



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

MINUTES
REGULAR MEETING

9:00 AM

September 1, 2020

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Joanne Bodenhamer.

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 (connected to the teleconference at 9:04 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
Josie Guzman, Clerk of the Board
Keith Lemieux, District Counsel

2. APPROVAL OF AGENDA

Director Lo-Hill moved to approve the agenda. Motion seconded by Director Renger.

Motion carried by the following roll call vote:

AYES: Caspary, Lewitt, Lo-Hill, Renger

NOES: None

ABSTAIN: None

ABSENT: Polan

3. PUBLIC COMMENTS

General Manager David Pedersen introduced Debbie Rosales, who was recently hired as a Financial Analyst II. Ms. Rosales stated that she was looking forward to working for the District.

4. CONSENT CALENDAR

A List of Demands: September 1, 2020: Receive and file

B Minutes Regular Meeting of August 18, 2020: Approve

C Monthly Cash and Investment Report: July 2020

Receive and file the Monthly Cash and Investment Report for July 2020.

Director Caspary moved to approve the Consent Calendar. Motion seconded by Director Renger. Motion carried by following roll call vote:

AYES: Caspary, Lewitt, Lo-Hill, Renger

NOES: None

ABSTAIN: None

ABSENT: Polan

Director Polan connected to the teleconference at 9:04 a.m.

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A MWD Representative Report

Glen Peterson, MWD Representative, reported that the MWD Board met on August 18th where they approved several change orders for the Headquarters Building Improvements Project, approved an agreement to conduct an executive search for the MWD General Manager recruitment process, repealed Administrative Code sections regarding wheeling service, and rescinded a resolution regarding fixing and adopting wheeling rates. He noted that MWD General Manager Jeff Kightlinger indicated that he would remain at MWD until a new General Manager was hired. He mentioned that the MWD Board confirmed the induction of new Director Sat Tamaribuchi from the Municipal Water District of Orange County, and honored the memory of former Director and LADWP General Manager Ron Deaton.

B Legislative and Regulatory Updates

Joe McDermott, Director of Engineering and External Affairs, presented the federal legislative update and noted that the Senate would return from recess on September 8th and the House would reconvene on September 14th. He reported that last month the House passed ten appropriations bills for Fiscal Year 2021. He noted that the House Interior and Environment Bill included a provision rescinding and re-appropriating funds for Water Infrastructure Finance and Innovation Act (WIFIA) loans; however, the Appropriations Committee staff gave assurances that this issue would be resolved in conference with the Senate. He stated that although the House approved a majority of its appropriations bills, it was unlikely that a fiscal budget for 2021 would be adopted before the September 30th deadline, and it was likely that Congress would need to pass a continuing resolution to continue funding the government after the September 30th deadline. He also reported that COVID-19 relief aid was currently at an impasse, and it was not certain whether agreement on a relief package would be reached by the end of September. He noted that Representative John Garamendi and Senators John Cornyn and Kyrsten Sinema introduced bills that would make special districts eligible to receive up to five percent of any additional COVID-19 relief funds provided to states, and Senator Kamala Harris agreed in late July to sign on as a co-sponsor to this bill.

Syrus Devers, lobbyist representing Best Best & Krieger LLP, presented the state legislative report. He stated that AB 2178 (Levine), emergency services affecting backup emergency generators and designating Public Safety Power Shutoffs (PSPS) as a local emergency, did not move forward and that none of the six similar bills were moving forward. He also reported that AB 2560 (Quirk), Water Quality, Notification Levels and Response Levels, Procedures, related to constituents of emerging concern, was passed by the Senate. He noted that AB 3030 (Kalra), California Land and Ocean Conservation Goals, was held on suspense and was not moving forward. He also provided an update regarding SB 1386 (Moorlach), Local Government: Assessments, Fees, and Charges: Water Hydrants, related to special districts' liability for the cost of fire hydrants, and noted that this bill had passed and was awaiting Governor Gavin Newsom's signature. He reported that a response was received regarding South Coast Air Quality Management District's (SCAQMD) proposal to change its rules dealing with exceeding runtime limits during a Public Safety Power Shutoff (PSPS) event and addressing testing and maintenance. He stated that based on SCAQMD's response, the California Municipal Utilities Association (CMUA) and BBK would move forward with negotiations or pursue legislation in the upcoming extraordinary legislative session. He also provided an update regarding AB 1659 (Bloom), Large Electrical Corporations: Wildfire Mitigation: Securitization, regarding a wildfire bond and stated that it was unlikely that this bill would move forward.

