



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

MINUTES
REGULAR MEETING

9:00 AM

February 6, 2024

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Craig Jones.

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
Darrell Johnson, Interim Director of Facilities and Operations
Joe McDermott, Director of Engineering and External Affairs
Brian Richie, Finance Manager
Josie Guzman, Clerk of the Board
Keith Lemieux, 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

None.

4. CONSENT CALENDAR

A List of Demands: February 5, 2024: Receive and file

B Minutes Special Joint Meeting of Las Virgenes Municipal Water District and Calleguas Municipal Water District on July 12, 2023, and Regular Meeting of Las Virgenes Municipal Water District on January 16, 2024: Approve

C Monthly Cash and Investment Report: December 2023

Receive and file the Monthly Cash and Investment Report for December 2023.

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

Receive and filed the Statement of Revenues, Expenses, and Changes in Net Position for the period ending December 31, 2023.

E Water and Sanitation Capacity Fees: Adoption

Pass, approve, and adopt proposed Resolution No. 2635, amending water and sanitation capacity fees and approving modifications to the Las Virgenes Municipal Water District Code pertaining to capacity fees.

RESOLUTION NO. 2635

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AMENDING RESOLUTION NO. 2468 (ADMINISTRATIVE CODE) AS IT RELATES TO POTABLE WATER AND SANITATION SERVICE CAPACITY FEES

(Reference is hereby made to Resolution No. 2635 on file in the District's Resolution Book, and by this reference the same is incorporated herein.)

F Budget Planning Calendar for Fiscal Year 2024-25 and Fiscal Year 2025-26.

Receive and file the Budget Planning Calendar for Fiscal Years 2024-25 and 2025-26.

G Contract Laboratory Services: Renewal

Authorize the General Manager to approve increases to the professional services agreement with Weck Laboratories, Inc., for calendar years 2023 through 2025, based on the December-to-December Consumer Price Index (CPI) for Los Angeles-Long Beach-Anaheim.

H Potable Water Standby Charge: Adoption of Ordinance

Waive the full reading and give second reading by title only; pass, approve, and adopt proposed Ordinance No. 287 as it relates to continuation of the Potable Water Replacement Fund Standby Charge for Fiscal Year 2024-25; and order publication within 15 days of adoption using a summary of the Ordinance.

ORDINANCE NO. 287 (SECOND READING AND ADOPTION)

AN ORDINANCE OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AS IT RELATES TO STANDBY CHARGES FOR THE FISCAL YEAR COMMENCING JULY 1, 2024

(Reference is hereby made to Ordinance No. 287 on file in the District's Ordinance Book, and by this reference the same is incorporated herein.)

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

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

Keith Lemieux, District Counsel, read Ordinance No. 287 by title only.

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Water Supply Conditions Update

Joe McDermott, Director of Engineering and External Affairs, reported that nine inches of rain was measured at the Tapia Water Reclamation Facility from the recent rainstorm. He stated that the 8-station index now measured 86 percent of normal. He also stated that water was being released from the Lake Oroville spillway, and the State Water Project allocation remained at ten percent. He noted that due to environmental restrictions on the Delta, water was not being moved to the San Luis Reservoir, which was at 61 percent of capacity. He also stated that it was anticipated there would be an increase to the State Water Project allocation in the coming month.

6. TREASURER

Director Coradeschi stated that he reviewed the expenditures.

7. FACILITIES AND OPERATIONS

A Emergency Declaration for Water Main Breaks at 5745 Parkmor Road and Valley Circle Boulevard near Dorie Drive

Pass, approve, and adopt proposed Resolution No. 2634, declaring an emergency due to a 12-inch water main break at 5745 Parkmor Road in the City of Calabasas, and a 30-inch water main break along Valley Circle Boulevard near Dorie Drive in West Hills.

Darrell Johnson, Interim Director of Facilities and Operations, presented the report and shared photographs of the water main breaks.

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

A discussion ensued regarding maintaining the integrity of the slope at 5745 Parkmor Drive, the repair work needed, the use of a cathodic protection system to inspect pipelines, and the use of Everbridge to inform customers of water main breaks.

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 Update to Legislative Policy Principles: Approval

Approve the proposed update to the Legislative Policy Principles.

Jeremy Wolf, Legislative Program Manager, presented the report.

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

A discussion ensued regarding the proposed legislative policy principle to oppose legislation and regulations that establish greenhouse gas reduction actions that are not feasible with current technology; and the addition of proposed legislative policy principles related to housing as they may impact the District's collection of capacity and connection fees.

