

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

5:00 PM

July 1, 2013

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Administering Agent/General Manager Pedersen.

Director McReynolds requested to strike "10. Public Comments" as it was a repeat of "3. Public Comments". (Administering Agent/General Manager Pedersen stated the item was added at the request of a board member for any late arriving public speakers so they may have a second opportunity to speak if they did not make it at the beginning of the meeting).

1. CALL TO ORDER AND ROLL CALL

A Call to order and roll call

The meeting was called to order at 5:03 pm by Chair McReynolds in the Oak Park Library. Clerk of the Board, Bodenhamer called the roll. Those answering present were Directors Caspary, Iceland, McReynolds, Orkney, Peterson, Polan, Renger, Steinhardt and Wall. Absent: Director Paule.

2. APPROVAL OF AGENDA

A Approval of agenda

Administering Agent/General Manager Pedersen asked to remove items 5A - Construction of Impressed Current Cathodic Protection System for Centrate Treatment and Storage Tanks, 11A - Conference with District Counsel - Potential Litigation (Government Code Section 54956.9): One Case and 11B - Conference with District Counsel - Existing Litigation off of the agenda, (Item 11A & 11B: There is no new information to report; Item 5A: involves cathodic protection for centrate treatment tanks, part of the Tapia treatment process; we are discharging to the creek right now for fish flows; working with the contractor to see if we can maintain bid prices and then staff will come back to the Board for a recommendation again;

A summary of JPA Board questions included: cathodic protection how long was it noticed that it was at zero (Administering Agent/General Manager Pedersen, added that the two tanks have a sacrificial anode system where the anode is consumed completely, the anode corrodes instead of the metal; we don't have significant corrosion problems; it's a preventative maintenance issue, we may not have caught it at the exact right time but we did get it).

On a motion by Director Lee Renger, seconded by Director Steven Iceland, the Board of Directors voted 9-0 -1 to Approve the JPA Regular Board Meeting agenda of July 1, 2013, as amended by the recommendations of Administering Agent/General Manager Pedersen.

AYES: Director(s) Caspary , Iceland , McReynolds , Orkney , Peterson , Polan , Renger , Steinhardt , Wall

ABSENT: Director(s) Paule

3. PUBLIC COMMENTS

Members of the public may now address the Board of Directors **ON MATTERS NOT APPEARING ON THE AGENDA**, but within the jurisdiction of the Board. No action shall be taken on any matter not appearing on the agenda unless authorized by Subdivision (b) of Government Code Section 54954.2

One speaker card was received from the public.

(1) Keli Kaye who stated she was from Oak Park and wanted to speak on the proposed recycled water contract to supply Woodland Hills Country Club (WHCC); she went back to the Feb 2011 information found on the website, concerned about water supply regarding business units and cost, concerned about being squeezed out of the supply, did not know where her water came from, so she started attending the TSD meetings, JPA meetings and then the LV meetings, referred to the presentation by Director of Facilities & Operations, David Lippman regarding the recycled water contract who said if we have to supplement recycled water with potable water, we would charge the customers, finds that a very easy statement, but does not see any number crunching or explanation on how to determine who will pay what, her goal is to make sure people who are currently using recycled water get equitable treatment in this contract as contracts can go 25-50 years and they have to be very careful as there is a 21 acre feet (AF) shortfall in recycled water (an estimate). What was pulled from the 2011 Department of Water and Power (DWP) 2008 strategy, looking at the AF already funded in their Capital Plan; The 2013, 19,350 AF and going to 2015, they are going to 50K AF so her usage can get squeezed by this huge demand and she wants to make sure we are careful with the people who have been on board quite a while already. If charging those responsible for causing a supplement, evaluate usage rather than spikes, there needs to be information on how to determine supplement, use of fixed number, which we don't have, she is tossing out ideas because of Owens Valley, San Luis and Colorado history. If we want to charge people who are causing a supplement, for example, if her HOA was to cause a supplement, if we were evaluating the usage rather than a spike in the month or quarter, but again we don't have information on how we are going to determine the supplement, having fixed numbers, we don't have that information today but if you put in a percentage, we are somehow expected and it could be any number, but she was just tossing out some ideas, because of history, she reminded everyone of the battles in Owens Valley, San Luis Valley and Colorado. People are fighting for their access to water and she wants to make sure TSD/Oak Park doesn't get squeezed out, if we were in court, she's not sure how the law would stand for an individually metered, non contracted customer when it comes to first in time, first in right, you have a contracted wholesale customer like the City of Los Angeles or Department of Water and Power and then you have the little guys who have been in place for several years. Director Caspary previously said the TSD/Oak Park customers might want an off ramp but she thinks we have to manage it really carefully.

