

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

5:00 PM

July 10, 2023

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Leon Shapiro.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **5:00 p.m.** by Chair Jane Nye in the Board Room at Las Virgenes Municipal Water District headquarters at 4232 Las Virgenes Road, Calabasas, CA 91302. Josie Guzman, Clerk of the Board, conducted the roll call.

Present: Directors Burns, Lewitt, Nye, Orkney, Polan, Shapiro, Tjulander, and Wall

Absent: Directors Caspary and Coradeschi

2. APPROVAL OF AGENDA

Director Orkney moved to approve the agenda. Motion seconded by Director Polan. Motion carried 8-0 by the following vote:

AYES: Burns, Lewitt, Nye, Orkney, Polan, Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: Caspary, Coradeschi

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

A Minutes: Regular Meeting of June 5, 2023: Approve

B Statement of Revenues, Expenses, and Changes in Net Position: May

2023

Receive and file the Statement of Revenues, Expenses, and Changes in Net Position for the period ending May 31, 2023.

Director Tjulander moved to approve the Consent Calendar. Motion seconded by Director Wall. Motion carried 8-0 by the following vote:

AYES: Burns, Lewitt, Nye, Orkney, Polan, Shapiro, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: Caspary, Coradeschi

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 Congress was continuing to work on the appropriations process. She noted that there was concern that following the agreement on spending limits for Fiscal Years 2024 and 2025, Congresswoman Kay Granger, Chairwoman of the House Appropriations Committee, decided to cap spending limits at Fiscal Year 2022 levels. She stated that it was likely that a continuing resolution would be adopted, otherwise there could be a short-term shutdown of the federal government. She also reported that Senator Dianne Feinstein introduced a series of bills addressing western water drought and water infrastructure in the west, including a bill to reauthorize the Title XVI Program. She provided an update regarding legislation related to per- and polyfluoroalkyl substances (PFAS). She stated that the U.S. Environmental Protection Agency (EPA) was continuing to take actions to address its PFAS Strategic Roadmap, including an advanced notice of proposed rulemaking to designate seven additional PFAS chains and PFAS as a class under the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA). She also reported that the Senate Environment and Public Works Committee discussed a draft PFAS bill to address the definition of PFAS; however, the bill did not include a liability exemption. She noted that Congresswoman Grace Napolitano announced her retirement from Congress at the end of this term.

Lowry Crook, federal lobbyist for the JPA with BBK, provided an update regarding the Supreme Court's ruling on Sackett v. EPA related to limiting the scope of the Clean Water Act protections and permitting requirements for wetlands in the United States. He stated that wetlands were only covered under the Clean Water Act if they have a direct surface connection to waters of the United States and navigable waters. He also stated that the impacts of the Supreme Court's ruling would remove nearly 50 percent of the nation's wetlands from the Clean Water Act's jurisdiction, including removal of the significant nexus test that was put in place in

2006 by a Supreme Court decision. He noted that many ephemeral streams in California and the arid west would no longer be covered by Clean Water Act jurisdiction. He also stated that the U.S. Army Corps of Engineers placed on hold any requests for jurisdictional determination on any property, and the EPA would issue a final rule in response to the Supreme Court's decision by September 1st.

Ms. Schwab responded to questions regarding whether the JPA's eligibility to apply for Title II and Title XVI funding, Desalination and Water Purification Research Program, and funding from the Department of Interior's Wildland Urban Interface Community Fire Assistance Program through the Department of Fish and Wildlife Service to support wildfire prevention strategies.

Syrus Devers, state lobbyist for the JPA with BBK, provided an update regarding water rights bills AB 460, AB 1337, and SB 389. He noted that AB 460 was previously pulled and AB 1337 was recently pulled, which would have overturned the curtailments case that would allow the State Board to enforce pre-1914 water rights. He stated that SB 389 (Allen) regarding information gathering appeared to be likely to pass. He also provided an update regarding AB 755 (Papan), Public Entity, Cost-of-Service Analysis. He stated that this bill would require the identification of major water users who are in the top ten percent, and calculation of how much extra residential customers would be paying as a result of the cost of major water users. He stated that there was concern that this could lead to litigation. He noted that a 40 percent amendment to the bill in mockup form was presented to the Senate Natural Resources and Water Committee. He also provided an update regarding the Infrastructure Streamlining Package, which was adopted and signed by Governor Gavin Newsom. He responded to a question regarding the status of the Delta Conveyance by stating that environmental documents for a one tunnel project were moving forward. He also responded to a question regarding the status of AB 1594 (Garcia), Medium and Heavy-Duty Zero-Emission Vehicles, Public Agency Utilities by stating that the bill was proceeding, and would be sent to Governor Newsom for his signature.

