

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

5:00 PM

February 7, 2022

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 Assembly Bill 361, which suspended certain requirements of the Ralph M. Brown Act to support social distancing guidelines associated with response to the coronavirus (COVID-19) outbreak. Susan Brown, Administrative Assistant, conducted the roll call.

Present: Directors Caspary (via teleconference), Lewitt, Lo-Hill (via teleconference), Nye (via teleconference), Orkney (via teleconference), Polan, Renger (via teleconference), Shapiro, Tjulander, and Wall (via teleconference).

Absent: None.

2. CHAIR/VICE CHAIR

A Annual Transition of JPA Chair and Vice Chair

Recognize Las Virgenes Municipal Water District Board President Jay Lewitt as Chair and Triunfo Water & Sanitation District Chair Leon Shapiro as Vice Chair of the Las Virgenes – Triunfo Joint Powers Authority for calendar year 2022.

The JPA Board transitioned its officers with Las Virgenes Municipal Water District Board President Jay Lewitt as Chair and Triunfo Water & Sanitation District Chair Leon Shapiro as Vice Chair for calendar year 2022.

3. APPROVAL OF AGENDA AND ADOPTION OF RESOLUTION NO. 16 (AB 361)

A Approval of Agenda and Reauthorization of Revised use of Teleconferencing for Public Meetings

Approve the Agenda and pass, approve, and adopt proposed Resolution No. 16, reauthorizing the revised use of teleconferencing for public meetings pursuant to the Brown Act provisions enacted by Assembly Bill 361

RESOLUTION NO. 16

A RESOLUTION OF THE GOVERNING BOARD OF THE LAS VIRGENES-TRIUNFO JOINT POWERS AUTHORITY REAUTHORIZING THE REVISED USE OF TELECONFERENCING FOR PUBLIC MEETINGS

(Reference is hereby made to Resolution No. 16 on file in the JPA's Resolution Book and by this reference the same is incorporated herein.)

Director Polan moved to approve Item 3A. Motion seconded by Director Tjulander. Motion carried unanimously by roll call vote.

4. PUBLIC COMMENTS

None.

5. CONSENT CALENDAR

A Minutes: Regular Meeting of December 6, 2021: Approve

B Budget Planning Calendar for Fiscal Years 2022-23 and 2023-24.

Receive and file the Budget Planning Calendar for Fiscal Years 2022-23 and 2023-24.

C Statement of Revenues, Expenses, and Changes in Net Position: December 2021

Receive and file the Statement of Revenues, Expenses, and Changes in Net Position for the period ending December 31, 2021.

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

6. 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, and discussed funding opportunities for the Pure Water Project Las Virgenes-Triunfo (Pure Water Project). She noted that the U.S. Bureau of Reclamation (USBR) approved the Pure Water Project's Title XVI Feasibility Study, which would allow the JPA to apply for construction funds once the Notice of Funding Opportunity becomes available. She stated that staff would move forward with the Title XVI application, which would be due by March 15th, and BBK staff would work on obtaining letters of support from federal legislators to include with the grant application. She also stated that BBK staff would continue to seek other funding opportunities. She also reported that the President's State of the Union Address would be held on March 1st, and that she expected conversations regarding the federal budget and federal priorities in terms of budget allocations would be discussed, as well as the Build Back Better Act. She noted that the Build Back Better Act included substantial water and wastewater programming provisions that would be important to the JPA; however, the plan had been consistently stalled and would not likely pass the Senate in its entirety. She provided an update regarding the U.S. Environmental Protection Agency's (EPA) Per- and Polyfluoroalkyl Substances (PFAS) Strategic Roadmap, and noted that the EPA indicated that it would be releasing a Notice of Proposed Rulemaking to include perfluorooctanoic acid (PFOA) and PFAS under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) – the Superfund Law.

Lowry Crook, federal lobbyist for the JPA with BBK, noted that the concern regarding PFAS was the focus on the industry that created the chemicals and not on the potential unintended consequences for water agencies. He stated that water agencies could be pulled unnecessarily into cleanup actions and litigation.

