



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

MINUTES
REGULAR MEETING

9:00 AM

June 11, 2019

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Shawn Triplett.

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 Charles Caspary, Jay Lewitt, Lynda Lo-Hill, Len Polan, and Lee Renger

Absent: None

Staff Present: David Pedersen, General Manager
Joe McDermott, Director of Resource Conservation and Public Outreach
Don Patterson, Director of Finance and Administration
John Zhao, Interim Director of Facilities and Operations
Josie Guzman, Clerk of the Board
Manuel Serpa, District Counsel

2. APPROVAL OF AGENDA

Director Renger moved to approve the agenda. Motion seconded by Director Caspary. Motion carried unanimously.

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

A List of Demands: June 11, 2019: Ratify

B Minutes: Regular Meeting of May 28, 2019: Approve

C Directors' Per Diem: May 2019: Ratify.

D Stunt Road Water Main Break Asphalt Repair: End of Emergency

Declare an end to the emergency for the asphalt restoration work on Stunt Road, near the Stunt Road pump Station, in unincorporated Los Angeles County.

Director Caspary moved to approve the Consent Calendar. Motion seconded by Director Lo-Hill. Motion carried unanimously.

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Legislative and Regulatory Updates

Joe McDermott, Director of Resource Conservation and Public Outreach, reported that the Association of California Water Agencies (ACWA) State Legislative Committee voted to oppose AB 402 (Quirk) unless amended. He stated that this bill would authorize the State Water Resources Control Board (SWRCB) to assess fees on all public water systems in order to subsidize regulatory oversight costs of Local Primacy Agencies for small water systems. He noted that the Senate Environmental Quality Committee would consider this bill at its June 19th hearing. He also reported that the State Budget Conference Committee had agreed on language for inclusion in the budget trailer bill to appropriate \$130 million annually to a safe drinking water fund. He provided an update regarding AB 217 (Garcia), the Safe Drinking Water for All Act, which includes a portfolio approach for funding safe, clean and affordable water. He stated that it would be difficult to justify another tax due to the State's projected \$21.5 billion budget surplus; therefore, it was unlikely that AB 217 would move forward. He also reported that the House of Representatives was back in session, and several appropriation bills had moved forward for consideration. He noted there were approximately 20 bills related to perfluoroalkyl and polyperfluoroalkyl substances (PFASs), which are man-made chemicals used for manufacturing nonstick cooking surfaces for pans and other purposes. He stated that these bills call for additional research and data collection, and for setting arbitrary mandates on limits and concentrations of PFASs that could end up in potable water supplies. He noted that the latter purpose of these bills does not comply with the Board-adopted legislative policy principles due to setting arbitrary limits.

Director Caspary requested that staff prepare a letter in opposition to AB 402 to submit to the Senate Environmental Quality Committee.

B Water Supply Conditions Update

Joe McDermott, Director of Resource Conservation and Public Outreach, presented the report and 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 Nomination for ACWA Region 8 Board of Directors

Pass, approve and adopt proposed Resolution No. 2558, supporting the nomination of Director Leonard E. Polan to the ACWA Region 8 Board of Directors.

RESOLUTION NO. 2558

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT PLACING IN NOMINATION DIRECTOR LEONARD E. POLAN AS A MEMBER OF THE ASSOCIATION OF CALIFORNIA WATER AGENCIES REGION 8 BOARD OF DIRECTORS

(Reference is hereby made to Resolution No. 2558 on file in the District's Resolution Book and by this reference the same is incorporated herein.)

General Manager David Pedersen presented the report.

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

B Retainer Increase for Olivarez Madruga Lemieux O'Neill, LLP

Approve an amendment to the professional services agreement with Olivarez Madruga Lemieux O'Neill, LLP, Attorneys at Law, to increase the monthly fee for transactional services by five percent, from \$7,350 to \$7,719 per month.

General Manager David Pedersen presented the report.

Director Caspary moved to increase the monthly fee for transactional services by four percent. Motion seconded by Director Polan.

A discussion ensued regarding the previous year's five percent adjustment to the agreement, the types of professional services covered under transactional services, and separate charges beyond the scope of transactional services.

Director Caspary withdrew his motion.

Director Caspary moved to approve Item 7B. Motion seconded by Director Renger.

Manuel Serpa, District Counsel, stated that District Counsel could provide a cost comparison of legal services provided to similar districts, and a cost breakdown from the past ten years including types of tasks provided.

Motion carried unanimously.

C Proposed Cancellation of Two Regular Board Meetings

Cancel the regular Board meetings on July 9, 2019 and January 7, 2020.

General Manager David Pedersen presented the report.

Director Lo-Hill moved to approve Item 7C. Motion seconded by Director Caspary.

A discussion ensued regarding past practice for cancelling Board meetings in proximity to the holidays, the recent change to hold regular Board meeting dates on the first and third Tuesdays of each month, and maintaining flexibility for cancelling Board meetings.

