



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

MINUTES
REGULAR MEETING

9:00 AM

July 20, 2021

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Ivo Nkwenji.

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
Keith Lemieux, District Counsel

2. APPROVAL OF AGENDA

Director Caspary moved to approve the agenda. Motion seconded by Director Lo-Hill.

Motion carried unanimously by roll call vote.

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

A List of Demands: July 20, 2021: Receive and file

B Minutes Regular Meeting of July 6, 2021: Approve

C Directors' Per Diem – June 2021: Ratify

D Monthly Cash and Investment Report: May 2021

Receive and file the Monthly Cash and Investment Report for May 2021, and authorize a one-time transfer of \$4,800,000 from the Potable Water Operations Fund to the Construction Fund.

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

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A MWD Representative Report

Glen Peterson, MWD Representative, reported that the MWD Board authorized a one-year contract extension for external audit services; authorized an increase of \$3 million to an agreement for preliminary design and architectural support services for the housing and property improvements at four Colorado River Aqueduct pumping plants; authorized payment of up to \$3.56 million for participation in the State Water Contractors for Fiscal Year 2021-22; discussed the Department Head Evaluation Process Guidelines and Presentations; and received the Shaw Law Group's report concerning allegations of systemic Equal Employment Opportunity-related discrimination, harassment and retaliation, and related concerns, which would be released to the public later in the day. He noted that the MWD Special Organization, Personnel, and Technology Committee would discuss the report at a special meeting on July 27th. He also reported that new MWD General Manager Adel Hagekhalil attended his first MWD Board Meeting on July 13th. He noted that he asked to schedule a meeting with Mr. Hagekhalil, Board President Lewitt, and General Manager David Pedersen to discuss LVMWD and provide tours of District facilities. He responded to a question regarding the topics and issues to discuss with Mr. Hagekhalil by suggesting discussing the role of the District with MWD, preferential water rights, the Pure Water Project Las Virgenes-Triunfo, the District's role as innovators in recycled water, the history of the District, and the program to treat the water received through the City of Los Angeles.

B Legislative and Regulatory Updates

Joe McDermott, Director of Engineering and External Affairs, noted that the State Assembly and Senate were in recess until August 15th. He reported that the State budget was approved in June; however, several trailer bills would still need to be considered. He noted that AB 148, Assembly Committee on Budget, had passed, which included \$1 billion in funding to assist with COVID-19 related customer water and wastewater bill debt. He stated that the State Water Resources Control Board would survey community water systems to determine the total statewide arrearages and water enterprise revenue shortfalls, and would adopt a resolution establishing guidelines for application requirements and reimbursement amounts within 90 days of receiving the funds. He noted that the priority for AB 148 would be for water bill arrearages. He also reported that WaterReuse was heading an effort to ask local legislators to write letters to Senate President Pro Tempore Toni Atkins and Assembly Speaker Anthony Rendon to request \$500 million towards recycled water projects, such as the Pure Water Project Las Virgenes-Triunfo. He noted that staff and Syrus Devers, the District's state lobbyist from Best Best & Krieger LLP, met with Assemblymember Richard Bloom, who expressed support for the Pure Water Project Las Virgenes-Triunfo, and staff invited him to tour the Pure Water Demonstration Facility and Sustainability Garden. He also noted that staff and Mr. Devers were hoping to meet with Senator Henry Stern to seek his support. He also reported that he attended the South Coast Air Quality Management District (AQMD) workshop on July 7th regarding tentative changes to the regulations for emergency generator runtimes and Public Safety Power Shutoff (PSPS) events. He noted that draft language was presented for new Rule 118.1 and amendment to Rule 1470; however, the draft language did not include the negotiated additional three hours on runtime hours for warm-up and cool down of emergency generators during PSPS events. He stated that staff met with AQMD staff, who immediately placed the negotiated language back in the draft rule. He also stated that AQMD would hold another workshop on July 29th and a public hearing on October 1st to consider adoption of the rules.

