff was generally receiving positive feedback from the virtual tour. He recognized Director of Engineering and External Affairs Joe McDermott, Public Affairs and Communications Manager Mike McNutt, and Public Affairs Associates Steven Baird and Riki Clark on their efforts. Mr. McDermott also recognized Information Systems Manager Ivo Nkwenji.

Mr. Zhao responded to a question regarding whether sodium hypochlorite might jeopardize the integrity of the treated water by stating that the results may have been because only five percent sodium hypochlorite was needed, which was not industry standard. He also stated that the room temperature was high, which caused the sodium hypochlorite to degrade quicker than normal. He noted that this would not be an issue with the full-scale project.

Director Shapiro commended staff on the virtual tours conducted for the JPA Board and for the AWAVC WaterWise Breakfast Program, and stated that each subsequent tour would include a level of improvement. He inquired whether the JPA might have access to better audiovisual equipment and a microphone for future tours. Mr. McDermott responded that staff was looking into upgrading the audiovisual equipment.

Chair Lewitt reminded staff to invite Senator Henry Stern to the ribbon-cutting ceremony.

B State and Federal Legislative Update

John Freshman, representing Best Best & Krieger, LLP (BBK), noted that Ana Schwab was on temporary leave to study for the bar exam, and he wished her well.

Lowry Crook, representing BBK, presented the federal legislative update. He reported that a bill amendment to the National Defense Authorization Act bill to regulate perfluoroalkyl and polyfluoroalkyl substances (PFAS) requirements under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) was not allowed on the House Floor for a vote due to a number of other amendments to the bill. He also noted that the bill amendment had not been attached to the Water Resources Development Act bill. He stated that the House of Representatives was working on passing appropriations bills except for Homeland Security, and last week the House passed the Interior-Environment Appropriations Bill and the Energy and Water Appropriations Bill. He noted that the Senate was at a standstill and had not reached agreement on appropriations bills. He also noted that the House Interior-Environment Appropriations Bill contained a provision related to Water Infrastructure Finance and Innovation Act (WIFIA) to reallocate rescinded WIFIA loans to support new Fiscal Year 2021 loans, and no new WIFIA funds were proposed. He provided an update regarding negotiations for COVID-19 relief and noted that Representative John Garamendi introduced H.R. 7073, the Special Districts Provide Essential Service Act, to open up funding to special districts. He noted that Senators John Cornyn and Krysten Sinema issued companion legislation, and the JPA sent a letter of support after Senator Kamala Harris agreed to sign on as a co-sponsor of the bill. He provided an update regarding H.R. 2, Investing in a New Vision for the Environment and Surface Transportation in America Act, which would provide funding for water and transportation. He stated that the House passed this bill; however, there was no

movement from the Senate. He responded to a question regarding the possibility of liability protection for governments and industry for reopening due to COVID-19 by stating that provisions were currently under negotiation. He also responded to a question regarding the possibility of states adopting their own PFAS regulations by stating that the EPA initiated the process to consider setting a maximum contaminant limit (MCL) for PFAS at the federal level. He noted the recent House Appropriations bill provided funds directing the EPA to move quicker on setting drinking water regulations.

Syrus Devers, representing BBK, provided an update regarding SB 1385 (Moorlach) related to liability to water districts over fire hydrants, the cost of fire hydrants, and whether this might be a violation of Proposition 218. He also provided an update regarding AB 3030 (Kalra), Resource Conservation: land and ocean conservation goals. He stated that the intent of the bill was to conserve land and water resources by 30 percent as an aspirational goal. He also stated that the bill originally referred to oceans; however, the bill language was amended to save land and water resources with water left undefined. He encouraged the Board to consider sending a letter in opposition unless amended, and request that the term "water" be defined. He also provided an update regarding SB 1099 (Dodd) related to emergency backup generator testing. He noted that this bill, as well as other emergency generator bills, were not moving forward; however, the South Coast Air Quality Management District (SCAQMD) offered a proposal to change the rule to deal with runtimes that go over the limit during a Public Safety Power Shutoff (PSPS) event and deal with testing and maintenance.

Director Caspary noted that the Association of California Water Agencies (ACWA) State Legislative Committee held a special meeting earlier in the day to discuss AB 3030, and adopted an opposed unless amended position. He asked that Mr. Devers prepare an oppose unless amended letter on behalf of the JPA to submit to the Senate Natural Resources and Water Committee by the close of business on August 4th.

Following a brief discussion, it was the unanimous consent of the Board to have Administering Agent/General Manager David Pedersen prepare and send an oppose unless amended letter regarding AB 3030 on behalf of the JPA.

