



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

**MINUTES**  
**REGULAR MEETING**

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9:00 AM

July 7, 2020

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag was led by Keith Lemieux.

**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) outbreak. 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**

Director Renger moved to approve the agenda. Motion seconded by Director Polan.

Motion carried unanimously by roll call vote.

3. **PUBLIC COMMENTS**

Board President Lewitt lost connection to the teleconference at 9:02 a.m. Vice President Polan presided.

There were no public comments.

Board President Lewitt reconnected to the teleconference at 9:03 a.m.

4. **CONSENT CALENDAR**

Director Polan pulled Item 4E from the Consent Calendar for discussion.

**A List of Demands: July 7, 2020: Receive and file**

**B Minutes Regular Meeting of June 16, 2020: Approve**

**C Monthly Cash and Investment Report: May 2020**

**Receive and file the Monthly Cash and Investment Report for May 2020.**

**D Annual Report: Records Review and Destruction**

**Authorize the destruction of records in accordance with the District's records retention schedule and the Las Virgenes Municipal District Code.**

**F Response to Coronavirus (COVID-19) Pandemic: Janitorial Contract Increase**

**Authorize the General Manager to execute a change order for US Metro Group, Inc., increasing the annual amount by \$20,480, from \$159,858.25 to \$180,338.25, to include enhanced cleaning/sanitizing of office spaces in response to COVID-19 as part of the annual janitorial contract and include the additional amount in subsequent renewal options.**

**G Annual Purchase Orders to Hach Company and Aquatic Bioassay & Consulting Laboratories, Inc.**

**Authorize the General Manager to issue annual purchase orders to Hach Company, in the amount of \$130,000, and Aquatic Bioassay & Consulting Laboratories, Inc., in the amount of \$100,000, for the period of July 1, 2020 through June 30, 2021.**

Director Caspary moved to approve Consent Calendar. Motion seconded by Director Renger.

Director Caspary amended the motion to approve Consent Calendar Items 4A, 4B, 4C, 4D, 4F, and 4G. Motion seconded by Director Renger. Motion carried unanimously by roll call vote.

#### **4. CONSENT CALENDAR – SEPARATE ACTION ITEM**

##### **E Tract No. 53138 (Deerlake Ranch): Approval of Change in Scope No. 3**

**Authorize the Director of Engineering and External Affairs to execute Change in Scope No. 3 to Envicom Corporation, in the amount of \$14,368, increasing the contract amount from \$32,077 to \$46,445, to perform additional environmental review for Tract No. 53138 (Deerlake Ranch).**

General Manager David Pedersen disconnected from the teleconference at 9:05 a.m. due to a conflict of interest regarding this item.

Director Polan inquired regarding the need to revise Administrative Draft IS/MND to address a longer truck hauling route. Eric Schlageter, Principal Engineer, responded that the current easement at the Twin Lakes Tank site provided access for District use only, and the IS/MND needed to be modified in accordance with the California Environmental Quality Act (CEQA) to allow access for construction activities by the developer and the contractor.

Director Caspary moved to approve Consent Calendar Item 4E. Motion seconded by Director Lo-Hill. Motion carried unanimously by roll call vote.

General Manager David Pedersen reconnected to the teleconference at 9:08 a.m.

#### **5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS**

##### **A Legislative and Regulatory Updates**

Syrus Devers, the District's lobbyist representing Best Best & Krieger LLP, reported that SB 1056 (Portantino) related to the methodology for testing for perfluoroalkyl and polyfluoroalkyl substances (PFAS) and SB 996 (Portantino) related to creating a science-based panel to review constituents of emerging concern program did not move past the Senate Standing Committee on Environment Quality. He also reported that SB 1099 (Dodd) related to emergency generator testing passed unanimously on the Senate floor and would be considered by the Assembly Committee on Natural Resources on July 29th. He noted that negotiation efforts regarding the bill were continuing with the South Coast Air Quality Management District (SCAQMD).

Director Caspary referred to AB 196 (Gonzalez) regarding workers compensation COVID-19 essential occupations and industries and SB 1159 (Hill) regarding workers compensation COVID-19 critical workers, and stated that both of the bills defined that workers who contract COVID-19 would automatically be covered under workers compensation. He noted that the Association of California Water Agencies (ACWA) was

not in favor unless amended, and he inquired regarding the likelihood that these bills would pass and the cost to employers. Mr. Devers responded that he believed the bills would have a good chance of being passed by the Legislature; however, he was not certain whether Governor Gavin Newsom would support the bills.

Director Polan referred to SB 378 (Wiener), which would require electrical corporations to submit a report annually to the Wildfire Safety Division and to the Office of Energy Infrastructure Safety, and he inquired whether the District would need to report on the Rancho Solar Generation Project. Mr. Devers responded that the District was not defined as a utility regulated by the Public Utilities Commission (PUC); however, he stated that he would follow-up.

Board President Lewitt referred to SB 1099 and inquired regarding having to negotiate with SCAQMD. Mr. Devers responded that it was the best time to negotiate given the support received from the Senate.

