

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

5:00 PM

March 4, 2024

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Rich Nagel.

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, Lewitt, Nye, Polan, Shapiro, Tjulander, and Wall
Absent: None

2. APPROVAL OF AGENDA

Administering Agent/General Manager David Pedersen asked that Item 5A be deferred to the next JPA Board Meeting as former Director Janna Orkney was unable to attend the meeting to receive her proclamation, and that Item 7, Board Comments, be moved to follow Item 5B so that a report may be provided regarding the Association of California Water Agencies (ACWA) Washington DC Conference.

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

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

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

A Minutes: Special Meeting of January 31, 2024, and Regular Meeting of February 5, 2024: Approve

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

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

C Replacement Tractor for Rancho Las Virgenes Farm Sprayfields: Authorization

Authorize the Administering Agent/General Manager to issue a purchase order to Quinn Company, in the amount of \$90,021, for a Massey Ferguson 6712 CAB tractor for the Rancho Las Virgenes Farm Sprayfields.

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

5. 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 next JPA Board Meeting.

B State and Federal Legislative Update

Ana Schwab, federal lobbyist for the JPA with Best Best & Krieger LLP (BBK), reported that the attendees to the ACWA Washington DC conference held productive meetings with staff from the U.S. Bureau of Reclamation regarding the Pure Water Project Las Virgenes-Triunfo to ensure drought mitigation and resiliency. She stated that Congress was working on completing the appropriation cycle, and was expected to pass the Interior, Environment, Energy, Water, and Agriculture bills ahead of the President's State of the Union Address. She also stated that the remaining bills were expected to be passed by March 22nd. She noted that BBK was continuing to advocate for the Water Conservation Rebate Tax Parity Act to ensure that the JPA would not need to administer Forms 1099

for water conservation rebates, and ensuring that the JPA continues to receive federal support for the Pure Water Project Las Virgenes-Triunfo. She also reported that the Senate Committee on Environment and Public Works would hold a hearing on March 20th regarding passive receivers that receive per- and polyfluoroalkyl substances (PFAS) into their water and wastewater system without control from other mechanisms. She stated that this would go towards a Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) liability exemption and that it remains a "polluter pays" law. She also stated that maximum contaminant levels (MCLs) and CERCLA designations for perfluorooctanoic acid (PFOA) and perfluorooctanoic sulfonate (PFOS) were expected in March. She responded to a question regarding whether H.R. 7008, Judicial Review Timeline Clarity Act, would impact PFAS regulations by stating that this bill would be related to judicial review of Section 404 permitting for the Water Pollution Control Act.

7. BOARD COMMENTS

Director Polan reported that meetings were held with Cory Maks, Chief of Staff for Congressman Brad Sherman and with Congresswoman Grace Napolitano's staff during the ACWA Washington DC Conference to discuss resiliency and sustainability issues.

Director Shapiro reported that he attended meetings with Congresswoman Julia Brownley's staff and other legislators' staff, who expressed interest in issues related to PFAS. He acknowledged BBK's efforts in arranging meetings in Washington DC.

Director Coradeschi also acknowledged BBK's efforts during the Washington DC visit. He expressed an interest in seeing actual progress, especially on CERCLA liability.

Chair Lewitt stated that the purpose of attending the ACWA Washington DC conference was to educate the legislators on issues related to water and wastewater and build relationships, including with Gary Gold, Deputy Assistant Secretary for Water and Science. He reported that the group met with Senator Laphonza Butler and Congresswoman Julia Brownley, and visited the Botanical Gardens with attendees from the California Association of Sanitation Agencies (CASA) Washington DC Conference. He commended David Rydman, Operations Manager from Triunfo Water & Sanitation District, for providing information regarding the Pure Water Project Las Virgenes-Triunfo, and the BBK team for their efforts.

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS (Continued)

B State and Federal Legislative Update

Syrus Devers, state lobbyist for the JPA with Syrus Devers Advocacy, reported that there were several proposed bills related to permit development and permit approval process, Proposition 218 remedies, and sanitation agencies procedures and connection fees. He stated that he previously reported on the Legislative Analyst's Office's report regarding concerns with the proposed outdoor water use efficiency standards, and subsequently AB 2894 (Gallagher), Urban Water Use Targets Indoor Residential Water Use, was introduced.

6. ACTION ITEMS

A Pure Water Project Las Virgenes-Triunfo: Authorization for Local Resources Program Funding

Pass, approve, and adopt proposed Resolution No. 33, authorizing the Administering Agent/General Manager to enter into an agreement with the Metropolitan Water District of Southern California for participation in the Local Resources Program, in a form approved by the General Counsel, to supplement funding for the Pure Water Project Las Virgenes-Triunfo.

RESOLUTION NO. 33

A RESOLUTION OF THE GOVERNING BOARD OF LAS VIRGENES-TRIUNFO JOINT POWERS AUTHORITY AUTHORIZING THE ADMINISTERING AGENT/GENERAL MANAGER, OR DESIGNEE, TO RECEIVE FUNDS, ENTER INTO A COOPERATIVE AGREEMENT, AND ADMINISTER A GRANT WITH THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA FOR PARTICIPATION IN THE LOCAL RESOURCES PROGRAM TO SUPPLEMENT FUNDING FOR THE PURE WATER PROJECT LAS VIRGENES-TRIUNFO.

