



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

MINUTES
SPECIAL MEETING

5:00 PM

May 14, 2019

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by David Lippman.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **5:00 p.m.** by Vice President Polan 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, Lynda Lo-Hill, Len Polan, and Lee Renger
Absent: Director Jay Lewitt
Staff Present: David Pedersen, General Manager
David Lippman, Director of Facilities and Operations
Joe McDermott, Director of Resource Conservation and Public Outreach
Don Patterson, Director of Finance and Administration
Josie Guzman, Clerk of the Board
Keith Lemieux, District Counsel

2. APPROVAL OF AGENDA

Vice President Polan requested that Item 5A be moved up prior to the Consent Calendar.

Director Caspary moved to approve the agenda as amended. Motion seconded by Director Lo-Hill. Motion carried by the following vote:

AYES: Caspary, Lo-Hill, Polan, Renger

NOES: None
ABSTAIN: None
ABSENT: Lewitt

3. PUBLIC COMMENTS

None.

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Poster Contest Awards Ceremony

Mike McNutt, Public Affairs and Communications Manager, welcomed the students, parents, educators, and guests, and provided introductory remarks regarding this year's Water Awareness Student Art Contest.

The Board Members presented the awards to the top 12 finalists, including two new awards: the People's Choice award and LVMWD staff award.

The Ann Dorgelo Water Awareness Perpetual Trophy was awarded to Willow Elementary School.

4. CONSENT CALENDAR

A List of Demands: May 14, 2019: Ratify

B Minutes: Special Meeting of April 22, 2019, Regular Meeting of April 23, 2019, and Special Meeting of April 24, 2019: Approve

C Directors' Per Diem – April 2019: Ratify.

D Multiprotocol Label Switching Service: Contract Amendment

Authorize the General Manager to execute a contract amendment with ACC Business, in the amount of \$4,980, for extended multiprotocol label switching service.

E Purchase Order for Contract Laboratory Services: Amendment

Authorize the General Manager to increase the purchase order with Weck Laboratories, Inc., by \$21,000, from \$90,000 to \$111,000, for the period of July 1, 2018 through June 30, 2019.

Director Lo-Hill moved to approve the Consent Calendar. Motion seconded by Director Renger. Motion carried by the following vote:

AYES: Caspary, Lo-Hill, Polan, Renger

NOES: None
ABSTAIN: None
ABSENT: Lewitt

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS (Continued)

B Proclamation Recognizing David Lippman, Director of Facilities and Operations, for 33 Years of Service

The Board presented a proclamation to David Lippman, Director of Facilities and Operations, in recognition of his retirement following 33 years of service. Mr. Lippman expressed his appreciation to the Board.

Jeff Reinhardt acknowledged Mr. Lippman for his accomplishments.

C MWD Representative Report

Glen Peterson, MWD Representative, acknowledged Deborah Peters and David Lippman on their retirement from the District. He reported that the MWD Board awarded \$53,273,196 to J.F. Shea Construction for the rehabilitation of portions of the Second Lower Feeder Project; awarded \$8,888,000 to Myers & Sons Construction to rehabilitate the flocculators in Module Nos. 2 and 3 at the Joseph Jensen Water Treatment Plant; authorized agricultural leases in the Palo Verde Valley; and inducted Director Sylvia Ballin from the City of San Fernando to the Board. He noted that he, MWD Chairwoman Gloria Gray, and MWD General Manager Jeff Kightlinger were invited to attend the signing of the Colorado River Drought Contingency Plan at Hoover Dam on May 20th.

D Legislative and Regulatory Updates

Joe McDermott, Director of Resource Conservation and Public Outreach, reported that the State Legislature was wrapping up the first half of the 2019 Session. He noted that the Senate Budget Subcommittee No. 2 would introduce a proposal on May 15th to fund AB 217 (Garcia), the Safe Drinking Water for All Act, from the General Fund. He also reported that SB 474 (Stern) was amended for the Habitat Conservation Fund, and the bill no longer dealt with water issues. He also reported that Governor Gavin Newsom issued Executive Order N-10-19 on April 29th related to the preparation of a water resiliency portfolio. He noted that the Executive Order supports only one tunnel for the California WaterFix. He also reported that a copy of a letter to the Commission on Catastrophic Wildfire Cost & Recovery was provided to the Board. He stated that the letter encourages the Legislature and the Governor to address the negative impact the existing wildfire liability regime has on California's public drinking water suppliers, their ratepayers, and the dependability of the State's drinking water systems.

