



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

MINUTES
REGULAR MEETING

9:00 AM

March 1, 2022

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Joe McDermott.

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 Assembly Bill 361, which suspended certain requirements of the Ralph M. Brown Act to support social distancing guidelines associated with response to the coronavirus (COVID-19) outbreak. Susan Brown, Administrative Assistant, conducted the roll call.

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

Absent: Director Polan

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
Susan Brown, Administrative Assistant
Josie Guzman, Clerk of the Board
Steven O'Neill, District Counsel

2. APPROVAL OF AGENDA AND APPROVAL OF FINDINGS OF RESOLUTION NO. 2603 (AB 361)

Director Caspary moved to approve the agenda and the findings of Resolution No. 2603 (AB 361). Motion seconded by Director Lo-Hill. Motion carried by the following roll call vote:

AYES: Caspary, Lewitt, Lo-Hill, Renger
NOES: None
ABSTAIN: None
ABSENT: Polan

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

A List of Demands: March 1, 2022: Receive and file

B Minutes Regular Meeting of February 15, 2022: Approve

C Drought and Water Supply Conditions Update: Receive and file

D Claim by Moran Hermesh

Deny the claim by Moran Hermesh.

E Monthly Cash and Investment Report: January 2022

Receive and file the Monthly Cash and Investment Report for January 2022.

F Statement of Revenues, Expenses, and Changes in Net Position: January 2022

Receive and file the Statement of Revenues, Expenses, and Changes in Net Position for the period ending January 31, 2022.

G One-Time Cash-Out of Excess Vacation Accruals for Unrepresented Employees

Authorize a one-time only cash-out of excess vacation accruals for the District's unrepresented employees in a similar fashion as provided for represented employees.

Director Caspary moved to approve the Consent Calendar. Motion seconded by Director Lo-Hill. Motion carried by the following roll call vote:

AYES: Caspary, Lewitt, Lo-Hill, Renger
NOES: None

ABSTAIN: None
ABSENT: Polan

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

A Legislative and Regulatory Updates

Joe McDermott, Director of Engineering and External Affairs, reported that approximately 2,000 new state bills were introduced prior to the February 18th deadline. He stated that staff identified 33 bills that could impact the District, and a number of these bills are related to the Brown Act, along with a proposed bond measure. He noted that Assemblymember Robert Hertzberg introduced SB 1157, which proposes to lower the existing indoor gallons per capita daily water use efficiency standard. He also reported that staff was monitoring the California Department of Fish and Wildlife's potential listing of the Southern Steelhead as a candidate endangered species under the California Endangered Species Act. He expressed concern that such a listing could impact the minimum flow requirement for Malibu Creek. He noted that the Association of California Water Agencies (ACWA) and United Water Conservation District had expressed concerns with the proposed listing, and the Fish and Game Commission deferred action on the matter until April. He also reported that letters were sent to Congresswoman Julia Brownley, Congressman Ted Lieu, and Congressman Brad Sherman regarding local water supply challenges due to the statewide drought emergency and reliance on the State Water Project. He noted that staff was in the process of scheduling meetings and a tour of the Pure Water Demonstration Facility, particularly for Congresswoman Brownley and subsequently Congressmen Lieu and Sherman.

Board President Lewitt noted that Senator Hertzberg would be running for Los Angeles County Supervisor, and he suggested that it would be beneficial for staff to provide comment on AB 1157 due to the upcoming election.

6. **TREASURER**

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

7. **BOARD OF DIRECTORS**

A Re-divisioning of District Director Boundaries: Public Hearing

Conduct a public hearing in accordance with California Elections Code 22000 et seq., to receive public input and feedback on the proposed re-divisioning of the District Director boundaries; and schedule a second public hearing for approval of the re-divisioning on March 15, 2022.

Josie Guzman, Clerk of the Board, presented the report and noted that a notice of the public hearing was published in *The Las Virgenes – Calabasas Enterprise* on February 17, 2022, and the draft District Director Boundary Map was posted on the District's website on February 10, 2022.

Board President Lewitt opened the public hearing at 9:12 a.m.

There were no public comments.

Ms. Guzman confirmed that the District did not receive any written or verbal comments.

