



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

MINUTES
SPECIAL MEETING

9:00 AM

September 15, 2021

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Darrell Johnson.

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, 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 (via teleconference)
John Zhao, Director of Facilities and Operations
Josie Guzman, Clerk of the Board
Wayne Lemieux, District Counsel

2. APPROVAL OF AGENDA

General Manager David Pedersen noted that MWD Representative Glen Peterson had a

meeting conflict, and he asked to move Item 5A to follow Item 10A.

Director Polan moved to approve the agenda as amended. Motion seconded by Director Caspary. Motion carried unanimously.

3. PUBLIC COMMENTS

Zezziska Cevallos stated that she had additional information regarding her claim against the District for reimbursement of plumbing expenses and installation of a water pressure booster pump following the District's installation of a new smart water meter. She noted that she spoke with staff on July 23rd, and staff advised her to either accept the water pressure measuring approximately 23 pounds per square inch or have a water pressure booster pump installed and file a claim against the District. She stated that she had copies of email correspondence from District staff. She also stated that she received a letter from the District informing her that she was in violation of the Las Virgenes Municipal Water District Code. She noted that she learned that she needed to have a backflow prevention device installed; however, her plumber was puzzled regarding the need to have the device installed. She also noted that she asked her neighbors regarding their water pressure and found that several neighbors living on the same side of the street were experiencing similar issues with water pressure; however, her neighbors across the street in Simi Valley who are at a higher elevation were not experiencing water pressure issues. She stated that she would disconnect what she had installed, and she asked the Board how she could increase her water pressure.

General Manager David Pedersen stated that staff was continuing to investigate Ms. Cevallos' claim, and he asked Ms. Cevallos to submit copies of her additional information to the District.

4. CONSENT CALENDAR

A List of Demands: September 15, 2021: Receive and file

B Minutes Special Meeting of August 31, 2021: Approve

C Directors' Per Diem: August 2021: Ratify

D GIS Software: Renewal of Small Utility Enterprise License Agreement

Authorize the General Manager to execute a three-year Small Utility Enterprise License Agreement with ESRI, Inc., at an annual cost of \$25,000, plus applicable taxes, for the District's Geographical Information System software.

E Consideration of Non-Qualifying Events for Directors' Per Diem Compensation

Authorize Board Member attendance and per diem compensation for the California Department of Water Resources Delta Conveyance Project Informational Webinar

on Climate Change held on August 25, 2021, and the Southern California Coastal Water Research Project Microplastics Health Effects Workshop webinar held on September 8, 2021.

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

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

B Legislative and Regulatory Updates

Joe McDermott, Director of Engineering and External Affairs, reported that the election to recall Governor Gavin Newsom had failed and Governor Newsom would remain in office. He noted that he would be attending a virtual meeting of the Association of California Water Agencies (ACWA) with California Natural Resources Agency Secretary Wade Crowford and CalEPA Secretary Jared Blumenfeld to discuss Governor Newsom's call for a 15 percent reduction in water use.

General Manager David Pedersen responded to a question regarding the status of SB 273 (Hertzberg), Water Quality, Municipal Wastewater Agencies, which would allow stormwater agencies and wastewater agencies to form joint powers authorities to treat urban runoff and stormwater at wastewater treatment plants, by stating that the bill was on the Governor's desk for his signature.

C Water Supply Conditions Update: Receive and file

Joe McDermott, Director of Engineering and External Affairs, reported that Lake Oroville was at 23 percent of capacity and San Luis Reservoir was at 14 percent of capacity. He noted that the District, Calleguas Municipal Water District (Calleguas), and the City of Los Angeles had discussed a zero percent water allocation from the State Water Project with the Metropolitan Water District of Southern California (MWD) should a decent snowpack and runoff not occur in the Northern Sierras. He also noted that the MWD service area relied heavily on water from the State Water Project, while other MWD member agencies had more direct access to water from the Colorado River Basin. He stated that a zero percent allocation from the State Water Project would indicate that the District would only receive water from the Colorado River Basin; however, the District would not receive enough water to satisfy customer needs, and there would need to be substantial reductions and conservation measures for the District and Calleguas' service areas.

6. TREASURER

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

Director Polan noted that the List of Demands included several solar energy refunds from Southern California Edison.

7. FACILITIES AND OPERATIONS

A **Portable Emergency Generator Replacement: Purchase Order**

Authorize the General Manager to issue a purchase order to Quinn Power Systems, in the amount of \$75,918.98, for the purchase of a 110-kilowatt Tier 4 portable emergency generator and declare the existing 125-kilowatt generator as surplus equipment for auction.

Darrell Johnson, Water Systems Manager, presented the report.

Director Polan moved to approve Item 7A. Motion seconded by Director Caspary.

