



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

MINUTES
SPECIAL MEETING

9:00 AM

October 19, 2022

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Mercedes Acevedo.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **9:00 a.m.** by Board President Lewitt 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, 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
Susan Brown, Administrative Assistant
Wayne Lemieux, District Counsel

2. APPROVAL OF AGENDA AND APPROVAL OF FINDINGS OF RESOLUTION NO. 2609 (AB 361)

Director Renger moved to approve the agenda and approve the findings of Resolution No. 2609 (AB 361). Motion seconded by Director Caspary. Motion carried unanimously by roll call vote.

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

Director Lo-Hill pulled Item 4G for discussion.

A List of Demands: October 19, 2022: Receive and file

B Minutes Special Meeting of October 6, 2022: Approve

C Directors' Per Diem – September 2022: Ratify

D Continuation of Local State of Emergency Due to Water Shortage from Statewide Drought

Approve the continuation of a local emergency declaration due to water shortage from the statewide drought.

E Computerized Maintenance Management System Software: Renewal

Authorize the General Manager to execute a five-year Business Plus Subscription Agreement with Upkeep, in the amount of \$112,500 plus applicable taxes, for the District's Computerized Maintenance Management Systems software.

F MuniTemps Municipal Staffing Solutions: Amendment

Authorize the General Manager to execute an amendment with MuniTemps Municipal Staffing Solutions, in the amount of \$115,000, for additional temporary staff support through June 30, 2023.

H Digital Media Advertisement with AdTaxi: Approve of Change Order No. 2

Authorize the General Manager to approve Change Order No. 2 with AdTaxi, in the amount of \$54,000, for enhanced digital media outreach.

Director Caspary moved to approve Consent Calendar Items 4A through 4F and 4H. Motion seconded by Director Renger. Motion carried unanimously by roll call vote.

4. CONSENT CALENDAR – SEPARATE ACTION ITEM

G Annual Supply and Delivery of Red Dye Diesel Fuel: Increase

Authorize the General Manager to approve an increase to the blanket purchase order with Sawyer Petroleum, in the amount of \$90,000, for the annual supply and delivery of red dye diesel fuel.

Brian Richie, Finance Manager, presented the report.

Director Caspary noted that red dyed diesel is exempt from excise tax and suggested that the District could receive a refund on highway use taxes for the portion of off-road equipment use. Don Patterson, Director of Finance and Administration, responded that staff would research and conduct a cost benefit analysis on the work involved for tracing excise tax exemption for off-road use equipment versus a tax rebate, and report back to the Board.

Director Lo-Hill moved to approve Item 4G. Motion seconded by Director Renger. 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 he and MWD Director Steve Blois from Calleguas Municipal Water District hosted the State Water Project Inspection Trip on October 14th through 16th. He noted that he and MWD Director Cynthia Kurtz from the City of Pasadena would host a Colorado River Aqueduct/Hoover Dam Inspection Trip on January 6 through 8, 2023. He also reported that the MWD Board had planned to hold its first in-person meeting; however, several MWD Directors wanted to continue meet via teleconference. He stated that the MWD Board would schedule a special meeting to authorize remote teleconference meetings. He also reported that the MWD Board voted against the waiver regarding terms limits for MWD Chairwoman Gloria Gray, and elected Director Adán Ortega as MWD Chair for a two-year term effective January 1, 2023. He noted that Director Ortega had previously expressed non-support for the single-tunnel for the Delta Conveyance Project and the Sites Reservoir Project; however, MWD General Manager Adel Hagekhalil indicated that support for these projects would be up to the majority of the MWD Board. He also reported that the MWD Board authorized the General Manager to sign a Project Labor Agreement with several trade councils; declared 41 parcels as surplus land; adopted revision and restatement of Bay-Delta Policies and excluded the State Water Dependent-areas from these principles; and adopted a resolution encouraging action to reduce or eliminate irrigation of non-functional turf with potable water. He also reported that he attended a Water Education Foundation meeting in Santa Fe, New Mexico, to celebrate the 100th anniversary of the Colorado River Compact. He also reported that he attended the Colorado River Board of California tour, which began in Grand Junction, Colorado, and continued to Paradox Valley, Lake Powell, and Lake Mead.

A discussion ensued regarding concerns with MWD Director Ortega and environmental group's non-support for the Delta Conveyance Project and the Sites Reservoir Project, and inviting MWD Director Ortega to tour the District's facilities.