A discussion ensued regarding scheduling meetings with the JPA's Washington D.C. delegation to discuss funding opportunities for the Pure Water Project, and inviting Congresswoman Julia Brownley and Congressman Brad Sherman and their staffs to tour the Pure Water Demonstration Facility.

Syrus Devers, state lobbyist for the JPA with Best Best & Krieger LLP (BBK), reported that the State Legislators had until February 18th to introduce new bills. He noted that the Association of California Water Agencies discussed budget priorities and would advocate for additional funding towards water recycling projects. He also noted that the California Department of Water Resources had begun its grant funding cycle; however, he believed that the focus of the grant funding would be on Sustainable Groundwater Management Act projects.

B Pure Water Project Las Virgenes-Triunfo: Update

Oliver Slosser, Engineering Program Manager, presented the report. He noted that

staff would submit an application for approximately \$7 million from U.S. Bureau of Reclamation Title XVI Grant Program. He responded to questions regarding meetings with the Fernandeno Tatavium Band of Mission Indians, the City of Agoura Hills, and the City of Thousand Oaks. He also responded to questions regarding project challenges, which could include environmental review and grant timing.

7. ACTION ITEMS

A Independent Auditing Services: Award

Accept the proposals from RAMS and authorize the Administering Agent/General Manager to execute a three-year professional services agreement, in the annual amount of \$3,850 for the first three years, with two one-year renewal options using a three percent annual escalator, to provide independent auditing services.

Brian Richie, Finance Manager, presented the report.

Director Polan moved to approve Item 7A. Motion seconded by Director Caspary. Motion carried unanimously by roll call vote.

B Malibou Lake Siphon Rehabilitation Project: Award of Design

Authorize the Administering Agent/General Manager to execute a professional services agreement with HDR Consulting, Inc., in the amount of \$239,400, to complete the preliminary engineering and final design for the Malibou Lake Siphon Rehabilitation Project.

Oliver Slosser, Engineering Program Manager, presented the report.

Director Shapiro moved to approve Item 7B. Motion seconded by Director Tjulander.

Mr. Slosser responded to questions regarding infiltration into the pipeline, which would be investigated by HDR Consulting, Inc.

Administering Agent/General Manager David Pedersen responded to a question regarding the source of the wastewater flows in the trunk sewer by stating that the flows were conveyed from the Westlake and Lake Sherwood areas of the Triunfo Water & Sanitation District.

A discussion ensued regarding the possibility of the Board declaring an emergency and approving a negative declaration to proceed with replacing the 24-inch pipeline with a new pipe and minimizing overall project costs. Administrative Agent/General Manager responded that the Board could consider declaring an emergency as a

future option when deciding on the best repair strategy. He stated that an advantage of declaring an emergency would be decreasing the amount of time required to bid the project; however, the Board might want to consider the potential for achieving competitive costs. Staff also discussed contingency planning to be prepared in the event that the sewer experiences a collapse.

A discussion ensued regarding budgeting for a larger pipeline assessment program and the current Sewer System Management Plan to inspect and evaluate the sewer system.

John Coffman, representing HDR Consulting, Inc., responded to a question regarding new technologies for replacing pipelines, and discussed the possibility of laying a pipe on the bottom of Malibou Lake after conducting a field survey.

Director Caspary asked that the existing easements be examined as part of this project.

Mr. Coffman responded to a question regarding monitoring leaks in the submerged trunk line in Malibou Lake by stating that the pipe would be welded and pressure-tested, and there would be no joints where the pipe could leak. Eric Schlageter, Principal Engineer, added that a high-line might be to be constructed along the section of the pipeline.

A discussion ensued regarding keeping the possibility of the Board declaring an emergency as an option, and following-up with the City of Los Angeles regarding detecting leaks in submerged pipelines along the coast.

Administering Agent/General Manager David noted an error in the financial impact section of the staff report, and stated that the project costs would be allocated between Las Virgenes Municipal Water District and Triunfo Water & Sanitation District for sewer system capital work based on each agency's reserve capacity rights in the trunk sewer in accordance with the JPA agreement.

