



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

MINUTES
REGULAR MEETING

9:00 AM

December 17, 2019

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Mary Capps.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **9:03 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. Mary Capps, Acting Clerk of the Board, conducted the roll call.

Present: Directors Charles Caspary, Jay Lewitt, Lynda Lo-Hill, Len Polan (departed at 9:34 a.m.), and Lee Renger

Absent: None

Staff Present: David Pedersen, General Manager
Joe McDermott, Director of Engineering and External Affairs
Don Patterson, Director of Finance and Administration
John Zhao, Director of Facilities and Operations
Mary Capps, Acting Clerk of the Board
Keith Lemieux, District Counsel

2. APPROVAL OF AGENDA

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

3. PUBLIC COMMENTS

Chris Wheeler of Brown Construction & Development addressed the Board regarding the claim filed by Kurt Bendler. Mr. Wheeler stated that they were looking forward to a resolution of the claim, which had been under investigation for approximately one year, and explained that the claimant was looking for an expedited resolution as the claim status was affecting his standard of living.

Shahin Benyamin, a customer of the District, addressed the Board regarding her property located at 28254 Laura La Plante Drive in Agoura Hills. Ms. Benyamin stated that she paid for the potable water capacity fee and installation charge for a water meter; however, she did not pay the full amount for the sewer capacity fee. She noted that in the meantime there has been a fee increase for the sewer capacity fee. She requested relief from the increased fee as she was not aware that she needed to connect to the sewer system in order to lock in the rate.

4. CONSENT CALENDAR

A List of Demands: December 17, 2019: Receive and File.

B Minutes: Regular Meeting of November 19, 2019: Approve.

C Directors' Per Diem – November 2019: Ratify.

D Monthly Cash and Investment Report: October 2019

Receive and file the Monthly Cash and Investment Report for October 2019.

E CIS Software: Annual Support and Maintenance Agreement

Authorize the General Manager to execute an annual support and maintenance agreement with Advanced Utility Systems, in the amount of \$73,824.01 plus applicable taxes, for the District's Customer Information System Software.

F Customer Service Front Office Area Remodel: Contract Amendment

Authorize the General Manager to increase the contract with Bluescape Interiors by \$1,043.44, from \$35,000 to \$36,043.44, for the installation of noise-cancelling glass as part of the front office area remodel work.

G Standby Charge and Deferral Program Administration: Contract Award

Accept the proposal from Harris and Associates and authorize the General Manager to execute a three-year professional services agreement, in an annual amount not to exceed \$28,790 plus postage costs, with an optional two-year extension at a maximum 5% increase to annual amount for on-going administration of the standby charge and deferral program.

H LVUSD Science Team Water-Related Curriculum for 4th and 5th Grade Education: Grant Agreement

Authorize the General Manager to execute a one-year agreement with Las Virgenes Unified School District, in the amount of \$107,000, for the Science Team Water-Related Curriculum for 4th and 5th Grade Education.

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

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Introduction of New Employees

Don Patterson, Director of Finance and Administration, introduced Eddie Rodriguez, Storekeeper.

John Zhao, Director of Facilities and Operations, introduced the following new employees: Kourtney Hayne, Management Analyst I; and Salvador Venancio, Electrical/Instrumentation Technician II.

B Recognition of Doug Barrow, Technical Services Support Supervisor, for 32 Years of Service

The Board presented a proclamation to Doug Barrow, Technical Services Support Supervisor, in recognition of his retirement following 32 years of service. Mr. Barrow expressed his appreciation to the Board.

C Recognition of Director Jay Lewitt, Board President, for Five Years of Service

Director Polan presented Board President Lewitt with a Certificate of Recognition and a pin for his five years of service on the Las Virgenes Municipal Water District Board of Directors.

D Recognition of Directory Lynda Lo-Hill, Treasurer, for One Year of Service

Board President Lewitt presented Director Lo-Hill with a Certificate of Recognition for one year of service on the Las Virgenes Municipal Water District Board of Directors.