General Manager David Pedersen responded to a question regarding the status of AB 361 (Rivas), Open Meetings, Local Agencies, Teleconferences, which would amend the Brown Act to allow virtual meetings, by stating that staff would follow-up.

Director Caspary reported that he attended the Association of California Water Agencies (ACWA) State Legislative Committee meeting on July 9th, where they discussed AB 1066 (Bloom), Priority Inland Water-contact Recreation Sites, Water Quality Monitoring, which would promote statewide standardized water quality testing for recreational inland water bodies. He stated that he was unsure how this bill would affect Malibu Creek, Topanga Creek, or other local watersheds. He noted that ACWA took a position of not in favor unless amended, and designated the bill as a "watch".

C Water Supply Conditions Update

Joe McDermott, Director of Engineering and External Affairs, stated that the Water Supply Conditions Update would be included with Item 9A.

D Coronavirus (COVID-19) Pandemic: Customer-Related Impacts

Ursula Bosson, Customer Service Manager, presented the current COVID-19 customer-related impacts and noted that the Los Angeles County Department of Housing and Community Development contacted her regarding their issuing funds for customers that had applied for utility payment assistance. She stated that she would report back on the amount received from the County.

A discussion ensued regarding installing flow restriction devices for high water users who were in default on their payment arrangements; focusing on installation of flow restriction devices for delinquent accounts that exceed their water budget by 150 percent; discussing a plan for installing flow restriction devices on accounts that were currently in default; and having staff bring back the number of high water user accounts that were still in default.

6. TREASURER

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

7. BOARD OF DIRECTORS

A CASA Annual Business Meeting: Board of Directors Election and Dues Resolution

Designate and authorize a Board Member to cast the District's vote in favor of the four-member slate of directors and to approve the dues resolution for Fiscal Year 2022 for the California Association of Sanitation Agencies.

General Manager David Pedersen presented the report.

Director Renger moved to designate and authorize Director Len Polan to cast the District's vote in favor of the four-member slate of directors and to approve the dues resolution for Fiscal Year 2022 for the California Association of Sanitation Agencies. Motion seconded by Director Caspary. Motion carried unanimously by roll call vote.

8. FINANCE AND OPERATIONS

A Update on Other Post-Employment Benefits

Receive and file an update on other post-employment benefits, and authorize an additional one-time contribution, in the amount of \$64,246, to the District's California Employers' Retiree Benefit Trust Fund.

Angela Saccareccia, Finance Manager, presented the report and PowerPoint presentation.

Director Renger moved to approve Item 8A. Motion seconded by Director Polan. Motion carried unanimously by roll call vote.

B Claim by First Neighborhood Property Owners Association

Approve a settlement, in the amount of \$1,361.68, for the claim by the First Neighborhood Property Owners Association and deny the remainder of the claim, in the amount of \$668.08.

Don Patterson, Director of Finance and Administration, presented the report.

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

Tish Matthews (via teleconference), Board President of the First Neighborhood Property Owners Association, stated that she was accompanied by Linda Markel from Emmons Corporation. She noted that the claim was originally submitted by Pam Zegers from Emmons Corporation, who was currently on medical leave, and Ms. Markel had taken over Ms. Zegers' duties. She stated that Slade Landscaping sent a reply on July 13th in response to the District's request for additional information. She also stated that she was not aware that the claim was to be presented to the Board for consideration until she noticed that the claim was on the agenda. She asked the Board to delay a decision on the claim until after Ms. Markel, Slade Landscaping, and Mr. Patterson had an opportunity review the remaining amount of the claim.

Director Caspary withdrew his motion and asked that the item be brought back for consideration after staff's further review of the information submitted.

General Manager David Pedersen stated that staff would bring back information regarding the claim at the August 3, 2021 meeting.

