

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

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5:00 PM

April 6, 2015

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag was led by Chairman Wall.

**1. CALL TO ORDER AND ROLL CALL**

**A Call to order and roll call**

The meeting was called to order at **5:04 p.m.** by Chairman Wall in the Board Room at Las Virgenes Municipal Water District headquarters at 4232 Las Virgenes Road in Calabasas. Joanne Bodenhamer, Interim Clerk of the Board, conducted the roll call.

Present: Director(s): Caspary, Iceland, Lewitt, Polan, McReynolds, Orkney, Paule, Renger (arrived at **6:39 p.m.** after roll call) and Chairman Wall

Absent: Director(s): Vice Chairman Peterson

**2. APPROVAL OF AGENDA**

**A Approval of agenda**

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

Administering Agent/General Manager Pedersen recommended that the Board consider item 6A before item 5A as there were many members of the public in attendance to hear item 6A.

Director Polan moved to accept the recommendation and it was seconded by Director Orkney. The Board voted unanimously to approve the requested change in order of the agenda.

**3. PUBLIC COMMENTS**

There were no public comments.

**4. CONSENT CALENDAR**

**A Minutes: Special JPA Meeting of January 29, 2015; Regular JPA Meeting of February 2, 2015; and Special JPA Meetings of February 11 and March 18, 2015.**

Director Caspary moved to approve the minutes of Special JPA Meeting of January 29, 2015; Regular JPA Meeting of February 2, 2015; and Special JPA Meetings of February 11 and March 18, 2015. The motion was seconded by Director Polan. Director Iceland explained that he would abstain as he had not been at some of the meetings. The motion carried; Director Iceland abstained.

## 5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

### A Fiscal Year 2015-16 JPA Budget Workshop

Finance and Administration Director Donald Patterson gave an overview of the JPA Budget stating that he would review the key factors affecting the Fiscal Year 2015-16 Budget. He explained that the input received from the Board would be considered, and at the first meeting in May, staff will present the issues and/or concerns that need to be addressed in more detail with the Board.

Mike Hamilton was introduced and gave a presentation that included the following: budget drivers and assumptions; flows to Tapia on a monthly basis; annual energy costs; JPA chemicals and amendment cost; annual JPA wholesale recycled water sales and rates; all allocated net expenses.

## 6. ACTION ITEMS

### A Recycled Water Seasonal Storage Plan of Action

**Consider stakeholder feedback on six conceptual scenarios for management of the JPA's water resources, including addressing the need for seasonal storage of recycled water; discuss the merits of the scenarios considering the criteria established by the stakeholders; and identify a primary and secondary scenario to serve as the basis for a plan of action to move forward.**

Administering Agent/General Manager Pedersen presented an overview on the item; Mr. Pedersen thanked the parties who participated in the workshops and stated that the input provided was very beneficial to the JPA; there were three workshops, the first in late January in which MWH Global helped facilitate the process of identifying key issues; the second workshop took place in February, which built off the first workshop and led to identifying the top three issues in each of the P-E-S-T-L-E categories; and the third workshop that looked at six potential scenarios to address the most important issues selected by the stakeholders.

The following scenarios were presented: Scenario 1: TMDL Compliance with Advanced Nutrient Removal; Scenario 2: New Seasonal Storage Reservoir and Reuse Partner; Scenario 3: New Seasonal Storage Reservoir and Direct Potable Reuse; Scenario 4: Las Virgenes Reservoir with Indirect Potable Reuse; Scenario 5: Encino Reservoir for Seasonal Storage and Reuse Partners; and Scenario 6: Regional Indirect Potable Reuse with Encino Reservoir. Administering Agent/General Manager Pedersen requested feedback from the Board on the primary and secondary scenarios for staff to pursue in the development of a plan of action.

Chairman Wall opened the floor to comments from the stakeholders who assisted with the workshops. There were no speakers, so the floor was opened to Board comments.

Director Caspary stated that he appreciated that staff listed all of the comments received, so there was a full range of understanding of what was discussed at the workshop. However, he noted that some comments may be technically incorrect and asked how that could be addressed. (Administering Agent/General Manager Pedersen: if there appears to be interest in one or two of the options, the comments could be looked at more closely for those options to understand them better; some comments lack full context to understand the meaning, so it might be worthwhile to

follow up and find out more about those ones; the process begins now to work with those who developed the comments, so it would be logical to reconvene and get some clarity).