E MWD Representative Report

Glen Peterson, MWD Representative, reported that he attended the San Diego Pure Water Project Tour. He thanked the Board for inviting him and stated that it was very timely and insightful. He noted that the MWD Board approved a Local Resources Program Agreement with the San Diego County Water Authority and the City of San Diego for the San Diego Pure Water North City Project Phase 1. He provided an update regarding the MWD Board's offer to compromise to resolve the lawsuits filed by the San Diego County

Water Authority regarding water rates. He also provided an update regarding MWD's direction to use the Fiscal Year 2019-20 year-end balance for its Water Stewardship Program and not to collect its Water Stewardship Rate. He also reported that the MWD Board approved a contract with Kubota Corporation for earthquake resistant ductile iron pipe for the Casa Loma Siphon Barrel No. 1; adopted the state and federal legislative priorities for 2020; approved a program agreement with Bard Water District and farmers within the Bard Unit to provide incentives for land fallowing; and approved amendments to agreements with Desert Water Agency and Coachella Valley Water District regarding the exchange and delivery of water. He responded to a question regarding the availability of MWD's new rate realignment and rate structure for review by stating that MWD staff was currently initiating the preparation of a new two-year budget and the new rates would be available by budget time.

Director Polan departed from the meeting at 9:34 a.m.

F Legislative and Regulatory Updates

Joe McDermott, Director of Engineering and External Affairs, reported that the State Legislature would reconvene on January 6, 2020, and new bills would begin to be introduced at that time. He also reported that General Manager David Pedersen attended a California Association of Sanitation Agencies (CASA) State Legislative Committee Planning meeting in Sacramento on December 13th, where they discussed CASA's priorities to introduce a new bill that would regulate the use of flushable wipes and focus on developing a material content standard rather than a performance standard. He also reported that progress continued on federal spending bills and legislative matters. He noted that lawmakers completed negotiations regarding the National Defense Authorization Act, which included removing provisions related to cleanup of perfluoroalkyl and polyfluoroalkyl substances (PFAS) from military bases and other federally-owned properties. He noted that lawmakers expressed interest in embedding PFAS issues in a regulatory process through the Environmental Protection Agency and addressing PFAS on a scientific basis. He also provided an update regarding proposed amendments to H.R. 1497, the Water Quality Protection and Job Creation Act. He noted that the amendments would ensure that projects would continue to be eligible to receive the maximum possible grants from the Bureau of Reclamation, which could include the Pure Water Project Las Virgenes-Triunfo.

G Water Supply Conditions Update

Joe McDermott, Director of Engineering and External Affairs, presented the report. He noted that precipitation was at approximately 80 percent of normal, and snow was at 95 percent of normal. He also noted that the Department of Water Resources announced a 10 percent allocation for State Water Project Contractors. He reported that District staff had begun refilling Las Virgenes Reservoir. He noted that the low level elevation was at 1,033 feet on December 6th, and staff was anticipating bringing the level up to 1,042 feet over the next month, which would be a nine foot rise in the water level or 1,204 acre feet.

6. TREASURER

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

7. GENERAL MANAGER

A Salary Resolution and Management Handbook Update: Approval and Adoption

Pass, approve, and adopt proposed Resolution No. 2567, establishing salaries for employees; and approve the updated Management Handbook.

RESOLUTION NO. 2567

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT ESTALBISHING SALARIES FOR EMPLOYEES

(Reference is hereby made to Resolution No. 2567 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 Caspary moved to approve Item 7A. Motion seconded by Director Renger. Motion carried by the following vote:

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

8. FACILITIES AND OPERATIONS

A On-Call Pipeline Repair and Paving Services: Calls for Bids

Authorize the issuance of two calls for bids, one for on-call pipeline repair and paving services and one for paving services only.

General Manager David Pedersen presented the report.

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

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

B Succession Planning: Limited-Term Staffing Augmentation at Tapia Water Reclamation Facility

Approve the addition of one limited-term Water Reclamation Plant Operator I/II position (Salary Grade 42/62) at the Tapia Water Reclamation Facility for succession planning purposes.

