



**LAS VIRGENES MUNICIPAL WATER DISTRICT**  
4232 Las Virgenes Road, Calabasas CA 91302

**MINUTES**  
**REGULAR MEETING**

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9:00 AM

July 6, 2021

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag was led by Jim Korkosz.

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

The meeting was called to order at **9:00 a.m.** by Board President Lewitt via teleconference in the Board Room at Las Virgenes Municipal Water District headquarters at 4232 Las Virgenes Road, Calabasas, CA 91302. The meeting was conducted via teleconference pursuant to the provisions of the Governor's Executive Order, N-29-20, which suspended certain requirements of the Ralph M. Brown Act to support social distancing guidelines associated with response to the coronavirus (COVID-19) outbreak. Josie Guzman, Clerk of the Board, conducted the roll call.

Present: Directors Charles Caspary, Jay Lewitt, Lynda Lo-Hill, Len Polan (via teleconference), and Lee Renger

Absent: None

Staff Present: David Pedersen, General Manager  
Joe McDermott, Director of Engineering and External Affairs  
Don Patterson, Director of Finance and Administration  
John Zhao, Director of Facilities and Operations  
Josie Guzman, Clerk of the Board  
Steven O'Neill, District Counsel (via teleconference)

**2. APPROVAL OF AGENDA**

Director Caspary moved to approve the agenda. Motion seconded by Director Renger.

Motion carried unanimously by roll call vote.

**3. PUBLIC COMMENTS**

There were no public comments.

Joe McDermott, Director of Engineering and External Affairs, introduced new employee Derek Krauss, Field Customer Service Representative I. Mr. Krauss expressed his appreciation for the opportunity to work at the District.

John Zhao, Director of Facilities and Operations, introduced new employee Joseph Montaña, Water Distribution Operator II. Mr. Montaña stated that he was looking forward to working at the District.

Mr. Zhao introduced new employee Roberto Rea, Laboratory Technician II. Mr. Rea expressed his appreciation for the opportunity to work at the District.

**4. CONSENT CALENDAR**

**A List of Demands: July 6, 2021: Receive and file**

**B Minutes Regular Meeting of July 15, 2021: Approve**

**C Water Supply Conditions Update: Receive and file**

Director Renger moved to approve the Consent Calendar. Motion seconded by Director Caspary. Motion carried unanimously by roll call vote.

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

**A Legislative and Regulatory Updates**

Joe McDermott, Director of Engineering and External Affairs, reported that the South Coast Air Quality Management District (AQMD) would hold a fourth workshop on July 7th regarding tentative changes to the regulations for emergency generator runtimes and Public Safety Power Shutoff (PSPS) events, which would allow additional flexibility on runtime hours for testing and maintenance of emergency generators.

Director Caspary reported that he attended the virtual Association of California Water Agencies (ACWA) State Legislative Committee meeting on June 18th. He also reported that Governor Gavin Newsom appointed Nichole S. Morgan to the State Water Resources Control Board. He also reported that the State Water Board was developing emergency curtailments for water use in the Central Valley. He noted that water users in the Central Valley have been attempting to reach voluntary agreements with the State Water Board for the past year. General Manager David Pedersen commented that he was aware that the voluntary agreements remained a top priority for ACWA to support resolution of the on-going litigation; however, more time was needed for state and federal officials to come

to an agreement. Director Caspary added that the voluntary agreements would include the donation of a portion of existing water rights for uses that the State believed were important under the Endangered Species Act and other legislative mandates.

General Manager David Pedersen responded to a question regarding the status of the nationwide chlorine shortage by stating that the District was not affected by the recent shortages. He noted that the District purchases chlorine from Olin Corporation, a manufacturer from Henderson, Nevada. He also noted that a chlorine plant in Washington experienced electrical failures, which contributed to the chlorine shortages. He also noted that the U.S. Environmental Protection Agency issued guidance calling on chemical suppliers to prioritize water and wastewater agencies in their deliveries.

Director Caspary also reported that ACWA had sold its building at 910 K Street in Sacramento and would use a portion of the proceeds to pay its pension liabilities to CalPERS and for other post-employment benefits. He noted that ACWA committee membership nominations would be due in September, and he urged the Board Members to submit nomination forms should they be interested in serving on ACWA committees.

## **6. TREASURER**

Director Lo-Hill stated that the Treasurer's report was in order.

