

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

5:00 PM

September 13, 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 Polan moved to approve the agenda. Motion seconded by Director Shapiro. Motion carried unanimously.

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

A Minutes: Regular Meeting of August 3, 2021 and Special Meeting of August 23, 2021: Approve

B Rancho Solar Generation Project Phase 2: Amendment No. 3 to Power Purchase Agreement

Authorize the Administering Agent/General Manager to execute Amendment No. 3 to Power Purchase Agreement for the Rancho Solar Generation Project Phase 2.

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

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A State and Federal Legislative Update

Ana Schwab, federal lobbyist for the JPA with Best Best & Krieger LLP (BBK), presented the federal legislative update. She noted that the House of Representatives and the Senate had until September 15th to complete the budget reconciliation bills so that both Chambers may vote on the budget packages by the September 30th deadline; however, it did not appear that this would be accomplished in time to meet the deadline. She stated that the House of Representatives could proceed with a vote for a short-term measure to fund the federal government through the beginning of December to allow extra time for Congress to consider budget packages and appropriations. She also stated that the House of Representatives included language in the Infrastructure Package and the authorizing bill for the Alternative Water Source Program that contained the amendment advocated by the JPA. She noted that House Speaker Nancy Pelosi indicated she would call for a vote on the Infrastructure Package after the budget with an internal deadline of September 30th; however, it was unclear how this would proceed given the change in the central budget timeline.

Lowry Crook, federal lobbyist for the JPA with BBK, reported that work continued on the annual defense authorization bill and per- and polyfluoroalkyl substances (PFAS) regulations. He stated that PFAS amendments would likely focus on clean-up at military bases and phasing out firefighting foam containing PFAS.

Ms. Schwab provided an update on the Waters of the United States (WOTUS) rule and stated that the U.S. Environmental Protection Agency (EPA) and the Army Corps of Engineers were proceeding with the process of rebranding the WOTUS rule. She noted that the U.S. District Court in Arizona vacated the rule, and the EPA indicated it would implement vacating the rule. She also noted that the ruling did not repeal the 2015 rule; therefore, the WOTUS rule would return to the 1986 rule and its guidance. She also reported that the EPA was seeking comments on PFAS limitations and implementation; however, this would be focused on limiting industries' use of and ability to have PFAS or PFAS chemicals in their products.

Mr. Crook responded to a question regarding the current WOTUS rule by stating that the current Administration, the EPA, and the Army Corps of Engineers would move very soon to repeal the 2020 standard rule.

Syrus Devers, state lobbyist for the JPA with BBK, presented the state legislative update, and noted it was expected that Governor Gavin Newsom would lift emergency orders that allowed local public agencies to hold public meetings remotely until September 30th, and would sign AB 361 (Rivas), Open Meetings, Local Agencies, Teleconferences, which would permit remote meetings to continue with certain guidelines. He provided an update regarding funding for water and wastewater arrearages and noted that funding for wastewater delinquent accounts would not be available until January as delinquent water utility accounts would be given priority. He also noted that the Association of California Water Agencies (ACWA), California Mutual Utilities Association (CMUA), and WateReuse had advocated to have \$500 million set aside in the budget for water recycling projects; however only \$200 million was set aside for water recycling and groundwater clean-up funding. He responded to a question regarding the status of SB 222 (Dodd), the Water Affordability Assistance Program, by stating that this bill was sent to the inactive file. He also responded to a question regarding the JPA seeking a portion of the \$200 million for water recycling project funding by stating that the JPA would need to apply and compete for funding.

B Pure Water Project Las Virgenes-Triunfo: Update

Eric Schlageter, Principal Engineer, presented the report. He noted that the Notice of Preparation of Programmatic Environmental Impact Report was released in accordance with California Environmental Quality Act (CEQA) requirements, and a public scoping meeting would be held on September 23rd. He also noted that staff met with representatives from the Los Angeles Regional Water Quality Control Board to provide an update on the project's progression, and staff would provide them a tour of the Pure Water Demonstration Facility at the end of the month. He stated that an update and tour would also be provided to representatives from the State Water Resources Control Board, Division of Drinking Water in October. He noted that staff would review finance and funding scenarios for the project at the next JPA meeting. He also reported that staff was continuing to provide tours of the Pure Water Demonstration Facility to interested agencies, design-build professionals, and consultants, and that staff would provide a tour to representatives from the City of Thousand Oaks on October 20th.

Administering Agent/General Manager David Pedersen responded to a question regarding whether Board Members could attend the scoping meeting by stating that Board Members were welcome to attend the meeting as well as the October 20th tour for representatives from the City of Thousand Oaks.

Wayne Lemieux, Agency Counsel, advised the Board to only take notes during the scoping meeting and not interact with each other to avoid a violation of the Brown Act.

Administering Agent/General Manager David Pedersen responded to a question regarding addressing the sound levels inside the Pure Water Demonstration

Facility.

A discussion ensued regarding bringing back a cost analysis for financing to take advantage of low interest rates, the requirement for legal advertising in newspapers as part of the CEQA process, and advertising the scoping meeting on social media.

6. ACTION ITEMS

A Pure Water Demonstration Facility: Operational Support Services

Authorize the Administering Agent/General Manager to execute a professional services agreement with Carollo Engineers, Inc., in the amount of \$117,622, to provide continued operational support services for the Pure Water Demonstration Facility.