E Water Supply Conditions Update

Joe McDermott, Director of Resource Conservation and Public Outreach, presented the report. He noted that there was an abundance of snow in the Northern Sierras; however,

he reminded everyone of the continuing need to use water efficiently.

6. TREASURER

Director Lo-Hill stated that the Treasurer's report was in order.

7. BOARD OF DIRECTORS

A Consideration of Date Change for Regular Board Meetings

Pass, approve and adopt proposed Resolution No. 2554, adjusting the date of the regular Board meetings from the second and fourth Tuesday of each month to the first and third Tuesday of each month.

RESOLUTION NO. 2554

A RESOLUTION OF THE BOARD OF DIRECTS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AMENDING RESOLUTION NO. 2468 (ADMINISTRATIVE CODE) AS IT RELATES TO THE DATE OF DISTRICT MEETINGS

(Reference is hereby made to Resolution No. 2554 on file in the District's Resolution Book and by this reference the same is incorporated herein.)

General Manager David Pedersen presented the report. He noted that if approved, the October 1st Board meeting would be canceled due to a conflict with the Rosh Hashanah holiday, a Special Board meeting would be scheduled on October 3rd, and the December 3rd meeting would be canceled due to a conflict with the Association of California Water Agencies Fall Conference. He also noted that the proposed change in meeting dates would become effective August 2019.

Director Renger moved to approve Item 7A. Motion seconded by Director Caspary. Motion carried by the following vote:

AYES: Caspary, Lo-Hill, Polan, Renger

NOES: None

ABSTAIN: None

ABSENT: Lewitt

8. FACILITIES AND OPERATIONS

A Assessor Parcel No. 4438-037-003: Annexation

Pass, approve, and adopt proposed Resolution No. 2555, approving the annexation of APN 4438-037-003 to the District's service area.

RESOLUTION NO. 2555

JOINT RESOLUTION OF THE BOARD OF SUPERVISORS AS THE GOVERNING BODY OF THE COUNTY OF LOS ANGELES, THE COUNTY OF LOS ANGELES WATERWORKS DISTRICT NO. 29, THE CONSOLIDATED FIRE PROTECTION DISTRICT OF LOS ANGELES COUNTY, THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT, AND THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AND THE LOS ANGELES COUNTY WEST VECTOR CONTROL DISTRICT, APPROVING AND ACCEPTING THE NEGOTIATED EXCHANGE OF PROPERTY TAX REVENUE RESULTING FROM REORGANIZATION NO. 2017-10 (DETACHMENT OF TERRITORY FROM COUNTY OF LOS ANGELES WATERWORKS DISTRICT NO. 29, ANNEXATION OF SAID TERRITORY TO THE LAS VIRGENES MUNICIPAL WATER DISTRICT)

(Reference is hereby made to Resolution No. 2555 on file in the District's Resolution Book and by this reference the same is incorporated herein.)

General Manager David Pedersen presented the report.

Robert Douglas, applicant, provided his public comment via phone. He asked that the Board approve the annexation in order to allow him to connect to the District's water main.

Director Caspary moved to approve Item 8A. Motion seconded by Director Renger. Motion carried by the following vote:

AYES: Caspary, Lo-Hill, Polan, Renger

NOES: None

ABSTAIN: None

ABSENT: Lewitt

B Mulholland Bridge Temporary Pipeline Installation: Continuation of Emergency

Approve the continuation of emergency declaration for the installation of a temporary water main across the temporary Mulholland Highway Bridge near Troutdale Drive and Waring Drive, in unincorporated Los Angeles County.

General Manager David Pedersen presented the report.

Director Renger moved to approve Item 8B. Motion seconded by Director Caspary.

David Lippman, Director of Facilities and Operations, responded to a question regarding the name of the contractor and the cost by stating that the contractor was Toro Enterprises and the cost was approximately \$150,000. He noted that the pipeline was installed and disinfected, and the paving work remains.

Motion carried by the following vote:

AYES: Caspary, Lo-Hill, Polan, Renger

NOES: None

ABSTAIN: None

ABSENT: Lewitt

9. **FINANCE AND ADMINISTRATION**

A Claim by Charles Boyd

Deny the claim by Charles Boyd

General Manager David Pedersen presented the report.

Director Lo-Hill moved to deny the claim filed by Charles Boyd. Motion seconded by Director Renger. Motion carried by the following vote:

AYES: Caspary, Lo-Hill, Polan, Renger

NOES: None

ABSTAIN: None

ABSENT: Lewitt

B Claim by Linda Paduano

Deny the application for leave to present a late claim by Linda Paduano.

General Manager David Pedersen presented the report.

