

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

5:00 PM

March 1, 2021

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Len Polan.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **5:00 p.m.** by Chair Tjulander 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 Polan moved to approve the agenda. Motion seconded by Director Wall. Motion carried unanimously by roll call vote.

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

A Minutes: Regular Meeting of February 1, 2021: Approve

B Budget Planning Calendar for Fiscal Year 2021-22

Receive and file the Budget Planning Calendar for Fiscal Year 2021-22.

Director Orkney moved to approve the Consent Calendar. Motion seconded by Director Polan. 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, shared a photograph of the new Super Drop mascot costume, and noted that Super Drop would be used for social media and videos to promote the Pure Water Project Las Virgenes-Triunfo (Pure Water Project). Administering Agent/General Manager David Pedersen acknowledged Director Orkney for providing a sample of iridescent fabric that was used for Super Drop's costume.

Mr. McDermott provided an update regarding the Taste the Water, Explore the Garden tours, and stated that tours could begin once the County of Los Angeles is in the less restrictive red tier of the state's COVID-19 restrictions. He also stated that the tours would allow people to taste the water at a stand in front of the Pure Water Demonstration Facility building and visit the sustainability garden. He noted that a virtual tour of the facility, the orientation video, and the ribbon-cutting ceremony video were available at www.ourpureh2o.com. Mr. McDermott also noted that the monthly update report from Jacobs Engineering Group was included in the agenda packet, including a project overview, monthly major milestones, key program accomplishments, key considerations, and upcoming activities. He stated that the next JPA workshop would be held on March 30th at 10:00 a.m. regarding alternative delivery methods.

Jennifer Phillips, representing Jacob Engineering Group, responded to a question regarding the programmatic California Environmental Quality Act (CEQA) approach for the project. She explained that because there was a concept for a project to consider two different locations for the Advanced Water Treatment Facility (AWTF) and different alignments for the pipelines, a programmatic CEQA document would support the JPA to develop alternatives moving forward, allowing the JPA to pursue the CEQA certification earlier instead of waiting until the project is further defined. This approach would allow the JPA to submit and develop applications for funding earlier in the project development process.

Director Polan noted that he participated in the WateReuse Virtual Symposium earlier in the day, where it was mentioned that it was important to seek support for potable water reuse from the medical community.

B State and Federal Legislative Update

Anna Schwab, federal lobbyist for the JPA with Best Best & Krieger LLP (BBK), presented the federal legislative update, and reported that Congresswoman Grace Napolitano reintroduced legislation to reauthorize the Title XVI Program. She

stated that BBK could provide a letter of support for the Board's consideration. She also stated that it was critical that Title XVI be funded and reauthorized, and noted that BBK was working with the Association of California Water Agencies (ACWA) and WateReuse for reauthorization of the program. She also noted that the JPA needed to demonstrate that the Pure Water Project was moving forward in order to apply for federal funds, and she urged the Board to support the reauthorization of the program. She stated that it was expected that Senator Dianne Feinstein would introduce a similar bill. She also reported that Congresswoman Napolitano and Congressman Peter DeFazio introduced the Water Quality Protection and Job Creation Act of 2021, which would authorize funding for water and wastewater projects, create new jobs, and modernize aged equipment. She also provided an update regarding the Wildfire Caucus, and suggested the Board might consider sending a letter of support. She also reported on the restoration of earmarks for projects in need of financial support, and noted that the use of earmarks would be very limited and would require legislators to include their names and the name of the organization requested the funding.

Lowry Crook, federal lobbyist for the JPA with BBK, reported that Congressional Members would have a quota of ten earmarks, which must be for funding within existing programs. He also reported that Congress passed a \$1.9 trillion COVID-19 stimulus package last week, which was forwarded to the Senate for consideration. He noted that the stimulus package did not include a move to expand state and local aid to special districts; however, the package included funding for the Low Income Home Energy Assistance Program (LIHEAP). He also noted that the package would provide payroll tax credits to public agencies for extended family and medical leave from the end of March through September.