A summary of JPA Board comments included: corrected her statement regarding TSD's percentage share of reclaimed water; question was posed if TSD's reclaimed meters were set up with Advanced Metering Infrastructure (AMI). If they were, it would make it very easy to determine who was using water that requires supplements (Lippman: retail meters in the Las Virgenes service area are set up with AMI) when he talked at the presentation about Woodland Hills in regards to whoever causes the supplement, pays for the supplement, he stated he should have clarified himself); we are only talking about 2 customers, TSD and LV; individual, retail customers, the supplement

should be transparent to them and it is; if Las Virgenes uses more water then they pay the supplement.

Ms. Kaye requested the JPA Board hold a workshop in order to learn and understand it more.

4. **CONSENT CALENDAR**

A Minutes: Regular Meeting of June 3, 2013. **Approve**

On a motion by Director Charles Caspary, seconded by Director Steven Iceland, the Board of Directors voted 9-0 -1 to Approve the recommendation as presented.

AYES: Director(s) Caspary , Iceland , McReynolds , Orkney , Peterson , Polan , Renger , Steinhardt , Wall

ABSENT: Director(s) Paule

5. **ACTION ITEMS**

A Construction of Impressed Current Cathodic Protection System for Centrate Treatment and Storage Tanks - Construction Award

Waive formal bidding requirements for the Construction of Impressed Current Cathodic Protection System for Centrate Treatment and Storage Tanks Project due to the maintenance nature of the work; authorize the General Manager to issue a purchase order to American Construction and Supply, Inc. in the amount of \$95,385 for construction of the project; accept a proposal from HDR, Inc. to provide professional engineering services during construction in the amount of \$18,205; and appropriate \$10,000 for the construction and engineering services for the project.

No action was taken on this item as it was pulled from the agenda.

6. **BOARD COMMENTS**

Director Orkney: stated it is easy to read the paper about fracking of petroleum sources, what keeps coming up is the Monterey Shale or Monterey Foundation and a little light bulb goes on and it has far more reaching consequences other than our watershed.

Director Iceland: stated he was at a political fundraiser this weekend and Congresswoman Julie Brownley discussed TMDL with regards to EPA, she did not seem to be aware of what was going on, she is a strong supporter of Heal the Bay, he said Director Peterson met with her personally, and requested keeping Congresswoman Julie Brownley in the loop.

Director Caspary: asked if the EPA is going to publish on July 2nd (Administering Agent/General Manager Pedersen said he suspects that they will; he hasn't seen an extension yet; they have had 2 extensions; each time they came up with an extension before the time, he believes they will sign on the line.)

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

A Administering Agent/General Manager Report (1) General Business; (2) Follow Up Items

Administering Agent/General Manager Pedersen provided an update on general business of the JPA including:

(1) TMDL fish flow, we have previously discharged to the creek for a period of days, this time we have been discharging to the creek since June 14, 2013, this is being triggered by the Endangered Species Act, Federal Agency Fish and Wildlife requires when the creek flow drops

below 2.5 CFS that we supplement, we discharged (about 300 gallons per minute, since June 14th, we have supplemented about 6.1MG to the creek, the creeks flow is fairly low, just shy of 1 CFS, the intent is to bring up the flow to about 2.5 CFS, it demonstrates the dry conditions we are seeing this year).

