

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

5:00 PM

February 5, 2024

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Charles Caspary.

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 Triunfo Water & Sanitation District headquarters at 370 N. Westlake Boulevard, Westlake Village, California, 91362. Josie Guzman, Clerk of the Board, conducted the roll call.

Present: Directors Burns, Caspary, Coradeschi, Lewitt, Nye, Polan, Shapiro, Tjulander, and Wall
Absent: None

2. CHAIR/VICE CHAIR

A Annual Transition of JPA Chair and Vice Chair

Recognize the Las Virgenes Municipal Water District Board President as Chair of the Las Virgenes-Triunfo Joint Powers Authority and as Triunfo Water & Sanitation District Chair Vice Chair of the Las Virgenes-Triunfo Joint Powers Authority for calendar year 2024.

The JPA Board transitioned its officers with Las Virgenes Municipal Water District Board President Jay Lewitt assuming the Chair position and Triunfo Water & Sanitation District Chair James Wall assuming the Vice Chair position for calendar year 2024.

3. APPROVAL OF AGENDA

Administering Agent/General Manager David Pedersen asked that Item 6A be deferred to the next JPA Board Meeting as former Director Janna Orkney was unable to attend the meeting to receive her proclamation.

Director Polan moved to approve the agenda as amended. Motion seconded by Director Wall. Motion carried 9-0 by the following vote:

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

4. PUBLIC COMMENTS

None.

5. CONSENT CALENDAR

A Minutes: Regular Meeting of December 4, 2023: Approve

B Statement of Revenues, Expenses, and Changes in Net Position: December 2023

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

C Budget Planning Calendar for Fiscal Years 2024-25 and 2025-26

Receive and file the Budget Planning Calendar for Fiscal Years 2024-26.

D Bond Counsel Services: Amendment to Agreement

Authorize the Administering Agent/General Manager to execute an engagement letter with Stradling Yocca Carlson & Rauth, in the amount of \$100,000, for services related to Water Infrastructure Finance and Innovation Act financing of the Pure Water Project Las Virgenes-Triunfo and miscellaneous bond counsel services specific to the Las Virgenes-Triunfo Joint Powers Authority.

Director Caspary moved to approve the Consent Calendar. Motion seconded by Director Tjulander. Motion carried 9-0 by the following vote:

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

6. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Recognition of Director Janna Orkney's Service to the Las Virgenes-

Triunfo Joint Powers Authority

This item was deferred to the March 4, 2024 JPA Board Meeting.

B State and Federal Legislative Update

Ana Schwab, federal lobbyist for the JPA with Best Best & Krieger, LLP, reported that Congress delayed the 2024 appropriations to March with laddered funding deadlines on March 2nd and 8th. She noted that President Joe Biden would give his State of the Union Address on March 7th. She stated that BBK was monitoring grant programs of importance to the JPA, such as the Title XVI Program.

Lowry Crook, federal lobbyist for the JPA with BBK, reported that progress was being made by the Interior and Environment Subcommittees for water and energy bills. He noted that the President's budget was scheduled to be released on March 11th.

Ms. Schwab also reported that BBK would monitor proposed regulations related to per- and polyfluoroalkyl substances PFAS and Contaminants of Emerging Concerns (CECs) to ensure that the JPA and its ratepayers are well protected. She noted that Congressman Jared Huffman was preparing to introduce the Water Conservation Rebate Tax Parity Act, which would create a water conservation rebate program. She responded to a question regarding H.R. 480 Wildfire Recovery Act by stating that this bill would amend the disaster relief legislation statute to allow flexible cost share for fire management and response. She also responded to a question regarding H.R. 482 Western Wildfire Reform Act by stating that this bill and its companion bill, S. 1764, was related to federal agency management in response to mitigating wildfires. She also responded to a question regarding H.J. Res. 27 relating to revised definition of the Waters of the United States (WOTUS) by stating that this was directly in response to the Administration's WOTUS rule changes following the Sacket v. U.S. Environmental Protection Agency ruling, which narrowed the criteria by which certain wetlands and waterways may qualify as WOTUS. She stated that this bill would not likely pass in the Senate.

Syrus Devers, state lobbyist for the JPA with Syrus Devers Advocacy, LLC, reported no new 2024 bills had been proposed to date. He stated that SB 366 (Caballero), The California Water Plan Long-Term Supply Projects, and other water rights bills would have until July 3rd to move forward. He also stated that February 16th would be the deadline to introduce new bills.

