



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

**MINUTES**  
**REGULAR MEETING**

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9:00 AM

May 16, 2023

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag was led by Brad Halpern, City Councilmember from the City of Westlake Village.

**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**

Director Polan moved to approve the agenda. Motion seconded by Director Caspary. Motion carried 5-0 by the following vote:

AYES: Burns, Caspary, Coradeschi, Lewitt, Polan

NOES: None  
ABSTAIN: None  
ABSENT: None

**3. PUBLIC COMMENTS**

There were no public comments.

John Zhao, Director of Facilities and Operations, introduced new employee David Villegas, Laboratory Assistant.

Joe McDermott, Director of Engineering and External Affairs, introduced new employees Chris Hendricks, Technical Services Supervisor, and John Soderberg, Assistant Engineer.

The Board welcomed the new employees to the District.

**4. CONSENT CALENDAR**

**A List of Demands: May 16, 2023: Receive and file**

**B Minutes Regular Meeting of May 2, 2023: Approve**

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

Director Coradeschi moved to approve the Consent Calendar. Motion seconded by Director Caspary. Motion carried 5-0 by the following vote:

AYES: Burns, Caspary, Coradeschi, Lewitt, Polan

NOES: None

ABSTAIN: None

ABSENT: None

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

**A Recognition of Public Affairs and Communications Team**

Board President Lewitt recognized Public Affairs and Communications Manager Mike McNutt, Public Affairs Associate II Riki Clark, and Public Affairs Associate II Steven Baird on receiving the California Association of Public Information Officers (CAPIO) Frank Potter Cowan Crisis Communications Leader Award and the Epic Award for Communication or Marketing Plans and Campaigns, as well as an honorary award from the Association of California Water Agencies (ACWA) for the Huell Howser Excellence in Communication Award for their communications and outreach efforts during the drought. The Board congratulated the Public Affairs and Communications Team on their efforts.

**B Legislative and Regulatory Updates**

Jeremy Wolf, Legislative Program Manager, reported that Governor Gavin Newsom's May revise proposal included an anticipated \$31.5 billion deficit, which was an increase from the deficit predicted in January. He noted that the proposed spending budget was \$306 billion, and the State Legislature would have until June 15th to adopt the budget. He also noted that funding for climate resilience programs, water recycling, Salton Sea Restoration, and Statewide Parks Program would be shifted into bonds; therefore, funding for water recycling projects would not be guaranteed as voters would need to approve the bonds in November 2024. He also noted that due to the extension provided to California taxpayers to file their income tax returns, estimates of \$42 billion in payments would be delayed until October. He reported that Metropolitan Water District of Southern California's (MWD) \$50 million budget request to address its water delivery system was not included in the May revise, which would have been used to connect to Diamond Valley Lake in the western portion of its service area and other projects. He also reported that the Legislature had until June 2nd to pass proposed bills. He also reported that the District assisted the North Santa Monica Bay Watershed Steering Committee in hosting the State of the Watershed meeting on May 11th. He noted that the meeting was well attended by several elected officials, and topics included local cities' municipal separate storm sewer systems MS4 permitting, stormwater permitting, and stormwater capture and cleaning. He also noted that a video recording of the meeting was available on the District's website. He also reported that a tour of the Pure Water Demonstration Facility was provided to City of Thousand Oaks City Councilmember David Newman and to the Assistant City Manager. He also reported that staff was working on scheduling a summit with leaders in Israeli and California water technology. He noted that he submitted several letters in support and in opposition to several legislative bills, and he stated that he would share copies with the Board. He responded to a question regarding the status of AB 1594 (Garcia) Medium and Heavy Duty Zero Emission Vehicles Public Agency Utilities by stating that he submitted a letter of support.

General Manager David Pedersen addressed concerns regarding the bond process and noted that the District was focused on water recycling funding. He stated that the timing would be ideal for the Pure Water Project Las Virgenes-Triunfo (Pure Water Project) as these programs were intended for construction-ready projects or projects in construction. He noted that the Association of California Water Agencies (ACWA) was advocating for water recycling to be the largest category in the bond ask of \$1.35 billion, and WateReuse California was focusing on \$1.75 billion for water recycling. He responded to a question regarding MWD's funding for the East-West Conveyance by stating that the District pressed MWD to elevate this issue, and that the effort would continue in the next budget year.

## **6. TREASURER**

Director Coradeschi stated that he reviewed the expenditures, including payments made to MWD and the City of Los Angeles.