B Legislative and Regulatory Updates

Joe McDermott, Director of Engineering and External Affairs, reported that he was working with staff from Best Best & Krieger, the District's lobbyist, regarding seeking relief from the Build America, Buy America Act provisions for the Pure Water Project Las Virgenes-Triunfo due to supply chain issues, inflation, etc. He noted that Assemblywoman Jacqui Irwin served on the panel for Wildfire Safety, Preparedness, and Fire-safe Landscape Design Webinar last month, and staff would invite her to tour District facilities.

C Drought and Water Supply Conditions Update

Joe McDermott, Director of Engineering and External Affairs, presented the Water Supply Conditions Report, which captured the water year ending September 30th.

Ursula Bosson, Customer Service Manager, presented the Customer Service Drought Metrics. She responded to questions regarding the reasons given by customers for exceeding their water budgets, confirmation received for leak repairs, update on call volume, and reasons for appeal denials.

Board President Lewitt suggested that a column be added to the drought metrics report delineating requested versus completed water surveys.

Director Polan disconnected from the teleconference at 9:55 a.m.

Mr. McDermott presented the Recycled Water Fill Station Metrics and reviewed the recycled water fill station customer counts, recycled water metered accounts daily average, and potable water daily average augmentation. He stated that the objective for next year would be no potable water augmentation, and staff would bring back proposed code changes related to recycled water customers.

A discussion regarding homeowners associations' long-term recycled water use for landscape irrigation, and encouraging landscape transformation as opposed to using recycled water for irrigation purposes.

Director Lo-Hill acknowledged Customer Service staff for being at the forefront and for their efforts.

6. TREASURER

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

7. BOARD OF DIRECTORS

A ACWA General Session Membership Meeting

Authorize the Board President to serve as the District's voting delegate for the ACWA General Session Membership Meeting on November 30, 2022, and provide

him with any feedback on voting preferences related to ACWA's proposed Amended and Restate Bylaws.

General Manager David Pedersen presented the report.

Director Renger moved to approve Item 7A. Motion seconded by Director Caspary. Motion carried by the following vote:

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

B Local Agency Formation Commission: Election of Special District Representative

Select a candidate to serve as the Local Agency Formation Commission Special District Representative, and authorize the General Manager to execute and return the official voting ballot no later than 5:00 p.m. on Wednesday, November 30, 2022.

General Manager David Pedersen presented the report and recommended that the Board consider selecting Robert Lewis as the Local Agency Formation Commission Special District Representative.

Director Caspary moved to approve Item 7B and select Robert Lewis as the Local Agency Formation Commission Special District Representative. Motion seconded by Director Renger. Motion carried by the following vote:

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

C Proposed 2023 Board Meeting Calendar

Review the proposed 2023 Board Meeting Calendar and make any scheduling changes.

Josie Guzman, Clerk of the Board, presented the report. She noted that she would verify any scheduling conflicts with new incoming Director(s).

Director Caspary moved to approve Item 7C, including cancelling the November 7, 2023 Regular Meeting and having staff bring back a recommendation to schedule a Special Meeting in its place. Motion seconded by Director Lo-Hill. Motion carried by the following vote:

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

ABSTAIN: None
ABSENT: Polan

8. FACILITIES AND OPERATIONS

A Torchwood Tank Spillway Riprap Repair and Improvement: Award

Appropriate a total of \$90,000 and authorize the General Manager to execute a construction contract with Troy Company, Inc., in the amount of \$82,600, to perform riprap repair and installation for the Torchwood Tank spillway at the Las Virgenes Reservoir.

Board President Lewitt stepped out of the Board Room at 10:13 a.m.

Darrell Johnson, Water System Manager, presented the report.

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

Board President Lewitt returned to the Board Room at 10:15 a.m.

Mr. Johnson responded to questions regarding discharging water from the tank into the reservoir, and the specifications for the repairs.

Motion carried by the following vote:

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

B Rancho Las Virgenes Composting Facility HVAC System Replacement: Award

Accept the quotation from Ontario Refrigeration Service, Inc.; waive the formal bidding process and authorize the General Manager to execute a contractual services agreement, in the amount of \$227,873, for replacement of the HVAC system at the Rancho Las Virgenes Composting Facility.

Shawn Triplett, Facilities Supervisor, presented the report.

Director Renger moved to approve Item 8B. Motion seconded by Director Lo-Hill.

Mr. Triplett responded to questions regarding the areas that receive cooled air at the Rancho Las Virgenes Composting Facility.

