



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

**MINUTES**  
**REGULAR MEETING**

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9:00 AM

March 21, 2023

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Brian Richie.

**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. Josie Guzman, Clerk of the Board, conducted the roll call.

Present: Directors Gary Burns, Charles Caspary, Andy Coradeschi, Jay Lewitt, and Len Polan.

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  
Steven O'Neill, District Counsel

**2. APPROVAL OF AGENDA**

General Manager David Pedersen asked that Item 4I, Native Plant Kit Program Distribution Waiver of Facility Use Fees, be removed from the agenda as the event was canceled.

Director Caspary moved to approve the agenda as amended with the removal of Item 4I.

Motion seconded by Director Polan. Motion carried unanimously.

**3. PUBLIC COMMENTS**

None.

**4. CONSENT CALENDAR**

Director Polan asked that Item 4D be pulled from the agenda for discussion.

Director Coradeschi asked that Item 4E be pulled from the agenda for discussion.

**A List of Demands: March 21, 2023: Receive and file**

**B Minutes Regular Meeting of February 21, 2023: Approve**

**C Directors' Per Diem: February 2023: Ratify**

**F Standby Charge and Deferral Program Administration: Award**

**Accept the proposal from NBS Government Finance Group, and authorize the General Manager to execute a five-year professional services agreement, in the initial annual not to exceed amount of \$37,250, with inflationary adjustments based on the Consumer Price Index for standby charge and deferral program administration services.**

**G Budget Planning Calendar for Fiscal Year 2023-24**

**Receive and file the Budget Planning Calendar for Fiscal Year 2023-24.**

**H Fiscal Year 2021-22 Report on Compliance for Coronavirus State and Local Fiscal Recovery Funds Program**

**Receive and file the Fiscal Year 2021-22 Report on Compliance for the U.S. Department of Treasury Coronavirus State and Local Fiscal Recovery Funds Program.**

Director Caspary moved to approve the Consent Calendar with the exception of Items 4D and 4E. Motion seconded by Director Polan. Motion carried unanimously.

**4. CONSENT CALENDAR – SEPARATE ACTION ITEMS**

**D Statement of Revenues, Expenses, and Changes in Net Position: January 2023**

**Receive and file the Statement of Revenues, Expenses, and Changes in Net Position for the period ending on January 31, 2023.**

Director Caspary moved to approve Item 4D. Motion seconded by Director Coradeschi.

Brian Richie, Finance Manager, responded to a question regarding the decrease in operating revenue as a result of decreased water use stemming from rainy weather.

Motion carried unanimously.

**E Monthly Cash and Investment Report: January 2023**

**Receive and file the Monthly Cash and Investment Report for January 2023.**

Director Caspary moved to approve Item 4E. Motion seconded by Director Coradeschi.

Don Patterson, Director of Finance and Administration, responded to a question regarding potential impacts to the District's investment portfolio due to the recent collapse of some banking institutions by stating that the District would have no direct impact as the District follows a conservative investment strategy. He noted that the District's certificates of deposit were FDIC and NCUA-insured.

Motion carried unanimously.

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

**A MWD Representative Report**

Glen Peterson, MWD Representative, reported that the MWD Board approved Commendatory Resolutions for Directors Phillip Hawkins and Robert Apodaca from Central Basin Municipal Water District; Randy Record from Eastern Municipal Water District; Steve Blois from Calleguas Municipal Water District; Satoru Tamaribuchi from Municipal Water District of Orange County; and Harold Williams from West Basin Municipal Water District. He also reported that he was assigned to the Subcommittee on Pure Water Southern California and Regional Conveyance. He noted that a tour would be provided for the District on May 17th to visit the Joseph Jensen Treatment Plant, Pure Water Southern California, and Venice Pressure Control/Power Plant Structure. He also reported that the MWD Board authorized agreements for the preliminary design of conveyance Reaches 1 and 2 of the Pure Water Southern California Program; authorized a change order to replace the overhead bridge cranes at five Colorado River Aqueduct pumping plants; approved a Mitigated Negative Declaration and related CEQA actions for the Copper Basin Discharge Valve Replacement and Access Road Improvements Projects; deferred action on an agreement to provide Rubidoux Community Services District assistance with water deliveries; and removed the Water Shortage Emergency Condition for the State Water Project-Dependent Area and terminated that Emergency Water Conservation Program and application of penalties accrued. He noted that he attended his final Colorado River Board meeting, and MWD Director Gloria Cordero from the City of Long Beach was appointed in his place. He also reported that the MWD Board was informed that the judge had ruled in favor of MWD regarding San Diego County Water Authority v. MWD et al.

