

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

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5:00 PM

November 7, 2022

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag was led by Oliver Slosser.

**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, Lewitt, Lo-Hill, Nye, Orkney (via teleconference), Polan, Renger, Shapiro, Tjulander (via teleconference), and Wall.

Absent: None

**2. APPROVAL OF AGENDA AND APPROVAL OF FINDINGS OF RESOLUTION NO. 20 (AB 361)**

Director Polan moved to approve the agenda and approve the findings of Resolution No. 20 (AB 361). Motion seconded by Director Lo-Hill. Motion carried unanimously by roll call vote.

**3. PUBLIC COMMENTS**

None.

**4. CONSENT CALENDAR**

Director Caspary pulled Item 4B for discussion.

**A Minutes: Special Meeting of October 12, 2022: Approve**

Director Caspary moved to approve Consent Calendar Item 4A. Motion seconded by Director Polan. Motion carried unanimously by roll call vote.

**4. CONSENT CALENDAR – SEPARATE ACTION ITEM**

**B Statement of Revenues, Expenses, and Changes to Net Position: September 2022.**

**Receive and file the Statement of Revenues, Expenses, and Changes in Net Position for the period ending on September 30, 2022.**

Director Caspary moved to approve Item 4B. Motion seconded by Director Polan.

Brian Richie, Finance Manager, responded to a question regarding the budget for the Pure Water Project Las Virgenes-Triunfo by stating that the recently approved budget would be included in the October 2022 report.

Motion carried unanimously by roll call vote.

**5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS**

**A Recognition of JPA Director Lynda Lo-Hill**

Director Shapiro, on behalf of Triunfo Water & Sanitation District, presented a plaque to Director Lo-Hill in recognition of her service on the JPA Board.

Director Lo-Hill expressed her appreciation for serving on the JPA Board.

**B State and Federal Legislative Update**

Ana Schwab, federal lobbyist for the JPA with Best Best & Krieger LLP (BBK), reported that Congress would be back in session the following week and would work on completing the Water Resources Development Act, the National Defense Authorization Act, and appropriations for Fiscal Year 2023. She also reported that the U.S. Environmental Protection Agency (EPA) proposed a rule to designate per- and polyfluoroalkyl substances (PFAS) and perfluorooctanoic acid (PFOA) as hazardous substances under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) – the Superfund Law. She noted that BBK worked with staff to submit comments to the proposed rule, which she would share with the Board. She also reported that each of the JPA’s Congressional delegation provided letters of support for the JPA’s Water Infrastructure Finance and Innovation Act (WIFIA) application. She responded to a question regarding the format of the bill matrix by stating that the report included the status of all bills. She noted that the legislative matrix and report would be reformatted for the 118th Congressional Session, and would include spotlight bills for the JPA’s priorities as opposed to all bills. She also responded to a question regarding H.R. 4069, Septic

Upgrade Grant Act, by stating that this bill was introduced in 2021 with a goal to reduce nitrogen pollution in septic systems; however, there were no committee hearing for this bill. She also responded to a question regarding S. 1855, Wildfire Emergency Act of 2021, by stating that this bill was introduced in 2021; however, it did not move forward. She noted that there were some wildfire provisions approved in 2021 and in the Inflation Reduction Act.

Director Caspary reported that he attended the Association of California Water Agencies (ACWA) State Legislative Committee Meeting on October 28th, where they discussed potential legislation to be introduced in the next Legislative Session including: allowing water agencies to bill fixed charges on the property tax rolls; streamline permit issuance; appoint administrative expert law judges for water law cases; add additional administrative remedies for appeals filed under the Proposition 218 rate setting process; and a proposal for desalination by the Montecito Water District.

## **B Pure Water Project Las Virgenes-Triunfo: Update**

Oliver Slosser, Engineering Program Manager, presented the report. He noted that the Letter of Intent for WIFIA financing was sent earlier in the day, and five letters of support were received from the JPA's Congressional delegation. He stated that staff would explore the State Revolving Fund (SRF) as the next funding target. He reported that he provided information regarding public health and water quality at the Oak Park Municipal Advisory Council meeting in response to a presentation from a previous meeting. He stated that the final public document for the Preliminary Environmental Impact Report would be generated for public review prior to it being presented to the JPA for adoption, including a recommendation for the advanced water purification facility site. He responded to questions regarding the status of a simulated brine line, the effects of brine from the Pure Water Project Las Virgenes-Triunfo to the larger brine line, and the status of testing for constituents of emerging concern, hormones, and drugs at the Pure Water Demonstration Facility. He also responded to a question regarding data from test results by stating that the first year's data was located in the digital library page at [www.ourpureh2o.com](http://www.ourpureh2o.com), and staff was currently reviewing the second year's data. He stated that he would provide a link to the digital library page to the Board.

Director Caspary requested that staff provide a copy of the WIFIA Letter of Intent to the Board.

Mr. Slosser responded to questions regarding seeking opportunities to maintain the brine line using mechanical means and the status of the water augmentation strategy. He noted that the regional Memorandum of Understanding for Water Resources Collaboration (MOU) outlined additional water sources for the project, and he stated that he would provide a copy of the MOU to the Board.

Eric Schlageter, Principal Engineer, responded to a question regarding the Board's role in the development of the Request for Qualifications (RFQ) and Request for Proposals (RFP) as part of the design-build process by stating that traditionally the Board would not be directly involved; however, due to the size and magnitude of the project, an item would be brought before the Board. He noted that recommendations would be presented to the Board after responses to the RFQ and RFP are received. He also responded to a question regarding whether there were any existing brine lines that could be studied by stating that staff discussed other water reuse projects and their challenges with the Jacobs Team.