Motion carried 5-0 by the following vote:

AYES: Burns, Caspary, Coradeschi, Lewitt, Polan

NOES: None

ABSTAIN: None

ABSENT: None

9. NON-ACTION ITEMS

A Organization Reports

Director Caspary reported that he attended the Association of California Water Agencies (ACWA) State Legislative Committee Meeting in Sacramento on January 19th. He noted that the ACWA Legal Affairs Committee recommended sponsorship of a bill proposal to address deficiencies in Proposition 218, and considered opposition against AB 828, Sustainable Groundwater Management, Managed Wetlands. He also noted that the State Water Board appointed Eric Oppenheimer as the new Executive Director. He stated that he would attend the State Legislative Committee Meeting in Sacramento on February 9th.

Board President Lewitt reported that General Manager David Pedersen and Mark Golay from OceanWell would provide a presentation entitled "Blue Water: Tapping the Deep Ocean for an Eco-Friendly Water Supply" at the Association of Water Agencies of Ventura County (AWAVC) WaterWise Program on February 15th, and he encouraged the Board Members to attend the program in person.

B Director's Reports on Outside Meetings

Director Caspary reported that he would attend the Santa Monica Bay Restoration Commission Governing Board Meeting on February 15th, where they would consider the memorandum of understanding with the Bay Foundation.

Director Polan reported that he attended the California Association of Sanitation Agencies (CASA) Winter Conference January 24th through 26th.

Board President Lewitt reported that he also attended the CASA Winter Conference, where a presentation was provided regarding zero liquid waste.

C General Manager Reports

(1) General Business

General Manager David Pedersen reported that staff submitted an application for MWD's Future Supply Actions Funding Program in the amount of \$500,000 for the OceanWell pilot program. He noted that Calleguas Municipal Water District (Calleguas) and Eastern Municipal Water District were co-applicants for this funding program. He also reported that MWD General Manager Adel Hagekhalil invited the 26 member agencies' managers to a Colorado River Aqueduct inspection trip and a discussion regarding issues affecting MWD. He noted that MWD was facing significant financial challenges, and there would be significant increases to the cost of water. He stated that MWD was proposing a 13 percent increase in Calendar Year 2025 and an eight percent increase in 2026. He also stated that MWD was proposing a 17 percent increase in Calendar Year 2025 and an eight percent increase in Calendar Year 2026 for treated water. He mentioned that there would likely be changes to these preliminary projections, and the MWD Board would

consider whether it would be appropriate to place all of the costs onto their rates or increase the ad valorem tax. He suggested that MWD's financial challenges could make the Pure Water Project Las Virgenes-Triunfo more attractive since some of the factors were MWD's costs and declining water sales due to water conservation.

A discussion ensued regarding concerns with an increase to the ad valorem tax, and concerns that the City of Los Angeles does not purchase water from MWD while it has 25 percent of the votes on the MWD Board.

General Manager David Pedersen reported that a tour of the Pure Water Demonstration Facility would be provided to executive staff from MWD and Calleguas on February 7th at 2:00 p.m., and the Calleguas-Las Virgenes Public Financing Authority would meet on February 7th at 4:30 p.m. at Calleguas. He noted that MWD General Manager Adel Hagekhalil and MWD Chair Adán Ortega would attend the Calleguas Board Meeting on February 7th at 5:00 p.m. He also reminded the Board that the Strategic Planning Workshop would be held on February 13th from 9:00 a.m. to 1:00 p.m., at the City of Westlake Village Community Meeting Room. He noted that staff from Blue Beyond would serve as facilitators at the workshop.

(2) Follow-Up Items

None.

D Directors' Comments

Director Coradeschi noted that the District's Mission and Vision statements were rated as the top five during the California Special Districts Association Special District Leadership Academy last year.

Board President Lewitt acknowledged staff on their efforts in hosting the Israeli delegation on February 5th. He noted that eight Israeli-based companies attended a presentation and tour of the Pure Water Demonstration Facility, and several of the companies deal with cybersecurity. He also noted that staff from MWD and the Los Angeles Department of Water and Power attended the presentation via Zoom.

10. FUTURE AGENDA ITEMS

None.

11. PUBLIC COMMENTS

None.

12. CLOSED SESSION

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

Tort claim by Ron and Joanna Pivo

B Conference with Legal Counsel – Existing Litigation (Government Code Section 54956.9)

Tim Hazlewood v. Las Virgenes Municipal Water District

The Board recessed to Closed Session at 10:30 a.m. and reconvened to Open Session at 11:05 a.m.

Keith Lemieux, District Counsel, reported that the Board met in Closed Session for Item 12A, and the Board unanimously denied the claim by Ron and Joanna Pivo. He also reported that the Board met in Closed Session for Item 12B, and it was the consensus of the Board for Legal Counsel to file an answer and a cross complaint in the case of Tim Hazlewood v. Las Virgenes Municipal Water District.

13. OPEN SESSION AND ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at 11:06 a.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)