General Manager David Pedersen responded to a question regarding replacing Kathy Viatella as the MWD Representative to the Association of California Water Agencies (ACWA) State Legislative Committee for ACWA Region 8 by stating that a recruitment was opened to fill her vacant position.

A discussion ensued regarding the snowpack and water levels in the Colorado River.

Mr. Peterson responded to a question regarding the status of conveying water to the District from the Colorado River, Diamond Valley Lake, and Pure Water Southern California by stating that there was nothing new to report. He noted that the District would tour the Venice Pressure Control/Power Plant Structure on May 17th, and a subcommittee was formed with representatives from the District, Calleguas Municipal Water District, and the City of Los Angeles to discuss this issue.

A discussion ensued regarding keeping the MWD Board vigilant on conveying water to the District from sources besides the State Water Project.

Mr. Peterson shared his concern with the State releasing 500 cubic feet per second (CFS) daily from Oroville Reservoir and 30,000 acre-feet from the spillway for flood control purposes the past winter, and he stated that 60 percent of that water belonged to MWD. He suggested that the State needed to be more prudent regarding flood control for the Oroville Reservoir.

## **B Legislative and Regulatory Updates**

Jeremy Wolf, Legislative Program Manager, provided an overview of the ACWA Washington DC trip, including meetings held with staff from Senator Diane Feinstein, Senator Alex Padilla, Congresswoman Julia Brownley, Congressman Brad Sherman, and Congresswoman Grace Napolitano's offices, as well as staff from the U.S. Bureau of Reclamation and the Israeli Embassy. He stated that everyone expressed support for the Pure Water Project Las Virgenes-Triunfo. He noted that there was also discussion regarding per- and polyfluoroalkyl substances (PFAS), and federal funding for disaster preparedness and infrastructure hardening. He reported that a call was made with Genevieve Wong, Principal Consultant of the Senate Natural Resources and Water Committee, regarding the District, the Pure Water Project Las Virgenes-Triunfo, and several bills of interest to the District. He also reported that he, General Manager David Pedersen, Triunfo Water & Sanitation District General Manager Mark Norris, and Triunfo Water & Sanitation District Chair Jane Nye met with Ventura County Supervisor Jeff Gorell regarding concerns brought forth by a few Oak Park residents regarding the Pure Water Project Las Virgenes-Triunfo. He noted that the concerns were addressed, and Supervisor Gorell expressed an interest in touring the Pure Water Demonstration Facility and the Tapia Water Reclamation Facility. He also reported that Director Burns and Public Affairs Associate II Riki Clark provided a tour of the Pure Water Demonstration Facility to Calabasas City Councilmember Ed Albrecht, and Board President Lewitt attended a tour of the Pure Water Demonstration Facility provided to Agoura Hills Mayor Chris Anstead and Agoura Hills City Manager Nathan Hamburger, who expressed support for the project. He also reported that Calabasas Councilmember Peter Kraut met with Director