Oliver Slosser, Engineering Program Manager, presented the report.

Director Coradeschi moved to approve Item 6A. Motion seconded by Director Caspary.

Mr. Slosser responded to a question regarding whether there would be a cost for this program by stating that he would follow-up.

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 Pure Water Project Las Virgenes-Triunfo: Contract Amendment No. 2 for Owner's Advisor Services

Accept the proposal from Jacobs Engineering Group, Inc., and authorize the Administering Agent/General Manager to execute Contract Amendment No. 2, in the amount of \$7,294,443, for Owner's advisor services during final design of the Pure Water Project Las Virgenes-Triunfo.

Oliver Slosser, Engineering Program Manager, presented the report.

Director Caspary moved to approve Item 6B. Motion seconded by Director Wall.

Jennifer Phillips, representing Jacobs Engineering Group (Jacobs), expressed her appreciation to the JPA Board for their support for the Pure Water Project Las Virgenes-Triunfo (Pure Water Project) and the water industry. She noted that the JPA had met several milestones in the planning effort. She also acknowledged Principal Engineer Eric Schlageter, Engineering Program Manager Oliver Slosser, Administering Agent/General Manager David Pedersen, and TWSD General Manager Mark Norris for their confidence in Jacobs.

Rich Nagel, representing Jacobs, thanked the JPA Board for their consideration of the contract amendment for Jacobs' owner's advisor services. He commended the JPA Board and staff for their collaborative, forward-thinking, and visionary efforts.

Mr. Slosser responded to a question regarding concerns with the guaranteed maximum price (GMP) by the Progressive Design-Build Team during due to inflation by stating that the timing of the GMP would come after the 60 percent design, and one of the early tasks by the Progressive Design-Build Team would include conducting a cost verification to review the estimates developed and the project elements.

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 Pure Water Project Las Virgenes-Triunfo: Award of Phase 1 Progressive Design Build Contract

Accept the proposal from the Walsh Construction, Brown and Caldwell, and Carollo Engineers progressive design-build team, and authorize the Administering Agent/General Manager to execute a contract in the amount of \$21,430.215, for Phase 1 design-build services for the Pure Water Project Las Virgenes-Triunfo.

Oliver Slosser, Engineering Program Manager, presented the report.

Director Burns moved to approve Item 6C. Motion seconded by Director Caspary.

Adam Zacheis, representing Brown and Caldwell, stated that they were looking forward to being considered as the Progressive Design-Build Team, and noted that they also worked on the Pure Water Demonstration Facility.

Blayne Goodman, Design-Build Manager for Walsh Construction, stated that he was looking forward to working on the Phase 1 design-build services for the Pure Water Project Las Virgenes-Triunfo.

Andrew Salvesson, representing Carollo Engineers, stated that he was looking forward to working with the Progressive Design-Build Team.

A discussion ensued regarding the ability of the Progressive Design-Build Team to meet the timeline for completion of the 60 percent design plans, and concerns with the need for future expansion of the Advanced Water Purification Facility.

Motion carried 9-0 by the following vote:

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

NOES: None

ABSTAIN: None

ABSENT: None

D Construction Management and Inspection Services for Malibou Lake Siphon Replacement Project: Award

Accept the proposal from canon Corporation ad authorize the Administering Agent/General Manager to execute a professional services agreement, in the amount of \$261,540, for construction management and inspection services for the Malibou Lake Siphon Replacement Project; and re-appropriate funding from CIP No. 10895, Tapia Final Effluent Pump Station Rehabilitation Project, to CIP No. 10803, Malibou Lake Siphon Replacement Project, in the amount of \$261,540.

Alex Leu, Senior Engineer, presented the report.

Director Burns moved to approve Item 6B. Motion seconded by Director Polan.

Mr. Leu responded to a question regarding monitoring for nesting birds in the area by stating that a permit was obtained from the Department of Fish and Wildlife that would construction activities from March 15 through November 15, 2024, and Padre Associates would assist with pre-construction environmental surveys for birds, snakes, and reptiles in the creek.

Motion carried 9-0 by the following vote:

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

7. **BOARD COMMENTS**

There were no other Board Comments.

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

Administering Agent/General Manager David Pedersen reported work had begun on audiovisual improvements in the LVMWD Board Room, which should be completed in early April. He noted that the next JPA meeting would be held at Triunfo Water & Sanitation District.

9. **FUTURE AGENDA ITEMS**

Director Polan moved for a presentation on the architectural character of the Pure Water Project Las Virgenes-Triunfo.

10. **PUBLIC COMMENTS**

None.

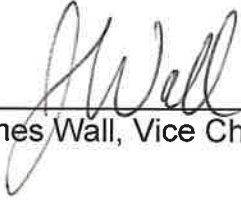
11. **ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:15 p.m.**



Jay Lewitt, Chair

ATTEST:



James Wall, Vice Chair