

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

5:00 PM

May 13, 2024

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Craig Jones.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **5:00 p.m.** by Chair Jay Lewitt 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, Caspary, Coradeschi, Jarecky, Lewitt, Nye, Polan, Shapiro, Tjulander and Wall

Absent: None

2. APPROVAL OF AGENDA

Director Wall moved to approve the agenda. Motion seconded by Director Coradeschi. Motion carried 10-0 by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

A Minutes: Special Meeting of April 8, 2024: Approve

**B Statement of Revenues, Expenses, and Changes in Net Position:
March 2024**

Receive and file the Statement of Revenues, Expenses, and Changes in Net Position for the period ending on March 31, 2024.

Director Tjulander moved to approve the Consent Calendar. Motion seconded by Director Jarecky. Motion carried 10-0 by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

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. Environmental Protection Agency (EPA) had finalized the maximum contaminant levels (MCL's) designations for drinking water for per- and polyfluoroalkyl substances (PFAS) and the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) rule. She stated that the EPA placed a four-parts for trillion (ppt) for perfluorooctanoic acid (PFOA) and perfluorooctanoic sulfonate (PFOS), and proceeded with the hazardous index of one for concentration of four different PFAS compounds and a single MCL for three of the four compounds in the hazard index. She noted that full compliance with the MCL's would be needed within five years. She also reported that the EPA released an enforcement guide on designating major responsible parties, such as manufacturing and industry, in terms of settlement agreements to protect equitable parties such as community water systems and publicly owned treatment works. She stated that BBK staff submitted comments on the Resources Conservation and Recovery Act, which were due in April. She noted that Congress would soon work on the Fiscal Year 2025 appropriations, and BBK would monitor for grant programs that could fund the Pure Water Project Las Virgenes-Triunfo. She responded to a question regarding the status of the EPA extending the National Pollution Discharge Elimination Program (NPDES) permit terms for public works from five years to ten years by stating that the amendment passed by voice vote in the House of Representatives; however, it did not have a current pathway for success in the Senate. She stated that other routes would be explored to move the NPDES extension forward.

Syrus Devers, state lobbyist for the JPA with Syrus Devers Advocacy LLC reported that the May revise to Governor Gavin Newsom's budget was published, which included the tax receipts received in April. He noted that the budget deficit was in

the range of \$50 to \$60 billion. He stated that a series of target budget cuts were published, including \$500 million cut to the water storage program and no new reductions in water recycling. He provided an update regarding proposed bond measures, and stated that the Governor might propose an education bond and work against having a resource bond on the ballot. He also provided an update regarding AB 2614 (Ramos), Water Policy California Tribal Communities, and stated that this bill would amend the definition of beneficial use for Tribal Water Rights, and it specifically mentioned the Bay Delta Plan as needing revision. He noted there was concern for the State Water Contractors and for State Water Project-dependent areas, and the Association of California Water Agencies (ACWA) State Legislative Committee held a special meeting where they took the position to oppose this bill unless amended.

A discussion ensued regarding concerns that provisions in the bill would allow tribes to submit water use and water quality reports confidentially to the State Water Resources Control Board.

Mr. Devers responded to a question regarding the status of SB 1072 (Padilla), which would allow violations of Proposition 218 by a special district to be paid through future rate reductions instead of reimbursements, by stating that this bill was passed by the Senate Local Government Committee and would be forwarded to the Senate Appropriations Committee for consideration.

B Pure Water Project Las Virgenes-Triunfo: Update

Oliver Slosser, Engineering Program Manager, presented the report and provided an update on the JPA's Water Infrastructure Finance and Innovation Act (WIFIA) funding application, and noted that the draft terms of the agreement were received and were under review by staff. He also reported that Metropolitan Water District of Southern California authorized the Local Resources Program (LRP) agreement.

Don Patterson, Director of Finance and Administration, responded to a question regarding the status of the WIFIA funding by stating that the funds were set aside for the project once the JPA was invited to apply, and the loan is scheduled to close in January 2025.