## **7. BOARD OF DIRECTORS**

### **A Nomination for ACWA Region 8 Board of Directors**

**Pass, approve, and adopt proposed Resolution No. 2596, supporting the nomination of Director Leonard E. Polan to the ACWA Region 8 Board of Directors.**

### **RESOLUTION NO. 2596**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT PLACING IN NOMINATION DIRECTOR LEONARD E. POLAN AS A MEMBER OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES REGION 8 BOARD OF DIRECTORS**

(Reference is hereby made to Resolution No. 2596 on file in the District's Resolution Book and by this reference the same is incorporated herein.)

General Manager David Pedersen presented the report. He also provided information on the process for Board Members to participate in ACWA committees and on the ACWA Board of Directors.

Director Renger moved to approve Item 7A. Motion seconded by Director Caspary. Motion carried unanimously by roll call vote.

## **8. FACILITIES AND OPERATIONS**

**A Warner Pump Station Surge Tank Replacement Project: Award**

**Authorize the General Manager to issue a purchase order to Pulsco, Inc., in the amount of \$74,700 for the Warner Pump Station Surge Tank Replacement Project.**

Darrell Johnson, Water Systems Manager, presented the report.

Director Caspary moved to approve Item 8A. Motion seconded by Director Renger.

Mr. Johnson responded to questions regarding the replacement surge tank and existing foundation pad and pipe system.

Motion carried unanimously by roll call vote.

**9. ENGINEERING AND EXTERNAL AFFAIRS**

**A Mulholland Highway Bridge over Triunfo Creek Water Main Replacement Project: Final Acceptance**

**Authorize the General Manager to execute a Design Scope Change No. 3, in the amount of \$7,572, to Cannon Corporation for additional design and construction support services; approve the execution of a Notice of Completion and have the same recorded; and in the absence of claims from subcontractors and others, release the retention, in the amount of \$11,487.33, thirty calendar days after filing the Notice of Completion for the Mulholland Highway Bridge over Triunfo Creek Water Main Replacement Project.**

Veronica Hurtado, Assistant Engineer, presented the report and shared photographs of the project. Joe McDermott, Director of Engineering and External Affairs, noted that a dedication for the Mulholland Highway Bridge would be held on July 10th at 11 a.m.

Director Caspary moved to approve Item 9A. Motion seconded by Director Renger.

A discussion ensued regarding the plastic wrapped buried pipe, which is the typical practice for installing ductile iron pipe underground; the pipe mounted to the side of the bridge for easier access for maintenance purposes; reassurance that no wood products were used for the bridge reconstruction; and the Los Angeles County's guidelines, which prevent entrance to the riverbed to remove brush growth under the bridge.

Motion carried unanimously by roll call vote.

**10. NON-ACTION ITEMS**

**A Organization Reports**

Director Caspary reported that he attended the Santa Monica Bay Restoration Commission Executive Committee meeting on June 17th, where they approved a

Proposition 50 Grant Program Award and Request for Proposals; adopted a resolution regarding recommendations for the Safe, Clean Water Program for the Fiscal Year 2021-2022 Stormwater Investment Plans within the Santa Monica Watershed; adopted a resolution regarding the new logo for the Santa Monica Bay National Estuary Program; and adopted a resolution urging the California Department of Fish and Wildlife to increase public access where feasible to the Ballona Wetlands Ecological Reserve.

## **B Director's Reports on Outside Meetings**

Director Renger reported that he attended the Association of Water Agencies of Ventura County (AWAVC) Virtual WaterWise Program on June 17th, where a presentation was provided regarding the City of Santa Barbara's desalination project. He expressed concern that although the cost to build desalination plants would decrease over time, the cost to deliver imported water would increase.

Board President Lewitt reported that he also attended the AWAVC Virtual WaterWise Program, and he expressed concern regarding availability of reliable water sources regardless of the cost.

Director Polan reported that he also attended the AWAVC Virtual WaterWise Program, and he suggested accelerating the Pure Water Project Las Virgenes-Triunfo, if possible.

Director Lo-Hill requested assurance that Board Members' attendance at ACWA, California Association of Sanitation Agencies (CASA), and WaterReuse regional meetings outside of conferences would be eligible for per diem compensation. General Manager David Pedersen responded that the Las Virgenes Municipal Water District Code included that all ACWA, CASA, and WaterReuse conferences and events were eligible for per diem compensation, and he stated that he would share a copy of the policy with the Board.

