

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

5:00 PM

September 8, 2020

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Ray Tjulander.

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, Renger, Shapiro, Tjulander, and Wall.

Absent: None.

2. APPROVAL OF AGENDA

Director Renger moved to approve the agenda. Motion seconded by Director Tjulander. Motion carried unanimously.

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

A Minutes: Regular Meeting of August 3, 2020: Approve

Director Caspary moved to approve the Consent Calendar. Motion seconded by Director Orkney. Motion carried unanimously.

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 staff was preparing for the Pure Water Demonstration Facility ribbon-cutting ceremony scheduled on September 11th. He noted that the ceremony would be a quasi-virtual/web-based event, and in-person attendance would include Senator Henry Stern as the keynote speaker as well as JPA Chair Jay Lewitt, JPA Vice Chair James Wall, and Administering Agent/General Manager David Pedersen. He also noted that the ceremony would include virtual participation by local mayors, Oak Park Municipal Advisory Council Chair Seema Chandra, a recorded statement from Congresswomen Julia Brownley, and a moment of silence in recognition of 9/11. He stated that a pre-recorded tour, unveiling of the mural, and orientation video would be included, as well as a tasting of the purified water by people present at the live ceremony. He noted that commemorative glasses with the Pure Water Project Las Virgenes-Triunfo logo would be available to the JPA Board and invited guests upon request. He also stated that tours for the public would begin in early October, while being mindful of COVID-19 social distancing guidelines.

B State and Federal Legislative Update

Lowry Crook, lobbyist representing Best Best & Krieger LLP (BBK), presented the federal legislative update and noted that the Senate would be in session until October 9th and the House would be in session until October 2nd. He also noted that last month the House passed 10 appropriations bills for Fiscal Year 2021; however, the Senate remained stalled and no actions were expected until after Election Day. He also noted that Congress was working on passing a continuing resolution to fund the government past September 30th to avoid a government shutdown, and it was unlikely that Congress would pass a full appropriations package until December 2020 or January 2021. He stated that the Infrastructure Appropriations bills for transportation, energy and water, and interior and environment proposed \$10.2 billion in emergency appropriations for State Revolving Funds (SRF) for COVID-19 relief and stimulus, as well as appropriations for other water and infrastructure funds; however, it was unclear whether the Senate would approve the proposed emergency appropriations. He also reported that the House rescinded and re-appropriated Water Infrastructure Finance and Innovation Act (WIFIA) funds, but provided no additional or new WIFIA funds. He noted that the House passed the Water Resources Development Act (WRDA) in July, and the Senate passed its WRDA through committee in May; however, the full Senate had not passed its WRDA bill. He stated that the Senate's WRDA bill focused on authorizing additional funds for drinking water programs at the Environmental Protection Agency (EPA). He also reported that House and Senate staff were currently in negotiations to resolve differences between the bills to avoid going to formal Conference Committee. He provided an update regarding COVID-19 relief bills and noted that Senate Majority Leader Mitch McConnell filed a "skinny relief bill" that the Senate would consider at the end of the week; however, the bill was not expected to pass. He also reported that Representative John

Garamendi and Senators John Cornyn and Kyrsten Sinema introduced bills that would make special districts eligible to receive up to five percent of any additional COVID-19 relief funds provided to states, and Senator Kamala Harris agreed in late July to sign on as a co-sponsor to this bill.

Syrus Devers, lobbyist representing BBK, presented the state legislative report and provided an update regarding negotiations with the South Coast Air Quality Management District (SCAQMD) on its proposal to change its rules dealing with exceeding runtime limits during a Public Safety Power Shutoff (PSPS) event and addressing testing and maintenance. He stated that BBK would continue to work with the California Municipal Utilities Association (CMUA) in negotiations with SCAQMD for a rule change to be adopted by September 2021. He also stated that if a draft proposed rule change was not ready in time for staff to work on a bill for next year, then staff would pursue legislation. He also provided an update regarding AB 1659 (Bloom), Large Electrical Corporations: Wildfire Mitigation: Securitization, for a wildfire bond and stated that it was unlikely that this bill would move forward. Lastly, he provided an update regarding AB 3030, (Kalra), California Land and Ocean Conservation Goals, which was held on suspense and not moving forward.