Board President Lewitt closed the public hearing at 9:12 a.m.

Director Caspary moved to approve Item 7A. Motion seconded by Director Lo-Hill. Motion carried by the following roll call vote:

AYES: Caspary, Lewitt, Lo-Hill, Renger

NOES: None

ABSTAIN: None

ABSENT: Polan

8. FACILITIES AND OPERATIONS

A **Rancho Las Virgenes Composting Facility: Biofilter Maintenance for Zone Nos. 1 to 4**

Authorize the General Manager to approve a purchase order for Viramontes Express, Inc., in the amount of \$110,175.35, to replace the biofilter media at the Rancho Las Virgenes Composting Facility.

John Zhao, Director of Facilities and Operations, presented the report and shared photographs of a recent repair made to the foul air handling system for the composting facilities following heavy rains that infiltrated into the biofilter. He noted that the facilities experienced a blockage, which created odor issues. He stated that improvements were made to the 72-inch manifold to facilitate cleaning in the future. He noted that the District received one odor complaint, and no foul odor issues were detected following the repair to the foul air handling system.

Director Caspary moved to approve Item 8A. Motion seconded by Director Lo-Hill.

A discussion ensued regarding the blockage and the odor complaint received.

Motion carried by the following roll call vote:

AYES: Caspary, Lewitt, Lo-Hill, Renger

NOES: None

ABSTAIN: None

ABSENT: Polan

9. FINANCE AND ADMINISTRATION

A **Claim by Fred Pierson**

Deny the claim by Fred Pierson

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

Director Caspary moved to deny the claim by Fred Pierson. Motion seconded by Director Renger.

Jim Korkosz, Facilities Manager, responded to questions regarding staff's investigation of the claim.

Motion carried by the following roll call vote:

- AYES: Caspary, Lewitt, Lo-Hill, Renger
- NOES: None
- ABSTAIN: None
- ABSENT: Polan

B Reclassification of Network and SCADA Analyst Position

Reclassify an existing, vacant Network and SCADA Analyst position (Salary Range M85) to Network and Security Engineer position (Salary Range M98).

Ivo Nkwenji, Information Systems Manager, presented the report and a PowerPoint presentation.

Director Lo-Hill moved to approve Item 9B. Motion seconded by Director Caspary.

Mr. Nkwenji responded to questions regarding two-factor authentication as an additional layer of security.

Motion carried by the following roll call vote:

- AYES: Caspary, Lewitt, Lo-Hill, Renger
- NOES: None
- ABSTAIN: None
- ABSENT: Polan

10. ENGINEERING AND EXTERNAL AFFAIRS

A Woolsey Fire Facility Repairs Project No. 2, Westlake Filtration Plant: Final Acceptance

Authorize the General Manager to execute a Notice of Completion and have the same recorded; waive liquidated damages associated without delays during construction; and, in the absence of claims from subcontractors and others, release the retention, in the amount of \$66,092.17, 30-calendar days after filing the Notice of Completion, for the Woolsey Fire Facility Repair Project No. 2, Westlake

Filtration Plant.

Veronica Hurtado, Assistant Engineer, presented the report and shared photographs of the damaged areas and the repairs.

Director Caspary moved to approve Item 10A. Motion seconded by Director Lo-Hill.

General Manager David Pedersen responded to a question regarding whether the District was added to the County of Los Angeles Emergency Operations Center by stating that staff would follow-up.

Motion carried by the following roll call vote:

AYES: Caspary, Lewitt, Lo-Hill, Renger

NOES: None

ABSTAIN: None

ABSENT: Polan

11. NON-ACTION ITEMS

A Organization Reports

Director Caspary reported that he attended the Association of California Water Agencies (ACWA) State Legislative Committee meeting on February 18th, where they discussed approximately 12 bills including SB 1157 (Hertzberg) related to indoor residential water use. He noted that ACWA would hold a virtual legislative symposium on March 10th, and the next State Legislative Committee meeting would be held on March 11th. He also reported that he attended the Santa Monica Bay Restoration Commission Stakeholders' Workshop on February 24th, where they discussed the draft Work Plan for the Santa Monica Bay National Estuary Program for Fiscal Year 2023.

