

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

5:00 PM

January 6, 2014

PLEDGE OF ALLEGIANCE

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

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 Director McReynolds in the Oak Park Library and the Clerk of the Board Bodenhamer called the roll. Those answering present were Directors Caspary, Iceland, McReynolds, Orkney, Paule, Peterson, Polan, Renger, Steinhardt and Wall.

2. APPROVAL OF AGENDA**A** Approval of Agenda

The General Manager requested that Item 11A, Las Virgenes-Triunfo Joint Powers Authority v. United States Environmental Protection Agency be added to the agenda for Closed Session.

On a motion by Director Steven Iceland, seconded by Director Leonard Polan, the Board of Directors voted 10-0 to Approve as amended.

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

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

No speaker cards were received from the public.

4. CONSENT CALENDAR**A** **Minutes: Regular Meeting of November 4, 2013 and Regular Meeting of December 2, 2013. Approve**

On the 11/04/13 JPA Minutes, the word "Chain" needs to be replaced with "Chair" on the last page under "Adjournment".

On a motion by Director Glen Peterson, seconded by Director Janna Orkney, the Board of Directors voted 10-0 to Approve as presented with the above noted amendment being

made.

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

5. ACTION ITEMS

A Tapia WRF Channel Mixing Improvements: Accept Proposal

Accept the proposal from MNS Engineers, Inc. to provide design and construction services for the Tapia WRF Mixing Channel Improvements Project in the amount of \$48,205 and authorize the Administering Agent/General Manager to execute a professional services agreement with MNS Engineers, Inc. to perform the work.

Administering Agent/General Manager Pedersen gave an overview of the project; the project was initiated in 2011; the Channel Air Mixing System has reached the end of its useful life and needs to be replaced; the Board previously authorized an RFP for the work and the RFP was sent to seven consulting firms (HDR, Carollo, CivilTech, MNS, Pace, Kennedy/Jenks, and AECOM); one proposal was received from MNS Engineers; the other consultants did not submit proposals because the project was small and other work took precedence; staff reviewed the proposal and they had several questions that were clarified with an addendum, which is included in the attachments; the proposal consists of two parts, the design of the work and the construction services in the amount of \$48,205.00; completion is expected in mid-April.

JPA questions: How much is remaining of the \$454,000? What is the financial impact? Is there more work to be done? (Pedersen: that is the total amount of the project; the bulk of the amount is construction, the new air piping) How does the stainless steel piping relate to the design to improve the performance of the plant? Is there any impact on the modeling? (Pedersen: probably not) How is the budget arrived at? (Lippman: this project resulted from the Process Air Study; there were three major improvements that needed to be done; existing air leaks in the air system needed to be repaired and have been done; a new process air blower and different aeration system is on hold due to the cost; the last project was replacing the channel air system; the construction and services were estimated) Does it include staff time? (Lippman: yes; the next step is to come back with a call for bids and an award) Is this amount consistent with what you thought the expectations were? (Lippman: yes) The original proposal was \$38,000? Why the \$10,000 increase? (Lippman: task 4 was not included in the original proposal) Did we ask for these when we went out to bid? (Lippman: yes)

Legal Counsel Lemieux: There are different requirements for construction contracts vs. engineering services; construction contracts are a lot more detailed; bids have to be conforming to bid documents; JPA comments: So, for all engineering projects things can be added or taken out of the original agreement? (Lemieux: yes; also, SB751 is an amendment to the Brown Act which requires the Secretary to record the votes of everybody whether they are voting yes, no or abstain; as long as you vote unanimously, it's easier to record; if anyone abstains or votes no, then raise your hand and a roll call vote will be taken) Using another sub-contractor to engineer the project, are they adequately covered bringing in another individual who is not employed? (Lemieux: yes) Are the record and plan drawings accurate? (Lippman: yes and the shop drawings can be reviewed if necessary) Is the part that generates the air on the Air Mixing System going to be replaced or just the piping? (Lippman: just the piping)

Director Steinhardt: Would like to add a caveat to leave it up to legal counsel to make sure the sub-contractor will be covered by somebody's insurance.