Mr. Slosser continued his presentation and noted that field surveys had begun to support the biological assessment for Clean Water State Revolving Fund funding as part of the California Environmental Quality Act (CEQA). He reported that a kickoff meeting was held on April 11th with the Walsh Team to review the 90-day schedule. He stated that he would provide a presentation at the Agoura Hills City Council meeting on May 22nd regarding the procurement of the Progressive Design Build team and issues pertinent to the City. He also reported that partnering workshops would be held on May 22 and 23rd, and a JPA Special Meeting would be held on May 28th for a workshop on the architectural theme.

Keith Lemieux, Agency Counsel, responded to a question regarding whether Jeremy Wolf, Legislative Program Manager, would need to recuse himself as he serves as a Councilmember for the City of Agoura Hills by stating that he could bring back a detailed analysis and formal opinion, and suggested that the Agoura Hills City Attorney might need to weigh in as well.

6. ACTION ITEMS

A Fiscal Year 2024-26 Proposed Biennial Budget

Review and provide feedback on the Fiscal Years 2024-26 Proposed Biennial Budget.

Debbie Rosales, Financial Analyst II, presented the report and PowerPoint presentation. She responded to questions regarding increases in projected recycled water sales for each JPA partner.

Eric Schlageter, Interim Director of Facilities and Operations, responded to questions regarding the cost for the Malibou Lake Siphon Replacement Project and the Pure Water Project Las Virgenes-Triunfo Progressive Design Build contract.

7. BOARD COMMENTS

Director Polan inquired regarding the impact of PFAS regulations on compost produced at the Rancho Las Virgenes Composting Facility and the Pure Water Project Las Virgenes-Triunfo reverse osmosis process. Administering Agent/General Manager David Pedersen responded that the MCL regulations would be for PFAS compounds in drinking water and would not apply to biosolids; however, he stated that it was anticipated there could be future PFAS regulations for biosolids, recycled water, and brine.

Director Caspary reported that Tom Ford, Chief Executive Officer from The Bay Foundation, requested a tour of the Pure Water Demonstration Facility. He noted that they were interested in reducing reliance on imported water as part of the Santa Monica Bay Restoration Plan. He also reported that there was a request at the previous Santa Monica Bay Restoration Committee meeting from the Los Angeles Waterkeeper and Heal the Bay for a presentation on nutrient levels in Santa Monica Bay.

Chair Lewitt reported that he attended the tour of facilities provided to new JPA Director Carl Jarecky.

Director Jarecky stated that he was impressed with the tour, which included visits to the Pure Water Demonstration Facility, Tapia Water Reclamation Facility, Rancho Las Virgenes Composting Facility, and Las Virgenes Reservoir.

8. ADMINISTERING AGENT/GENERAL MANAGER REPORT

Administering Agent/General Manager David Pedersen reported that the flow in Malibu Creek measured 15.7 cubic feet per second (CSF) and there was no need for fish flow augmentation. He also reported that the creek avoidance period began on April 15th, and it was challenging to discharge excess recycled water to Malibu Creek due to the mild weather and low recycled water demands. He noted that recycled water was pumped to the Los Angeles River, the sprayfields were in operation, and sewage was being diverted to the City of Los Angeles. He provided an update regarding the Malibu Lake Siphon Replacement Project, and noted that a site visit would be scheduled on May 15th. He reminded the Board that a Special JPA Board Meeting would be held on May 28th from 10:00 a.m. to 2:00 p.m. for the architectural elements workshop.

9. FUTURE AGENDA ITEMS

Administering Agent/General Manager David Pedersen stated that staff would monitor and provide any updates on potential PFAS regulations for biosolids, recycled water, and brine.

10. PUBLIC COMMENTS

None.

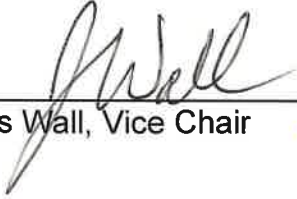
11. ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:17 p.m.**



Jay Lewitt, Chair

ATTEST:



James Wall, Vice Chair