

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

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5:00 PM

May 3, 2021

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag was led by Lee Renger.

**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 Wall moved to approve the agenda. Motion seconded by Director Shapiro. Motion carried unanimously by roll call vote.

**3. PUBLIC COMMENTS**

None.

**4. CONSENT CALENDAR**

**A Minutes: Special Meeting of March 30, 2021 and Regular Meeting of April 5, 2021: Approve**

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**

Eric Schlageter, Principal Engineer, presented the monthly update from Jacobs Engineering Group (Jacobs). He noted that Jacobs would present the draft Program Implementation Plan (PIP) during a workshop to be scheduled in June, and the final PIP would be presented for adoption at the July 6th JPA Board meeting. He explained that the PIP would establish the program's project delivery approach, regulatory permitting strategies, environmental compliance, cost estimates, baseline cost-loaded master schedule, and outreach plan. He stated that the primary focus was developing an independent budgetary cost estimate for each of the program elements, including the advanced water treatment facility, conveyance pipelines, and reservoir improvements. He noted that some of the risks and uncertainties that might affect the baseline project cost could include future inflation, cost of commodities, and construction market volatility. He also noted that staff was monitoring other water augmentation projects to better align and compare the cost estimates.

Administering Agent/General Manager David Pedersen responded to a question regarding how the project cost estimate would impact the Fiscal Year 2021-22 Budget by stating that the project cost-loaded schedule would not impact the JPA budget for the next several fiscal years, and there were funds included in the Fiscal Year 2021-22 Budget for the on-going work.

Mr. Schlageter responded to a question regarding the definition of earned value status by stating that this term was used to identify progress to-date. Jennifer Phillips, representing Jacobs, added that once the baseline cost-loaded master schedule is established, Jacobs would provide monthly updates on cost and schedule by using earned values to track progress.

Mr. Schlageter responded to a question regarding brine disposal by stating that it was anticipated that brine would be disposed through the Calleguas Salinity Management Pipeline as recommended in the Regional Brine Management Study.

A discussion ensued regarding scheduling the PIP workshop, and the Board agreed to schedule the workshop on June 16th from 9:00 a.m. to 12:00 p.m.

**B State and Federal Legislative Update**

Ana Schwab, federal lobbyist for the JPA with Best Best & Krieger LLP (BBK), noted that she was working on scheduling a meeting with the local Bureau of Reclamation office on May 17th as part of the Washington D.C. virtual lobbying. She stated that a preparation meeting would be held on May 11th. She presented the federal legislative update and noted there was bipartisan support to repeal the cap on State and Local Tax (SALT) deductions and include it as part of the

infrastructure package. She reported that the Senate passed its State Revolving Fund (SRF) reauthorization bill, which would move forward to the House of Representatives. She noted that BBK would closely monitor the Per- and Polyfluoroalkyl Substances (PFAS) Action Act for opportunities to provide comment.

Lowry Crook, federal lobbyist for the JPA with BBK, provided an update regarding the infrastructure package and noted that Congressional Committees were in the process of drafting the proposed legislation.

Ms. Schwab responded to a question regarding the PFAS Registry Act by stating that it would not affect the JPA; however, it was included in the federal legislative report as it dealt with PFAS and how it affects those who have been exposed to PFAS in the military.

Syrus Devers, state lobbyist for the JPA with Best Best & Krieger LLP (BBK), presented the state legislative update, and noted that AB 1434 (Friedman), Urban Water Use Objectives Indoor Residential Water Use, was proposed to lower existing indoor water use efficiency standards. He stated that there appeared to be coordination with the Governor's Office in having some talking points added to this bill as the state enters another drought. He also stated that the bill passed in the Committee on Water, Parks, and Wildlife with the minimum number of votes. He noted that the JPA sent a letter of opposition, and the bill might not move forward in the Senate. He reported that AB 818 (Bloom), Solid Waste Pre-Moistened Nonwoven Disposal Wipes, was moving forward. He provided an update on Governor Gavin Newsom's approach for expected drought conditions, and noted that the Governor declared a drought emergency for parts of Northern California, which could be expanded to other areas of the state. He also reported that SB 223 (Dodd), Discontinuation of Residential Water Service, was amended to remove the mandatory portion regarding a low-income water rate assistance program. He noted that efforts were being taken to stop the bill from moving forward. He also reported that the first budget action for a drought relief package was presented in the Senate, and if the Assembly follows along, the package could be finalized in June.

Director Lewitt spoke in support of water districts declaring a drought emergency prior to a declaration by the Governor and encouraging the public to conserve water.

A discussion ensued regarding concerns with AB 1434's proposed reductions to current standards for indoor residential water use, receiving credits for recycled water use, and concerns with SB 323 (Caballero), Local Government Water or Sewer Service Legal Actions, related to the statute of limitations for challenging water and sewer rates.