On a motion by Director Janna Orkney, seconded by Director Lee Renger, the Board of

Directors voted 10-0 to Approve the proposal as presented.

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

B Farm Sprayfield Operation and Maintenance: Renewal of Agreement

Authorize the Administering Agent/General Manager to enter into a one-year contract with W. Litten Land Preparation for operation and maintenance of the JPA's farm sprayfield in an amount not to exceed \$250,000.

Administering Agent/General Manager Pedersen explained that the process involves maximizing potential for operating, seeding, harvesting, maintaining and improving drainage and also the roads; the work has been bid on four times in the past 19 years; three of those four times, Litten has been the successful bidder for the work; Litten is familiar with the facility and the maintenance of the grounds and they have done a good job; they continue to be compliant with the NPDES permit requirements so it is recommended we contract with them for an additional year; Litten has agreed to the current pricing.

JPA questions included: Would seasonal storage eliminate this? (Pedersen: yes) Why aren't we doing a 2-3 year extension? (Pedersen: we could do a longer extension, but we wanted to take it one year at a time due to the dollar amount and because it gives the Board an opportunity to take a look at it each year)

On a motion by Director Steven Iceland, seconded by Director Glen Peterson, the Board of Directors voted 10-0 to Approve as presented.

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

C Budget Planning Calendar for Fiscal Year 2014-15

Receive and file.

Administering Agent/General Manager Pedersen referred to the calendar on page 80 of the agenda package; Infrastructure Investment Program and Board Budget Workshop is scheduled for March; budgetary needs in April; Preliminary Budget in May and Budget Adoption in June.

JPA questions: Will we have workshops to discuss the Master Plans? (Pedersen: yes) Is the Budget-Based Water Workshop at the end of the month a part of this calendar? (Pedersen: no) What does IIP stand for? (Pedersen: Infrastructure Investment Program) Can a meeting of the Financial Committee be scheduled and added to the calendar? (Pedersen: yes)

On a motion by Director Steven Iceland, seconded by Director Michael Paule, the Board of Directors voted 10-0 to Receive and File.

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

D Lost Hills Overpass Recycled Water Main Relocation: Engineering Design Services

Accept the proposal from AECOM for engineering design services for the Lost Hills Overpass Recycled Waterline Relocation Project in the amount of \$45,826 and authorize the Administering Agent/General Manager to execute a professional services agreement with AECOM to perform the work.

Administering Agent/General Manager Pedersen reported on the Los Hills Overpass Recycled Water Main Relocation; the existing pipeline is a 10" recycled water main that supplies the

landfill with recycled water; it needs to be relocated with the placement of the bridge; the City did a preliminary assessment showing 530 feet of pipeline being replaced; a proposal was received from AECOM to do the design work for \$45,826; staff is comfortable using AECOM and recommend the Board accept the proposal.

JPA questions: Was there a request for bids? (Pedersen: no) (Lippman: we did not do a request for proposals because AECOM has worked with all of the players before) Do we have time for issuance of an RFP? (Pedersen: based on the schedule, I don't think we could; it's a major and complicated project) Director Iceland: voiced that he is not confident in AECOM. (Lippman: by going out to an RFP on this job, we are likely to run into scheduling delays) Director Iceland commented that they don't want to bid on small projects; he does not trust their answers; he has a real problem based on past work to estimate projects; he has a problem doing any work with AECOM on a T&M basis; they know what they can get away with; he would like to see a "not to exceed" amount; Director Iceland is against any project without an absolute amount; JPA question: Were they within the budget on the Reyes Adobe Bridge? (Lippman: yes) Are they actually replacing the entire bridge? (Lippman: yes; they will be building it in two phases so the existing waterline will stay in service while they build one side of it and then the other side will be able to be built) Can they do it without bends so the pipe can slide in and out if it needs to? (Lippman: no) How would you put new pipe in if you can't get the pipe out? (Pedersen: it would have to be done in sections) How can Director Iceland's concerns be addressed? Why wasn't it brought to the Board? (Lippman: it couldn't be brought to the Board until the City of Calabasas hired their engineering firm) Are they moving that fast? (Lippman: yes, the firm they hired is doing both the design and the construction management for the project) Cal Trans can move that fast too? (Lippman: yes) Is that why there was no RFP on this project? (Lippman: that's part of the explanation, as well as we recognize that AECOM has experience in this type of installation) Will the actual work be bid out? (Lippman: yes) Director Orkney noted that she has concern about hiring AECOM and wants that noted in the future. JPA questions: When will the construction be done by? (Pedersen: 60 day move-in period; they will start in the fall and it will take about a year) Is there any provision for force majeure? (Pedersen: there are a certain number of rain days in the contract) Director Iceland: Wants the contract to say "not to exceed".