## **B Water Supply Conditions Update**

Joe McDermott, Director of Engineering and External Affairs, presented the report.

## **6. TREASURER**

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

## **7. BOARD OF DIRECTOR**

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

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

General Manager David Pedersen presented the report.

Ursula Bosson, Customer Service Manager, provided an update on customer-related impacts of COVID-19, including customer calls, payment plan arrangements, a comparison of yearly balances due, payment numbers and totals comparing current and previous year/month data, and customers' use of on-line features. She addressed the total number of credits granted related to COVID-19 and stated that 73 accounts were adjusted for a total of \$51,652.87, which included zero usage and hotel credits. She also addressed the local schools' water usage and noted that three schools received an adjustment for zero usage, 33 schools did not qualify for an adjustment due to no decrease in usage, and 12 schools experienced lower water usage. She stated that staff would not recommend issuing a credit or an adjustment because most schools had not experienced a decline in revenues as a result of COVID-19.

A discussion ensued regarding the schools continued water usage for maintenance and irrigation activities despite classes not being held on campus, and that schools were made

whole through legislative actions whereas commercial business and hotels relied on commercial activity.

Director Lo-Hill moved to approve Item 7A. Motion seconded by Director Renger. Motion carried unanimously by roll call vote.

**B CASA Annual Business Meeting: Board of Directors Election and Dues Resolution**

**Designate and authorize a Board Member to cast the District's vote in favor of the four-member slate of directors and approval of the dues resolution for Fiscal Year 2021 for the California Association of Sanitation Agencies.**

General Manager David Pedersen presented the report.

Director Polan moved to designate and authorize Director Lynda Lo-Hill to cast the District's vote in favor of the four-member slate of directors and approval of the dues resolution for Fiscal Year 2021 for the California Association of Sanitation Agencies. Motion seconded by Director Lo-Hill. Motion carried unanimously by roll call vote.

**8. FACILITIES AND OPERATIONS**

**A Risk and Resilience Assessment and Updated Emergency Response Plan: Award**

**Accept the proposal from Tetra Tech, Inc., and authorize the General Manager to execute a professional services agreement, in the amount of \$53,920, to complete a risk and resilience assessment and update the District's Emergency Response Plan.**

John Zhao, Director of Facilities and Operations, provided a brief summary.

Darrell Johnson, Water Operations Manager, presented the report.

Director Renger moved to approve Item 8A. Motion seconded by Director Lo-Hill. Motion carried unanimously by roll call vote.

**9. FINANCE AND ADMINISTRATION**

**A Authorization to participate in the California Asset Management Program**

**Pass, approve, and adopt proposed Resolution No. 2579, authorizing participation in the California Asset Management Program.**

**RESOLUTION NO. 2579**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT (“DISTRICT”) AUTHORIZING THE DISTRICT TO JOIN WITH OTHER PUBLIC AGENCIES AS A PARTICIPANT OF THE CALIFORNIA ASSET MANAGEMENT TRUST AND TO INVEST IN SHARES OF THE TRUST AND IN INDIVIDUAL PORTFOLIOS**

(Reference is hereby made to Resolution No. 2579 on file in the District’s Resolution Book and by this reference the same is incorporated herein.)

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

Kyle Tanaka, representing PFM Asset Management LLC, provided a presentation of its portfolio investment management services for the California Asset Management Program (CAMP).

Mr. Patterson stated that CAMP was completely free from the State and managed by the Joint Powers Authority (JPA) members. He noted that there was no opportunity to borrow against CAMP, and the District’s participation in CAMP would be to use it in conjunction with the Local Agency Investment Fund (LAIF) to further diversify the District’s short-term investment portfolio to reduce exposure to any changes in State law related to the management of LAIF. He also noted that all investments in CAMP were compliant with the California Government Code.

Director Lo-Hill moved to approve Item 9A. Motion seconded by Director Polan.

Mr. Patterson responded to a question regarding the percentage of the District’s portfolio that would be invested in CAMP by stating that the amount would vary; however, in accordance with the District’s Investment Policy, the District could invest up to 25 percent of the District’s portfolio in CAMP.

Motion carried unanimously by roll call vote.

**10. ENGINEERING AND EXTERNAL AFFAIRS**

**A Calleguas-Las Virgenes Municipal Water District Interconnection Project: CEQA Finding and Call for Bids**

**Consider the Final Environmental Impact Report prepared by Calleguas Municipal Water District as the lead agency under the California Environmental Quality Act; find that changes or alterations have been incorporated to substantially lessen all significant environmental effects as identified in the Final Environmental Impact Report; approve the project together with the Mitigation Monitoring and Reporting Program; authorize the General Manager to file a Notice of Determination with the Los Angeles County Registrar-Recorder/County Clerk; and authorize the issuance of call for bids for construction of the District’s portions of the Calleguas-Las Virgenes Municipal Water district Interconnection Project.**

General Manager David Pedersen provided introductory remarks.