Coradeschi and General Manager David Pedersen to discuss legislation that the League of California Cities was supporting, including three bond measures: SB 638 (Eggman) Climate Resiliency and Flood Protection Bond Act; AB 1567 (Garcia) Safe Drinking Water Bond Act; and SB 867 (Allen) Drought and Resilience Bond Act. He noted that the District signed onto an ACWA coalition letter to support SB 867 with amendments to increase funding for water infrastructure. He noted that the State budget could be impacted by the October 16th IRS filing extension for taxpayers in California counties impacted by recent natural disasters. He also reported that he and Public Affairs and Communications Manager Mike McNutt provided a presentation to the Thousand Oaks Rotary Club regarding Pure Water Project Las Virgenes-Triunfo, and he was working on scheduling a tour of the Pure Water Demonstration Facility for a Thousand Oaks City Councilmember and the City Manager. He also reported that the District signed onto a letter by WateReuse California requesting the inclusion of \$500 million in grant funds for recycled water as part of the Fiscal Year 2023-24 State budget. He noted that he and Directors Caspary and Coradeschi would be attending the ACWA Legislative Symposium on March 23rd, and they planned to meet with staff from the Senate Environmental Quality Committee. He noted that there was much discussion in the State regarding water rights, and AB 460 (Bauer-Kahan) State Water Resources Control Board Interim Relief would propose to authorize the State Water Resources Control Board to issue an interim relief order in appropriate circumstances to implement or enforce provisions of the law. He stated that it was likely that the District would oppose this bill. He referred to SB 389 (Allen) State Water Resources Control Board Determination of Water Right that proposes to authorize the State Water Resources Control Board to investigate the diversion and use of water from a stream system to determine whether the diversion and use are based upon appropriation, riparian right, or other basis of right.

A discussion ensued regarding concerns with decrease in funding for water reuse. General Manager David Pedersen noted that WateReuse California's priority was to ensure that funding for water reuse would be included in the State budget.

A discussion ensued regarding providing tours of the Pure Water Demonstration Facility, Tapia Water Reclamation Facility, and Las Virgenes Reservoir to all local City Councilmembers.

## **6. TREASURER**

Director Coradeschi reported that he reviewed the expenditures.

## **7. BOARD OF DIRECTORS**

### **A ACWA/JPIA Executive Board Election: Nomination of Pamela E. Tobin**

**Pass, approve, and adopt proposed Resolution No. 2620, concurring in the nomination of Pamela E. Tobin to the Executive Committee of the Association of California Water Agencies/Joint Powers Insurance Authority.**

**RESOLUTION NO. 2620**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT CONCURRING IN NOMINATION TO THE EXECUTIVE COMMITTEE OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES/JOINT POWERS INSURANCE AUTHORITY (“ACWA/JPIA”)**

(Reference is hereby made to Resolution no. 2620 on file in the District’s Resolution Book and by this reference the same is incorporated herein.)

General Manager David Pedersen presented the report.

Director Polan moved to approve Item 7A. Motion seconded by Director Burns. Motion carried unanimously.

**8. FACILITIES AND OPERATIONS**

**A Replacement of Cla-Val Service Truck and Pontoon Boat: Authorization of Purchase Orders**

**Authorize the General Manager to issue purchase orders to South Bay Ford, in the amount of \$74,096.25, for a new Ford F-600 cab and chassis; Skaug Truck Body Works, in the amount of \$76,557.60, for a new Cla-Val truck body; and Pontoon Boat Restorations, in the amount of \$47,157.40, for a new pontoon boat for Las Virgenes Reservoir; and approve the re-appropriation of the remaining funds, in the amount of \$49,346.15, from CIP No. 10773, Cla-Val Truck Replacement, to new CIP No. 10810, Westlake Pontoon Boat Replacement.**

Darrell Johnson, Water Systems Manager, presented the report.

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

Mr. Johnson responded to questions regarding the condition of the current pontoon boat and the reappropriation from the remaining funds from CIP No. 10773, Cla-Val Truck Replacement. He also responded to a question regarding whether vehicles were available for purchase locally by stating that local dealership do not honor public agency pricing, and do not sell fleet vehicles.

A discussion ensued regarding using the new pontoon boat to provide tours of the reservoir, and a discussion regarding the water level of the reservoir, which was 82 percent of capacity following the recent heavy rains at a value of \$1.2 million of free water.

Motion carried unanimously.

**B Replacement of Dump Truck: Authorization of Purchase Order**

**Authorize the General Manager to issue a purchase order to PB Loader Corporation, in the amount of \$226,068.03, for the purchase of a Freightliner M2 112 truck with dump body; and approve the re-appropriation of \$116,068.03 from CIP**

**No. 10776, Backhoe Replacement Project, to CIP No. 10761, Dump Truck Replacement Project.**

Shawn Triplett, Facilities Maintenance Supervisor, presented the report.

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

Mr. Triplett responded to a question regarding the condition of the current dump truck and sending the vehicle to auction.

John Zhao, Director of Facilities and Operations, responded to a question regarding federal excise tax by stating that public agencies were exempt from paying excise tax.