Board President Lewitt reported that he attended the Virtual Tribute to Jeffrey Kightlinger on June 30th, in recognition of Mr. Kightlinger's retirement as General Manager of Metropolitan Water District of Southern California.

## **C General Manager Reports**

### **(1) General Business**

General Manager David Pedersen provided additional information regarding the nationwide chlorine shortage by noting that the shortage was caused by an electrical failure at a chlorine plant in Washington and a fire at another chlorine plant on the East Coast. He also noted that the federal government and the U.S. Environmental Protection Agencies had processes in place in case of consumable product shortages to initiate steps to ration consumable products and prioritize who could receive the limited supplies. He reported that staff was working on preparing the Westlake Filtration Plant for a filtration plant run in the summer. He noted that Malibu Creek flows were beginning to decline; however, water supplement and augmentation were not needed at this time.

### **(2) Follow-Up Items**

General Manager David Pedersen stated that the follow-up items included a report on how new accessory dwelling units could impact the District's water system and an update on other post-employment benefits (OPEB), which would be presented at the July 20th Board meeting. He also stated that an update on employees' vacation accruals would be presented at the September 15th Board meeting. He responded to a question regarding the water supply at Westlake Lake by stating that the lake was filled with water from wells in Westlake Village to make up for evaporation and to allow water to flow over the dam in the summer to maintain stream flows. He noted that during the previous drought the City of Westlake Village experienced challenges in keeping the lake full, and a new well was drilled to address this concern for future droughts; however, the new well did not produce the amount of water anticipated. He stated that the Westlake Lake Management Association submitted an application to the District to install a permanent water meter, which would allow them to fill the lake. He noted that the Association would pay the connection fee and the usual service fees as paid by all District customers. He also noted that the lake's primary water source would continue to be from wells and the Association would use the water provided by the District only when needed.

John Zhao, Director of Facilities and Operations, responded to a question regarding the status of the fire damage repairs at the Westlake Filtration Plant by stating that the plant was currently in recirculation mode and the fire restoration contractors were continuing to make repairs. He noted that staff was waiting on electrical repairs before placing the plant in operation. Darrell Johnson, Water Systems Manager, added that the hypochlorite pump station remained under construction, and temporary pumps were currently in place.

#### **D Directors' Comments**

Director Caspary stated that he would share a copy of an article from *The Wall Street Journal* regarding the effects of the drought on agriculture in the Central Valley. He noted that one farmer would not be planting garlic and carrots in order to divert irrigation to his almond orchards. He also noted that the farmer was removing over 400 acres of almond trees and was counting on aquifers to provide sufficient water for irrigation; however, once the Sustainable Groundwater Management Act is implemented, the amount of available groundwater could be less than what was available at the present time.

Director Renger noted that the National Oceanic and Atmospheric Administration (NOAA) predicted another La Niña weather condition in the coming year.

Director Polan noted that the *Los Angeles Times* included mention of visiting the JPA's Pure Water Sustainability Garden as one of the 12 best events this summer for plant lovers to visit.

#### **11. FUTURE AGENDA ITEMS**

None.

#### **12. PUBLIC COMMENTS**

None.

**13. CLOSED SESSION**

- A Conference with District Counsel – Anticipated Litigation (Government Code Section 54956.9(d)(2)): One Item**

**Tort Claim against Southern California Edison**

- B Threat to Public Services or Facilities (Government Code Section 54957(a): One Item**

**America’s Water Infrastructure Act: Emergency Response Plan**

The Board recessed to Closed Session at **9:58 a.m.** and reconvened to Open Session at **11:11 a.m.**

Steven O’Neill, District Counsel, announced that the Board received reports in Closed Session, and noted that the Board provided instruction to District Counsel regarding Closed Session Item 13A - Tort Claim against Southern California Edison, and received and filed Item 13B - America’s Water Infrastructure Act Emergency Response Plan.

**14. OPEN SESSION AND ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at **11:11 a.m.**



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Jay Lewitt, President  
Board of Directors  
Las Virgenes Municipal Water District

ATTEST:



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Lee Renger, Secretary  
Board of Directors  
Las Virgenes Municipal Water District

(SEAL)