



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

MINUTES
REGULAR MEETING

9:00 AM

August 4, 2020

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Josie Guzman.

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

Motion carried unanimously by roll call vote.

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

A List of Demands: August 4, 2020: Receive and file

B Minutes Regular Meeting of July 21, 2020: Approve

C Water Education Foundation Headwaters Virtual Tour: Board Member Attendance

Authorize Board Member Attendance and per diem compensation for the Water Education Foundation Headwaters Virtual Tour to be held on August 6, 2020.

Director Lo-Hill requested a correction to the Minutes of the Regular Meeting of July 21, 2020, Item 9B, Claim by Jennifer Singer, to include the Board's comments that the District takes fire suppression very seriously and always complies with the Fire Department's mandated clearance.

Director Lo-Hill moved to approve the Consent Calendar as amended with the modification to the Minutes of the Regular Meeting of July 21, 2020 as indicated. Motion seconded by Director Polan. Motion carried unanimously by roll call vote.

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Legislative and Regulatory Updates

No additional update was provided.

B Water Supply Conditions Update

Joe McDermott, Director of Engineering and External Affairs, responded to a question regarding the winter rain forecast by stating the he had not reviewed the National Oceanic and Atmospheric Administration (NOAA) model; however, he would follow-up and report back to the Board. He also responded to a question regarding above-normal water flows in Las Virgenes/Malibu Creeks by stating that it could be due to rain events that occurred in mid-May and from urban runoff. He stated that he had not seen overwatering in the service area, and the rocky geology generally does not absorb rainfall that enters the creek. General Manager David Pedersen added that for many years there was no need for flow augmentation in the summertime; however, after the drought flow augmentation was required annually to the creek.

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 an emergency declaration for response to the coronavirus (COVID-19) pandemic.

General Manager David Pedersen provided introductory remarks.

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.

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

B General Manager Employment Agreement: Consideration of Compensation Adjustment

Consider an adjustment to the compensation package for the General Manager following completion of his annual performance review on July 21, 2020.

Director Lo-Hill moved to adjust the compensation package for the General Manager at the same rate of 3.2 percent given to District employees. Motion seconded by Director Caspary.

A discussion ensued regarding adjusting the General Manager's compensation by 3.5 percent effective April 23, 2020, and possibly revisiting the compensation in six months should there be a downturn in the economy.

Director Lo-Hill amended her motion to adjust the compensation package for the General Manager by 3.5 percent effective April 23, 2020. Amended motion seconded by Director Caspary with the provision that the Board revisit the General Manager's compensation in six months if conditions warrant.

Motion carried unanimously by roll call vote.

8. FINANCE AND ADMINISTRATION

A Cash and Investment Report for June 2020

Receive and file the Cash and Investment Report for June 2020.

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

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

Mr. Patterson responded to a question regarding whether construction costs were currently low due to current economic conditions by stating that the District tracks changes in the construction cost index. He stated that sometimes there is a reduction in the cost of construction during a recession, and sometimes it is not directly correlated depending on whether there is a stimulus package that encourages infrastructure investment for economic recovery.

Motion carried unanimously by roll call vote.

B Amendment of Las Virgenes Municipal Water District Code: Electronic Signatures

Pass, approve, and adopt proposed Resolution No. 2580, authorizing and accepting electronic records and signatures.

RESOLUTION NO. 2580

A RESOLUTION OF THE BOARD OF DIRECTOS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AMENDING LAS VIRGENES MUNICIPAL WATER DISTRICT CODE AS IT RELATES TO ELECTRONIC SIGNATURES

(Reference is hereby made to Resolution No. 2580 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.

Director Lo-Hill moved to approve Item 8B. Motion seconded by Director Caspary.

Mr. Patterson responded to a question regarding the cost for the vendor to facilitate the processing of digital signatures and whether the Board may revisit the need for this service after the COVID-19 pandemic has ended. He explained that the cost would be \$6,210 annually and the Board could balance the annual cost against the cost of staff time and efficiencies achieved.

Keith Lemieux responded to a question regarding the Board President and Board Secretary's ability to electronically sign official District documents by stating that he was not certain whether official documents were defined under Government Code Section 16.5; however, he stated that he would research and follow-up.

Motion carried unanimously by roll call vote.

9. ENGINEERING AND EXTERNAL AFFAIRS

A Saddle Peak and Cordillera Tank Rehabilitation Project: Reissuance of Call for Bids

Authorize the reissuance of a Call for Bids for the Saddle Peak and Cordillera Tank Rehabilitation Project.

Veronica Hurtado, Assistant Engineer, presented the report.

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

Ms. Hurtado responded to questions related to inviting proposals earlier in the year to increase interest in the project and assist in soliciting multiple competitive bids. She also responded to a question regarding whether the call for bids included replacing SCADA components and whether unrelated elements might be placed into a separate bid by stating that she believed the project would only include reprogramming as new SCADA features would not be installed. She noted that the tanks were powered by solar, and that she was not certain to what extent the SCADA system would be used. She further responded to a question regarding whether an unrelated set of disciplines different from coating tanks could drive up the price by stating that she was not certain; however, the general contractor would usually hire a subcontractor or the general contractor would allow the District to designate its own SCADA programmer.

Eric Schlageter, Principal Engineer, added that any time tanks are taken offline staff looks at all options to make minor modifications to the facility, including structural or seismic upgrades. He noted that there was a planned future SCADA Communications Upgrades Project that would include a look at all tank sites and remote facilities.

Motion carried unanimously by roll call vote.

B Westlake Filtration Plant and Torchwood Tank Landscaping: Final Acceptance

Approve an additional appropriation, in the amount of \$7,039; authorize the execution of a Notice of Completion and have the same recorded; and, in the absence of claims from subcontractors and others, release the retention, in the amount of \$9,655.50, within 30-calendar days after filing the Notice of Completion for the Westlake Filtration Plant and Torchwood Tank Landscaping Project.