9. ENGINEERING AND EXTERNAL AFFAIRS

A Implementation of Water Shortage Contingency Plan: Stage 2 – Water Shortage Warning

Pass, approve, and adopt proposed Resolution No. 2597, concerning drought conditions in the State of California and implementation of the Water Shortage Contingency Plan at Stage 2 – Water Shortage Warning

RESOLUTION NO. 2597

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT CONCERNING DROUGHT CONDITIONS IN THE STATE OF CALIFORNIA AND ACTIVATION OF THE WATER SHORTAGE CONTINGENCY PLAN AT STAGE 2 – WATER SHORTAGE WARNING

(Reference is hereby made to Resolution No. 2597 on file in the LVMWD's Resolution Book and by this reference the same is incorporated herein.

Joe McDermott, Director of Engineering and External Affairs, presented the report.

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

A discussion ensued regarding placing historical water consumption trends from 2013 to present on the website; ways that customers may track their water consumption using the WaterSmart Customer Portal; the District's drought factor that could be applied to reduce customers' water budgets by a corresponding amount; targeted messaging to customers to ask that they continue to conserve and reduce water usage; and sending an independent mailing to customers regarding the efficiency of their water consumption.

Board President Lewitt suggested including customers' water usage efficiency information with their electronic bill, asking customers to consider removing 15 percent of their lawn and replace it with drought tolerant plants to conserve water, and asking customers to consider covering their swimming pools.

A discussion ensued regarding monitoring high water users for irrigation system leaks and water runoff.

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 (SMBRC) Executive Committee meeting on July 15th. He noted that Guangyu Wang, Chief Administrative Director, announced his retirement and Marissa Caringella was hired as his replacement. He also reported that three items would be considered on the (SMBRC) Governing Board agenda on August 19th: approval of a Memorandum of Agreement with The Bay Foundation regarding the Santa Monica Bay National Estuary Program; community-based restoration for the Ballona Wetlands Ecological Reserve; and a presentation regarding the Hyperion Water Treatment Plant sewage spill.

A discussion ensued regarding concerns with adequate notification of beach closures following a sewage spill.

B Director's Reports on Outside Meetings

Director Polan reported that he attended the WaterReuse Multi-Agency Water Reuse Programs: Insights in Interagency Collaboration webcast on July 7th, where they discussed bringing multi-agency water reuse projects to fruition.

C General Manager Reports

- (1) General Business

General Manager David Pedersen reported that staff repaired a water main break that occurred at Cornell Road and Wagon Road, which might have been caused by weak areas in the pipe following damage to a fire hydrant. He also reported that a fire burned approximately 15 acres in Topanga, which was extinguished by the Los Angeles County Fire Department. He also reported that the flow in Malibu Creek was measuring 4.15 cubic feet per second, and there was no need for water augmentation. He also reported that the Westlake Filtration Plant was on-line and producing water at 5 to 6 million gallons per day. He noted that the Los Angeles Regional Water Quality Control Board would hold a public hearing on July 23rd on the proposed MS4 NPDES permit for Los Angeles and Ventura Counties. He stated that the decision on the permit would indirectly affect the District as the cities would need assistance on strategies to support their compliance and potential diversion of urban runoff and stormwater to the sewer system. He also stated that staff would look at the Hyperion sewage spill incident and review the District's notification and outreach plan for sewer overflows and spills.

(2) Follow-Up Items

General Manager David Pedersen stated that follow-up items included a report on how new accessory dwelling units could impact the District's water system and an update on employees' vacation accruals.

D Directors' Comments

None.

11. FUTURE AGENDA ITEMS

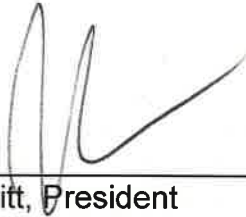
None.

12. PUBLIC COMMENTS

None.

13. ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **10:44 a.m.**



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

ATTEST:



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

(SEAL)