7. ACTION ITEMS

A Update to Legislative Policy Principles: Approval

Approve the proposed update to the Legislative Policy Principles.

Jeremy Wolf, Legislative Program Manager, presented the report.

Ana Schwab, federal lobbyist for the JPA with Best Best & Krieger, LLP, responded to a question regarding the status of Build America, Buy America (BABA) legislation by stating that there was an opportunity last year to provide comments to the U. S. Department of the Interior and the Environmental Protection Agency regarding implementation of BABA waivers, and comments were submitted for the Pure Water Project Las Virgenes-Triunfo for Water Infrastructure Finance and Innovation Act (WIFIA) funding and the Title XVI Program. She noted that the WIFIA program has a waiver for BABA, which the JPA falls under as the waiver is for eligible projects to be financed by the WIFIA program that have initiated project design planning prior to May 14, 2022. She also noted that a comment letter was submitted supporting the proposed waiver, and the JPA's support successfully led to the adoption of the WIFIA program waiver. She stated that the Department of the Interior did recognize that they would be following cognizant agency if the majority of funds came from another agency, and the project falls under a BABA waiver under the cognizant agency.

A discussion ensued regarding zero emission vehicles legislation being included under climate change legislative policy principles.

Director Caspary moved to approve Item 7A. Motion seconded by Director Nye.

Motion carried 9-0 by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

B Hydrodynamic Modeling of Las Virgenes Reservoir: Award

Accept the proposal from Flow Science, and authorize the Administering Agency/General Manager to execute a professional services agreement, in the amount of \$199,656, for hydrodynamic modeling of Las Virgenes Reservoir to support the Pure Water Project Las Virgenes-Triunfo.

Oliver Slosser, Engineering Program Manager, presented the report.

Director Polan moved to approve Item 7B. Motion seconded by Director Caspary.

A discussion ensued regarding coordinating with the Natural Ocean Well Company's pilot project to test a water life protection filtration system at Las Virgenes Reservoir.

Motion carried 9-0 by the following vote:

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

C Malibou Lake Siphon Replacement Project: Construction Award

Award a construction contract to Mladen Buntich Construction Company, Inc., in the amount of \$3,339,000, and reject all remaining bids upon receipt of duly executed documents; appropriate funding from CIP No. 10795 – Tapia Effluent Pump Station Rehabilitation to CIP No. 10803 – Malibou Lake Siphon Replacement Project, in the amount of \$1,730,624; authorize the Administering Agent/General Manager to execute Contract Amendment No. 4 with HDR, Inc., in the amount of \$102,800, for engineering support during construction; accept the proposal from Padre Associates, Inc., and authorize the Administering Agent/General Manager to execute a professional services agreement, in the amount of \$58,690, for environmental compliance monitoring during construction for the Malibou Lake siphon Replacement Project.

Alex Leu, Senior Engineer, presented the report.

Director Coradeschi moved to approve Item 7C. Motion seconded by Director Burns.

A discussion ensued regarding noise attenuation during construction and acquisition of the necessary easements.

Motion carried 9-0 by the following vote:

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

8. BOARD COMMENTS

Director Coradeschi congratulated Triunfo Water & Sanitation District on its new Board Room.

9. ADMINISTERING AGENT/GENERAL MANAGER REPORT

Administering Agent/General Manager David Pedersen reported that over 8.5 inches of rain was measured at the Tapia Water Reclamation Facility during the recent rainstorm. He stated that there was no notable damage to JPA facilities.

Veronica Hurtado, Water Reclamation Manager, provided a PowerPoint presentation of how the Tapia Water Reclamation Facility was able to manage the storm flow during the recent rainstorm. She noted that most of the rain flow occurred on February 4th from 3:00 p.m. to 6:00 p.m., and the peak flow at Malibu Creek measured 17,670 cubic feet per second (CFS). She stated that the peak flow at the effluent was 38 million gallons per day (MGD), and the average effluent flow in the past 24 hours was 28.5 MGD. She shared the efforts taken by the Operators to prepare available space in the primary and secondary clarifiers, balance the pond with tertiary effluent, and mobilize the pump to recirculate tertiary effluent from the balancing pond to the headworks.

The JPA Board acknowledged staff for their efforts during the rainstorm.

10. FUTURE AGENDA ITEMS

None

11. PUBLIC COMMENTS

None.

12. ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:05 p.m.**

JL

Jay Lewitt, Chair

ATTEST:

J Wall

James Wall, Vice Chair