Motion carried unanimously.

**C Geotab GPS Vehicle Location, Service, and Reporting System: Renewal**

**Authorize the General Manager to approve up to four one-year renewals with Geotab, Inc., in the amount of \$18,960, for the GPS Vehicle Location, Service and Reporting System with a not-to-exceed amount of \$75,840.**

Shawn Triplett, Facilities Maintenance Supervisor, presented the report.

Director Coradeschi moved to approve Item 8C. Motion seconded by Director Polan. Motion carried unanimously.

**9. FINANCE AND ADMINISTRATION**

**A Establishment of Limited Term Customer Service Positions**

**Approve the establishment of two six-month, full-time Field Customer Service Representative I/II limited term positions.**

Sophia Crocker, Human Resource Manager, presented the report.

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

Ms. Crocker responded to a question regarding the effectiveness of limited term positions by stating that applicants would be more inclined to apply directly to the District rather than through a temporary employment agency. She also stated that staff would contact applicants that applied for the recent permanent Field Customer Service positions.

Motion carried unanimously.

**B Annual Property and Liability Insurance Renewal**

**Accept the proposal from Tolman & Wiker Insurance Services, LLC, in the**

**aggregate amount of \$2,645,172, and authorize the General Manager to execute the necessary contracts and forms to purchase general liability and property insurance for the term of April 1, 2023 through March 31, 2023.**

Don Patterson, Director of Finance and Administration, provided introductory remarks and introduced Jeff Dodds, representing AssuredPartners of California, and Paul Fuller, Chief Executive Officer of Allied Public Risk Joint Powers Risk and Insurance Management Authority (JPRIMA).

Director Coradeschi moved to approve Item 9B. Motion seconded by Director Polan.

Jeff Dodd provided an overview of current insurance market conditions.

Paul Fuller addressed the challenges in seeking wildfire insurance coverage for the District.

A discussion ensued regarding the alternatives for wildfire and flood coverage, hardening facilities to protect against wildfire, damages incurred to District buildings and facilities from the Woolsey Fire, and support for \$25 million in wildfire coverage.

Motion carried unanimously.

## **10. ENGINEERING AND EXTERNAL AFFAIRS**

### **A Update of Flow Restrictor Program to Discourage Wasteful Water Use**

**Pass, approve, and adopt proposed Resolution No. 2619, modifying Las Virgenes Municipal Water District Code.**

#### **RESOLUTION NO. 2619**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AMENDING THE LAS VIRGENES ADMINISTRATIVE CODE ALLOWING FOR THE USE OF FLOW RESTRICTION DEVICES AND DISCONNECTIONS TO RECYCLED AND IRRIGATION-ONLY WATER ACCOUNTS FOR THE PURPOSE OF WATER CONSERVATION DURING NON-EMERGENCIES AND NORMAL WATER SUPPLY CONDITIONS.**

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

Director Caspary moved to approve Item 10A. Motion seconded by Director Burns.

Mr. McDermott responded to questions regarding the number of customers who exceed their water budget, requests from customers for leak adjustments, and the number of warnings provided to customers regarding risk to fire suppression systems following the installation of a flow restrictor device.

Motion carried unanimously.



## 11. NON-ACTION ITEMS

### A Organization Reports

Director Caspary reported that he attended the ACWA State Legislative Committee Meeting on March 3rd, where they discussed modernizing legislative language related to water rights. He noted that the State Water Resources Control Board would hold a public workshop on March 22nd regarding on *Making Conservation a California Way of Life* regulation, and that he would share the workshop information with the Board.

General Manager noted that the Imperial Irrigation District, Palo Verde Irrigation District, and Coachella Valley Water District currently have Colorado River water rights.

### B Director's Reports on Outside Meetings

Director Polan reported that he attended the WaterReuse Symposium in Atlanta, Georgia on March 5th through 9th, where there was discussion regarding seeking support from the medical community and the American Medical Association regarding water reuse action and activity. He stated that support from the local medical community should be pursued, and that he would request a future agenda item. He also reported that he visited the Georgia Aquarium as part of the symposium.

