



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

MINUTES
REGULAR MEETING

9:00 AM

May 5, 2020

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Lee Renger.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **9:00 a.m.** by Board President Lewitt via teleconference in the Board Room at Las Virgenes Municipal Water District headquarters at 4232 Las Virgenes Road, Calabasas, CA 91302. The meeting was conducted via teleconference pursuant to the provisions of the Governor's Executive Order, N-29-20, which suspended certain requirements of the Ralph M. Brown Act to support social distancing guidelines associated with response to the coronavirus (COVID-19) pandemic. 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 Engineering and External Affairs
Don Patterson, Director of Finance and Administration
John Zhao, Director of Facilities and Operations
Josie Guzman, Clerk of the Board
Keith Lemieux, District Counsel

2. APPROVAL OF AGENDA

General Manager David Pedersen noted that Syrus Devers from Best Best & Krieger, LLP, would provide the State Legislative update.

Director Lo-Hill moved to approve the agenda. Motion seconded by Director Renger. Motion carried unanimously by roll call vote.

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

Director Lo-Hill pulled Item 4E from the Consent Calendar for discussion.

A List of Demands: May 5, 2020: Receive and file

B Minutes Special Meeting of April 13, 2020; Regular Meeting of April 21, 2020; and Special Meeting of April 27, 2020: Approve

C Las Virgenes Municipal Water District Conflict of Interest Code: Adoption

Pass, approve, and adopt proposed Resolution No. 2575, amending Resolution No. 2468 (Las Virgenes Code) as it relates to the Conflict of Interest Code.

RESOLUTION NO. 2575

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AMENDING RESOLUTION NO. 2468 (LAS VIRGENES CODE) AS IT RELATES TO THE CONFLICT OF INTEREST CODE

(Reference is hereby made to Resolution No. 2575 on file in the District's Resolution Book and by this reference the same is incorporated herein.)

D Annual Purchase Order with Grainger Industrial Supply: Approval of Increase

Authorize the General Manager to approve an increase to the purchase order with Grainger Industrial Supply, in the amount of \$12,000, from \$33,000 to \$45,000, with four one-year renewal options in the annual amount of \$45,000.

Director Lo-Hill moved to approve the Consent Calendar Items 4A, 4B, 4C, and 4D. Motion seconded by Director Renger. Motion carried unanimously by roll call vote.

4. CONSENT CALENDAR – SEPARATE ACTION ITEM

E Tract No. 53138 Deerlake Ranch, Chatsworth: Approval of Change in Scope for Environmental Documentation

Authorize the Director of Engineering and External Affairs to execute Change in Scope No. 2 to Envicom Corporation, increasing the contract amount by \$2,215, from \$28,562 to \$30,777, for a spring botanical survey for the proposed one-million gallon tank to serve the Twin Lakes Sub-system.

David Pedersen, General Manager, left the meeting due to a potential or actual conflict of interest as previously disclosed to the Board and described in the staff report.

Director Lo-Hill moved to approve Item 4E. Motion seconded by Director Polan.

Joe McDermott, Director of Engineering and External Affairs, presented the report. He responded to a question regarding replacing the tank instead of adding a second tank by stating that there was not sufficient space for an additional tank at the current site.

Eric Schlageter, Principal Engineer, discussed the challenges in seeking alternate sites for the new tank, which required that it be constructed at the same elevation as the current tank.

Mr. McDermott responded to a question regarding the history of the original tank by stating that the tank was designed for the development that was appropriate at the time; however, the new development would require additional water storage.

Motion carried unanimously by roll call vote.

General Manager Pedersen returned to the meeting.

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Legislative and Regulatory Updates

Syrus Devers, representing Best Best & Krieger, LLP, provided an update regarding Governor Newsom's criteria for reopening public spaces, businesses, and schools with the COVID-19 pandemic. He reported that the State Assembly returned to session on May 4th, and the State Senate would return on May 11th. He responded to a question regarding the State's efforts in securing funds from the federal government for unemployment compensation claims.