B Director's Reports on Outside Meetings

Board President Lewitt reported that he attended the Association of Water Agencies of Ventura County WaterWise Program on February 17th, where a presentation was provided by the Los Angeles Department of Water and Power (LADWP) regarding their Operation NEXT Program and water supply goal of recycling 100 percent of the available wastewater from the Hyperion Water Reclamation Plant by 2035. He noted that Chris Repp from LADWP indicated that disruption was likely to the three aqueducts that supply water to Los Angeles, and that it was difficult to pump water through the Sepulveda Pass. He stated that this reinforced his view that the District needed redundancy in water reliability from MWD. He suggested that the Board tour LADWP's facilities.

Director Lo-Hill reported that she attended the MWD Finance and Insurance Committee's special meeting on February 22nd, where they discussed the proposed budget including investments for the State Water Project dependent areas, West Area Water Supply Reliability Network, Sepulveda Feeder, and Greg Avenue Pump Station.

C General Manager Reports

(1) General Business

General Manager David Pedersen reminded the Board to submit their Form 700 Statements of Economic Interests by the April 1st deadline. He reported that there was increased demand for compost as many residents were using the compost in their gardens. He also reported that the District was on heightened alert for cyber threats due to current world events, and the District was taking internal measures to mitigate threats. He provided an update regarding the District's response to the COVID-19 pandemic, and noted that District offices reopened for walk-in visitors and customers. He also noted that the state had lifted the indoor mask mandate; however, the County of Los Angeles continued to require the indoor mask use for all businesses unless all employees and customers are fully vaccinated or provide proof of a recent negative test. He stated that this would be impractical for the District; therefore, the indoor mask requirement would continue. He also reported that the MWD Board was conducting its two-year budget process, which would include the new schedule of rates and charges. He stated that rates would be increased from eight to nine percent over each of the next two years.

A discussion ensued regarding the impacts to customers due to MWD's increased rates and charges.

(2) Follow-Up Items

General Manager David Pedersen noted that Nina Hawk, MWD Bay Delta Initiatives Policy Manager, would provide an update regarding the Delta Conveyance Project at the April 5th Board meeting.

D Directors' Comments

Director Caspary noted that the MWD Board did not raise its rates in the early 2000s. He stated that the LVMWD Board needed to price the delivery of water and wastewater services based on real numbers. He acknowledged Board President Lewitt on his leadership regarding water reliability from the State Water Project.

12. FUTURE AGENDA ITEMS

None.

13. PUBLIC COMMENTS

April Hart, resident of Chatsworth, stated that an 11-foot-wide earthen dam that served provided vehicular access to her property had failed on December 31st due to flooding. She noted that District staff installed an emergency water line; however, the existing water line remained and was leaking. She stated that the water line was 100 years old, and the property was homesteaded in the late 1800s. She expressed concern that she was unable to access her property. She noted that she had horses

on her property, and the property was on a septic system and propane. She stated that the earthen dam was built in 1929, and an easement was granted to the District in the late 1960s or early 1970s. She asked for removal of the broken water line and that access to her property be restored. General Manager David Pedersen responded that staff would follow-up and meet with Ms. Hart.

14. CLOSED SESSION

A Conference with District Counsel – Existing Litigation (Government Code Section 54956.9(a)):

San Diego County Water Authority v. Metropolitan Water District of Southern California et al.

B Conference with Real Property Negotiators (Government Code Section 54956.8):

Property: 4232 Las Virgenes Road, Building No. 1

District Negotiators: David W. Pedersen, General Manager; Don Patterson, Director of Finance and Administration; and Keith Lemieux, Legal Counsel

Negotiating Parties: Las Virgenes Municipal Water District and the Resource Conservation District of the Santa Monica Mountains

Under Negotiation: Price and terms of potential lease

The Board recessed to Closed Session at **10:09 a.m.** and reconvened to Open Session at **11:36 a.m.**

Steven O'Neill, District Counsel, announced that the Board received reports for Closed Session Items 14A and 14B, and there was no reportable action.

15. OPEN SESSION AND ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **11:37 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)