Director Coradeschi reported that he attended the ACWA Washington DC Conference on February 28th through March 2nd. He acknowledged Legislative Program Manager Jeremy Wolf, Director of Engineering and External Affairs Joe McDermott, and Ana Schwab, lobbyist with Best Best & Krieger LLP, for facilitating meetings with elected officials and their staff.

Board President Lewitt reported that he also attended the ACWA Washington DC Conference. He noted that David Rydman, Operations Manager from Triunfo Water & Sanitation District, also attended the conference. He stated that the group met with representatives from Senator Diane Feinstein, Senator Alex Padilla, Congressman Brad Sherman, and Congresswoman Julia Brownley's offices, where they provided updates on the status and costs of the Pure Water Project Las Virgenes-Triunfo. He also stated that meetings were held with representatives from the U. S. Bureau of Reclamation and the Israeli Embassy. He acknowledged Ana Schwab and Lowry Crook from Best Best & Krieger for coordinating the meetings. He also reported that he attended the WaterReuse Symposium in Atlanta, Georgia. He noted that the District shipped pure water to H2O Innovation, who used the water to make beer that was shared at the conference. He suggested that the District have additional beer or sparkling water made to share. He also reported that he was installed as a Director on the Association of Water Agencies of Ventura County.

Director Burns reported that he visited several water agencies in Arizona, including the wastewater treatment plant in Sedona and Glen Canyon Dam.

Board President Lewitt noted that he viewed the movie *Dark Waters*, which was based on

a true story on the chemical perfluorooctanoic acid (PFOA) polluting drinking water.

Director Burns also reported that he attended a tour of the Pure Water Demonstration Facility with Calabasas Councilmember Ed Albrecht. He stated that he would extend an invitation to homeowners' associations to tour the facility.

## **C General Manager Reports**

### **(1) General Business**

General Manager David Pedersen noted that the State Water Project allocation was increased to 35 percent, and it was expected that the allocation would further increase. He stated that the statewide system would shift toward storing water. He reported that MWD lifted the one-day per week irrigation restriction, and the District would issue a press release. He addressed the current drought metrics and noted that 83 percent of District customers were within their water budget in February. He noted that there was also a 37 percent reduction in the potable water system and a 21 percent reduction in recycled water system compared to 2020. He also reported that capacity at Las Virgenes Reservoir had increased by 925 acre-feet from natural water runoff, which equated to \$1.2 million worth of free water. He noted that the State Water Resources Control Board would hold a workshop on March 22nd regarding *Making Conservation a California Way of Life*. He also noted that this was an ongoing effort with the passage of AB 1668 and SB 606, which established guidelines for efficient water use and a framework for the implementation and oversight of new standards. He noted that he and Resource Conservation Manager Craig Jones planned on providing testimony at the workshop. He reminded the Board that a Special Board Meeting would be held on March 28th at King Gillette Ranch for the annual Strategic Planning Workshop. He noted that the April 3rd JPA meeting would be held in the District's Board Room as Triunfo Water & Sanitation District's new board room was not yet completed. He also noted that the Board and staff were invited to tour Soquel Creek Water Authority's Pure Water Soquel Project on May 8th, the same week as the ACWA Spring Conference in Monterey. He stated that this project went through a design-build process. He asked the Board to inform Josie Guzman, Clerk of the Board, if they were interested in attending, and a special meeting notice would be posted if a quorum of the Board present is present.

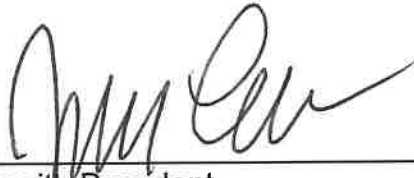
### **(2) Follow-Up Items**

General Manager David Pedersen noted that an item regarding purchasing limits would be brought back at a future Board Meeting after the new Purchasing Supervisor is hired.

## **D Directors' Comments**

Director Polan expressed concern with installation of synthetic turf due to heat island affect, damage to the environment, lack of nutritional value to fauna, contribution of microplastics, and concern from Fire Departments. He also expressed a desire to have the American Medical Association support water reuse with a public statement.

## **12. FUTURE AGENDA ITEMS**



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

ATTEST:



Gary Burns, Secretary  
Board of Directors  
Las Virgenes Municipal Water District

(SEAL)