General Manager David Pedersen presented the report.

Wayne Wink, Chief Water Reclamation Plant Operator, stated that the plan would allow the new employee to access the training and time required to obtain the certification necessary to work stand-by.

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

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

9. FINANCE AND ADMINISTRATION

A Fiscal Year 2018-19 Comprehensive Annual Financial Report

Receive and file the Fiscal Year 2018-19 Comprehensive Annual Financial Report.

General Manager David Pedersen presented the report.

Coley Delaney, representing The Pun Group, provided a PowerPoint presentation and overview of the Fiscal Year 2018-19 Comprehensive Annual Financial Report, including the audit approach; summary statement of net position; summary statements of revenues, expenses, and changes in net position; summary statement of cash flow; GASB 68 pension standards; other post-employment benefits plan (OPEB); and unmodified opinion audit results.

Director Caspary inquired whether annual actuarial studies were performed on the District's pension liabilities and other post-employment benefits (OPEB). Mr. Delaney responded by explaining that the June 30, 2019 pension liability numbers were based on the CalPERS actuarial evaluation ending June 30, 2017, and would always be two years behind. He also explained that unlike the pension liabilities, the OPEB liability is based on the actuarial evaluation ending June 30, 2018, and would always be one year behind.

Director Lo-Hill added that the Comprehensive Annual Financial Report (CAFR) continuously receives rewards, and she found the unmodified opinion to be valuable.

Director Caspary moved to approve Item 9A. Motion seconded by Director Lo-Hill. Motion carried by the following vote:

AYES: Caspary, Lewitt, Lo-Hill, Renger

NOES: None

ABSTAIN: None

ABSENT: Polan

10. ENGINEERING AND EXTERNAL AFFAIRS

A 2019 Local Hazard Mitigation Plan: Adoption

Pass, approve, and adopt proposed Resolution No. 2566, adopting the 2019 Hazard Mitigation Plan

RESOLUTION NO. 2566

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT ADOPTING THE 2019 HAZARD MITIGATION PLAN

(Reference is hereby made to Resolution No. 2566 on file in the District's Resolution Book and by this reference the same is incorporated herein.)

Veronica Hurtado, Assistant Engineer, presented the report.

Board President Lewitt inquired regarding the population data for the unincorporated areas of the District. Don Patterson, Director of Finance and Administration, explained that it is generally more difficult to acquire the census data for the unincorporated areas and noted that the most recent census data is from 2010. General Manager David Pedersen added that the population for the unincorporated areas was approximately 15,000, bringing the total population served by the District to approximately 70,000. Board President Lewitt requested that a note be added to reflect the 2010 census data for the unincorporated areas.

Director Renger moved to approve Item 10A. Motion seconded by Director Lo-Hill. Motion carried by the following vote:

AYES: Caspary, Lewitt, Lo-Hill, Renger

NOES: None

ABSTAIN: None

ABSENT: Polan

B Westlake Filtration Plant and Torchwood Tank Landscaping Project: CEQA Determination and Call for Bids

Find that the work is exempt from the provisions of the California Environmental Quality Act and authorize the issuance of a Call for Bids for the Westlake Filtration

Plant and Torchwood Tank Landscaping Project

Veronica Hurtado, Assistant Engineer, presented the report.

A discussion ensued regarding the location of the landscaping and whether or not it would impede future repair activities.

Director Renger moved to approve Item 10B. Motion seconded by Director Lo-Hill. Motion carried by the following vote:

AYES: Caspary, Lewitt, Lo-Hill, Renger

NOES: None

ABSTAIN: None

ABSENT: Polan

11. INFORMATION ITEMS

A Reimbursable Expenses for Fiscal Year 2018-19

12. NON-ACTION ITEMS

A Organization Reports

Director Caspary reported that he attended the Santa Monica Bay Restoration Commission meeting on December 12th. He noted that a presentation was given by the County of Los Angeles regarding Measure W, which passed last year and raised a property tax levy of \$0.02 per square foot of impermeable area for all parcels in Los Angeles County. He also reported that the Santa Monica Bay Watershed was divided into three watershed areas, and General Manager David Pedersen would serve as the Chairperson of the North Santa Monica Bay Watershed Area Steering Committee. He noted that substantial funds would be available going forward to mitigate stormwater pollution through infiltration and other means. He also reported that the Commission adopted a finance plan for the work plan, which is a five-year plan that aims to improve environmental quality, not only to the Bay, but also to the lands tributary to the Bay as well. He also reported that elections were held for three categories: business, environmental groups, and members at-large.

