

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

5:00 PM

January 9, 2023

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Gary Burns.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **5:00 p.m.** by Acting Chair Jane Nye 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 Burns, Caspary, Coradeschi, Nye, Polan, Shapiro (connected to the teleconference at 6:37 p.m.), Tjulander (via teleconference), and Wall

Absent: Directors Lewitt and Orkney

2. CHAIR/VICE CHAIR

A. Annual Transition of JPA Chair and Vice Chair

Recognize the Triunfo Water & Sanitation District Chair as Chair of the Las Virgenes-Triunfo Joint Powers Authority and Las Virgenes Municipal Water District Board President as Vice Chair of the Las Virgenes-Triunfo Joint Powers Authority for calendar year 2023.

The JPA Board transitioned its officers with Triunfo Water & Sanitation District Chair Jane Nye as Chair and Las Virgenes Municipal Water District Board President Jay Lewitt as Vice Chair, until such time as the Las Virgenes Municipal Water District Board of Directors has selected its Board President, for calendar year 2023.

3. APPROVAL OF AGENDA AND APPROVAL OF FINDINGS OF RESOLUTION NO. 24 (AB 361)

Director Caspary moved to approve the agenda and approve the findings of Resolution No. 24 (AB 361). Motion seconded by Director Wall. Motion carried by the following vote:

AYES: Burns, Caspary, Coradeschi, Nye, Polan, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: Lewitt, Orkney, Shapiro

4. PUBLIC COMMENTS

None.

5. CONSENT CALENDAR

A Minutes: Special Meeting of December 13, 2022: Approve

Director Coradeschi moved to approve the Consent Calendar. Motion seconded by Director Polan. Motion carried by the following vote:

AYES: Burns, Caspary, Coradeschi, Nye, Polan, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: Lewitt, Orkney, Shapiro

6. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A State and Federal Legislative Update

Syrus Devers, state lobbyist for the JPA with Best Best & Krieger LLP (BBK), reported that Senator Henry Stern would no longer serve as the Chair of the Senate Committee on Natural Resources and Water, and Water Policy Consultant Dennis O'Connor retired and would no longer serve on the Committee. He stated that David Min was appointed as Chair of this Committee. He noted that Senator Rebecca Bauer-Kahan would continue to serve on the Assembly Committee on Water, Parks, and Wildlife, and five vacancies would need to be filled on this Committee. He also reported that Senator Melissa Hurtado had claimed victory following the recount of 30 percent of the Senate Districts for her Senate seat; however, there would still be an option to recount all Senate Districts. He also reported that Governor Gavin Newsom's had delivered his inaugural address.

Ana Schwab, federal lobbyist for the JPA with BBK, reported that the 118th Congress had begun its new session. She discussed challenges the JPA might

face with there being a slight Republican majority in the House of Representatives. She noted that the House of Representatives adopted its House Rules, and it appeared that committees would soon be structured. She also noted that Senator Patty Murray was appointed as Senate President Pro Tempore.

Lowry Crook, federal lobbyist for the JPA with BBK, reported that Congress passed the annual appropriations bill, National Defense Authorization Act, and the Biennial Water Resources Development Act, which authorizes Army Corps of Engineers' water projects. He also reported that the Farm Bill was scheduled to be reauthorized.

Ms. Schwab noted that one of the concessions made regarding Fiscal Year 2024 appropriations was that there would be no new spending, and it appeared that spending limits would be kept at Fiscal Year 2023 limits. She also noted that there were provisions in the Water Resources Development Act and the National Defense Authorization Act regarding the requirement for reporting municipal bonds. She stated that BBK was working with trade association groups to ensure that municipal bond measures would be protected and do not include onerous requirements from a separate agency. She also stated that BBK would monitor to ensure that wildfire issues would be highlighted in the Farm Bill. She noted that legislative bills included in the bill matrix would not carry through with the 118th Congress, and BBK would be providing a newly formatted legislative matrix. She responded to a question regarding whether the flood wall at the Tapia Water Reclamation Facility might be eligible for a portion of the Federal Emergency Manager Agency's (FEMA) \$800 million funding for flood mitigation assistance by stating that she would follow-up.

B Pure Water Project Las Virgenes-Triunfo: Update

Joe McDermott, Director of Engineering and External Affairs, presented the report. He responded to a question regarding the estimated date to submit the Water Infrastructure and Innovation Act (WIFIA) program loan application by stating that the application would be due by December 2023.

A discussion ensued regarding WIFIA and State Revolving Fund (SFR) financing, and the application for MWD's Local Resources Program (LRP) financing.

7. ACTION ITEMS

A Climate Action and Adaptation Plan: Award

Accept the proposal from Rincon Consultants, Inc., and authorize the Administering Agent/General Manager to execute a professional services agreement, in the amount of \$125,645, for development of a Climate Action and Adaptation Plan.

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

Director Caspary stepped out of the Board Room at 5:35 p.m. and returned at 5:37 p.m.

Director Polan moved to approve Item 7A. Motion seconded by Director Tjulander.

Mr. McDermott responded to question regarding Rincon Consultant's proposal, and the use of the final report to compete for funding and grant opportunities.

Motion carried by the following vote:

AYES: Burns, Caspary, Coradeschi, Nye, Polan, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: Lewitt, Orkney, Shapiro

8. BOARD COMMENTS

None.

9. ADMINISTERING AGENT/GENERAL MANAGER REPORT

Administering Agent/General Manager David Pedersen reported that there were no damages to facilities from the recent rainstorm. He noted that rain at the Tapia Water Reclamation Facility (Tapia) measured 9.3 inches in December and 5 inches to date in January, and the flow in Malibu Creek measured 6,353 cubic feet per second (CFS) as of January 5th. He also reported that peak flow at Tapia measured from 6.5 million gallons per day (MGD) to 9.7 MGD. He also noted that Legal Counsel would be holding an ethics and sexual harassment prevention training, and the Board would be invited to participate.

10. FUTURE AGENDA ITEMS

None.

11. INFORMATION ITEMS

A Update on Brown Act Requirements for Remote Attendance at Public Meetings

A discussion ensued regarding asking the Association of California Water Agencies (ACWA) whether they might revisit advocating changes to the Brown Act as the applicability of AB 2449 was very narrow and complicated.

12. PUBLIC COMMENTS

None.

13. CLOSED SESSION

A. Conference with Legal Counsel – Potential Litigation (Government Code Section 54956.9): One matter

The Board recessed to Closed Session at **5:59 p.m.**

Director Shapiro connected to the teleconference at 6:37 p.m.

Director Tjulander departed from the meeting at 6:40 p.m.

The Board reconvened to Open Session at **6:43 p.m.**

Wayne Lemieux, Authority Counsel, announced that the Board received a report in Closed Session, and provided direction to staff.

14. ADJOURNMENT

Administering Agent/General Manager David Pedersen introduced newly hired Legislative Program Manager Jeremy Wolf. He noted that Mr. Wolf previously worked for Senator Henry Stern's office, and he was recently elected as City Councilmember for the City of Agoura Hills.

Mr. Wolf stated that he was excited to work for the JPA and promote the JPA's efforts in Sacramento and Washington D.C.

The Board welcomed Mr. Wolf.

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:45 p.m.**



Jane Nye, Chair

ATTEST:



Jay Lewitt, Vice Chair