## **7. FINANCE AND ADMINISTRATION**

### **A Banking, Purchasing Card, and Custodial Services: Award**

**Accept the proposal from Wells Fargo Bank and authorize the General Manager to execute an initial five-year contract, at an annual cost of \$32,000, with five one-year renewal options for general banking and purchasing card services; and accept the proposal from U.S. Bank and authorize the General Manager to execute an initial five-year contract, at an annual cost of \$12,000, with five one-year renewal options for custodial services.**

Brian Richie, Finance Manager, presented the report.

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

A discussion ensued regarding the lack of proposals received from other banking institutions and the security associated with the use of District purchasing cards.

Motion carried 5-0 by the following vote:

AYES: Burns, Caspary, Coradeschi, Lewitt, Polan  
NOES: None  
ABSTAIN: None  
ABSENT: None

## **8. ENGINEERING AND EXTERNAL AFFAIRS**

### **A Wallis Annenberg Wildlife Crossing Project: Caltrans Preliminary Utility Agreement**

**Authorize the General Manager to execute a Preliminary Utility Agreement with Caltrans to provide reimbursement to the District, in an amount not-to-exceed \$594,000, for engineering support and inspection services required for relocation of utilities as part of the Wallis Annenberg Wildlife Crossing Project.**

Alex Leu, Senior Engineer, presented the report.

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

A discussion ensued regarding options for installation of a utility tunnel or casing pipe to provide accessibility to the pipeline following construction, reimbursement from Caltrans for all District's costs, and the public-private partnership for funding this project.

Motion carried 5-0 by the following vote:

AYES: Burns, Caspary, Coradeschi, Lewitt, Polan  
NOES: None  
ABSTAIN: None  
ABSENT: None

## **9. INFORMATION ITEMS**

## **A Customer Service Water Use Metrics**

Joe McDermott, Director of Engineering and External Affairs, responded to questions regarding resetting the penalty count for customer exceedances and the number of appeals filed.

## **10. NON-ACTION ITEMS**

### **A Organization Reports**

Director Caspary reported that May 18th Santa Monica Bay Restoration Commission (SMBRC) Executive Committee meeting would be canceled, as well as the June 15th Governing Board Meeting. He noted that the SMBRC was currently recruiting a new Chief Administrative Director. He also noted that the next SMBRC Executive Committee Meeting would be held on July 20th at the Marina del Rey Yacht Club. He also reported that he attended the ACWA State Legislative Committee Meeting on May 5th, and the Committee voted to maintain opposition on all proposed water rights bills. He also reported that the ACWA State Legislative Committee approved support of AB 557 (Hart) Open Meetings Local Agencies Teleconferences, and SB 676 (Allen) Local Ordinances Regulations Drought-Tolerant Landscaping.

Board President Lewitt reported that he attended his first Association of Water Agencies of Ventura County Board Meeting. He noted that he assisted with coordinating the May 18th WaterWise Program, where presentations would be provided regarding innovations and advancement in ocean water desalination.

### **B Director's Reports on Outside Meetings**

Director Polan reported that he attended the Soquel Creek Water District's Pure Water Soquel Tour on May 8th. He noted that Pure Water Soquel was a groundwater replenishment and seawater intrusion prevention project.

Director Burns reported that he also attended the Pure Water Soquel tour, and stated that Soquel Creek Water District was prepared to double the space at Pure Water Soquel.

Board President Lewitt reported that he also attended the Pure Water Soquel Tour, and noted that the project was initially a desalination project and was later changed to a groundwater replenishment project. He acknowledged staff on their efforts to coordinate the tour, and he suggested inviting Soquel Creek Water District to tour the Pure Water Demonstration Facility.

Director Caspary reported that he also attended the Pure Water Soquel Tour, and noted that Soquel Creek Water District's potable water supply was based on an aquifer and were within two years from the potable water extraction wells taking in saltwater. He stated Soquel Creek Water District's current rates were \$6 per unit for Tier 1 and \$40 per unit for Tier 2.



Director Coradeschi reported that he also attended the Pure Water Soquel Tour and the ACWA Spring Conference, and noted that one of the presentations he attended was regarding communications media training. He stated that he learned that some agencies hold annual waterwise landscaping contests, and suggested that the District consider a similar contest.

Director Burns reported that he attended a session regarding wildfire during the ACWA Spring Conference, and he met the City Manager from the City of Paradise. He noted that the City of Paradise received funding from the Federal Emergency Management Agency (FEMA) to repair their roadways.

