

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

5:00 PM

May 9, 2022

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Eric Schlageter.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **5:00 p.m.** by Chair Lewitt 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. Josie Guzman, Clerk of the Board, conducted the roll call.

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

Absent: None.

2. APPROVAL OF AGENDA AND ADOPTION OF RESOLUTION NO. 18 (AB 361)

Director Shapiro moved to approve the agenda, and pass, approve, and adopt Resolution No. 18, reauthorizing the revised use of teleconferencing for public meetings pursuant to the Brown Act provisions enacted by Assembly Bill 361. Motion seconded by Director Renger. Motion carried unanimously by roll call vote.

RESOLUTION NO. 18

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. 18 on file in the JPA's Resolution Book and by this reference the same is incorporated herein.)

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

A Minutes: Regular Meeting of April 4, 2022: Approve

Director Orkney asked that the minutes be amended to reflect under Board Comments that she was pleased with Administering Agent/General Manager David Pedersen and MWD General Manager Adel Hagekhalil's editorial regarding the drought that was published in *The Acorn*.

Director Renger moved to approve the Consent Calendar Item 4A, Minutes from the Regular Meeting of April 4, 2022, as amended. Motion seconded by Director Wall. Motion carried unanimously by roll call vote.

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), reported that the U.S. Bureau of Reclamation was continuing to discuss bipartisan infrastructure law funding opportunities. She noted that a successful tour of the Pure Water Demonstration Facility was provided to Senator Dianne Feinstein's staff, and Jack Simes from the U.S. Bureau of Reclamation attended a tour earlier in the day. She stated that BBK staff would continue to work on scheduling tours with the delegation from Washington D.C. so that they may hear, feel, see, and taste the purpose, goals, and need for pure water. She noted that the House and Senate would soon work on preparing budget information for Fiscal Year 2023, and BBK would continue to highlight the need for water and wastewater infrastructure and drought management funding. She also reported that the U.S. Environmental Protection Agency would soon release the polyfluoroalkyl substances (PFAS) rule designating perfluorooctanoic acid (PFOA) and perfluorooctanesulfonic acid (PFOS) under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Superfund Law. She noted that a memorandum was released putting notice to states that they would require a PFAS provision for future and renewed National Pollutant Discharge Elimination System (NPDES) permits.

Lowry Crook, federal lobbyist for the JPA with BBK, reported there were ongoing discussions regarding the legislation formally known as Build Back Better involving the climate and water portion that could still be capable of moving forward in the

coming months. He stated that BBK staff would continue to monitor for potential recycled water funding.

Chair Lewitt noted that Las Virgenes Municipal Water District was mentioned in *The Washington Post*, and he suggested that now was the best time to advocate for funding for recycled water projects in California.

Syrus Devers, state lobbyist for the JPA with BBK, reported that meetings were held with Senator Henry Stern and Assemblywoman Jacqui Irwin during the Association of California Water Agencies (ACWA) Spring Conference to discuss recycled water, impacts related to the drought, and SB 1157 (Hertzberg) related to indoor water use efficiency standards. He noted that a meeting was held with Senator Hertzberg's Chief of Staff regarding impacts that SB 1157 could have on wastewater. He also noted that BBK was monitoring AB 1845 (Calderon), Metropolitan Water District of Southern California: alternative project delivery methods; AB 2449 (Rubio), Open meetings: local agencies: teleconferences; and SB 230 (Portantino), State Water Resources Control Board: Constituents of Emerging Concern in Drinking Water Program. He mentioned that ACWA asked that Administering Agent/General Manager David Pedersen serve as the lead witness in the Assembly Parks and Wildlife Committee meeting for its consideration of SB 1157.

A discussion ensued regarding SB 1157, which would decrease the existing 55 GPCD indoor water use efficiency standard to 47 GPCD in 2025 and decrease to 42 GPCD in 2030, and advocating an adjustment to the credit for recycled water.

Mr. Devers also provided an update regarding AB 2811 (Bennett), California Building Standards Commission: recycled water: nonpotable water systems. He noted that there was concern with recycled water at individual sites not being feasible nor proven as opposed to region-wide recycling. He also noted that this bill was not moving forward.

B Pure Water Project Las Virgenes-Triunfo: Update

Oliver Slosser, Engineering Program Manager, presented the report. He noted that the Program Environmental Impact Report was submitted for administrative review on April 22nd, and a draft would likely be released to the public in mid-July. He reported that staff was working on finalizing the draft Memorandum of Understanding (MOU) for Water Resources Collaboration with the City of Thousand Oaks, Camrosa Water District, Calleguas Municipal Water District, and the JPA. He also reported that staff met with representatives from the Regional Water Quality Control Board (RWQCB) and the Division of Drinking Water (DDW) to discuss the NPDES permit, pipeline separation, pathogen credits, and other elements for the Pure Water Project Las Virgenes-Triunfo. He noted that staff was working on scheduling meetings with the State Water Resources Control Board, Fire Marshal, and other regulators. He also noted that the Notice of Funding

Availability for Water Infrastructure Finance and Innovation Act (WIFIA) was expected to be released within the next few months. He also noted that the Pure Coffee Tasting Event would be held on May 14th from 9:30 a.m. to noon, Board Media training was forthcoming, and a Special JPA Board Meeting would be held on May 18th for a Strategic Planning Workshop where The Jacobs Team would share architectural designs for the Pure Water Project Las Virgenes-Triunfo.