B Pure Water Project Las Virgenes-Triunfo: Update

Oliver Slosser, Engineering Program Manager, presented the report. He stated that the three teams short-listed for the design-build process included: Black & Veatch; McCarthy, Arcadis, and SBI; and Walsh, Brown & Caldwell, and Carollo Engineers. He also stated that the Request for Proposals would be issued at the end of the month for the Advanced Water Treatment Facility and reverse osmosis concentrate pipeline procurement.

6. ACTION ITEMS

A Rancho Las Virgenes Composting Facility Class B Biosolids Hauling: Authorization

Authorize the Administering Agent/General Manager to execute a contractual services agreement with Synagro West, LLC, in a not-to-exceed amount of \$169,200, for one year with up to four one-year renewal options and allow issuance of task orders under the not-to-exceed amount, for Class B Biosolids Hauling.

Veronica Hurtado, Water Reclamation Manager, presented the report. She responded to questions regarding potential cost savings for biosolids hauling, use of trailer and yard goat staging, and planned compost shutdown for reactor building maintenance.

Administering Agent/General Manager David Pedersen responded to a question regarding the operation budget for the Rancho Las Virgenes Composting Facility by stating that the budget was \$3.3 million.

Director Polan moved to approve Item 6A. Motion seconded by Director Orkney. Motion carried 8-0 by the following vote:

AYES: Burns, Lewitt, Nye, Orkney, Polan, Shapiro, Tjulander, Wall
NOES: None
ABSTAIN: None
ABSENT: Caspary, Coradeschi

B Rancho Las Virgenes Composting Flare Waste Gas Flare Design Project: Award

Authorize the Administering Agent/General Manager to execute a professional services agreement with Brown and Caldwell, in the amount of \$275,651, for engineering design and services during construction, for the Rancho Las Virgenes Composting Flare Waste Gas Flare Design Project.

Veronica Hurtado, Water Reclamation Manager, presented the report, and noted that correct the amount for the agreement would be \$275,651.

Director Shapiro moved to approve Item 6B. Motion seconded by Director Lewitt. Motion carried 8-0 by the following vote:

AYES: Burns, Lewitt, Nye, Orkney, Polan, Shapiro, Tjulander, Wall
NOES: None
ABSTAIN: None
ABSENT: Caspary, Coradeschi

C Climate Action and Adaptation Plan (CAAP): Progress Report

Provide input and feedback on the Climate Action and Adaptation Plan.

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

Eric Vaughn, representing Rincon Consultants; presented a PowerPoint presentation.

Mr. McDermott discussed the Preliminary Results Greenhouse Gas Inventory and Forecast, including solar farm investment.

A discussion ensued regarding the use of zero emission vehicles, the State's goal to achieve clean energy targets by 2045, the need to use backup generators as an alternate energy source to meet demands, use of floating solar, and use of solar panels at the Pure Water Project Las Virgenes-Triunfo.

7. **BOARD COMMENTS**

Director Polan reported that he attended the Association of California Water Agencies (ACWA) Region 10 Program on June 29th in Oceanside. He noted that a tour of Pure Water Oceanside was provided, and that the facility included space for future expansion. He expressed his hope that the Pure Water Project Las Virgenes-Triunfo would also have space for future expansion.

Director Burns reported that he also attended the ACWA Region 10 Program, and he suggested that Lindsay Leahy, Water Utilities Director from the City of Oceanside, be invited to provide a presentation.

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

Administering Agent/General Manager David Pedersen reported that a small brush fire occurred at the solar field on June 22nd, which was caused when one of the inverters suffered a failure. He noted that the Los Angeles County Fire Department responded and quickly extinguished the fire, which was contained to one-acre and caused minimal damage. He also noted that the brush fire was reported by a Customer Service Summer Intern while walking near the solar field. He stated that mitigation measures, such as clearing brush from vegetation and paving the area underneath the inverter, would be taken to prevent any future occurrence. He also reported that flow in Malibu Creek measured 10.2 cubic feet per second (CFS).

9. **FUTURE AGENDA ITEMS**

None.

10. **INFORMATION ITEMS**

A Metropolitan Water District of Southern California Local Resources Program Application

B Rancho Las Virgenes Composting Facility DCS Migration to SCADA System

11. PUBLIC COMMENTS

None.

12. ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:37 p.m.**, in memory of John Mathews, legal counsel for Triunfo Water & Sanitation District.

Jane Nye

Jane Nye, Chair

ATTEST:

Jay Lewitt

Jay Lewitt, Vice Chair