**6. ACTION ITEMS**

**A Proposed 2023 JPA Board Meeting Calendar**

**Review the proposed 2023 JPA Board Meeting Calendar, and make any scheduling changes.**

Josie Guzman, Clerk of the Board, presented the report.

A discussion ensued regarding canceling the January 3, 2023 meeting and scheduling a special meeting on January 9, 2023; canceling the November 5, 2023 meeting and scheduling a special meeting on October 30, 2023; and alternating the meeting location between the LVMWD Board Room and the new Board Room at Triunfo Water & Sanitation District.

Director Shapiro moved to approve Item 6A with the changes discussed. Motion seconded by Director Polan. Motion carried unanimously by roll call vote.

**B Tapia Water Reclamation Facility 003 Outfall Rehabilitation Project: Additional Environmental Permitting Support**

**Authorize the Administering Agent/General Manager to issue Contract Adjustment No. 2, to Rincon Consultants, Inc., in an amount not-to-exceed \$37,663, to provide additional Coastal Development Permit and CEQA Support for the Tapia Water Reclamation Facility 003 Outfall Rehabilitation Project.**

Brett Dingman, Water Reclamation Manager, presented the report.

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

Mr. Dingman responded to a question regarding whether a pump would be added to the discharge effluent by stating that this would be determined as part of the project. He also responded to a question regarding tree removal by stating that some trees might need to be trimmed or removed from the access road for the installation a manhole, which would be used to inspect the lines with a camera. He

noted that additional details would be provided with the Coastal Commission permit and environmental scoping.

Motion carried unanimously by roll call vote.

**C Farm Sprayfield Operations and Maintenance: Authorization of Change Order No. 2**

**Authorizing the Administering Agent/General Manager to execute Change Order No. 2 with W. Litten Land Preparation, in an amount not to exceed \$392,600, for annual costs associated with operations and maintenance of the Rancho Las Virgenes Farm Sprayfields through November 2023, and ratify Contract Extension No. 1 in the amount of \$384,900 extending the term through November 1, 2022.**

Joe McDermott, Director of Engineering and External Affairs, presented the report.

Director Caspary moved to approve Item 6C. Motion seconded by Director Wall.

Mr. McDermott responded to a question regarding maintaining clearance to the area where the solar panels were installed by stating that this was the responsibility of solar field provider.

Motion carried unanimously by roll call vote.

**7. BOARD COMMENTS**

Director Polan inquired whether it would be appropriate to seek legislation for an organized centralized permit system. Director Caspary responded that the ACWA State Legislative Committee recommended that ACWA introduce legislation to streamline permitting.

Director Lewitt mentioned an article in the *Los Angeles Times* regarding the possibility of ocean desalination solving the water crisis in California.

Director Lo-Hill reported that she attended the MWD Board meeting where the MWD Board discussed inflationary trends. She noted that last year's construction cost inflation in Los Angeles was 8% and year-to-date was 4.93%, and the Los Angeles region went from 7.6% last year to 2.2% this year.

Director Caspary expressed his hope that the EPA would regulate ocean discharge from desalination plants. He questioned what the JPA could do to succeed in a court action to collect damages from the EPA because it mandated that the JPA meet the standards they requested, and now the JPA had produced a byproduct that might be prohibited by the EPA. He noted that Palmdale Water District had an aquifer with storage capacity for 500,000 acre-feet, and he suggested that staff

explore the possibility of obtaining some of this water for the Pure Water Project Las Virgenes-Triunfo.

Director Renger noted that there was emerging technology to treat brine to make it less toxic, and he suggested that the JPA plan now for this eventuality.

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

Administering Agent/General Manager David Pedersen reported that the flow in Malibu Creek measured 11.8 cubic feet per second (CFS), and recent rain measured 0.09 inches. He reminded the Board that the Pure Beer Event would be held on November 10th at Ladyface Brewery in Agoura Hills. He noted that District offices would be closed on November 11th for the Veterans' Day Holiday. He reported that he and Chair Lewitt attended the US-Israel Collaboration on Water Reuse Delegation Visit to Israel, and they visited the Intel semiconductors plant. He noted that one of the challenges faced by Intel was treating their wastewater to meet regulatory standards. He also noted that the plant was 20 miles from the ocean, and they built their own ocean outfall.

**9. FUTURE AGENDA ITEMS**

None.

**10. INFORMATION ITEMS**

**A Tapia Tertiary Filter Media Replacement: Authorization**

**B Tapia Carbon Tower Media Replacement: Authorization**

Brett Dingman, Water Reclamation Manager, responded to a question regarding the height of the carbon towers by stating that the towers were approximately 20 feet in height.

**11. PUBLIC COMMENTS**

Dr. Janice Smets inquired regarding repayment of the WIFIA loans and whether Administering Agent/General Manager David Pedersen would report on the November 10th Los Angeles Regional Water Quality Control Board Meeting.

Steve Bilson expressed concern that the Pure Water Project Las Virgenes-Triunfo was being compared to Orange County Water Replenishment System, and suggested that it was comparable to Pure Water San Diego. He also expressed concern with the project's cost estimate.

**12. ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:22 p.m.**



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Jay Lewitt, Chair

ATTEST:



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Leon E. Shapiro, Vice Chair