Ms. Schwab responded to a question regarding funding for water infrastructure by stating that funding for infrastructure was not included in the COVID-19 stimulus package; however, the current Administration indicated that funding for water infrastructure would be a priority. Mr. Crook added that there would be discussion of a water infrastructure package driven by the expiration of the Surface Transportation Act. He noted there was concern regarding the growing deficit in transportation funding due to reduced gas tax revenues, and Congress was considering funding for water infrastructure as part of a reconciliation bill through the Senate.

Syrus Devers, state lobbyist for the JPA with BBK, presented the state legislative update, and reported that the state legislature passed a \$7.6 billion COVID-19 relief package; however, no funding was included for special districts. He noted that BBK was monitoring 22 legislative bills, and would discuss bill positions with staff on March 4th. He noted that ACWA and the California Municipal Utilities Association (CMUA) were working together to persuade the legislature and the Governor to assist with providing funding for delinquent utility bills. Mr. Devers responded to a question regarding the status of the availability of COVID-19 vaccines for water and wastewater workers by stating that he was unaware of the

status. Administering Agent/General Manager David Pedersen added that a letter was sent to the Governor's COVID-19 Task Force asking that it consider moving water and wastewater workers to Priority 1B; however, the request did not prevail as it was not consistent with the Centers for Disease Control and Prevention (CDC) guidelines.

6. ACTION ITEMS

A Pure Water Project Las Virgenes-Triunfo: Preliminary Results of Community-Wide Public Opinion Survey

Receive and file the preliminary results of a Community-Wide Public Opinion Survey for the Project Water Project Las Virgenes-Triunfo.

Dave Roberts presented the report.

Dr. Steven Rouse, representing Pepperdine University, provided a presentation entitled "Community Attitudes about Purified Recycled Water", showing the preliminary results of the community-wide public opinion survey. He stated that future research would include assessing changes in attitude from individuals before and after touring the Pure Water Demonstration Facility, taking note of the differences in facial muscle movement following the tour, and on-going community attitude updates. He responded to questions regarding the availability of attitude scales specific for purified recycled water and whether staff had followed-up with the California Association of Sanitation Agencies (CASA) for similar surveys by stating that he was unable to locate any surveys in published research literature. He noted that he reviewed some reports that were prepared for Ventura County; however, the report used a single item scale. Joe McDermott, Director of Engineering and External Affairs, added that several agencies had conducted surveys and used other scales; however, Pepperdine University was seeking published research for a high level of accuracy and a different level of sophistication for the degree of acceptance or non-acceptance of purified recycled water.

Dr. Rouse responded to a question regarding whether measuring facial muscle movement would be considered a violation of privacy by stating that any researcher from the university who would be collecting data from human subjects must have the study approved by the university's Institutional Review Board. He noted that approval was received from the Board for this survey. He also noted that the informed consent form included information to survey participants that facial expressions would be measured. He stated that the data would be collected in group form, and it would not single out one individual's data.

Dr. Rouse also responded to a question regarding the gender, race, and ethnicity survey question by stating that one of the goals of the survey was not only to collect data but to also disseminate information to the broader scientific community. He

noted that Pepperdine University could not publish a study unless it could specify the nature of the sample from which data was collected. He also responded to a question regarding the survey responders' most common response to the project by stating that although there was a wide diversity of views, there were more people who were positive as opposed to resistant to the project.

Director Polan stated that it was noted during the WaterReuse Virtual Symposium on March 1st that public approval of potable water reuse had increased to 98 percent following a tour of MWD's Regional Recycled Water Project in Carson, and he suggested that Dr. Rouse obtain this survey data.

Director Polan moved to approve Item 6A. Motion seconded by Director Lo-Hill. Motion carried unanimously by roll call vote.

B Independent Audit Services: Request for Proposals

Authorize the issuance of a Request for Proposals for independent audit services beginning with Fiscal Year 2021-22.

Administering Agent/General Manager David Pedersen presented the report.

A discussion ensued regarding the Audit Committee's discussion on issuing a Request for Proposals for independent audit services.