John Gil, Electrical/Instrumentation Supervisor, responded to a question regarding the number of hours the new generator could run with a full load of fuel by stating that the new generator could run for approximately 24 hours.

Mr. Johnson responded to a question regarding the difference between the proposed 110-kilowatt generator and existing 125-kilowatt generator by stating that the new generators run better with new technology, which would allow the generator to run at a lower kilowatt rating and more quietly compared to the older model generator.

Motion carried unanimously.

B **Contractual Service Agreements and Annual Purchase Orders**

Authorize the General Manager to approve an annual purchase order to Hach Company, in the amount of \$130,000, and amendments to the following contractual service agreements: Ontario Refrigeration Service Company, in the amount of \$65,900; Quinn Power Systems, in the amount of \$25,090; Vaughan's Industrial Repair Company, Inc., in the amount of \$35,000; Vortex Industries, in the amount of \$15,000; Emission Compliant Controls Corporation, in the amount of \$6,627.86; and Prudential Overall Supply, in the amount of \$11,000.

John Zhao, Director of Facilities and Operations, presented the report.

Director Renger moved to approve Item 7B. Motion seconded by Director Lo-Hill.

Mr. Zhao responded to a question regarding whether emission standards would require replacement of the natural gas internal combustion engine at the Cornell Pump Station by stating that staff had completed the design to upgrade the Cornell Pump Station and was now working on permitting issues. He noted that a call for bids would be released next year for replacement of both the electrical motor-driven pump and natural gas engine, which would improve the reliability of the Cornell Pump Station.

Motion carried unanimously.

8. ENGINEERING AND EXTERNAL AFFAIRS

A Stationary Emergency Generators for Critical Potable Water Pump Stations: CEQA/NEPA Determination, Call for Bids, and Approval of Scope Changes

Find that the work is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) and National Environmental Policy Act (NEPA); authorize the issuance of a Call for Bids; and authorize the General Manager to approve Scope Change No. 2 to Michael Baker International, in the amount of \$44,650, for engineering services during construction and Scope Change No. 4 to Hamner and Jewell, in the amount of \$21,950, for additional right-of-way services.

Mercedes Acevedo, Assistant Engineer, presented the report.

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

Ms. Acevedo responded to a question regarding reimbursement for change orders during construction by stating that staff would need to submit a request to the Federal Emergency Management Agency (FEMA).

Motion carried unanimously.

9. INFORMATION ITEMS

A Claim by First Neighborhood Property Owners Association

10. NON-ACTION ITEMS

A Organization Reports

None.

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS – (This item was moved on the agenda.)

A MWD Representative Report

Glen Peterson, MWD Representative, was unavailable to provide the report, and his report was rescheduled for the October 5, 2021 Regular Board Meeting.

10. NON-ACTION ITEMS

B Director's Reports on Outside Meetings

None.

C General Manager Reports

(1) General Business

General Manager David Pedersen noted that the Board canceled the September 21, 2021 Regular Board Meeting, and the next Board meeting would be held on October 5, 2021.

(2) Follow-Up Items

General Manager David Pedersen noted that options to better identify District vehicles would be placed on the agenda for the October 5th Regular Board Meeting.

D Directors' Comments

None.

11. **FUTURE AGENDA ITEMS**

Board President Lewitt requested a future agenda item to review qualifying events for Board Members to receive per diem compensation.

12. **PUBLIC COMMENTS**

Mike McNutt, Public Affairs and Communications Manager, stated that he was speaking on his own behalf regarding a potential COVID-19 vaccine mandate at the District. He noted that District employees were wearing face masks for health and safety reasons to protect themselves, their families, their neighbors, their coworkers, and District customers. He also noted that the Board would need to make tough decisions for District staff and the community, and the District had the responsibility of providing water and wastewater services. He also noted that there was much information regarding the efficacy of vaccines and that vaccines had eradicated many diseases. He stated that viruses use people as hosts to become more resilient, mutate into something more contagious, and continue to infect people who have had a vaccine. He expressed concern that District employees could be exposed to the virus during weekend gatherings and could receive false negative rapid test results. He also expressed concern that exposure and false negative test results would occur without the extra step of ensuring that all District employees become vaccinated. He asked that the Board make tough decisions in order for the District to continue to provide essential services to the community.

13. **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; Sophia Crocker, 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

B Public Employee Performance Evaluation (Government Code Section 54957):

Title: General Manager

The Board recessed to Closed Session at 9:38 a.m. and reconvened to Open Session at 10:46 a.m.

Wayne Lemieux, District Counsel, announced that the Board received reports for Closed Session Items 13A and 13B, and there was no reportable action.

14. OPEN SESSION AND ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at 10:46 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)