Eric Schlageter, Principal Engineer, presented the report.

Director Polan moved to approve Item 10A. Motion seconded by Director Renger. Motion carried unanimously by roll call vote.

## 11. NON-ACTION ITEMS

### A Organization Reports

Director Caspary reported that he attended the Association of California Water Agencies (ACWA) State Legislative Committee teleconference meeting on June 26th. He noted that ACWA Executive Director David Eggerton announced the formation of California Water Forward, which would be made up of leaders from the water industry who would work to develop long-term policies to benefit the State. He also reported that Governor Gavin Newsom's proposed budget included \$50 million for Public Safety Power Shutoff grants to assist agencies. He noted that regulatory updates were expected regarding new fleet air quality regulations, and that he would provide a copy to staff. He also noted that no water bonds would be included this year. He also reported that he attended the Santa Monica Bay Restoration Commission Governing Board teleconference meeting on June 18th. He noted that the Governing Board adopted a new Memorandum of Understanding for the Santa Monica Bay National Estuary Program. He also noted that the Governing Board approved a support recommendation to the Los Angeles County Board of Supervisors for Measure W, the Safe Clean Water Program, for the Fiscal Year 2020-21 Stormwater Investment Plans that apply to the Santa Monica Bay watersheds. He stated that most of the Measure W grants for this fiscal year would be awarded in the Central Santa Monica Bay area for infiltration basins, cisterns for rainwater capture and storage, and diversion projects to sanitary sewers. General Manager David Pedersen added that there were no projects approved for funding in the North Santa Monica Bay watershed; however, funds would carry over and District staff would work with the local cities to encourage them to submit projects for grant funding.

### B Director's Reports on Outside Meetings

Director Lo-Hill reported that she attended the WaterReuse California Virtual Conference, where she participated in sessions regarding Leadership's Prospective on Advancing Potable Reuse; Decoding the National and California WaterReuse Action Plans; and One Water Two Approaches and Three Sources - Integrating Stormwater into Portfolios. She also reported that she attended the Calleguas Municipal Water District's Board meeting via teleconference.

Director Polan reported that he attended the WaterReuse California Virtual Conference.

Board President Lewitt reported that he attended the Metropolitan Water District of Southern California (MWD) Board of Directors meeting via teleconference. He stated that he was impressed with General Manager Jeff Kightlinger, who mentioned that he was

planning to speak with each MWD employee. He also reported that he attended the ACWA Federal Affairs Committee teleconference meeting, where they discussed recycled water, storage, canal restoration projects, and dam safety funding. He noted that Dee Zinke, MWD Assistant General Manager and Chief External Affairs Officer, provided a report regarding drinking water.

### **C General Manager Reports**

#### **(1) General Business**

General Manager David Pedersen introduced Craig Jones, who was newly hired as a Management Analyst II. He noted that Mr. Jones previously worked for Ventura Water and was experienced in overseeing the water quality laboratory and automatic meter reading/automated metering infrastructure. Mr. Craig stated that he was looking forward to working for the District.

General Manager David Pedersen reported that an election would be held this year for Directors in Divisions 1 and 4, and the nomination period would begin on July 13th and end on August 7th. He also reported that the Resource Conservation District of the Santa Monica Mountains (RCD) was still interested in leasing office space upstairs at Building No. 1. He noted that the RCD was encouraged to wait until the equipment was installed for the Pure Water Demonstration Project to evaluate noise and activity levels to ensure that the RCD would be comfortable with leasing the office space. He stated that Dave Roberts, Resource Conservation Manager, would take the lead on this effort.

#### **(2) Follow-Up Items**

### **D Directors' Comments**

None

## **12. FUTURE AGENDA ITEMS**

None.

## **13. PUBLIC COMMENTS**

None.

## **14. CLOSED SESSION**

### **A Threat to Public Services of Facilities (Government Code Section 54957 (a)):**

#### **Consultation with Ivo Nkwenji, Security Operations Manager**

The Board recessed to Closed Session at **10:29 a.m.** and reconvened to Open Session at **11:02 a.m.**



Keith Lemieux, District Counsel, announced that the Board received a report in Closed Session, and determined that it was appropriate to consider the proposal from Bulletproof Solutions, Inc. in Open Session.

Director Lo-Hill moved to accept the proposal from Bulletproof Solutions, Inc., and authorize the General Manager to execute a professional services agreement, in the amount of \$67,100, to perform a Comprehensive Cybersecurity Risk Assessment. Motion seconded by Director Caspary.

Motion carried unanimously by roll call vote.

**15. OPEN SESSION AND ADJOURNMENT**

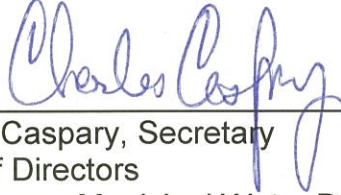
Seeing no further business to come before the Board, the meeting was duly adjourned at **11:05 a.m.**



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

ATTEST:



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

(SEAL)