Ivo Nkwenji, Information Systems Manager, responded to questions regarding the need to keep the SCADA servers at lower room temperatures.

Motion carried by the following vote:

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

C Vehicle Replacement Program for Fiscal Year 2022-23: Authorization

Authorize the General Manager to issue a purchase order to Fritts Ford of Riverside, in the amount of \$157,542, for the purchase of three Ford F250 4x2 regular cab utility bed service trucks; and authorize the General Manager to purchase up to three additional vehicles from dealer inventory at MSRP or less for a total not-to-exceed amount of \$144,458.

Shawn Triplett, Facilities Supervisor, presented the report.

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

A discussion ensued regarding dealers' difficulties in filling public orders due to vehicle shortages and long lead time.

Motion carried by the following vote:

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

9. ENGINEERING AND EXTERNAL AFFAIRS

A Stationary Emergency Generators for Critical Potable Water Pump Stations Project: Scope Change No. 3

Authorize the General Manager to approve Scope Change No. 3 to Michael Baker International, in the amount of \$31,345, for additional engineering services during construction of the Stationary Emergency Generators for Critical Potable Water Pump Stations Project.

Mercedes Acevedo, Assistant Engineer, presented the report.

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

Ms. Acevedo responded to questions regarding issues with electrical grounding due to hard rock/ground conditions and coordination with other projects.

Darrell Johnson, Water Systems Manager, responded to a question regarding verifying

the fuel levels in portable emergency generators.

Motion carried by the following vote:

AYES: Caspary, Lewitt, Lo-Hill, Renger

NOES: None

ABSTAIN: None

ABSENT: Polan

10. NON-ACTION ITEMS

A Organization Reports

None

B Director's Reports on Outside Meetings

Director Caspary reported that he attended the Association of California Water Agencies (ACWA) Region 6 and 7 Region Tour and San Joaquin Valley Water Forum in the Central Valley on October 13th and 14th. He noted that the tour included visiting several infrastructure projects in the San Joaquin Valley, and the water forum included a discussion of San Joaquin Valley policy issues. He stated that he would send a link of the Water Blueprint for the San Joaquin Valley to the Board for review. He also noted that farmers in the Central Valley were needing to fallow their land due to lack of water. He suggested that there were opportunities for Southern California to participate in groundwater improvement projects in the Central Valley

Director Lo-Hill reported that she attended the State Water Project Inspection Tour October 14th through 16th. She stated that she learned that many environmentalists were against the Delta Conveyance Project due to mistrust, and she suggested seeking their cooperation and trust.

C General Manager Reports

(1) General Business

General Manager David Pedersen reported that potable water supplement was not needed to the recycled water system due to efforts by recycled water customers to conserve recycled water and due to cooler temperatures. He noted that staff had ceased drawing water from Las Virgenes Reservoir through the Westlake Filtration Plant to supplement the potable water system. He stated that the Westlake Filtration Plant was now in recirculation mode and water from Las Virgenes Reservoir would be preserved for storage. He also reported that the flow in Malibu Creek measured 11.4 cubic feet per second (CFS). He noted that the November 1st Board Meeting would be canceled as he and Board President Lewitt would be participating in the U.S. delegation visit to Israel as part of the U.S.-Israel Collaboration on Water Reuse. He stated that he would be leaving for Israel on October 27th and returning on November 4th, and he would designate an Acting General Manager in his absence.

(2) Follow-Up Items

General Manager David Pedersen stated there were no follow-up items with the exception of the new item related to the applicability of fuel excise tax exemption.

D Directors' Comments

Board President Lewitt noted that his neighbors have automatic pool fillers to refill their swimming pools, and he suggested conducting a survey on how District customers refill their swimming pools, how they detect leaks, and whether they use swimming pool covers. Joe McDermott, Director of Engineering and External Affairs, noted that staff had already begun to quantify how much water is needed to fill a swimming pool, and he estimated that 40 percent of District customers owned swimming pools.

A discussion ensued regarding possibility subsidizing the cost for swimming pool covers, and finding ways to help customers with swimming pools to save water.

11. FUTURE AGENDA ITEMS

Director Lo-Hill moved to have a future agenda item on options to improve the sound quality in the Board Room. Motion seconded by Director Renger.

Director Lo-Hill moved to have a future agenda item consider increasing the General Manager's \$35,000 delegated authority for contracts. Motion seconded by Director Renger.

12. PUBLIC COMMENTS

None.

13. ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **11:03 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)