Motion carried unanimously by roll call vote.

C Tapia Summer Season TMDL Compliance Project: Scope Change for Biological Monitoring

Authorize the Administering Agent/General Manager to approve a scope change with Padre Associates, in the amount of \$46,750, for additional environmental monitoring required during construction of the Tapia Summer Season TMDL Compliance Project.

Veronica Hurtado, Associate Engineer, presented the report.

Director Caspary moved to approve Item 7C. Motion seconded by Director Wall.

Motion carried unanimously by roll call vote.

D Tapia Water Reclamation Facility Chloride Time Schedule Order Extension: Development of Site-Specific Objective

Accept the proposal from Larry Walker Associates, Inc., authorize the Administering Agent/General Manager to execute a professional services agreement, in the amount of \$71,000, for development of the site-specific objective.

Brett Dingman, Water Reclamation Manager, presented the report.

Director Orkney moved to approve Item 7D. Motion seconded by Director Polan.

A discussion ensued regarding chloride limits for discharges to the Los Angeles River as permitted under the NPDES permit.

Motion carried unanimously by roll call vote.

8. BOARD COMMENTS

Chair Lewitt referenced an article in the *Los Angeles Times* regarding the treated water from the Los Angeles River being too valuable to be discharged to the ocean.

Director Lo-Hill noted that the City of Calabasas's weekly newsletter included an article regarding the State Water Resources Control Board adopting wasteful water use regulations and the need to continue to conserve water.

9. ADMINISTERING AGENT/GENERAL MANAGER REPORT

Administering Agent/General Manager David Pedersen reported that the flow in Malibu Creek measured 15.3 cubic feet per second, and staff was discharging to the creek due to low recycled water demands. He noted that the five-year term for the current NPDES permit would end on July 31, 2022, and a permit renewal application and notice of intent was filed on January 31, 2022. He stated that staff was requesting several changes in the permit in anticipation of the Pure Water Project Las Virgenes-Triunfo. He also reported that an odor complaint was received related to the Rancho Las Virgenes Composting Facility. He noted that the biofilter was impacted from the heavy rains in December, and staff was evaluating odor control measures. He also reported that the County of Los Angeles was planning on replacing the bridge at Malibu Canyon Road over Malibu Creek. He noted that the County would conduct a hydraulic analysis of the creek to ensure that the bridge would be placed at the proper elevation. He also noted that a preliminary copy of the report indicated that the hydraulic profile of the creek was higher than historically modeled. He stated that the County was planning on placing the bridge two feet higher than the existing bridge, and there was a profile at a

number of cross sections in the creek along the Tapia Water Reclamation Facility (Tapia) that exceeded the floodwall height. He stated that staff would meet with Los Angeles County Public Works staff, and would bring back a report at the next JPA Board meeting regarding potential flood improvements that might be needed to protect Tapia. He also reminded the Board to submit their annual Form 700 Statement of Economic Interests by March 1st.

10. FUTURE AGENDA ITEMS

None.

11. INFORMATION ITEMS

A State and Federal Redistricting: Final Maps

B U.S. Bureau of Reclamation WaterSMART Title XVI WIIN Act Grant Opportunity

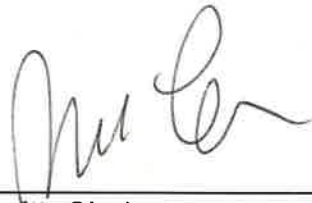
C Rancho Las Virgenes Composting Facility Woolsey Fire Repairs: Approval of Change Order No. 7

12. PUBLIC COMMENTS

None.

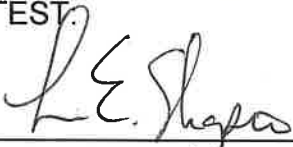
13. ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:25 p.m.**



Jay Lewitt, Chair

ATTEST.



Leon E. Shapiro, Vice Chair