Director Caspary moved to approve Item 6B. Motion seconded by Director Nye. Motion carried by the following roll call vote:

AYES: Caspary, Lo-Hill, Nye, Orkney, Renger, Tjulander, Wall

NOES: Lewitt, Polan, Shapiro

ABSTAIN: None

ABSENT: None

C Digester No. 2 Rehabilitation Project: Change Order No. 4

Authorize the Administering Agent/General Manager to execute Change Order No. 4, in the amount of \$35,415, for the Digester No. 2 Rehabilitation Project.

Mercedes Acevedo, Assistant Engineer, presented the report.

Director Orkney moved to approve Item 6C. Motion seconded by Director Caspary. Motion carried unanimously by roll call vote.

D Short-Term Offsite Disposal of Class B Biosolids: Approval

Authorize the Administering Agent/General Manager to execute an

agreement with New Earth USA for the short-term offsite disposal of Class B biosolids at a cost of \$63.69 per ton.

Brett Dingman, Water Reclamation Manager, presented the report.

Director Polan moved to approve Item 6D. Motion seconded by Director Wall. Motion carried unanimously by roll call vote.

**E Tapia Water Reclamation Facility Outfall Rehabilitation Project:
Approval of Expanded Environmental Permitting Support**

Authorize the Administering Agent/General Manager to execute a professional services agreement with Rincon Consultants, Inc., in the amount of \$63,981, to provide expanded environmental permitting support for the Tapia Water Reclamation Facility Outfall Rehabilitation Project.

Brett Dingman, Water Reclamation Manager, presented the report. He responded to a question regarding seeking a permit from the County of Los Angeles under the Local Coastal Plan instead of a Local Coastal Development Permit by stating that staff from the County of Los Angeles Coastal Planning Department discussed permit requirements with staff from the California Coastal Commission, who indicated that a Local Coastal Development Permit was required. Director Caspary suggested seeking assistance from upper management staff at the County level.

Administering Agent/General Manager David Pedersen stated that staff could further explore seeking a County permit under the Local Coastal Plan. He also stated that maintenance activity should be exempt; however, it was his understanding that there were trees in a sensitive area in the creek bed, and typically regulatory agencies tend to err on the side of caution.

Mr. Dingman responded to a question regarding the timeline to obtain permits by stating that it could take two to three years to obtain permits and authorization from all of the regulatory agencies.

Director Caspary moved to approve Item 6E and have staff seek coverage under the Local Coastal Plan. Motion seconded by Director Lewitt. Motion carried unanimously by roll call vote.

7. BOARD COMMENTS

Director Orkney expressed support for the free Community Compost Program outreach plan. She noted that her gardener had applied compost to her front lawn with great results.

Director Polan noted that he attended a meeting where funding for the continued use of measuring snowpack levels in the Sierras by airplane was discussed. He

reported that he participated in the WaterReuse Virtual Symposium earlier that day, where it was noted that public approval of potable water reuse had increased to 98 percent following a tour of MWD's Regional Recycled Water Project in Carson. He noted that there was also discussion regarding the use of artificial intelligence in recycled water plants, and he inquired whether this technology was being considered. Administering Agent/General Manager David Pedersen responded that staff was working with a firm from Japan on artificial intelligence for the Pure Water Demonstration Facility. He stated that staff could provide a presentation at a future meeting.

8. ADMINISTERING AGENT/GENERAL MANAGER REPORT

Administering Agent/General Manager David Pedersen reminded the Board regarding the workshop scheduled on March 30th from 10:00 a.m. to 12:00 p.m., for the Pure Water Project Las Virgenes-Triunfo Alternative Delivery Methods. He also reminded the Board to submit their Form 700 Statement of Economic Interests by April 1st. He reported that the state would be implementing its new single statewide COVID-19 vaccine eligibility system, called MyTurn, which would assist in determining when individuals would be eligible for the vaccine or notifying registered individuals when they become eligible. He stated that he would send the website link to the Board, which would also be shared with employees.

9. FUTURE AGENDA ITEMS

None.

10. INFORMATION ITEMS

A Supply and Delivery of Bulk Woodchip Compost Amendment: Award

11. PUBLIC COMMENTS


None.

12. ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:42 p.m.**


Ray Tjulander, Chair

ATTEST:


Jay Lewitt, Vice Chair