

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

5:00 PM

August 7, 2017

PLEDGE OF ALLEGIANCE

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

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **5:00 p.m.** by Chair Wall in the Board Room at Las Virgenes Municipal Water District headquarters at 4232 Las Virgenes Road in Calabasas, California. Josie Guzman, Clerk of the Board, conducted the roll call.

Present: Directors Caspary, Lewitt, Pan, Paule, Peterson, Polan, Renger, Tjulander, and Wall.

Absent: Director Orkney

2. CHAIR/VICE CHAIR

A Welcome TSD Director Ray Tjulander to JPA Board of Directors

Chair Wall introduced and welcomed TSD Director Ray Tjulander to the JPA Board of Directors. Director Tjulander stated that it was an honor to serve on the Board.

B Recognition of Director Steven D. Iceland's Service to the JPA

Chair Wall presented a proclamation to former Director Steven D. Iceland in recognition of his service to the JPA.

Former Director Iceland thanked the Board and acknowledged them for working cohesively and focusing on the future. He expressed his appreciation for having professional senior staff, and he recognized Public Affairs Associate Deborah Peters and Clerk of the Board Josie Guzman for their efforts.

Director Paule acknowledged former Director Iceland on his efforts, and he wished him and his wife well on their next adventure.

Director Caspary acknowledged former Director Iceland for his diligence and stated that he would be missed.

Former Director Iceland thanked the TSD Board for selecting Director Tjulander to serve on the TSD Board of Directors.

3. APPROVAL OF AGENDA

Director Peterson moved to approve the agenda. Motion seconded by Director Caspary. Motion carried by the following vote:

AYES: Caspary, Lewitt, Pan, Paule, Peterson, Polan, Renger, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: Orkney

4. PUBLIC COMMENTS

None.

5. CONSENT CALENDAR

A Minutes: Special Meeting of July 10, 2017 and Special Meeting of July 18, 2017

Director Caspary moved to approve the Consent Calendar. Motion seconded by Director Renger.

Josie Guzman, Clerk of the Board, noted that Director Polan had requested an amendment to the Minutes of the Special Meeting of July 10, 2017.

Director Polan requested that his comments on Page 3, paragraph 5, reflect that he had asked that the structure have some timeless elements.

Director Caspary amended his motion to include the corrections to the Minutes of the Special Meeting of July 10, 2017. Amended motion seconded by Director Renger. Motion carried by the following roll call vote:

AYES: Caspary, Lewitt, Pan, Paule, Peterson, Polan, Renger, Wall

NOES: None

ABSTAIN: Tjulander

ABSENT: Orkney

6. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Legislative Update: Syrus Devers, Best Best & Kieger LLP

Syrus Devers, representing Best Best & Krieger LLP, provided an update on proposed State legislation to establish a long-term water conservation policy. He noted that Las Virgenes Municipal Water District had submitted a letter to the Senate Natural Resources and Water Committee, addressing the proposed implementation of the framework for *Making Water Conservation a California Way of Life*. He stated that the Committee proposed a possible compromise; however, the proposed compromise legislation included new issues that were not previously discussed. He expressed concern that there was little opportunity to lobby legislators because they were currently out on recess. He also expressed concern that the proposed legislation did not fully recognize the value of using recycled water for potable reuse, which could affect how the water savings would be scored in the future for the Pure Water Project Las Virgenes-Triunfo.

Mr. Devers also provided an update on SB 5 grant funding and stated that although SB 5 deals with park bond funds, funding could be earmarked for recycled water and stormwater capture categories.

Mr. Devers also spoke regarding Proposition 13, which was adopted in 2000 and included funding for recycled water. He noted that not all of the Proposition 13 funding from 2000 had been spent, and it was still possible to access the funds. He stated that he was currently arranging meetings to discuss amending the language in the statute to allow the JPA to access the original funds.

Mr. Devers also provided an update regarding SB 623 (Monning), which would fund safe drinking water solutions for disadvantaged communities. He noted that the bill would include a fee on fertilizers, and he stated that the JPA would need to be cautious not to label its compost as fertilizer or soil amendment. He also noted that the bill might include a public goods charge as a source of funding, which the water community strongly opposes. Director Caspary inquired whether SB 623 would be subject to Proposition 218 requirements. Mr. Devers responded that the bill would require a two-thirds vote by the Legislature and would not be subject to Proposition 218 requirements.