B Director's Reports on Outside Meetings

Director Caspary reported that he attended the ACWA Joint Powers Insurance Authority (JPIA) meeting on December 2nd. He noted that ACWA/JPIA established a captive insurance provider, and it was not proposing a rate increase for liability policies this year, although the secondary market had seen increases of up to 60 percent. He also reported that he attended the ACWA conference and noted that this year's seminars were valuable, specifically noteworthy was the Public Safety Power Shutoffs session sponsored by the ACWA Energy Committee. He noted that the take-away from that session was that the Board should not approve construction of a tract prior to completion

of the tank that would provide fire flow protection to the tract.

Director Lo-Hill reported that she attended the Association of Water Agencies of Ventura County (AWAVC) Holiday Party and the ACWA conference. She stated that she found the session on energy surplus very interesting and noted that, due to the increased popularity of solar panels, the peak energy cost time had changed such that mid-day usage is among the least expensive. She noted that there was a discussion regarding energy providers partnering with water agencies, among others, to optimize energy consumption throughout the day.

Board President Lewitt reported that he attended the AWAVC meeting where a water supply briefing was provided by the General Managers from Calleguas Municipal Water District, Casitas Municipal Water District, and United Water Conservation District. He noted that there would be a 2021 Water Summit. He also reported that he attended the San Diego Pure Water Demonstration Project Tour on December 2nd.

C General Manager Reports

(1) General Business

General Manager David Pedersen reported that he sent thank you letters to Padre Dam Municipal Water District and the City of San Diego for providing the tours on December 2nd, and extended an open invitation for them to visit the Pure Water Demonstration Facility in the future. He noted that MWD held its annual poster contest award ceremony on December 10th, and District staff attended and provided a performance of its "Water Warriors". He also reported that a shutdown would occur on December 19th to repair a 30-inch water main on Agoura Road, west of Lewis Road.

(2) Follow-Up Items

D Directors' Comments

Director Lo-Hill thanked the Board and staff for her one year recognition and noted that she had enjoyed her first year on the Board.

13. FUTURE AGENDA ITEMS

Director Caspary acknowledged public comment by Shahin Benyamin and directed staff to investigate and provide direction to the customer, or bring back an item to the Board for further consideration.

Director Lo-Hill requested a future agenda item addressing customer feedback on the Rachio weather-based irrigation controllers.

14. PUBLIC COMMENTS

None.

15. CLOSED SESSION

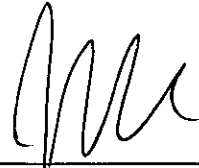
- A Conference with Legal Counsel – Liability Claim: Claimant: Mania, Jane (Government Code Section 54956.9(d)(2))**
- B Conference with Legal Counsel – Liability Claim: Claimant: Bendler, Kurt (Government Code Section 54956.9(d)(2))**

The Board recessed to Closed Session at **10:41 a.m.** and reconvened to Open Session at **11:24 a.m.**

Keith Lemieux, District Counsel, announced that during the Closed Session the Board received two reports on the above mentioned items and directed staff to deny Item 15A, a claim by Jane Mania, and settle Item 15B, a claim by Kurt Bendler.

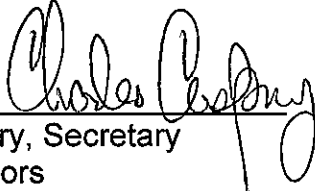
16. OPEN SESSION AND ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **11:25 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)