Director Orkney asked for an explanation of Scenario 1, which involves a brine waste pipeline; (Administering Agent/General Manager Pedersen: Scenario 1 consists of advanced nutrient removal, which is a physical process such as reverse osmosis, to remove nutrients to the levels needed for compliance with the TMDL; with that process brine reject water would need to be disposed of and would not likely be disposed of in the creek).

Director Paule noted that the Encino Reservoir option was appealing to him as it had the lowest cost; the concern he had on Scenario 5 would be the potential for increased pumping costs (Administering Agent/General Manager Pedersen: there would be additional pumping costs as Encino Reservoir is about 500 feet lower than the District's Cordillera Tank). Director Paule relayed his opinions stating that his second option would be Scenario 4.

Director Lewitt discussed the item and asked if Los Angeles Department of Water and Power (LADWP) was in favor of the potential use of Encino Reservoir for recycled water (Administering Agent/General Manager Pedersen: there was a meeting with LADWP representatives and there were no insurmountable challenges identified, but LADWP staff made it clear that their executive management would need to be consulted; also, LADWP staff have potential concerns about the community around the reservoir; everything discussed could be addressed; the question is if the issues can be addressed to everybody's satisfaction). Director Lewitt requested that a meeting be scheduled with LADWP and asked if Mr. Pedersen could report back to the Board before making a recommendation on Scenario 4 or 5.

Director Iceland commented that Scenario 5 has an advantage as it could be expanded to cover Scenario 6. He favors Scenarios 4 and 5, and suggested that Scenarios 1, 2 and 3 could be eliminated to allow staff to focus on the others.

Director McReynolds stated his opinion and agreed that Scenarios 4 and 5 are good, but he prefers Scenario 4. He noted that there is a lower risk of failure in getting environmental permits. Director McReynolds asked to hear more about the funding options, costs and partnership issues for Scenarios 4 and 5.

Director Polan stated his opinion and echoed the suggestion that Scenarios 1, 2 and 3 could potentially be set aside. He likes Scenario 4; he does not like the idea of hardening demands. He asked about a comment that was made regarding coordination with Calleguas Municipal Water District for Scenario 4 (Administering Agent/General Manager Pedersen: the reference was made to Calleguas as the wholesaler water agency for Triunfo Sanitation District's service area; in order for Scenario 4 to have benefits to both JPA parties, Triunfo would need to receive water from the project, so coordination would be required with Calleguas as the regional wholesaler). Director Polan asked if it was possible to run a brine line through Malibu. Overall, he is in favor of Scenario 4.

Director Orkney stated her opinion and explained she was leaning toward Scenario 5, but wanted to know what LADWP would want in return for the re-purposing of Encino Reservoir. She also stated that she wanted to know about the cost of ocean desalination. Director Orkney felt that Scenario 4 was expensive, but she would prefer to look at Scenarios 4 or 5. She asked why the location of the treatment plant would be different for Scenarios 3 and 4 (Administering Agent/General Manager Pedersen: there was really no significant difference; the drawings were schematic in nature and the treatment plant symbol was just shown for reference; in the case of Scenario 4, the treatment plant would be somewhere between Las Virgenes Road and Las Virgenes Reservoir, so it was shown halfway between; for Scenario 3 it looks like it was shown somewhere in Las Virgenes Canyon; at this point, the sites have not been investigated). Director Orkney commented that she would like to take a look at ocean desalination.

Director Polan commented that he hoped that the folks from the environmental groups that were present would be able to assist in moving forward with the project.

Director Caspary commented that bringing in outside stakeholders was valuable to the process; he does not see Scenarios 1, 2 or 3 having sufficient value to pursue them; he presented his opinions and likes Scenario 4 being that it is an in-house project; however, he acknowledged that has an upside and downside. Overall, Director Caspary preferred Scenarios 4 and 5.

Administering Agent/General Manager Pedersen clarified that for Scenario 6 the idea was that the brine waste would be discharged into a City of Los Angeles sewer system that would be tributary to Hyperion; Director Caspary wondered how that would work long-term or how the increase in salinity might affect flow going to Hyperion.

Director Iceland moved to look at Scenarios 4 and 5; the motion was seconded by Director McReynolds; Director Orkney moved to amend the motion to look at only Scenario 4; Director McReynolds proposed to look at Scenarios 4 and 5 equally; Director Paule noted that Scenario 5 was low risk and low cost; Director McReynolds moved to evaluate Scenarios 4 and 5 equally.