Director Peterson inquired regarding about unspent Safe Drinking Water State Revolving funds previously held by the California Department of Public Health that were moved to the State Water Resources Control Board, Division of Drinking Water. Mr. Devers responded that he would follow-up and report back.

Mr. Devers provided an update regarding Proposition 1 funding through the Integrated Regional Water Management (IRWM) Grant Program, and noted that IRWM Program could possibly begin to solicit applications for projects in early 2018.

B Pure Water Project Las Virgenes-Triunfo: Update

Administering Agent/General Manager David Pedersen noted that there were items on the agenda related to the Pure Water Project Las Virgenes-Triunfo, and there was no need for an additional update.

7. ACTION ITEMS

A Digester No. 1 Rehabilitation Project: Construction Award

Appropriate an additional \$709,788; award a construction contract to Pacific Hydrotech Corporation, in the amount of \$1,272,240; and reject all remaining bids upon receipt of duly executed contract documents for the Digester No. 1 Rehabilitation Project.

Administering Agent/General Manager David Pedersen presented the report. He responded to a question regarding the request for an additional appropriation and explained that the project budget had been prepared prior to knowing the full extent of the work. He also responded to a question regarding the use of the methane gas produced and explained that the methane gas is used for the co-generation facility at the site under the power purchase agreement and for powering the boiler for heating the biosolids.

Director Peterson moved to approve Item 7A. Motion seconded by Director Caspary. Motion carried by the following vote:

AYES: Caspary, Lewitt, Pan, Paule, Peterson, Polan, Renger, Tjulander, Wall
NOES: None
ABSTAIN: None
ABSENT: Orkney

B Pure Water Project Las Virgenes-Triunfo: Adoption of Negative Declaration and Execution of Notice of Authority Acceptance for 30800 Agoura Road (APN 2061-001-025)

Adopt the Negative Declaration for the purchase and continued maintenance of 30800 Agoura Road in its current condition; approve policy Principles for Future Use of 30800 Agoura Road; and authorize the Administering Agent/General Manager to execute the Notice of Authority Acceptance for 30800 Agoura Road (APN 2061-001-025)

Howard Friedman, Westlake Village resident, expressed concern that the signage posted at 30800 Agoura Road did not mention the Pure Water Project Las Virgenes-Triunfo. He also expressed concern with the potential for odors and traffic impacts. He asked the Board to use more transparent language in identifying the proposed use of the property.

Administering Agent/General Manager David Pedersen presented the report and explained that a notice was posted at the property regarding the adoption of the Negative Declaration for the purchase and continued maintenance of the property in its current condition.

David Lippman, Director of Facilities and Operations, continued by presenting the report and reviewing the proposed policy principles for the future use of 30800 Agoura Road.

Director Polan suggested adding a policy principle to minimize odor impacts. Administering Agent/General Manager David Pedersen responded that minimizing odor impacts could be added under Policy Principle No. 9.

Administering Agent/General Manager David Pedersen responded to a question regarding whether the City of Westlake Village would have an opportunity to address environmental impacts by stating that the City and other interested parties would have the opportunity to address concerns during the environmental review process

David Lippman, Director of Facilities and Operations, continued presenting the report. He stated that although the property is well suited for an advanced water treatment plant, a siting study was in progress to consider other potential sites. He noted that the property at 30800 Agoura Road was one of nine potential sites identified in the Basis of Design Report for a future advanced water treatment plant.

Mr. Friedman inquired whether the City of Westlake Village was contacted regarding the proposed project. Administering Agent/General Manager David Pedersen responded that he provided a presentation to the Westlake Village City Council regarding the project concept.

Mr. Friedman also inquired whether staff had investigated the other potential sites and whether a decision needed to be made within one week. Director Caspary responded that the other potential sites had been investigated or considered for decades and this site appears to be the front-runner. He stated that the Board would not discontinue the investigation process. He noted that the JPA had an opportunity to lock in on what appears to be an attractive deal for a potential site. Chair Wall added that this was the only site that was currently on the market and for the JPA to secure its rights to the site it must proceed with the recommended action; however, the purchase of the property would not lock the JPA into developing the site for an advanced water treatment facility.

Administering Agent/General Manager David Pedersen provided a brief summary of the stakeholders' meetings held beginning in 2015 to discuss alternatives to discharging excess recycled water; potable reuse and treating the excess recycled water to a higher level to meet regulatory requirements and protect customers from

future droughts; development of the Pure Water Project concept; preparation of a preliminary siting study for an advanced water treatment plant; and the development of a Basis of Design Report that identified nine potential sites. He noted that the siting study was currently one-third complete. He also noted that the JPA saw an opportunity to purchase this property when it became available on the market and began the process to evaluate the site, and if the JPA were to wait on pursuing the site, the property might not be available in the future or at the same terms.