Mr. Devers also provided an update regarding proposed SB 1099 (Dodd) related to emergency generator testing. He noted that this bill might be considered as part the COVID-19 response, wildfires, and housing topics to be addressed by the Legislature. He stated that he believed the bill would move forward; however, Senator Benjamin Allen, the Chair of the Senate Standing Committee on Environmental Quality, expressed reservations regarding the bill's effect on air quality. He noted that a call was held with the Association of Air Quality Management Districts, where they discussed concerns with the amount of air pollution that would be produced should all emergency generators be run for over 200 hours annually.

General Manager David Pedersen noted that at Board President Lewitt's request, staff would arrange a meeting with Senator Henry Stern to discuss support for SB 1099 and other topics concerning the District.

B Water Supply Conditions Update

Joe McDermott, Director of Engineering and External Affairs, presented the report. He responded to a question regarding the yellow highlighted area shown on the 2020 State Water Project Allocation graphic by stating that he would follow-up.

6. TREASURER

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

7. BOARD OF DIRECTORS

A Response to Coronavirus (COVID-19) Pandemic: Continuation of Emergency

Approve the continuation of emergency declaration for response to the coronavirus (COVID-19) pandemic.

General Manager David Pedersen presented the report. He provided an update regarding employees' alternate working arrangements and coordinating with local public agencies on returning to work and reopening to the public.

Ursula Bosson, Customer Service Manager, provided an update on the number of customer calls received regarding inability to pay, payment plan arrangements, number of autopay enrollments and cancellations, comparison of yearly balances due, payment numbers and totals comparing current and previous year/month data, and customers' use of on-line features. She responded to questions regarding the number of high water users requesting payment arrangements and payments for combined water and sewer bills, which reflected as two payments. She stated that she would follow-up on whether Finance staff could provide the average per day per month for payment numbers and payment totals for the previous and current years.

Board President Lewitt suggested that staff bring back a policy for the Board's consideration regarding whether to allow payment arrangements for repeat high water users. The General Manager responded that staff would follow-up.

Director Lo-Hill moved to approve Item 7A. Motion seconded by Director Renger.

Board President Lewitt suggested looking into implementing telework arrangements for employees after the Safer at Home Order has ended. General Manager David Pedersen responded that staff would collect all of the ideas and lessons learned and bring back proposed changes to current policies.

Motion carried unanimously by roll call vote.

8. FACILITIES AND OPERATIONS

A Water Main and Asphalt Repair on Lake Shore Drive, Malibou Lake: Approval

Authorize the General Manager to approve an increase in the purchase order with Toro Enterprises, Inc., in the amount of \$12,365, from \$33,843 to \$46,208, for additional asphalt paving required for the water main repair on Lake Shore Drive, Malibou Lake.

General Manager David Pedersen presented the report.

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

A discussion ensued regarding thick asphalt used to level off slumping road conditions, taking a core sample of the asphalt prior to a repair to determine its thickness, and considering asking contractors to base their pricing on the asphalt conditions that they might encounter.

Motion carried unanimously by roll call vote.

9. FINANCE AND ADMINISTRATION

A Reclassification of Financial Analyst Position

Reclassify an existing Financial Analyst (M83) position to a flexibly-staffed Financial Analyst I/II (M63/M77) position.

Don Patterson, Director of Finance and Administration, presented the report.

Director Caspary moved to approve Item 9A. Motion seconded by Director Polan.

Mr. Patterson responded to a question regarding the cost savings in reclassifying the position due to the position not having a supervisory role.

Motion carried unanimously by roll call vote.

10. ENGINEERING AND EXTERNAL AFFAIRS

A Rancho Las Virgenes Compost Facility Repairs: Approval of Change Order

Authorize the General Manager to execute Change Order No. 2 to Pacific Hydrotech Corporation, in the amount of \$1,542,900, for mechanical and structural repairs to the Rancho Las Virgenes Composting Facility Amendment Building and release the retention, in the amount of \$71,009.88, for the Amendment Bin and Conveyance Modification Project.

Eric Schlageter, Principal Engineer, presented the report.

Director Lo-Hill moved to approve Item 10A. Motion seconded by Director Polan.

Brett Dingman, Water Reclamation Manager, responded to a question regarding ways to protect the amendment and woodchips from future fire risk by stating that it was not normal practice to have the amendment stored outside. He noted that there was an unscheduled delivery of amendment after composting operations were suspended prior to the Woolsey Fire, and the standard practice was to store the amendment inside.

