

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

5:00 PM

January 5, 2015

PLEDGE OF ALLEGIANCE

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

1. CALL TO ORDER AND ROLL CALL

A Call to order and roll call

The meeting was called to order at 5:00 p.m. by Chairman Peterson in the Board Room at Oak Park Library, located at 899 Kanan Road, in Oak Park, CA. Daryl Betancur, Clerk of the Board conducted the roll call.

Present: Director(s): Caspary, Lewitt, Polan (arrived at 5:06 p.m. after roll call), Renger, Board Chairman Peterson, McReynolds, Orkney, Paule, Vice Chairman Iceland and Wall

Absent: Director(s): None

2. APPROVAL OF AGENDA

A Approval of agenda

Chair Peterson asked if there were any changes to the agenda. Seeing none, he entertained a motion to approve the agenda as presented.

On a motion by Director Paule, seconded by Director Renger, the Board voted unanimously to approve the agenda as presented.

3. PUBLIC COMMENTS

There were no public comments.

4. CONSENT CALENDAR

A Minutes: Regular JPA Meeting of December 1, 2014 Approved

Director Iceland moved to approve the minutes of December 1, 2014 as presented. Motion seconded by Director Caspary. Motion carried unanimously. (Director Polan was absent during this vote).

5. ACTION ITEMS

A Farm Sprayfield Operation and Maintenance Agreement Renewal

Authorize the Administering Agent/General Manager to execute a one-year contract with W. Litten Land Preparation for operation and maintenance of the Rancho Las Virgenes Farm Sprayfields in an amount not to exceed \$250,000.

Dave Pedersen, Administering Agent/General Manager presented the staff report commenting that this is an annual item in which the Board considers the maintenance agreement for the 65-acre farm and asked Carlos Reyes, Director of Resource Conservation and Public Outreach to summarize the activities currently performed at the site.

Carlos Reyes, Director of Resource Conservation and Public Outreach made brief comments relative to the background and history of the farm operation; spoke about the requirement to plant crops at the fields, which serve to take the nutrients out of the soil in compliance with a federal requirement; stated that a private contractor has been employed to operate the farm and that over the past 20 years, the lowest bidder has been Litten.

Director Polan moved to approve. Motion seconded by Director Iceland. Motion carried unanimously.

There were several questions related to any changes from last year's contract as compared to this year's; staff responded that there were no changes; also there was a request that staff consider putting the work out to bid in the future.

B Rancho Las Virgenes Third Digester Construction: Final Acceptance

Approve an additional appropriation of \$107,821.94; authorize the Administering Agent/General Manager to execute a change in scope agreement with Kennedy/Jenks Consultants for additional construction management services in the amount of \$45,821.36 and to execute a professional services agreement with Emerson Process Management to perform distributed control system integration services in the amount of \$75,000.00; waive liquidated damages associated with delays of construction contract; authorize the execution of a Notice of Completion by the Administering Agent/General Manager and have the same recorded; and, in the absence of claims from subcontractors and others, release the retention in the amount of \$395,737.64 thirty calendar days after filing notice of completion for the Rancho Las Virgenes Third Digester Project.

Administering Agent/General Manager Pedersen stated that the project has been completed; explained that the start-up operation is in its final stages; commented that this was a very large project of over 1 million gallons and included a lot of mechanical equipment; updated the Board on the work that is being done currently and how the new digester is being placed into service.

There was a lengthy discussion relative to: changes in the scope; the number of change orders; the amount of the contract with Emerson as well as liquidated damages.

Administering Agent/General Manager Pedersen explained the facts with respect to the delay, which totaled 22 days and affected the work of Kennedy/Jenks; explained the concept of waiving liquidated damages in exchange for reimbursement of the cost of additional work by Kennedy/Jenks; spoke about the boiler issues, which resulted in \$21,000 worth of extra work.

Director Renger moved to approve. Motion seconded by Director McReynolds. Motion carried unanimously.

C Budget Planning Calendar for Fiscal Year 2015-16.

Dave Pedersen, Administering Agent/General Manager presented the staff report and spoke about some of the major dates on the calendar.

Director Iceland moved to receive and file. Motion seconded by Director Orkney. Motion carried

unanimously.

6. BOARD COMMENTS

Director Orkney commented that while on a trip to St. Marten, she learned that both sides of the Island have ocean desalination plants and thought this was impressive.

Director Polan spoke about an article he read in the Ventura County Star about the City of Ventura not putting a moratorium on housing and the impact on water resources, including taking water from the aquifer; also spoke about the possibility of an intern program.

Director Iceland congratulated new Director Jay Lewitt on joining the JPA Board; stated that he will be out of town for the next meeting.

7. ADMINISTERING AGENT/GENERAL MANAGER REPORT

Administering Agent/General Manager Pedersen reported on the JPA Board reorganization that is forthcoming; spoke about the Heal the Bay Awards Gala; spoke about the recycled water seasonal storage action plan activities and upcoming dates for the seasonal storage workshops; stated that January 29th is the proposed date for workshop No. 1 and February 18 for workshop No. 2. After a brief discussion, it was decided that the first workshop will be held on January 29th and the second on February 11th.

8. FUTURE AGENDA ITEMS

Director Orkney made comments relative to the seating arrangements when meeting at Las Virgenes Municipal Water District headquarters. Chair Peterson answered by stating that such arrangements where Directors sit is left to the discretion of whoever is the Chair and thus he or she decides; further, she asked for a future agenda item to consider having all future JPA Board meetings held at Las Virgenes Municipal Water District headquarters.

9. INFORMATION ITEMS

- A Supply and Delivery of Ferric Chloride: Award of Contract**
- B Tapia Channel Mixing Improvements: Call for Bids**
- C Tapia Water Reclamation Facility NPDES Effluent Limit Exceedences: Settlement Offer No. R4-2011-0157-M, Expedited Payment Program.**
- D Board Meeting Follow-up Items**

Director McReynolds posed a question on item 9C relative to nitrification and denitrification. He wanted to know if Tapia has reduced capacity as a result of nitrifications to these systems and thus a loss of capacity to be able to handle storm events.

10. PUBLIC COMMENTS

None.

11. CLOSED SESSION

The Board recessed to closed session at **6:00 p.m.**, and reconvened to open session at **6:04 p.m.**

- A. Conference with District Counsel- Anticipated Litigation pursuant to Government Code Section 54956. (b)**

One case

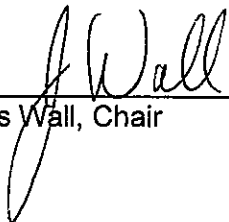
B. Conference with District Counsel- Existing Litigation pursuant to Government Code Section 54956.9 (a).

1. Las Virgenes – Triunfo Joint Powers Authority v. United States Environmental Protection Agency and Heal the Bay, Inc. v. Lisa P. Jackson


There were no reportable actions taken in closed session.

12. ADJOURNMENT

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



James Wall, Chair

ATTEST:


Glen Peterson, Vice Chair