Director Renger: Is Chumash supplementing the flow what did the fish do Pedersen: someone from UCSB asked that question and we don't really have a good answer, David Lippman will research it). Director Iceland: assuming it will be a totally dry summer does this mean we will be putting off the cathodic protection for 3-5 more months? Pedersen: we will look at it but it is a possibility). Director Polan: is there a temporary solution (David Lippman: we could go for another year on those tanks and not sustain any more damage). Director McReynolds: cautioned this item was taken off of the agenda (no more discussion took place). Director Orkney: the usefulness of the Malibu Creek Watershed Tours was demonstrated at a meeting last Tuesday evening, there was a discussion of organic pest control and the study was about Medea Creek that was done at Oak Park High School and how it would really help the creek, one of the Oak Park members spoke up and said they went on the tour and the water is brackish, we will never know when that information will come in handy. Director Wall: question on discharge to the creek, are we supplementing because of that? (Administering Agent/General Manager Pedersen: we are supplementing but the amount is rather small.) (David Lippman: stated we are supplementing the groundwater and potable water to the recycled water system). Director Polan: he was at the Lagoon Park on Saturday looking at the birds and the algae, he noticed the ocean came across the sand spit at night because he could see where the sand had been washed so the creek gets many inflows, he'd be surprised if it was brackish or is it ocean water?) (Director Renger: commented that it is both brackish and ocean water). General Manager Pedersen: continuing the outreach effort on the TMDL, presentations have been done to the Westlake HOA, Thousand Oaks City Council and the Conejo Valley Chamber of Commerce trying to get the word out.

(2) Item No.1 is a request that we look at using amendment from Agoura Tree Service for compost amendment; we did look into that, but the challenge is the chips are too coarse for our use right now and they are high in moisture content; Items No. 2 and 3 will be brought back to report on the next JPA meeting to go over the permit process on the Federal and State side or regulatory framework (NPDES) permits, statewide permits and general permits, there will be a presentation on that at the August meeting; No. 3 is providing historical perspective on the recycled water system; Item No. 4 is to look into the Local Resources Program (LRP) funds available from Metropolitan to offset some of the costs; Item No. 5 is a continuing item for our discussion for the application of the solar power savings.

8. FUTURE AGENDA ITEMS

None

9. INFORMATION ITEMS

A Rancho Las Virgenes Third Digester Construction: Approval of Change Order Nos. 1 and 2

Director Polan: asked if the District has the availability to get Wrap-up Insurance, where an insurance company insures through a master policy instead of each individual contractor providing their own workers comp, it would be more economical, it's becoming more accepted with condominium construction, do you have any idea of viability (Administering Agent/General Manager Pedersen said we could look at it and see if it might be something helpful).

B Change in Outside Laboratory Services

- C** Rehabilitation of 18-inch REW Pipeline from Tapia State Park to Camp David Gonzales: Change Order Nos. 1 and 2 and Final Acceptance
- D** Supply and Delivery of Ammonium Hydroxide: Award of Bid
- E** Primary Tank Rehabilitation Project: Award of Design Contract

10. PUBLIC COMMENTS

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No speaker cards were received from the public.

11. CLOSED SESSION

No closed session was held.

- A** Conference with District Counsel - Potential Litigation (Government Code Section 54956.9): One Case
 - 1. In the opinion of District Counsel, disclosure of the identity of the litigant would be prejudicial to the agency.
- B** Conference with District Counsel - Existing Litigation:
 - 1. Heal the Bay, Inc. v. Lisa P. Jackson

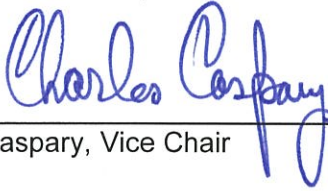
12. ADJOURNMENT

Chair McReynolds declared the meeting adjourned at 5:30 pm.



Michael McReynolds, Chair

ATTEST:



Charles Caspary, Vice Chair