Board President Lewitt reported that he attended the ACWA Federal Affairs Committee Meeting during the ACWA Fall Conference, where Cindy Tuck, ACWA Deputy Executive Director for Government Relations, discussed the water bond. He noted that ACWA helped with the passage of Proposition 1, and he suggested that the District become involved in advocating for the passage of the water bond.

## **C General Manager Reports**

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

General Manager David Pedersen reported that a tour of the Pure Water Demonstration Facility was provided to Thousand Oaks City Councilmember David Newman, which was part of the District's effort to partner with the City of Thousand Oaks on the Pure Water Project. He noted that staff was working with the City of Thousand Oaks Public Works Director and the City Engineer, and the City was initiating a study for potential water augmentation for the Pure Water Project including the Los Robles well and potentially bringing some recycled water from the Hill Canyon Treatment Plant. He reminded the Board of the MWD Infrastructure Inspection Trip scheduled on May 17th, which would include visits to the Joseph Jensen Treatment Plant, Pure Water Southern California, and Venice Pressure Control Structure. He noted that the July 3rd JPA Board Meeting would occur the day before the July 4th Independence Day holiday, and staff would propose rescheduling the meeting to July 10th. He noted that the LVMWD Board Meeting was scheduled July 5th, and he inquired whether the Board was interested in rescheduling this meeting. The Board agreed to keep the July 5th LVMWD Board Meeting. Mr. Peterson also reported that the Customer Survey was launched, and approximately 500 responses have been received to date. He noted that the survey was available on the District's website. He also reported that he would meet with Anthony Goff, General Manager from Calleguas Municipal Water District, to discuss ocean desalination and State Water Project-Dependent Area issues. He also reported that peak flow at the Tapia Water Reclamation Facility (Tapia) was 9 million gallons per day (MGD), 6.5 MGD was being sent to the recycled water system, 1.5 MGD was discharged to the Los Angeles River, and 1 MGD was diverted to the sewer in Los Angeles. He also reported that flow in Malibu Creek measured 89.4 CFS, and there was still much runoff and seepage from this year's rain. He noted that he would be on vacation from June 19th through July 7th, and he would designate an Acting City Manager in his absence.

John Zhao, Director of Facilities and Operations, responded to a question regarding the amount of infiltration and inflow at Tapia by stating that it was approximately 20 percent. He also responded to a question regarding the estimated completion date for the Calleguas-Las Virgenes Interconnection Project by stating that the project would be completed at the end of the year or the beginning of next year.

General Manager David Pedersen recognized the Public Affairs and Communications Team on receiving the drought messaging awards. He also recognized staff for their efforts in coordinating the North Santa Monica Bay Watershed Steering Committee State of the Watershed meeting and the Pure Water Soquel Tour.

(2) Follow-Up Items

General Manager David Pedersen stated that Josie Guzman, Clerk of the Board, would forward a copy of the list of Follow-up Items to the Board. He noted that Follow-up Items included public outreach for the Pure Water Project at events in Ventura County and to the Los Angeles County Medical Association.

**D Directors' Comments**

Director Polan noted an article in the *Los Angeles Times* regarding the effectiveness of trash interceptors at Ballona Creek. He stated that the trash interceptors were capturing debris before reaching the ocean.

**11. FUTURE AGENDA ITEMS**

None.

**12. PUBLIC COMMENTS**

None.

**13. CLOSED SESSION**

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

**Las Virgenes Municipal Water District v. Southern California Edison**

**B Conference with Legal Counsel – Potential Litigation (Government Code Section 54956.9): One Matter**

The Board recessed to Closed Session at **10:33 a.m.** and reconvened to Open Session at **11:42 a.m.**

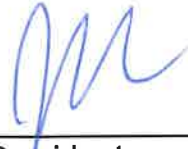
Steven O'Neill, District Counsel, reported that the Board met in Closed Session for Items 13A and 13B. He announced that for Item 13A, Director Caspary moved to accept a

settlement from Southern California Edison, in the amount of \$7.9 million, and the motion was seconded by Director Coradeschi. The motion carried 5-0 with Directors Burns, Caspary, Coradeschi, Lewitt, and Polan voting in favor. He also announced that for Item 13B, Board President Lewitt moved to authorize the General Manager to prepare a declaration on the potential impacts of SB 9, and the motion was seconded by Director Polan. The motion carried 5-0 with Directors Burns, Caspary, Coradeschi, Lewitt, and Polan voting in favor.

#### **14. ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at 11:44 a.m.





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

ATTEST:



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

(SEAL)