Veronica Hurtado, Assistant Engineer, presented the report.

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

Ms. Hurtado responded to a question regarding whether the updated irrigation controller would automatically shut off the master valve if a leak were to be detected by stating that she would follow-up. She also responded to a question regarding the status of the oak trees that were obtained from the City of Agoura Hills by stating that the trees were surviving and becoming established. She further responded to a question regarding comments from local residents regarding the quality of the landscaping by stating that she

discussed the landscaping with staff from the City of Westlake Village and with one ratepayer who had expressed concern with the color of the pipe on the roof rather than the landscaping. She stated that after she discussed the number of trees and shrubs that would be planted, the ratepayer had no further comments.

Eric Schlageter, Principal Engineer, noted that he had been in contact with staff from the City of Westlake Village and received positive comments. He noted that one remaining area of concern was the air gap standpipe at the Westlake Filtration Plant. He stated that staff would incorporate this into the final design plans related to the recovery efforts from the Woolsey Fire damage that occurred at the filter plant.

Board President Lewitt asked that staff post photographs of the landscaping improvements on the District's website.

Motion carried unanimously by roll call vote.

10. **NON-ACTION ITEMS**

A Organization Reports

None.

B Director's Reports on Outside Meetings

Director Polan reported that he attended the Association of California Water Agencies (ACWA) 2020 Summer Virtual Conference via teleconference on July 29th and 30th. He highlighted the session regarding the science behind preparing for wind and fire events, included responding to Public Safety Power Shutoffs events.

Director Lo-Hill acknowledged Director of Information Systems Ivo Nkwenji and Principal Technology Analyst Andrew Spear for facilitating the paperless agenda packets. She reported that she attended the Metropolitan Water District of Southern California of Southern California (MWD) Committee meetings on July 28th via teleconference. She noted that the Integrated Resources Plan (IRP) Special Committee was developing a new forecast for future water demands, and she suggested that staff provide the District's water demand forecast to MWD. She also noted that several members of the public phoned in their comments, which included remarks on encouraging diversity in the workplace, concerns regarding the Bay Delta Tunnels Project, and developing local water resources. She also reported there was a summary regarding the Bay Delta.

Board President Lewitt reported that he attended the ACWA 2020 Summer Virtual Conference via teleconference on July 29th and 30th, where the keynote speaker was Brenda Burman, Commissioner from the U.S. Bureau of Reclamation. He stated that he learned that the Colorado River System had four years of storage, and he expressed concern that California had only one-year of storage for the State Water Project, which was a good reason to have recycled water projects. He asked staff to guide the Board Members on which sessions to attend for future conferences that would be relevant to the

District. He noted that he also attended a breakout session by Rachio, who shared several case studies, and a session by the Water Education Foundation regarding COVID-19.

C General Manager Reports

(1) General Business

General Manager David Pedersen mentioned that he would provide a presentation as part of the Southern California Water Coalition's webinar on August 6th regarding stormwater and opportunities to capture urban runoff and dry weather flows with the concept of recycling these resources. He noted that the California Association of Sanitation Agencies (CASA) Annual Virtual Conference would be held on August 12th and 13th, and staff would suggest sessions that Board Members might be interested in attending. He referred to the proposed \$100 billion State stimulus package, which included mention of water recycling as part of climate resilience. He stated that the proposed stimulus package could provide funding opportunities for the Pure Water Project Las Virgenes-Triunfo. He noted that staff was participating in the process to provide input for the development of MWD's Integrated Resources Plan.

(2) Follow-Up Items

General Manager David Pedersen noted that options regarding the Weather-based Irrigation Controller Program and a discussion regarding CalPERS and CalPERS retirement matters would be brought back on August 18th. He also noted there were two follow-up items for the Las Virgenes-Triunfo Joint Powers Authority (JPA). He stated that staff would bring back the proposal from South Coast Air Quality Management District (SCAQMD) related to emergency generator testing. He also noted that staff and a team of technical experts were in the process of evaluating the proposal.

A discussion ensued regarding SCAQMD's proposal, which included the probability of a fee schedule for runtime hours and possibly bringing back legislation if the District's concerns were not adequately addressed.

Board President Lewitt noted that at the August 3rd JPA meeting, he became aware that the JPA Directors do not need to make a motion and a second to request future agenda items. A discussion ensued regarding the possibility of the JPA adopting portions of the District's Administrative Code for efficiency and consistency purposes.

D Directors' Comments

None.

11. FUTURE AGENDA ITEMS

None.

12. PUBLIC COMMENTS

None.

13. CLOSED SESSION

A Conference with District Counsel – Existing Litigation (Government Code Section 54956.9(a))

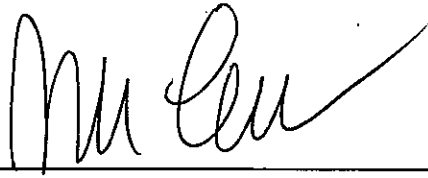
San Diego County Water Authority v. Metropolitan Water District of Southern California, et al.

The Board recessed to Closed Session at **10:32 a.m.** and reconvened to Open Session at **11:30 a.m.**

Keith Lemieux, District Counsel, reported that the Board met in Closed Session to receive a report from District Counsel, and there was no reportable action.

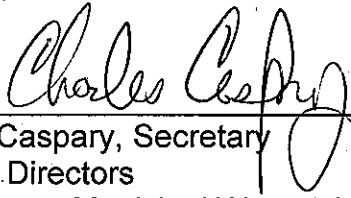
14. OPEN SESSION AND ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **11:30 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)