



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

MINUTES
REGULAR MEETING

9:00 AM

October 17, 2023

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Eric Schlageter.

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
Brian Richie, Finance Manager
John Zhao, Director of Facilities and Operations
Josie Guzman, Clerk of the Board
Keith Lemieux, District Counsel

2. APPROVAL OF AGENDA

Director Coradeschi moved to approve the agenda. Motion seconded by Director Polan. 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 Ricard Paez, Water Reclamation Operator-in-Training. The Board welcomed Mr. Paez to the District.

4. CONSENT CALENDAR

A List of Demands: October 17, 2023: Receive and file

B Minutes Regular Meetings of September 19, 2023 and October 3, 2023: Approve

C Directors' Per Diem: September 2023: Ratify

D Janitorial Services Contract: Award

Authorize the General Manager to execute a one-year contract with US Metro Group, Inc., in the amount of \$200,000, with a single one-year renewal option for janitorial services.

E Supply and Delivery of Sodium Bisulfite: Award

Accept the bid from Univar Solutions USA, Inc., and authorize the General Manager to issue a one-year purchase order, in the amount of \$291,040, with four one-year renewal options, for the supply and delivery of sodium bisulfite.

F Supply and Delivery of Sodium Hypochlorite: Award

Authorize the General Manager to approve an increase to the current purchase order with Pioneer Americas LLC, in the amount of \$130,000, for the term ending on October 31, 2023; and accept the bid from Pioneer Americas LLC, and authorize the General Manager to issue a new purchase order, in the amount of \$1,050,000, with four one-year renewal options, for the supply and delivery of sodium hypochlorite.

Director Caspary moved to approve the Consent Calendar. Motion seconded by Director Polan. 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 MWD Representative Report

Glen Peterson, MWD Representative, reported that General Manager David Pedersen attended the October 10th MWD Board meeting where he provided a presentation regarding the District. He also reported that the MWD Board expressed support for the Climate Mayors Colorado River Conservation Working Group goals, and approved including the development of a multi-benefit landscape project on Webb Tract in the Delta Islands. He noted that the Imperial Irrigation District celebrated the 20th anniversary of the Quantification Settlement Agreement (QSA), which quantified the Colorado River water rights of some of California's agricultural users and set the terms for water transfers.

B Legislative and Regulatory Updates

Jeremy Wolf, Legislative Program Manager, reported that the Internal Revenue Service extended the filing deadline to November 16th for California taxpayers in 55 counties, covered by the Federal Emergency Management Agency's (FEMA) winter storms disaster declaration, to file their State and Federal income tax statements. He stated that the filing deadline complicated the State's Fiscal Year 2023/24 budget, and the Legislative Analyst's Office indicated that revenues could be \$15 billion higher than projected. He also reported that Governor Gavin Newsom signed 890 bills and vetoed 156 bills by the October 14th deadline. He noted that Governor Newsom signed AB 1594 (Garcia) Medium and Heavy Duty Zero Emissions Vehicles Public Agency Utilities; AB 1572 (Friedman) Potable Water Non-functional Turf; SB 389 (Allen) State Water Resources Control Board Investigation of Water Rights; and SB 676 (Allen) Local Ordinances and Regulations Drought-Tolerant Landscaping. He also reported that the State Water Resources Control Board (SWRCB) held a hearing on October 4th regarding proposed regulations for *Conservation as a California Way of Life*. He stated that Craig Jones, Resource Conservation Manager, provided testimony during the hearing. He also reported that staff met with Assemblymember Jacqui Irwin and her staff to discuss a Fiscal Year 2024/25 budget allocation for the Pure Water Project Las Virgenes-Triunfo. He stated that staff would submit a formal request in the coming weeks. He also reported that a letter of condolence would be sent to Senator Dianne Feinstein's staff.

Discussion ensued regarding SB 676 (Allen) Local Ordinances and Regulations Drought-Tolerant Landscaping, which would provide protection to homeowners for planting living drought landscaping excluding synthetic turf; AB 1594 (Garcia) Medium and Heavy Duty Zero Emissions Vehicles Public Agency Utilities, which would provide flexibility to public utility agencies on regulations for the purchase of zero emissions vehicles; testimony provided by several water suppliers at the SWRCB hearing; and the SWRCB's anticipated date to finalize the regulations.

6. **TREASURER**

Director Coradeschi stated that he reviewed expenditures.

7. BOARD OF DIRECTORS

A Proposed 2024 Board Meeting Calendar

Review the proposed 2024 Board Meeting Calendar and make any scheduling changes.

Josie Guzman, Clerk of the Board, presented the report.

It was the consensus of the Board to approve the 2024 Board Meeting Calendar as presented and schedule any special meetings as needed.

B Medical Insurance Contribution and Per Diem Rate for Board Members

Provide feedback on a potential update to the medical insurance contribution and per diem rate for Board Members.

Maria Songer, Human Resources Analyst, presented the report.

