



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

**MINUTES**  
**REGULAR MEETING**

9:00 AM

August 17, 2021

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag was led by Ursula Bosson.

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

Motion carried unanimously by roll call vote.

**3. PUBLIC COMMENTS**

There were no public comments.

Don Patterson, Director of Finance and Administration, introduced new employee Sophia Crocker, Human Resources Manager. Ms. Crocker stated that she was looking forward to working at the District. The Board welcomed Ms. Crocker to the District.

**4. CONSENT CALENDAR**

**A List of Demands: August 17, 2021: Receive and file**

**B Minutes Regular Meeting of August 3, 2021: Approve**

**C Directors' Per Diem – July 2021: Ratify**

**D Monthly Cash and Investment Report: June 2021**

**Receive and file the Monthly Cash and Investment Report for June 2021.**

**E Fiscal Year 2021-21 Capacity Fee Report**

**Receive and file the Fiscal Year 2020-21 Capacity Fee Report.**

**F ACWA Region 8 Board Election: Approve Recommended Slate**

**Cast a vote for the Nominating Committee's Recommended Slate for the ACWA Region 8 Board Election, and authorize the General Manager to execute and return the completed ballot to ACWA no later than September 30, 2021.**

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, provided an update regarding the coalition letter to Senate President Pro Tempore Toni Atkins and Speaker of the Assembly Anthony Rendon, requesting \$500 million in funding for recycled water projects as part of the drought relief package. He noted that Assembly Member Richard Bloom signed the coalition letter, and Senator Henry Stern confirmed that he would sign the letter as well. He also noted that staff would seek signatures from Senators Bill Dodd, John Laird and Bob Wieckowski. He reported that the State Water Resources Control Board would release a survey as part of the California Water and Wastewater Arrearage

Payment Program to determine allocations of the \$985 million in federal funding to provide relief for unpaid water and wastewater utility bills. He stated that he would attend a workshop on August 19th, which would provide details of the program.

Director Caspary reported that the Association of California Water Agencies (ACWA) State Legislative Committee held a special meeting on August 16th to discuss SB 222 (Dodd), Water Rate Assistance Program. He noted that ACWA had changed its position on this bill from "opposed unless amended" to "watch."

## **B Water Supply Conditions Update**

Joe McDermott, Director of Engineering and External Affairs, reported that the U.S. Bureau of Reclamation had announced that the declaration of a water shortage for the Colorado River was expected by year-end, and that the MWD Board would consider adopting a resolution declaring a Water Supply Alert. He noted that Lakes Oroville, Mead, and Powell were experiencing record low levels, and there was a possibility of an initial zero percent allocation from the State Water Project.

## **C Coronavirus (COVID-19) Pandemic: Customer-Related Impacts**

Ursula Bosson, Customer Service Manager, presented the current COVID-19 customer-related impacts. She noted that there was a reduction in past due balances, and staff was focusing on calling customers, making payment arrangements, and installing flow restrictor devices for past due accounts with high water usage.

## **6. TREASURER**

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

## **7. ENGINEERING AND EXTERNAL AFFAIRS**

### **A Expansion of Flow Restriction Device Program for All Delinquent Accounts**

**Authorize the installation of flow restriction devices on all delinquent accounts for customers who refuse to pay the past due amount on their account, agree to a payment plan or adhere to the terms of an existing payment plan.**

Ursula Bosson, Customer Service Manager, presented the report.

A discussion ensued regarding the District's legal authority to install flow restriction devices following sufficient notice to customers with past due accounts who had not entered into a payment plan or had not adhered to the terms of a payment plan.

Ms. Bosson responded to questions regarding notification to property owners with tenants who have past due accounts or who fail to adhere to their payment plans; the District's plan to focus on delinquent accounts with usage of 100 to 150 percent of customers' water budgets; and referring customers to the County of Los Angeles Department of Housing

and Community Development to apply for utility payment assistance.

A discussion ensued regarding continuing to notify property owners of the ramifications of installing a flow restriction device as it might affect their property, and notifying customers that the expansion of the Flow Restriction Device Program would apply to all delinquent accounts.

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

## 8. NON-ACTION ITEMS

### A Organization Reports

None.

### B Director's Reports on Outside Meetings

Director Polan reported that he attended the California Association of Sanitation Agencies (CASA) Annual Conference, which included presentations regarding statewide developments on microplastics regulations, state and federal legislative updates, and information on the current drought and water shortages. He also reported that there was a presentation by the Town Manager for the Town of Paradise regarding recovery and insurance issues following the Camp Fire.