C Update on Woolsey Fire Recovery Efforts

Joe McDermott, Director of Engineering and External Affairs, provided an update regarding repairs to JPA facilities damaged during the Woolsey Fire, including the Rancho Las Virgenes Composting Facility and amendment building, exterior, roof, electrical, and mechanical equipment related to the amendment conveyance process; biofilter and miscellaneous onsite appurtenances including irrigation and landscaping; irrigation system and other facilities by Reservoir No. 2; and recycled water tanks and surrounding irrigation systems. He noted that the biofilter was repaired and other repairs were pending by Pacific Hydrotech. He stated that negotiations were continuing with the JPA's insurance carrier to recoup the cost of repairs. He also stated that repairs to irrigation systems might not be covered by the insurance carrier, the Federal Emergency Management Agency (FEMA), or the California Office of Emergency Services (CalOES); however, a claim was submitted to Southern California Edison for damages. He also reported that production of compost at the Rancho Las Virgenes Composting Facility began two weeks ago, and 35 people picked up free compost on August 29th and approximately 70 people picked up free compost on September 5th.

Don Patterson, Director of Finance and Administration, provided an update regarding damage reimbursements received from the JPA's insurance carrier, FEMA, and CalOES. He noted that discussions continued with the JPA's insurance carrier, and a claim was submitted to SCE to recover the costs for damages.

6. ACTION ITEMS

A Owner's Advisor/Program Manager Services for the Pure Water Project Las Virgenes-Triunfo: Award

Accept the proposal from Jacobs Engineering Group, Inc., and authorize the Administering Agent/General Manager to execute a professional services agreement in the amount of \$6,867,000, including six value-added optional tasks, for Owner's Advisor/Program Manager Services for the Pure Water Project Las Virgenes-Triunfo.

Administering Agent/General Manager David Pedersen provided introductory remarks.

Eric Schlageter, Principal Engineer, discussed the Request for Proposals process and introduced Rich Nagel and Jennifer Phillips from Jacobs Engineering Group, Inc.

Rich Nagel and Jennifer Phillips presented a PowerPoint presentation summarizing their proposal for Owner's Advisor/Program Manager Services for the Pure Water Project Las Virgenes-Triunfo.

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

Jessica Forte, Public Works Director/City Engineer for the City of Agoura Hills, spoke in support of awarding the contract to Jacobs Engineering Group, Inc., and inclusion of a water supply augmentation study. She stated that the City recently studied the flow and quality of water at Medea Creek near Agoura Road, and noted that during the hottest months of the year, the City averaged 700,000 gallons per day. She suggested that the diverted water could be beneficial to the JPA to augment the water supply for the Pure Water Project Las Virgenes-Triunfo.

Eric Schlageter, Principal Engineer, responded to questions regarding Jacobs Engineering Group's proposal for Phase 1 of the project and further evaluation of brine management.

Ms. Forte responded to a question regarding the City of Agoura Hills' plans to conduct a base flow study separate from the proposed water supply augmentation study.

Director Orkney expressed concern that Medea Creek runs through multiple jurisdictions and studying the flows could be more complex than only studying the flows within the City of Agoura Hills. Mr. Schlageter responded that several areas of the watershed would be studied for water augmentation sources.

Mr. Nagel responded to a question regarding the proposal for an air curtain for Las Virgenes Reservoir by stating that an air curtain would promote mixing as opposed to submerged pipe diffusers, which could cause construction challenges.

Ms. Phillips responded to a question regarding Jacobs Engineering Group's experience with similar projects by stating that they assisted with the Pure Water San Diego Project by securing the reservoir discharge permit and continued dialog with regulators. Mr. Nagel added that their goal would be to recommend the right sized treatment plant and permitting strategy to achieve the 1:100 dilution ratio, study water augmentation sources, and study the brine alignment outcomes.

Motion carried unanimously.

B Pure Water Project Las Virgenes-Triunfo: Regional Brine Management Study

Receive and file the Regional Brine Management Study.

Administering Agent/General Manager David Pedersen provided introductory remarks.

Brian Dietrick, representing Woodard & Curran, presented a PowerPoint presentation summarizing the Regional Brine Management Study.

Director Lo-Hill moved to approve Item 6B. Motion seconded by Director Shapiro.

Eric Schlageter, Principal Engineer, responded to a question regarding the assessment of the City of Thousand Oaks' sewer collection system and Hill Canyon Treatment Plant to verify adequate capacity and potential treatment performance impacts due to additional brine loading.