Director Caspary noted that AB 1659 would have extended a one-half cent per kilowatt-hour charge on California electrical bills through 2051 and include several sunset dates. He inquired whether there was an update from the State Water Board regarding the four natural gas powered generation facilities that might receive an extension on their operating permits in California. Mr. Devers responded that he was not aware; however, he stated that he would follow-up.

C Water Supply Conditions Update

No additional report was provided.

D Update on Woolsey Fire Recovery Efforts

Joe McDermott, Director of Engineering and External Affairs, provided an update regarding repairs to the following facilities damaged during the Woolsey Fire: Mulholland Highway Bridge pipeline; Rancho Las Virgenes Composting Facility and amendment building, exterior, roof, electrical, equipment related to the amendment conveyance process, biofilter, and miscellaneous onsite appurtenances including irrigation and landscaping; Westlake Filtration Plant including exterior building, arcade, roof, chemical pump room, mechanical and electrical equipment, irrigation, and landscaping; remote sites throughout the District including tank sites, pump stations, irrigation, and Headquarters; and JPA facilities including recycled water tanks, Reservoir No. 2, and irrigation systems. He reported that several repairs were made at the Rancho Las Virgenes Composting Facility and additional repairs were pending. He also reported that repairs were made to the Westlake Filtration Plant irrigation and landscaping. He noted that repair work for the Westlake Filtration Plant arcade and chemical equipment would go out to bid within the next few months. He also noted that the Mulholland Highway Bridge Pipeline Replacement Project would be completed once the County of Los Angeles completed construction of the bridge. He stated that repairs to remote facilities might not be covered by the District's insurance carrier or the California Office of Emergency Services (CalOES); however, a claim had been submitted to Southern California Edison (SCE).

Don Patterson, Director of Finance and Administration, provided an update regarding damage reimbursements received from the District's insurance carrier, CalOES, and the Federal Emergency Management Agency (FEMA), totaling \$4,593,231, as described in the staff report. He noted that a claim filed with SCE was pending for damages not covered by insurance.

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.

Ursula Bosson, Customer Service Manager, presented the report. She responded to a question regarding tracking the percentage of total number of defaulted accounts for high water users versus non-high water users by stating that she was not tracking high water user accounts versus non-high water user accounts; however, she would do so. She also

responded to a question posed by Director Polan regarding which District phone number appeared on the customer billing by bringing up a sample bill and noting that the phone number displayed was (818) 251-2200. General Manager David Pedersen stated that the District's main phone number (818) 251-2100 was not included in the customer billing as this number was the main switchboard and customers should call (818) 251-2200 for customer service related inquiries.

Director Polan stated that he was aware of a customer who called the District, but was unable to connect to a staff member. Ms. Bosson asked Director Polan to provide her the customer's contact information so that she could follow-up.

General Manager David Pedersen reported that one District employee tested positive for COVID-19, and three additional employees were identified through the contact tracing process as having had contact with the employee who had tested positive. He noted that the employees were currently quarantined to keep the virus from spreading.

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

8. FACILITIES AND OPERATIONS

A Fiscal Year 2020-21 Mobile Crane Purchase: Award

Authorize the General Manager to issue a purchase order to Customer One Truck Source, in the amount of \$190,776, for the purchase of a 2020 Freightliner M2 19-Ton mobile crane

John Zhao, Director of Facilities and Operations, presented the report.

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

Director Caspary asked that staff be cautious when operating the new crane because it appeared it would be top-heavy when used off-road.

Motion carried unanimously.

9. ENGINEERING AND EXTERNAL AFFAIRS

A 2020 Las Virgenes (Westlake) Reservoir Dam Settlement Report

Receive and file the 2020 Las Virgenes Reservoir Dam Settlement Report.

General Manager David Pedersen provided introductory remarks.

Mercedes Acevedo, Assistant Engineer, presented the report.

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

John Zhao, Director of Facilities and Operations, responded to a question regarding the timeline to repair the cracks in the spillway by stating that the repairs would be completed by the end of the year.