David Lippman, Director of Facilities and Operations, responded to a question regarding whether the City of Agoura Hills is supportive of the Pure Water Project Las Virgenes-Triumfo by stating that staff senses that the City is not opposed the project and would be cooperative if this property is selected for building an advanced water treatment plant.

John Mathews, Legal Counsel for TSD, noted that the Draft Initial Study/Negative Declaration described the acquisition and maintenance of the property and does not identify building a facility on the property.

David Lippman, Director of Facilities and Operations, responded to a question regarding completion of the siting study for the nine potential sites by stating that the final draft siting study would be completed prior to the expiration of the option to purchase in March 2018.

Director Peterson moved to approve Item 7B. Motion seconded by Director Lewitt. Motion carried by the following vote:

AYES: Caspary, Lewitt, Pan, Paule, Peterson, Polan, Renger, Tjulander, Wall

NOES: None

ABSTAIN: None

ABSENT: Orkney

C Tapia Water Reclamation Facility Chloride Study: Request for Proposals

Approve the issuance of a Request for Proposals for the Tapia Water Reclamation Facility Chloride Study.

Administering Agent/General Manager David Pedersen presented the report. He responded to concerns regarding the Los Angeles Regional Water Quality Control Board's requirement for the JPA to complete a chloride study as part of the Time Schedule Order.

Director Caspary moved to approve Item 7C. Motion seconded by Director Lewitt. Motion carried by the following vote:

AYES: Caspary, Lewitt, Pan, Paule, Peterson, Polan, Renger, Tjulander, Wall
NOES: None
ABSTAIN: None
ABSENT: Orkney

D Characterization, Evaluation and Control of Invasive Species in the Malibu Creek Watershed: Research Report

Receive and file JPA Report No. 2755.00: *The Characterization, Evaluation and Control of Invasive Species in the Malibu Creek Watershed.*

Administering Agent/General Manager David Pedersen provided introductory remarks.

Dave Roberts, Resource Conservation Manager, provided a PowerPoint presentation on the background of the study, TMDL objectives for nutrients and biological integrity scores, the application of research findings and dissemination of the research information.

Director Lewitt departed from the meeting during the presentation.

Dr. Gary Bucciarelli, Stunt Ranch Director of Research, UCLA La Kretz Center for California Conservation Science, presented the research results.

Debbie Sharpton, Executive Director for Mountains Restoration Trust, presented information on its Crayfish Removal Program.

Director Peterson moved to approve Item 7D. Motion seconded by Director Caspary. Motion carried by the following vote:

AYES: Caspary, Pan, Paule, Peterson, Polan, Renger, Tjulander, Wall
NOES: None
ABSTAIN: None
ABSENT: Lewitt, Orkney

8. BOARD COMMENTS

Director Paule inquired regarding the status of Water Infrastructure Finance and Innovation Act (WIFIA) funding application. Administering Agent/General Manager David Pedersen responded that the JPA submitted a letter of interest for funding; however, the JPA was not selected as a recipient of WIFIA funds. He noted that funds were awarded to agencies that already have a project ready to move forward.

9. ADMINISTERING AGENT/GENERAL MANAGER REPORT

Administering Agent/General Manager David Pedersen reported that the Quarterly Watershed and Wastewater Facilities Tour was held on August 5, 2017. He noted that 35 guests participated in the tour, and Director Renger served as the host. He reminded the Board of the California Association of Sanitation Agencies (CASA) Annual Conference to be held August 22 through 24, 2017. He also reported that flow augmentation to Malibu Creek began in June and was currently running at approximately 820 gallons per minute (gpm).

10. FUTURE AGENDA ITEMS

None.

11. INFORMATION ITEMS

A Surface Water Augmentation Regulations: Public Review

B Planned Potable Reuse Projects in California

12. PUBLIC COMMENTS

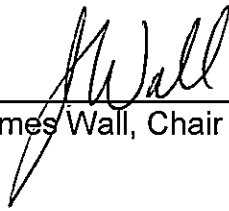
None.

13. CLOSED SESSION

None.


14. ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **7:41 p.m.**



James Wall, Chair

ATTEST:



Glen Peterson, Vice Chair