Director Caspary reported that he also attended the CASA Annual Conference. He noted that there was a presentation regarding Sanitary Sewer System Waste Discharge Requirements, which would include testing for leaks in the sewer system and two-hour spill reporting for public and private sewer laterals. He also noted that there was a report on health effects and monitoring requirements for microplastics in drinking water, and a presentation regarding implementation of SB 1383 organics diversion regulations. He stated that he inquired whether an analysis had been conducted regarding the cost of collecting food waste at curbside versus sending the food waste through a garbage disposal to be treated at the wastewater treatment plant; however, he did not receive a response. He also stated that landfill reduction reporting requirements indicated that the District might be able to provide assistance to cities in terms of reporting biosolids diversion from landfills as composting and land application, which would qualify as recycling and landfill diversion.

John Zhao, Director of Facilities and Operations, responded to a question regarding whether household filters could filter microplastics from drinking water by stating that he would follow-up.

### C General Manager Reports

- (1) General Business

General Manager David Pedersen reminded the Board that the next Board meeting would

be held on August 31st at 9:00 a.m. He also reminded the Board that a tour of the Pure Water Demonstration Facility would be provided to the Calleguas Municipal Water District Board of Directors on August 23rd at 10:00 a.m. He reported that the flow in Malibu Creek was measuring 4.6 cubic feet per second, and there was no need for water augmentation. He also reported that he attended the CASA Annual Conference, and noted that the Las Virgenes-Triunfo Joint Powers Authority Pure Water Demonstration Facility received the CASA Excellence in Innovation & Resiliency Award. He also reported that an in-person vote center would be situated in the old Board Room in Building No. 1 for the upcoming California Gubernatorial Recall Election scheduled on September 14th. He noted that the vote center would be open from September 4th through September 13th from 10:00 a.m. to 7:00 p.m., and on Election Day from 7:00 a.m. to 8:00 p.m. He also noted that the District would receive some reimbursement for the use of the building.

(2) Follow-Up Items

General Manager David Pedersen noted that staff would bring back a plan to begin issuing notices and potentially enforcing overwatering of landscaping. He stated that staff was currently monitoring reports of overwatering and increasing outreach related to water conservation regulations.

**D Directors' Comments**

None.

**9. FUTURE AGENDA ITEMS**

Director Polan moved to revisit the presentation of the District's logo to better identify District vehicles. Motion seconded by Director Lo-Hill.

Director Caspary suggested including water conservation messages on District vehicles.

**10. PUBLIC COMMENTS**

Viktor Nikolajevs, Systems Coordinator, accompanied by Construction Supervisor Andy Arenas, Accounting Technician Laura Rockwell, and Electrical/Instrumentation Supervisor John Gil, stated that they were representing over 40 District employees who were concerned with a District mandate for employees to receive COVID-19 vaccinations and who were requesting that District employees be afforded the right to choose whether or not to receive COVID-19 vaccination.

Andy Arenas stated that District employees were concerned with losing their jobs due to a potential COVID-19 vaccination mandate, and he suggested that District employees and the Board work together to develop a plan. He noted that his son worked in the movie industry where they conduct independent testing depending on which areas employees work. He also noted that his wife nearly died in 1997 from a flu vaccine. He stated that District employees were feeling pressure to receive COVID-19 vaccination, and that they were hired due to their ability to perform their jobs and

not because of their vaccination status. He also stated that District employees understood that they needed to wear face masks and be tested if they choose not be vaccinated; however, if testing were to be required, it should be required for all employees regardless of vaccination status. He noted that he was recovering from a recent bout with COVID-19, and that he was not vaccinated even though he was aware of the risks. He stated that District employees were willing to discuss and come up with a plan.

Board President Lewitt noted that the Board had not yet taken a position on a COVID-19 vaccination mandate; however, the Board needed to factor in COVID-19 related costs to the ratepayers and the concerns from vaccinated District employees.

Mr. Arenas noted that there were approximately 12 District employees who were vaccinated who also expressed concern with a vaccination mandate. He stated that people were becoming ill from COVID-19 regardless of vaccination status, and that the cost for testing had decreased and had become more streamlined.

## **11. CLOSED SESSION**

### **A Conference with Labor Negotiators on COVID-19 Vaccinations (Government Code Section 54957.6):**

**Agency Designated Representatives: David W. Pedersen, General Manager; Donald Patterson, Director of Finance and Administration; Martha Castillo, Interim Human Resources Manager**

**Employee Organizations: Las Virgenes Manager, Supervisor, Professional and Confidential Employees Association; General and Office Units represented by the Service Employees International Union Local 721.**

The Board recessed to Closed Session at **9:58 a.m.** and reconvened to Open Session at **11:20 a.m.**

Keith Lemieux, District Counsel, announced that the Board received a report in Closed Session, and directed staff to meet with the District's employee organizations to further discuss COVID-19 vaccination.

## **12. OPEN SESSION AND ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at **11:20 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)