Administering Agent/General Manager David Pedersen departed from the meeting at 5:25 p.m. in order to attend the City of Hidden Hills City Council Meeting.

Eric Schlageter, Principal Engineer, responded to a question regarding presentation of the draft MOU by stating that the draft MOU would be presented at either the Strategic Planning Workshop or at a future JPA Board meeting.

Director Caspary departed from the meeting at 5:27 p.m. in order to attend the City of Hidden Hills City Council Meeting.

Joe McDermott, Director of Engineering and External Affairs, noted that the Pure Water Coffee Brew Event would be noticed as a Special JPA Board Meeting as a quorum of the JPA Board was expected.

A discussion ensued regarding the review process for the Program Environmental Impact Report.

6. **ACTION ITEMS**

A Heal the Bay's "Bring Back the Beach" Event: Attendance

Authorize one Board Member from each agency and the Administering Agent/General Manager to attend the Heal the Bay "Bring Back the Beach" Event at a cost of \$600 per person.

John Zhao, Director of Facilities and Operations, presented the report.

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

Vice Chair Shapiro and Director Polan expressed interest in attending the event.

Motion carried by the following roll call vote:

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

NOES: None

ABSTAIN: None

ABSENT: Caspary

B Short-Term Offsite Biosolids Disposal: Authorization

Authorize the Administering Agent/General Manager to execute an agreement with Liberty Composting, Inc., in the amount of \$158,580, for short-term offsite biosolids disposal.

John Zhao, Director of Facilities and Operations, presented the report.

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

Mr. Zhao responded to questions regarding anticipated demand for compost due to current drought conditions and increasing advertising for free compost pickup.

Director Orkney expressed concern regarding the cost to produce compost and ensuring that the message of using compost to conserve water was scientifically accurate. Mr. Zhao responded that compost could be used as fertilizer and mixed with soil for planting, and could also be used as mulch to reduce evaporation from soil.

Steven Baird, Public Affairs Associate II, noted that there was increased interest in the free recycled water filling station, which could also improve the demand for compost. He stated that messaging would include information on where compost was applied in the Sustainability Garden.

Mr. Zhao responded to a question regarding the use of compost after lawns are removed and drought tolerant landscaping are installed by stating that removal of lawns would provide an opportunity to use more compost for planting and covering, which would result in using less water and less fertilizer.

Motion carried by the following roll call vote:

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

NOES: None

ABSTAIN: None

ABSENT: Caspary

7. BOARD COMMENTS

Vice Chair Shapiro stated that the recent tours of the Pure Water Demonstration Facility for elected officials and their representatives were well received. He noted that a tour was provided earlier in the day for Jack Simes from the U.S. Bureau of Reclamation, who expressed support for the project.

Director Lo-Hill reported that she attended the Association of California Water Agencies (ACWA) Spring Conference. She noted that she attended a session regarding voluntary agreements, and she met several people who were also concerned regarding water supply conditions.

Chair Lewitt reported that he also attended the ACWA Spring Conference. He noted that attendees from Northern California expressed concern with the drought conditions being experienced in Southern California. He also reported that he met a representative for the U.S. Secretary of the Interior, who invited him to meet at the ACWA Washington D.C. Conference.

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

John Zhao, Director of Facilities and Operations, reported that the flow in Malibu Creek measured 8.28 cubic feet per second (CFS) and measured 19.4 CFS the previous week. He also reported that recycled water demand was nearly 100 percent of the effluent produced at the Tapia Water Reclamation Facility. He noted that a Pure Water Coffee Brew Event would be held on May 14th from 9:30 a.m. to noon, and a Special JPA Meeting would be held on May 18th at 5:00 p.m. for a Strategic Planning Workshop.

Director Polan asked that Board Comments be reopened so that he could provide comment. Chair Lewitt agreed to reopen Board Comments.

7. **BOARD COMMENTS**

Director Polan stated that the First Neighborhood Homeowners' Association in Westlake Village was seeking alternatives for replacing seven to eight acres of grass with native grass, which would use less water and have a greater impact on the fauna in the area. He expressed his hope that this would become a methodology where homeowners' associations install native plants and conserve water for everybody.

9. **FUTURE AGENDA ITEMS**

None.

10. **INFORMATION ITEMS**

A Infrastructure Investment Plan: Recycled Water Projects

Information Items were received with no comment or discussion.

11. **PUBLIC COMMENTS**

None.

12. **ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at **5:55 p.m.**



Jay Lewitt, Chair

ATTEST:



Leon E. Shapiro, Vice Chair