



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

MINUTES
REGULAR MEETING

5:00 PM

August 14, 2018

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Matthew Reese.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **5:00 p.m.** by Board President Peterson 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 Charles Caspary, Jay Lewitt, Len Polan, Glen Peterson, and Lee Renger.

Absent: None

Staff Present: David Pedersen, General Manager
David Lippman, Director of Facilities and Operations
Don Patterson, Director of Finance and Administration
Joe McDermott, Director of Resource Conservation and Public Outreach
Josie Guzman, Clerk of the Board
Keith Lemieux, District Counsel

2. APPROVAL OF AGENDA

General Manager David Pedersen suggested the Board consider adding an item to the agenda as Closed Session: Item 12B, Conference with Real Property Negotiators under Government Code Section 54956.8. The District Negotiators would be General Manager David Pedersen and Legal Counsel Keith Lemieux. The Property Owner Negotiator would

be The Feinberg Institute, Inc., dba ROWI, represented by CBRE. The property location is 4232 Las Virgenes Road, Suite B, and the District would be proposing to negotiate price and terms. He recommended that the Board approve the agenda as amended, including Closed Session Item 12B, make the finding that the need arose after the posting of the agenda, and that the matter required immediate action by the Board.

Director Renger moved to approve the agenda as amended and with the recommended finding. Motion seconded by Director Lewitt. Motion carried unanimously.

3. PUBLIC COMMENTS

Joe McDermott, Director of Resource Conservation and Public Outreach, introduced newly hired employee Cason Gilmer, Field Customer Service Representative I.

David Lippman, Director of Facilities and Public Outreach, introduced newly hired employee Matthew Reese, Laboratory Assistant.

Don Patterson, Director of Finance and Administration, introduced newly hired employee Viktors Nikolajevs, Systems Coordinator.

4. CONSENT CALENDAR

A List of Demands: August 14, 2018: Ratify

B Minutes: Regular Meeting of July 24, 2018: Approve

C Directors' Per Diem – July 2018: Ratify

Director Caspary moved to approve the Consent Calendar. Motion seconded by Director Polan. Motion carried unanimously.

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A 60th Anniversary Recognition of Partner in Service: California State Parks

Board President Peterson welcomed and recognized Craig Sap, District Superintendent of the Angeles District of the California State Parks, as the District's Partner in Service. He noted that the District and the California State Parks have a shared common goal to preserve the region's open space. Mr. Sap expressed his appreciation to the Board. He also invited the Board to join Senator Henry Stern, California Highway Patrol, Lost Hills Sheriff Station, and California State Parks at the Malibu Canyon and Creek Community Safety meeting on August 18th at 11:00 a.m. at King Gillette Ranch to discuss action to keep the Santa Monica Mountains safe.

B The Rise of Social Media as a Primary Means of Communication

Mike McNutt, Public Affairs and Communications Manager, provided a version of the PowerPoint presentation he provided at the recent California Association of Sanitation Agencies (CASA) Annual Conference entitled *The Rise of Social Media as a Primary Means of Communications*. He responded to several questions posed by the Board regarding the District's presence on social media.

C Legislative and Regulatory Updates

Joe McDermott, Director of Resource Conservation and Public Outreach, noted that the State Legislature went back into session on August 6th and would have until August 31st to send bills to Governor Brown for his signature. He reported that a hearing was held on August 13th by the Senate Appropriations Committee for AB 2050, the Small Water System Authority Act, and the bill was subsequently placed in a suspense file. He stated that this bill could either move to the floor for a vote or die after each house has evaluated the fiscal impacts. He noted that according to the District's lobbyist, the bill could potentially be vetoed and some elements of the bill could end up in a budget trailer bill. He also reported that SB 998 (Dodd) related to water system shutoffs was currently in the Assembly Appropriations Committee and was being reviewed on whether the proposed bill would comply with Proposition 218. He noted that Senator Dodd amended the bill so that a reconnection fee no greater than \$50 could be charged to low-income households. He also noted that the District currently charges a \$50 reconnection fee and a deposit of \$50 to \$500. He stated that the proposed law does not address charging deposit fees. He also stated the District's concerns are the additional efforts related to annual reporting, the longer time period before service may be shut off to customers for non-payment, and the waiver of interest charges to low-income customers. He also provided an update regarding SB 623 (Monning), the Safe and Affordable Drinking Water Fund, and noted that water agencies would be asked to place a "voluntary donation" on each customer's bill. He stated that customers would need to opt out in order to avoid paying the donation amount. He noted that District staff is concerned and are ready to educate customers on what they need to do to opt out. He also reported that the hearing for extending State Water Project contracts was canceled in response to over 100 phone calls and letters from the San Diego County Water Authority and environmental organizations requesting a delay to August 31st. He noted that the San Diego County Water Authority expressed concern on how the cost for the California WaterFix would be allocated, and argued that these concerns needed to be resolved before the contracts are extended. He stated that the reason to hold the hearing prior to August 31st was because failure to do could result in rate increases since the Department of Water Resources would not be able to obtain bonding that extends beyond 2035. He noted that MWD is asking its member agencies to write letters to their respective representatives to request that the hearing be rescheduled prior to August 31st.