Linda Paduano inquired regarding the criteria used to deny a claim. Keith Lemieux, District Counsel, responded that the criteria falls under the Torts Claim Act, and late claims must be filed within one year.

Ms. Paduano stated that she considered her claim began the day she discovered the damages. She expressed concern that the District did not notify customers nine years ago when the water was shut off. She also stated she was unaware she could have filed a claim when the damages occurred at that time.

General Manager David Pedersen noted that there was no record of a failure occurring at the time indicated in Ms. Paduano's claim.

Mr. Lemieux stated that criteria for the timeliness of claims could be located under Government Code Section 911.4(b).

Director Renger moved to deny the claim filed by Linda Paduano. Motion seconded by Director Caspary. Motion carried by the following vote:

AYES: Caspary, Lo-Hill, Polan, Renger
NOES: None
ABSTAIN: None
ABSENT: Lewitt

10. RESOURCE CONSERVATION AND PUBLIC OUTEACH

A Update on Water Conservation Legislation and Conservation Efforts

Receive and file the *Water Conservation Report: Legislation and Current Conservation Efforts*.

Dave Roberts, Resource Conservation Manager, presented the report and a PowerPoint presentation, which included an overview of 2018 Legislative Actions (AB 1668, SB 606, AB 555), current conservation regulations and compliance, *Making Conservation a California Way of Life*, and the Comprehensive Water Conservation Plan.

Darrell Johnson, Customer Service Manager, provided a summary of work related to one-on-one consultations and customer service water surveys. He also provided examples of two success stories following one-on-one consultations. Director Renger suggested that staff keep track of how much money customers save following one-on-one consultations.

Mr. Roberts continued the PowerPoint presentation and summarized the Smart Irrigation Controller Program. Director Caspary requested that staff keep track of the number of weather based irrigation controllers installed that utilize the flow meters provided by Rachio.

Mr. Roberts continued the PowerPoint presentation and summarized the Landscape Conversion Initiative, Rain Barrel Program, and conclusions to achieve conservation objectives and increase conservation efforts.

A discussion ensued regarding conducting outreach to customers regarding water conservation regulations and exploring rebates for installing cisterns.

Director Caspary moved to receive and file Item 10A. Motion seconded by Director Renger. Motion carried by the following vote:

AYES: Caspary, Lo-Hill, Polan, Renger
NOES: None
ABSTAIN: None
ABSENT: Lewitt

11. INFORMATION ITEMS

None.

12. NON-ACTION ITEMS

A Organization Reports

None.

B Director's Reports on Outside Meetings

Director Lo-Hill reported that she attended the Southern California Water Coalition luncheon on April 26 where they discussed surface water collection following storm events.

Director Renger reported that he attended the Association of California Water Agencies (ACWA) Spring Conference in Monterey. He noted that General Manager David Pedersen provided a presentation regarding the Woolsey Fire. He also noted that he attended sessions regarding groundwater in the Central Valley and the single tunnel project for the California WaterFix.

Vice President Polan reported that he also attended the ACWA Spring Conference where he participated in the Water Management Committee meeting and sessions regarding water resiliency, tracking system leaks, water theft, the Sites Dam Project, headwaters and fire prevention issues, the Forest Resilience Bond and use of social media.

C General Manager Reports

(1) General Business

General Manager David Pedersen congratulated David Lippman on his retirement. He noted that John Zhao would be appointed as the Interim Director of Facilities and Operations. He also congratulated Jim Korkosz on his appointment as the Facilities Manager. He noted several upcoming events listed on the calendar.

(2) Follow-Up Items

D Directors' Comments

None.

13. FUTURE AGENDA ITEMS

None.

14. PUBLIC COMMENTS

None.

15. CLOSED SESSION

A Conference with District Counsel – Existing Litigation (Government Code Section 94956.9(a)):

Jackson McPherson v. Las Virgenes Municipal Water District (California Superior Court Case No. BC711424)

The Board recessed to Closed Session at 7:56 p.m. and reconvened to Open Session at 8:06 p.m.

Keith Lemieux, District Counsel, announced that the Board met in Closed Session and there was no reportable action.

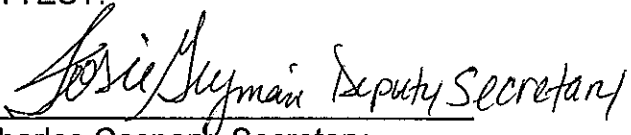
16. OPEN SESSION AND ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at 8:07 p.m.



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

ATTEST:



Charles Caspary, Secretary
Board of Directors
Las Virgenes Municipal Water District

(SEAL)