A discussion ensued regarding SCAQMD's proposal and possibly moving forward with testing emergency generators and paying the fines. Chair Lewitt suggested that the Board agendaize this discussion for a future meeting.

Mr. Devers provided an update regarding a proposed \$100 billion relief package to be paid by tax vouchers. He stated that water recycling, infrastructure improvement, and climate resiliency projects would be included in the package; however, there were no details as to how much would be allocated for these types of projects.

Director Caspary stated that the California State Water Resources Control Board was looking at the affordability of water, and there was a discrepancy on what has been used as an affordability percentage. He noted that 2½ percent of monthly income was the federal standard used for water affordability; however, the State was looking into 1½ percent of monthly income as being the limit on what water should cost an individual. Mr. Devers responded that he had not heard of this particular issue, and stated that he would research and follow-up.

6. ACTION ITEMS

A **Tapia Sodium Hypochlorite Tank and Piping Replacement Projects: CEQA Determination and Call for Bids**

Find that the work is exempt from the provisions of California Environmental Quality Act and authorize the issuance of a Call for Bids for the Tapia Sodium Hypochlorite Storage Tank and Piping Replacement Project.

John Zhao, Director of Facilities and Operations, provided an overview and brief history of the Tapia sodium hypochlorite storage tanks.

Veronica Hurtado, Assistant Engineer, presented the report.

Director Caspary moved to approve Item 6A. Motion seconded by Director Tjulander.

Ms. Hurtado responded to a question regarding the amount of sodium hypochlorite used per month at the Tapia Water Reclamation Facility by stating that she would follow-up and report back to the Board.

Mr. Zhao responded to a question regarding whether the tanker truck could distribute sodium hypochlorite to two separate tanks without having to disconnect the hose by stating that the existing three tanks were interconnected, and there was no need to disconnect a full-loaded discharge feed pipe from the tank. He also responded to a question regarding whether tank coating materials had improved since 1999 by stating that the coating would be a resin that would bind the fiberglass. He noted that any type of tank material exposed to a harsh environment would deteriorate over time.

Motion carried unanimously by roll call vote.

7. BOARD COMMENTS

Director Lo-Hill reported that she attended the Casitas Municipal Water District's (Casitas) Board meeting via teleconference, and she encouraged the Board to attend other water agencies' board meetings in this manner. She noted that the Casitas Board pointed out their good relationship with Calleguas Municipal Water

District (Calleguas), and stated that she was pleased to see Calleguas' connection with other agencies. She mentioned that she viewed an episode on Netflix entitled "Poop" from the series "Connected: The Hidden Science of Everything," which analyzed 50,000-year-old fossilized excrement. She noted that the effluent could be analyzed to determine what people have consumed. She also reported that she attended the Association of California Water Agencies (ACWA) 2020 Summer Virtual Conference on July 29th and 30th, and stated that she enjoyed the session entitled "Once Upon a Time in Water: What Worked, What Didn't."

Director Polan reported that he also attended the ACWA virtual conference, and stated that he enjoyed the session regarding how electrical utility companies have responded to Public Safety Power Shutoffs (PSPS).

8. ADMINISTERING AGENT/GENERAL MANAGER REPORT

Administering Agent/General Manager David Pedersen reported that compost was being produced at the Rancho Las Virgenes Compost Facility, and staff was waiting on receiving laboratory results prior to having compost available to the public. He also reported that the flow in Malibu Creek measured 6.83 cubic feet per second (CFS) at the gauging station; therefore, fish flow supplement was not needed. He noted that there were high recycled water demands due to recent warm weather; therefore, the recycled water system was supplemented with 1.3 million gallons of potable water on August 2nd. He stated that potable water supplement had since reduced to 600,000 gallons per day.

9. FUTURE AGENDA ITEMS

Director Orkney requested a future agenda item to consider a mascot for the Pure Water Project Las Virgenes-Triunfo.

A brief discussion ensued regarding the procedure for Board Members to request future agenda items. Wayne Lemieux, JPA Legal Counsel, noted that the rule for a motion and a second for requests for future agenda items was for Las Virgenes Municipal Water District as opposed to the JPA.

Director Polan requested a future agenda item for the next Board meeting for a discussion on South Coast Air Quality Management District's proposal regarding backup emergency generator testing.

10. PUBLIC COMMENTS

None.

11. CLOSED SESSION

None.

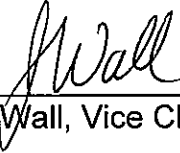
12. **ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:18 p.m.**



Jay Lewitt, Chair

ATTEST:



James Wall, Vice Chair