On a motion by Director Charles Caspary, seconded by Director Glen Peterson, the Board of Directors voted 9-1 to Approve as presented.

Roll call vote was 9-1: passed

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

NOES: Director(s) Iceland

E Solar Generation Project: Application of Energy Savings

Approve the application of energy cost-savings realized as a result of the operation of the Solar Generation Project to offset the JPA's expenses for treatment reclamation (sanitation).

Administering Agent/General Manager Pedersen reported that the wholesale recycled water rate drops and impacts Triunfo; a description is included in the staff report; there are 3 options available; 10.5 cents per kilowatt hour; the savings is \$122,000 per year; \$86,132 to Las Virgenes and \$35,868 to Triunfo;

JPA comments: The solar panels are hooked up to pumps; is it legally acceptable to apply the savings to sanitation? (Lemieux: we have several bills, right?) (Pedersen: yes, there are separate bills) (Lemieux: it's an accounting question) Can we table it to the next meeting? Are the bills paid by one check? (Lippman: one Edison bill is paid with all of the accounts on it) (Lemieux: 3rd party; General Accepted Accounting Principles should be followed)

Pedersen: Staff will bring back more information on this issue for the Board to consider at a future meeting.

No action was taken.

6. **BOARD COMMENTS**

Director Polan asked about the damage caused by Solar City and if it has been fixed? (Pedersen: it has not been fixed yet; HDR is evaluating the damage and Solar City will be paying the repair costs) (Lippman: the damage is cosmetic, not structural)

Director Renger wanted to know if we were getting power yet from the solar project? (Pedersen: we will be in 2 weeks)

Director Polan asked for an update on the State Toxicity Policy and if there had been any change? (Pedersen: will check on the update)

Director Orkney asked if anyone was planning on attending the CASA Conference? Director Peterson will be there on Thursday and Friday, Directors Iceland, Steinhardt and Polan will be attending as well.

Director Caspary commented on the large amount of compost at Rancho.

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

Administering Agent/General Manager Pedersen reported the JPA Wastewater/Watershed Tour is on February 1st; Directors Iceland and Polan will be the hosts; Director Orkney offered to cover for Director Iceland as he has a conflict with the Super Saturday event; 8:45 a.m. is the start time.

Follow up items: Insurance for TSD; TSD is included as additionally insured and as a payee; the policies do not list the JPA because there are no employees; TSD's Board members are not covered.

Director Orkney requested to add the item to the agenda.

8. **FUTURE AGENDA ITEMS**

JPA Board requested to bring back a future agenda item (informational) to discuss application of LVMWD insurance policies to JPA and TSD.

9. **INFORMATION ITEMS**

A Landscape Maintenance Services: Agreement with Villa Esperanza Services

There were no questions on this item, but it was noted that Villa Esperanza Services is a great deal and they provide good service to the JPA.

B Seasonal Storage for Recycled Water: Triunfo Sanitation District Participation

TSD was thanked for its participation in the project.

10. **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

No speaker cards were received from the public.

The meeting convened to break at 6:26 pm and Closed session started at 6:29 pm.

11. CLOSED SESSION

Closed session ended at 6:37 pm.

12. ADJOURNMENT

The meeting was adjourned at 6:38 pm.