Darrell Johnson, Water Systems Manager, presented the report.

Andy Salveson, representing Carollo Engineers, Inc., provided a PowerPoint presentation on the Pure Water Demonstration Facility and evaluation of artificial intelligence technology. The Board asked Mr. Salveson for a copy of his presentation and that he include a chart explaining the logarithmic microbiological (pathogen) reduction criteria (12/10/10).

A discussion ensued regarding the possibility of testing the effects of stormwater and dry weather flow on the existing system and having staff provide a comparison of the quantities of contaminants of emerging concern and other compounds detected in State Water Project supplies as compared to the same treated water from the Pure Water Demonstration Facility.

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

A discussion ensued regarding technologies to remove microplastics from entering the wastewater stream.

Motion carried unanimously.

B Pure Water Project Las Virgenes-Triunfo: Public Outreach Services

Authorize the Administering Agent/General Manager to execute a professional services agreement with Water Systems Consulting, in the amount of \$71,090, for public outreach services related to the Pure Water Project Las Virgenes-Triunfo.

Mike McNutt, Public Affairs and Communications Manager, presented the report.

Director Lewitt moved to approve Item 6B. Motion seconded by Director Orkney. Motion carried unanimously.

C Pure Water Project Las Virgenes-Triunfo: Water Augmentation Study Results

Review and provide feedback on the results of the Water Augmentation Study for the Pure Water Project Las Virgenes-Triunfo.

Administering Agent/General Manager David Pedersen provided introductory remarks.

Katie Bollmer, representing Jacobs Engineering, provided a PowerPoint presentation of the water augmentation study alternatives analysis results, including baseline flow and alternatives analysis.

A discussion ensued regarding recycled water conservation at Pepperdine University as a high priority, diverting dry weather urban runoff and challenges with diverting flows from streams due to water rights and endangered species issues.

Ms. Bollmer responded to a question regarding showing that Medea Creek originates in Oak Park in the augmentation sources map by stating that the map would be updated to include the stream network.

Ms. Bollmer continued the presentation and reviewed cost metrics for the alternatives analysis including review of single-source alternatives.

A discussion ensued regarding dry weather flow data in Medea Creek due to urban runoff within the tributary watershed.

Director Orkney requested that staff bring back an explanation of the option to obtain water from the Hill Canyon Treatment Plant.

Ms. Bollmer continued the presentation, including the final ranking criteria and outcomes, and responded to questions regarding benefit/cost ratios. She also reviewed the recommended water augmentation approach.

A discussion ensued regarding implementing recycled water conservation programs.

Administering Agent/General Manager David Pedersen reviewed next steps, including looking at augmentation early on in order to consider the size of the advanced water purification facility and construction of the brine pipeline. He stated that there were opportunities for a partnership with the City of Thousand Oaks through its groundwater program and the Hill Canyon Treatment Plant. He recommended that the JPA foster and develop a relationship with the City of

Thousand Oaks, build off of the systematic process by Jacobs Engineering, consider forming other partnerships and the benefits they could provide, and have staff bring back ideas on how partnerships could become a reality. He stated that the ability to foster partnerships would drive down and offset the cost of the project. He noted that staff was working with Pepperdine University on seeking a partnership, including looking at perhaps changing how the university manages its property and options for lower recycled water demand.

Jennifer Phillips, representing Jacobs Engineering, responded to questions regarding project costs without water augmentation and increased operational costs.

D Tapia Water Reclamation Facility Summer Season TMDL Compliance and Meter Replacement Project: Construction Award

Accept the request from Minco Construction to withdraw its bid due to a clerical error; award a construction contract to Pacific Hydrotech Corporation, in the amount of \$3,488,505; reject all remaining bids upon receipt of the duly executed contract documents; and appropriate an additional \$1,660,567.50 for the Tapia Water Reclamation Facility Summer Season Total Maximum Daily Load Compliance and Meter Replacement Project.

Veronica Hurtado, Assistant Engineer, presented the report and alternative option cost comparisons. She responded to questions regarding the cost and location of the new meters.

Director Renger moved to approve Item 6D. Motion seconded by Director Shapiro. Motion carried unanimously.

7. BOARD COMMENTS

Director Polan reported that he attended the Southern California Coastal Water Research Project (SCCWRP) Microplastics Health Effects Workshop Webinar on September 9th.

8. ADMINISTERING AGENT/GENERAL MANAGER REPORT

Administering Agent/General Manager David Pedersen reported that the flow in Malibu Creek was measuring 4.37 cubic feet per second, and there was no need for water augmentation. He also reported that staff worked with the Four Seasons Hotel to divert up to 10,000 gallons per month of groundwater dewatering flow from the parking garage so that the hotel can comply with stormwater discharge requirements.

9. FUTURE AGENDA ITEMS

None.

10. **INFORMATION ITEMS**

A Pure Water Project Las Virgenes-Triunfo: Final Report for Future Supply Actions Study on Artificial Intelligence

11. **PUBLIC COMMENTS**

None.

12. **ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at **7:57 p.m.**



Ray Tjulander, Chair

ATTEST:


Jay Lewitt, Vice Chair