Director Caspary noted that the Association of California Water Agencies' State

Legislative Committee would be issuing a report to the State Legislature regarding concerns with the State Water Resources Control Board's (Water Board) plans to reduce the current standard for indoor residential water use to 42 gallons per capita per day. He expressed concern that the projections of water supply for the Pure Water Project Las Virgenes-Triunfo would largely be sourced from wastewater flows, which would be negatively impacted by AB 1434. Mr. Devers responded that the Water Board would be unable to change the standard without a legislative bill, and any changes proposed through AB 1434 would require the same input as outlined in AB 1668, Water Management Planning.

## 6. ACTION ITEMS

### A Rancho Las Virgenes Composting Facility: Biofilter Maintenance

**Authorize the Administering Agent/General Manager to approve a purchase order to Viramontes Express, in the amount of \$100,127.85, to supply new biofilter media and dispose of the old media at the Rancho Las Virgenes Composting Facility.**

Brett Dingman, Water Reclamation Manager, presented the report.

Directors Nye and Renger lost connection to the teleconference at approximately 5:45 p.m.

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

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

NOES: None

ABSTAIN: None

ABSENT: Nye, Renger

### B Tapia Sodium Hypochlorite Tank and Piping Replacement Project: Final Acceptance

**Approve the execution of a Notice of Completion and have the same recorded; in the absence of claims from subcontractors and others, release the retention, in the amount of \$25,858.33, thirty calendar days after filing the Notice of Completion; and authorize the Administering Agent/General Manager to approve Scope Change No. 1, in the amount of \$6,350, to Pacific Advanced Civil Engineering, Inc., for the Tapia Sodium Hypochlorite Tank and Piping Replacement Project.**

Veronica Hurtado, Assistant Engineer, presented the report.

Directors Nye and Renger reconnected to the teleconference at approximately 5:50 p.m.

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

Ms. Hurtado responded to a question regarding the life cycle of the tanks by stating that the life cycle was expected to be 15 to 20 years. She also responded to a question regarding the safety measures taken during the delivery of chemicals.

Motion carried unanimously by roll call vote.

7. **BOARD COMMENTS**

Director Polan noted that he was currently reading a book titled *The Source* by Martin Doyle regarding American watercourses, and he recommended the book to everyone.

Director Lo-Hill reported that she attended the California Municipal Treasurers Association virtual annual conference from April 28th through 30th. She noted that the conference included a session regarding economic recovery and inflation following the COVID-19 pandemic.

8. **ADMINISTERING AGENT/GENERAL MANAGER REPORT**

Administering Agent/General Manager David Pedersen reported that due to relaxed COVID-19 restrictions, staff had begun to schedule tours of the Pure Water Demonstration Facility and Sustainability Garden titled *Taste the Water, Tour the Garden*. He noted that although visitors would not be able to tour the inside of the facility, they would be able to taste the purified water outdoors and walk through the garden. He noted that 11 people attended the first tour held on May 1st. He also noted that Dr. Steven Rouse and a student from Pepperdine University facilitated before and after surveys for the tour. He also reported that the Las Virgenes Municipal Water District Board would be moving to virtual/in-person meetings beginning on May 4th, and he proposed that the JPA Board plan on meeting in the same manner at the June 7th Board meeting. He noted that the Board Room would be set up in a manner to safely participate in-person. He also reported that demand for compost had increased significantly, and he proposed ceasing bulk loading to maintain a sufficient supply of compost. He acknowledged Director Orkney for helping to arrange the delivery of compost to the Oak Park Community Garden. He also reported that the flow in Malibu Creek was measuring 8.3 cubic feet per second, and there was no need for water augmentation at this time. He also reported that two small fires occurred the previous week with one fire occurring in Calabasas at the intersection of Highway 101 and Las Virgenes Road and the other in Westlake Village near Westlake High School. He noted that the Los Angeles County Fire Department drew water from Reservoir No. 2 to fight the fire in Calabasas, and the Ventura County Fire Department drew water from Las



Virgenes Reservoir to fight the fire in Westlake Village.

Joe McDermott, Director of Engineering and External Affairs, responded to a question regarding advertising the *Taste the Water, Tour the Garden* by stating that information was posted on the website, newspaper, and social media, and emails were sent to individuals identified in the Influential People Outreach Program (iPOP).

Administering Agent/General Manager David Pedersen also reported that former JPA Director Mike Paule visited the area the previous week and toured the Pure Water Demonstration Facility. He noted that former Director Paule sent his regards to the Board.

John Zhao, Director of Facilities and Operations, responded to a question regarding the status of the compost giveaway program by stating that demand had increased significantly and approximately 100 people picked up compost on May 1st. He noted that compost pickup was available during the week; however, bulk loading would temporarily be halted.

Mr. McDermott responded to a question regarding whether the iPOP list was updated to reflect the current City Councilmembers by stating that the list was updated in November 2020.

**9. FUTURE AGENDA ITEMS**

None.

**10. PUBLIC COMMENTS**

None.

**11. ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at 6:14 p.m.

  
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Ray Tjulander, Chair

ATTEST:

  
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Jay Lewitt, Vice Chair