Director Burns moved to approve Item 7B. Motion seconded by Director Coradeschi.

A discussion ensued regarding establishing a per diem rate between \$227.28 to \$275, and keeping the per diem rate within the District's 75th percentile compensation philosophy.

It was the consensus of the Board to increase the per diem rate to \$245.

Motion carried 5-0 by the following vote:

AYES: Burns, Caspary, Coradeschi, Lewitt, Polan

NOES: None

ABSTAIN: None

ABSENT: None

8. FACILITIES AND OPERATIONS

A Vehicle Replacement Program for Fiscal Year 2023-24: Authorization

Waive formal bidding and authorize the General Manager to issue a purchase order to Elk Grove Auto, in the amount of \$89,932.73, for three Ram 1500 regular cab 8-foot bed trucks.

Shawn Triplett, Facilities Supervisor, presented the report.

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

Motion carried 5-0 by the following vote:

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

9. **ENGINEERING AND EXTERNAL AFFAIRS**

A Lift Station No. 1 Rehabilitation Project: Award of Design

Accept the proposal by Cannon Corporation and authorize the General Manager to execute a professional services agreement, in the amount not to exceed \$396,750, for design and engineering services during construction for the Lift Station No. 1 Rehabilitation Project.

Alex Leu, Senior Engineer, presented the report.

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

Mr. Leu responded to questions regarding Cannon's optional tasks, converting the dry well to a wet well, and the new variable frequency drives with cooling to maintain reliability.

Motion carried 5-0 by the following vote:

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

B Recycled Water Reservoir No. 2 Storm Repair Project: Construction Award

Award a construction contract to MPK Solutions, in the amount of \$39,997.25, and reject all remaining bids upon receipt of duly executed contract documents for the Recycled Water Reservoir No. 2 Storm Repair Project.

Alex Leu, Senior Engineer, presented the report.

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

Mr. Leu responded to questions regarding commencement of the work, which was expected to begin in late November or early December.

Motion carried 5-0 by the following vote:

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

10. NON-ACTION ITEMS

A Organization Reports

Director Caspary reported that he would be attending the Association of California Water Agencies (ACWA) State Legislative Committee Annual Planning Meeting on October 20th, where the committee would review several legislative proposals. He also reported that the Santa Monica Bay Restoration Committee Governing Board Meeting would be held on October 19th, where the Board would discuss the Santa Monica Bay National Estuary Program Equity Strategy for the Bipartisan Infrastructure Law Work Plan.

B Director's Reports on Outside Meetings

Director Caspary reported that he attended the ACWA Regions 6 and 7 Tour and Water Forum in the San Joaquin Valley on October 12th.

Board President Lewitt reported that he attended the meeting with Assemblymember Jacqui Irwin, and noted that she expressed support for the Pure Water Project Las Virgenes-Triunfo.

C General Manager Reports

(1) General Business

General Manager David Pedersen acknowledged Liz Smith, Purchasing Supervisor, for her efforts in securing bids for janitorial services and the supply and delivery of chemicals. He reported that flow in Malibu Creek measured 2.38 cubic feet per second (CFS), which was the first time this year that it fell below 2.5 CFS. He noted that it would take three consecutive measurements below 2.5 CFS to initiate flow augmentation. He also reported that staff participated in the Reyes Adobe Days on October 7th and 8th where Pure Beer was distributed, and staff would participate in the Calabasas Pumpkin Festival on October 29th. He reminded the Board that a Special Board Meeting would be held on October 30th at 9 a.m. for a tour of Las Virgenes Reservoir aboard the new boat, and the MWD One-Day Inspection Trip of Santa Rosa Plateau and Diamond Valley Lake would be held on November 1st. He also reminded the Board that the November 6th JPA and November 7th Board Meetings were canceled due to a conflict with the WaterReuse California Conference.

(2) Follow-Up Items

General Manager David Pedersen stated that staff would bring back resolutions regarding the Board of Directors' medical insurance contribution, per diem rate increase, and Purchasing Code updates.

D Directors' Comments

Director Polan referred to an article in the *California Special Districts* publication regarding Camarillo Health Care District's *Adventures in VR program*, a virtual reality program that

teaches digital literacy and shares experiences.

11. FUTURE AGENDA ITEMS

None.

12. PUBLIC COMMENTS

None.

13. CLOSED SESSION

A Grievance Appeal Hearing (Government Code Section 54957)

Agency Designated Representative: General Manager

Appellant: Mikel Caldwell

B Conference with District Counsel – Anticipated Litigation (Government Code Section 54956.9(d)(2)): One Item

Tort Claim by Proactive Sports Performance

The Board recessed to Closed Session at 10:53 a.m. Director Polan departed from the Closed Session at 12:00 p.m.

The Board reconvened to Open Session at 1:14 p.m.

Keith Lemieux, District Counsel, reported that the Board met in Closed Session for 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 1:14 p.m.



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

ATTEST:



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

(SEAL)