Director Caspary asked that the cracks in the spillway be repaired before winter, and requested that staff provide an update at a future meeting.

Motion carried unanimously.

10. **NON-ACTION ITEMS**

A Organization Reports

Director Caspary reported that the Association of California Water Agencies (ACWA) State Legislative Committee met on August 28th. He noted that the Committee discussed AB 6 (Reyes), Attorney General Duties, which would authorize the Attorney General to sue for penalties of up to \$2,500 per day against anyone impairing water quality in the State instead of filing a complaint with the Department of Fish and Wildlife. He also reported that the Santa Monica Bay Restoration Commission Governing Board met on August 27th, where they discussed establishing a subcommittee to consider various topics affecting the watershed. He noted that the subcommittee would be subject to the Bagley-Keene Open Meeting Act and financial reporting. He also noted that 30 people addressed the Governing Board during the meeting. He responded to a question regarding public comments related to the Ballona Wetlands Restoration Project by stating that the California Department of Fish and Wildlife received over 8,000 comments regarding the draft environmental impact report. He stated that a final environmental impact report was expected to be filed by the end of the year. He noted that the plan was to reestablish a saltwater estuary that was present prior to the excavation of Marina del Rey. He stated that a fresh water ecosystem tended to develop and wildlife had found a niche on vacant property. He noted that this has been the most contentious issue for the Santa Monica Bay Restoration Commission. He stated that the grading plan might have affected the maximum flood flows of Ballona Creek, which drains to the ocean as a flood control facility.

B Director's Reports on Outside Meetings

None.

C General Manager Reports

(1) General Business

General Manager David Pedersen reported that staff was preparing for the Pure Water Demonstration Facility ribbon-cutting ceremony scheduled on September 11th. He noted that a copy of the preliminary program would be sent to the Board. He stated that the ceremony would be a quasi-virtual/web-based event with some live participation. He noted that Senator Henry Stern would serve as the keynote speaker, and the event would also include participation by local Mayors and recorded statements from Congresswoman

Julie Brownley and Congressman Ted Lieu. He also noted that invitations to the virtual event would be sent to as many people as possible, and he encouraged the Board to send invitations as well. He stated that tasting of the treated water from the Pure Water Demonstration Facility and a quick tour were being arranged for the Las Virgenes – Triunfo Joint Powers Authority Board of Directors. He also reported that the Westlake Filtration Plant would begin to operate beginning September 2nd, and customers were notified that they might notice changes to the taste and smell of the water. He also reported that compost was being produced at the Rancho Las Virgenes Composting Facility and 35 people picked up free compost on August 29th. He reminded the Board that the Calleguas – Las Virgenes Public Financing Authority would meet on September 2nd at 4:30 p.m. to consider adopting a resolution to revise the conflict of interest code.

Board President Lewitt reminded the Board and staff to promote the Las Virgenes-Triunfo Pure Water Demonstration Facility and to invite as many people as possible to the virtual ribbon-cutting ceremony or view the event on the District’s website. He acknowledged staff on their efforts.

(2) Follow-Up Items

General Manager David Pedersen noted that the final version of the Regional Brine Management Study would be presented at the JPA Board meeting on September 8th. He also noted that revisions to the Weather-Based Irrigation Controller Program would be brought back at a future Board meeting, and discussions regarding a mascot for the Pure Water Project Las Virgenes-Triunfo and a discussion regarding water quality issues associated with Las Virgenes Reservoir, and its role for the Pure Water Project Las Virgenes-Triunfo, would be brought back at a future JPA Board meeting.

D Directors’ Comments

None.

11. FUTURE AGENDA ITE.MS

None.

12. PUBLIC COMMENTS

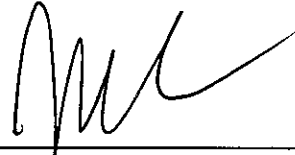
None.

13. CLOSED SESSION

None.

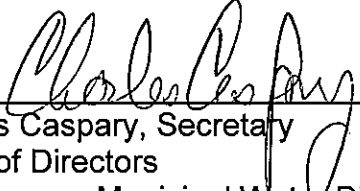
14. OPEN SESSION AND ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **10:25 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)