After a substantial discussion on the subject, Director Iceland amended his motion to look at Scenario 4 as the primary and Scenario 5 as the back-up; the motion was seconded by Director Polan. Motion failed (2-6), lacking three affirmative votes from each partner agency.

AYES: Director(s): Iceland, Polan  
NOES: Director(s): Caspary, Lewitt, McReynolds, Orkney, Paule and Wall  
ABSENT: Director(s): Peterson and Renger

Director McReynolds moved to look at Scenarios 4 and 5 equally; the motion was seconded by Director Lewitt. Motion passed (8-0), receiving three affirmative votes from each partner agency.

AYES: Director(s): Caspary, Iceland, Lewitt, McReynolds, Orkney, Paule, Polan and Wall  
NOES: Director(s): None  
ABSENT: Director(s): Peterson and Renger

## 7. BOARD COMMENTS

None.

## 8. ADMINISTERING AGENT/GENERAL MANAGER REPORT

Administering Agent/General Manager Pedersen shared the signs that were made up for posting at the spray fields; the signs will be posted when the spray fields are in operation; Director Lewitt suggested having a picture of them on the website and possibly with customer bills, so that customers are aware of the purpose of the spray fields.

Administering Agent/General Manager Pedersen stated the District had worked with the California Wildlife Center to create a temporary rescue site at Rancho Las Virgenes for rescuing California sea lion pups that were dying on local beaches; the site will be used for a maximum of six months. Director Orkney asked if the sea lions are having an adverse effect on the fisheries; Pedersen responded that he was not sure, but that it could be researched; Director Polan suggested that an article be placed in the Acorn showing the public that the District and JPA has a concern for the wildlife.

Administering Agent/General Manager Pedersen reported that Recycled Water Reservoir No. 2 was placed in operation on March 23rd; the reservoir is filling and the birds are returning; staff will be proposing that the JPA proceed with the purchase of shade balls; favorable pricing has been

secured through an existing purchase order by LADWP.

Administering Agent/General Manager Pedersen also reported on a visit with Director Polan to Assemblymember Jacqui Irwin's office.

## **9. FUTURE AGENDA ITEMS**

Director Polan requested to add a standing item on sustainability or environmentalism to future agendas.

Director Renger arrived at 6:39 p.m.

Director Caspary inquired about the status of discussion for Tapia's NPDES Permit renewal. Director McReynolds asked about the timeline for the permit. Administering Agent/General Manager Pedersen responded, explaining that the permit was up for renewal in August.

Director Paule wanted to discuss the Recycled Water Fill Station. Administering Agent/General Manager Pedersen responded that it would be discussed under Item 10B.

## **10. INFORMATION ITEMS**

**A Replacement of Submersible Chopper Pumps: Award**

**B Residential Recycled Water Fill Station**

**C Reservoir No. 2 Improvements: Ratification of Change Order No. 1 and Emergency Purchase Order for Silt and Sediment Removal Activities**

Director McReynolds asked if items 10A and 10C were emergencies; Administering Agent/General Manager Pedersen responded that item 10A was planned and Item 10C was an emergency. Director McReynolds asked that non-emergency items be brought to the JPA Board for consideration whenever possible.

## **11. PUBLIC COMMENTS**

Mr. Arnold Prepsky of 113 Conifer Circle spoke regarding recycled water.

## **12. CLOSED SESSION**

The Board recessed to closed session at **6:54 p.m.** and reconvened to open session at **7:33 p.m.**

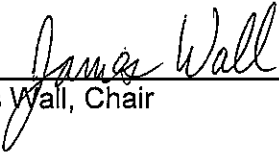
**A. Conference with District Counsel- Existing Litigation pursuant to Government Code Section 54956.9 (a).**

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

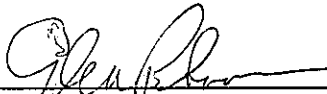
The Board authorized Legal Counsel to appeal the denial of the subject matter jurisdiction and intervention motions in Heal the Bay v. EPA. Legal Counsel reported on JPA v. EPA and was authorized to continue to engage expert consultants.

## **13. ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at **7:34 p.m.**

  
James Wall, Chair

ATTEST:

  
Glen Peterson, Vice Chair