A discussion ensued regarding preparing an operating procedure for storing amendment, fashioning a cover to place over the opening of the amendment, installing an exterior sprinkler system to protect the building and any amendment that might be left outside, and installing a slide gate in the conveyor to isolate the receiving bin from the storage bin.

General Manager David Pedersen stated that staff would follow-up and bring back recommendations to protect the amendment building and receiving facilities from fire risk.

Don Patterson, Director of Finance and Administration, provided an update regarding reimbursement from the District's insurance carrier and the Federal Emergency Management Agency (FEMA) for damages resulting from the Woolsey Fire.

Motion carried unanimously by roll call vote.

11. NON-ACTION ITEMS

A Organization Reports

None.

B Director's Reports on Outside Meetings

Board President Lewitt noted that he and General Manager David Pedersen were working with staff from the Association of Water Agencies of Ventura County to facilitate an upcoming WaterWise Breakfast Program via teleconference.

C General Manager Reports

(1) General Business

General Manager David Pedersen announced that this week was the 51st Annual Professional Municipal Clerks Week. He recognized Josie Guzman, Clerk of the Board, for her efforts and for achieving her Master Municipal Clerk designation from the International Institute of Municipal Clerks. He also provided an update regarding the insurance claim for costs incurred from the Willow Incident and noted that the District received payment in the amount of \$21,150.43. He also noted that security remained at District Headquarters at the request of the insurance company while remedial work

continued at the site. He also provided an update regarding the Metropolitan Water District of Southern California's (MWD) litigation against the California Department of Fish and Wildlife and the California Department of Water Resources. He stated that the Association of California Water Agencies (ACWA) Water Management Committee would be leading an effort to weigh in more heavily on this issue. He noted that the State Water Project and the Central Valley Project had been operating with collaboration between the State of California and the federal government for the past 50 years; both projects share a portion of the California Aqueduct, and both projects have large pumping stations in the Bay Delta. He also stated that in the past six months there has been an erosion of collaboration between the state and federal governments with the State suing the federal government, and MWD and several State Water Project contractors suing the State. He commented that the litigation and conflict would negatively impact water users throughout the State, and there was interest and value in urging the State Administration and the Governor to come back to the table and work cooperatively with the federal government on managing the two projects. He expressed concern that the Delta Conveyance Project would not have a viable path forward without a resolution to this conflict. He also expressed concern that the conflict could result in a loss of 200,000 acre-feet of supply from the State Water Project. He stated that the recommendation would be for ACWA to make this a top priority for the current calendar year, and employ a combination of communication and advocacy to encourage the state and federal administrations to work together and come to consensus so that both projects could operate together. He suggested that ACWA put together draft policy principles that outline how these two projects ought to be operated. The solutions should be collaborative, comprehensive, and formulated without litigation; recognize and honor the co-equal goals for the Bay Delta that were established in 2009 and codified in the Water Code; and utilize the latest and best science in looking at these issues.

(2) Follow-Up Items

General Manager David Pedersen noted that the follow-up items included a report on uncollected receivables and alternatives for the Weather Based Irrigation Controller Program, as well as the items identified during today's meeting.

D Directors' Comments

Director Caspary asked that the meeting be adjourned in memory of Corey Pederson, Collection Systems Technician, who worked for the District for 18 years.

Director Lo-Hill noted that Timothy Quinn, former Executive Director of the Association of California Water Agencies (ACWA) and Landreth Visiting Fellow at Stanford's Water in the West Program, prepared a report entitled *Forty Years of California Water Policy: What Worked, What Didn't and Lessons for the Future*.

12. FUTURE AGENDA ITEMS

None.

13. PUBLIC COMMENTS

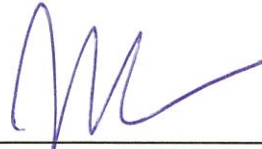
None.

14. CLOSED SESSION

None.

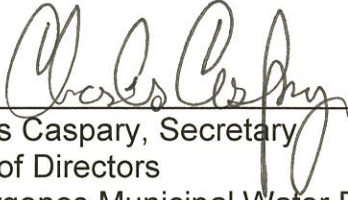
15. OPEN SESSION AND ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at 10:46 a.m., in memory of Corey Pederson.



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

ATTEST:



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

(SEAL)