Administering Agent/General Manager David Pedersen responded to a question regarding possible negotiations with the City of Thousand Oaks in sharing the benefit of receiving a fraction of the treated water from the Pure Water Project Las Virgenes-Triunfo in lieu of payment for the treatment costs.

Mr. Schlageter responded to a question regarding cost impacts for the JPA's brine line connecting to the Calleguas Municipal Water District's Salinity Management Pipeline by the Hill Canyon Treatment Plant by stating that the brine line constructability issues and cost impacts were not yet identified. He stated there could be a possible benefit of having a direct alignment that would allow a closer connection for the wells in Thousand Oaks to address the conveyance of the brine to the Hill Canyon Treatment Plant.

Mr. Dietrick responded to a question regarding the preparation of the Regional Brine Management Study by stating that the study was prepared to evaluate the costs for all of the entities as a whole. He noted that the report did not include a formal cost sharing analysis.

Motion carried unanimously.

C State and Federal Legislative and Regulatory Advocacy: Renewal of Professional Services Agreement

Authorize the Administering Agent/General Manager to execute a one-year professional services agreement with Best Best & Krieger LLP, in the amount of \$155,000, with two one-year renewal options adjusted for inflation, to provide state and federal legislative and regulatory advocacy services.

Administering Agent/General Manager David Pedersen presented the report.

Director Tjulander moved to approve Item 6C. Motion seconded by Director Shapiro. Motion carried unanimously.

7. BOARD COMMENTS

Director Lo-Hill reported that she attended the Association of California Water Agencies (ACWA) Energy Committee Meeting via teleconference, where a representative from Southern California Edison discussed higher than expected rate increases due to expiration of refunds and wildfire damages.

Director Renger mentioned that he read the book *Upheaval: Turning Points for Nations in Crisis* by Jared Diamond, which discusses how cities, states, and governments cope with crisis. He stated that the book was an eye-opener, and he recommended it to everyone.

Director Orkney stated that after serving 14 years on the JPA Board that she was very excited with the upcoming ribbon-cutting ceremony for the Pure Water Demonstration Facility. She acknowledged the leadership from the Board, management, consultants, and lobbyists in this effort.

Director Shapiro complimented the development and construction of the Pure Water Demonstration Facility. He also acknowledged staff on providing the virtual tour of the facility.

8. ADMINISTERING AGENT/GENERAL MANAGER REPORT

Administering Agent/General Manager David Pedersen thanked the Board for the positive feedback regarding the Pure Water Demonstration Facility, and he acknowledged the Board and staff for their support. He reported that the flow in Malibu Creek measured 3.5 cubic feet per second (CFS) at the gauging station; therefore, fish flow supplement was not needed. He also reported that compost was being produced at the Rancho Las Virgenes Composting Facility and free compost was available for pickup. He noted that 35 people picked up compost on August 29th and approximately 70 people picked up compost on September 5th. He also noted that staff implemented a reservation system for compost pickup due to the COVID-19 pandemic, including safety and social distancing guidelines. He

also reported that two customers recently inquired regarding the availability of free recycled water from the fill station at the Rancho Las Virgenes Composting Facility. He noted that the piping system was damaged during the Woolsey Fire; however, staff was in the process of obtaining quotes for the necessary repairs to restore the service as soon as possible. He also reported that Governor Gavin Newsom had declared a new State of Emergency due to the extreme heat experienced throughout the state during the Labor Day weekend. He noted that the Governor's declaration included provisions to suspend rules and regulations regarding running emergency generators. He stated the Tapia Water Reclamation Facility was operated on emergency back-up generators for three days from 3:00 p.m. to 9:00 p.m. Lastly, he noted that he and Chair Lewitt discussed his suggestion to ask the Board to consider sharing information after attending conferences during the JPA meetings under Board Comments. He responded to a question regarding looking into battery storage for running JPA facilities by stating that TerraVerde was currently conducting a study since battery storage had become more economical.

9. **FUTURE AGENDA ITEMS**

None.

10. **INFORMATION ITEMS**

A **Saddle Peak and Cordillera Tank Rehabilitation Project: Reissuance of Call for Bids**

11. **PUBLIC COMMENTS**

None.

12. **CLOSED SESSION**

None.

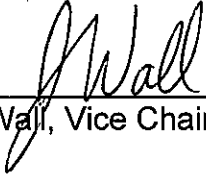
13. **ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at **7:21 p.m.**



Jay Lewitt, Chair

ATTEST:



James Wall, Vice Chair