D Water Supply Conditions Update

Joe McDermott, Director of Resource Conservation and Public Outreach, presented the report.

6. TREASURER

Director Renger stated that the Treasurer's report was in order.

7. FACILITIES AND OPERATIONS

**A Las Virgenes Reservoir Inundation Study and Emergency Action Plan:
Approval of Scope Change**

Authorize the General Manager to execute a change in scope for the professional services agreement with Mead & Hunt, Inc., in the amount of \$18,260, to address comments by the Division of Safety of Dams and Governor's Office of Emergency Services on the updated inundation map and Emergency Action Plan for Las Virgenes Reservoir.

General Manager David Pedersen presented the report.

Director Renger moved to approve Item 7A as presented. Motion seconded by Director Caspary. Motion carried unanimously.

8. INFORMATION ITEMS

A 2019 ACWA/JPIA Medical Insurance Premiums

B GFOA Award for Popular Annual Financial Report

9. NON-ACTION ITEMS

A Organization Reports

- (1) MWD Representative Report/Agenda(s)

Board President Peterson reported that the next MWD Board meeting would be held on August 24th. He also reported that the Colorado River Board would meet on August 15th and elect a new Chairman following the resignation of Bart Fisher. He noted that there would be an MWD night at Dodger Stadium on August 24th where they would highlight water conservation commercials during intermissions.

- (2) Other

B Director's Reports on Outside Meetings

Director Polan reported that he attended the CASA Conference in Monterey. He noted that a presentation was provided by a scientist from the Environmental Protection Agency who stated that 32 percent of plastics worldwide end up in the ocean, and the plastics also pick up pollutants and nano-sized particles that are absorbed into the food chain and the wastewater system. He also noted that microfibers contribute to components in water.

Board President Peterson reported that he also attended the CASA Conference. He noted that the keynote speaker was Chad Pregarcke, President and Founder of Living Lands and Waters, who started his cleanup company by working in the Mississippi River when he was 23 years old.

C General Manager Reports

(1) General Business

General Manager David Pedersen reported that the Quarterly Wastewater Tour was held on August 11th, which was attended by 25 people and hosted by Director Len Polan and JPA Director Janna Orkney. He also reported that there was a vacancy on the Los Angeles Regional Water Quality Control Board due to the resignation of James Famiglietti. He noted that Jim Stahl, former General Manager and Chief Engineer of the Los Angeles County Sanitation Districts, applied to the Governor's Office for appointment, and he asked for support letters. He also noted that a coalition was being formed to sign a support letter, and he recommended that the District sign the letter of support. The Board expressed support.

(2) Follow-Up Items

D Directors' Comments

None.

10. FUTURE AGENDA ITEMS

None.

11. PUBLIC COMMENTS

None.

12. CLOSED SESSION

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

Tiffany Wright v. Las Virgenes Municipal Water District

B Conference with Real Property Negotiators (Government Code Section 54956.8):

District Negotiators: David W. Pedersen, General Manager and Keith Lemieux, Legal Counsel

Property Owner Negotiator: The Feinberg Institute, Inc., dba ROWI, represented by CBRE

Property: 4232 Las Virgenes Road, Suite B

District will be negotiating price and terms

The Board recessed to Closed Session at **6:06 p.m.** and reconvened to Open Session at **6:48 p.m.**

District Counsel Keith Lemieux announced that the Board received a report regarding Item 12A, Tiffany Wright v. Las Virgenes Municipal Water District, and unanimously approved the settlement agreement in the amount of \$151,243.73.

District Counsel Keith Lemieux also announced that the Board received a report regarding Item 12B and unanimously approved entering into a lease agreement with The Feinberg Institute, Inc., dba ROWI, as follows:

- 3-year lease (September 1, 2018 through August 31, 2021)
- \$1.70 per square foot with 3% annual escalation
- One month of rent abatement
- Up to \$5,000 of tenant improvements allowance
- 2 months of advance rent/security deposit
- Tenant provides own janitorial services
- District may require third-party guarantor

The Board also instructed the General Manager to execute the lease agreement.

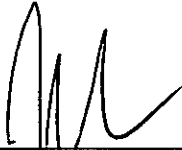
13. OPEN SESSION AND ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **6:49 p.m.**



GLEN PETERSON, President
Board of Directors
Las Virgenes Municipal Water District

ATTEST:



JAY LEWITT, Secretary
Board of Directors
Las Virgenes Municipal Water District

(SEAL)