Motion failed by the following vote:

AYES: Lo-Hill

NOES: Caspary, Lewitt, Polan, Renger

ABSTAIN: None

ABSENT: None

8. FACILITIES AND OPERATIONS

A Woolsey Fire Response and Recovery: Grant Relief to Specified Customers to Support Rebuilding of Destroyed Homes

Pass, approve and adopt proposed Resolution No. 2557, granting relief to specified customers to support rebuilding of homes destroyed by the Woolsey Fire.

RESOLUTION NO. 2557

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT GRANTING RELIEF TO SPECIFIED CUSTOMERS TO SUPPORT REBUILDING OF HOMES DESTROYED BY THE WOOLSEY FIRE

(Reference is hereby made to Resolution No. 2557 on file in the District's Resolution Book and by this reference the same is incorporated herein.)

General Manager David Pedersen presented the report.

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

Judie Gilli, Associate Planner with the City of Calabasas, noted that the entire city was evacuated during the Woolsey Fire, and nine homes were lost. She addressed the ways that the city has assisted affected homeowners by streamlining various processes so that they may rebuild their homes. She submitted a letter from the City in support of the adoption of proposed Resolution No. 2557.

General Manager David Pedersen responded to a question regarding the proposal to waive the differential cost in capacity fees for qualifying customers who upsize their existing 3/4-inch meter to a one-inch meter. He noted that the cost to qualifying customers would be \$3,116 for the new meter and installation.

Director Polan suggested an amendment to the proposed resolution to allow a replacement dwelling plus ten percent square footage as opposed to five percent. He also expressed concern with the December 31, 2020 timeframe due to potential delays with processing approvals through the California Coastal Commission.

A discussion ensued regarding qualifying customers' ability to prepay for the meters and have them installed before their homes are built, which would allow customers to take advantage of locking in the rate.

Director Lo-Hill moved to amend proposed Resolution No. 2557 to allow for replacement dwellings plus ten percent square footage and extend the credit expiration date through December 31, 2021. Motion seconded by Director Polan.

Director Renger moved to amend proposed Resolution No. 2557 to extend the credit expiration date through December 31, 2021. Motion seconded by Director Polan.

The motion to amend proposed Resolution No. 2557 to extend the credit expiration date through December 31, 2021 carried by the following vote:

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

The motion to amend proposed Resolution No. 2557 to allow for a replacement dwelling plus ten percent square footage failed by the following vote:

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

The motion to approve Item 8A, with modification to Resolution No. 2557 to extend the credit expiration date through December 31, 2021, carried by the following vote:

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

9. INFORMATION ITEMS

A Claim Filed by Michael Steven Hart

General Manager David Pedersen responded to questions regarding the settlement, which was agreed upon with the claimant.

10. NON-ACTION ITEMS

A Organization Reports

None.

B Director's Reports on Outside Meetings

None.

C General Manager Reports

(1) General Business

General Manager David Pedersen reviewed several upcoming events listed on the calendar. He noted that the June 25th Board meeting would be held at 5:00 p.m., which would include the Solar Cup Presentation. He also noted that the Calleguas-Las Virgenes Public Financing Authority Meeting would be held on June 25th at 4:30 p.m., and the JPA meeting would be held on July 1st at 5:00 p.m. He mentioned he would be on vacation the first week of July, and Joe McDermott would cover the JPA meeting in his absence. He also mentioned that a delegation from South Korea would be touring the Westlake Filtration Plant on June 13th.

(2) Follow-Up Items

D Directors' Comments

Director Lo-Hill mentioned that the City of Calabasas Night at Dodger Stadium would be held June 14th.

Board President Lewitt noted there was a brief discussion during the Board's Strategic Planning Session regarding a proposed campaign to promote broader acceptance of drinking tap water. He stated that staff would provide a report regarding the proposed LV Tap campaign at the July 23rd Board Meeting.

11. **FUTURE AGENDA ITEMS**

None.

12. **PUBLIC COMMENTS**

None.

13. **CLOSED SESSION**

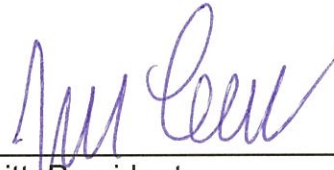
A Conference with Legal Counsel – Anticipated Litigation (Government Code Section 54956.9(d)(2) and (e)(3)) – One Matter

The Board recessed to Closed Session at **10:35 a.m.** and reconvened to Open Session at **11:21 a.m.**

Manuel Serpa, District Counsel, announced that the Board met in Closed Session to receive a report regarding a claim submitted by former District employee Jan Dougall, and the Board voted to reject the claim.

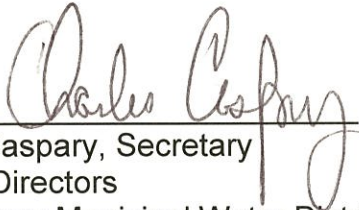
14. **OPEN SESSION AND ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at **11:21 a.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)