



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

**MINUTES**  
**REGULAR MEETING**

9:00 AM

October 20, 2020

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Jim Korkosz.

**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  
Wayne Lemieux, District Counsel

**2. APPROVAL OF AGENDA**

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

Motion carried unanimously by roll call vote.

**3. PUBLIC COMMENTS**

None.

**4. CONSENT CALENDAR**

Director Lo-Hill pulled Item 4D for discussion.

**A List of Demands: October 20, 2020: Receive and file**

**B Minutes Regular Meeting of October 6, 2020**

**C Directors' Per Diem – September 2020: Ratify**

Director Caspary moved to approve Consent Calendar Items 4A, 4B, and 4C. Motion seconded by Director Polan. Motion carried unanimously by roll call vote.

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

**D Online Billing and Presentment Services: Contract Extension**

**Authorize the General Manager to execute a three-year contract extension with Invoice Cloud, Inc., in an annual amount not to exceed \$155,000 for online billing and presentment services.**

Director Lo-Hill expressed concern that it was confusing to view a water bill on the website as customers are directed to the online payment option. She requested that the website be simplified to make it easier for customers to view their bill prior to making an online payment. Ursula Bosson, Customer Service Manager, responded that she would follow-up with Invoice Cloud to explore options to address this concern.

Director Caspary expressed concern that Invoice Cloud's Certificate of Completion related to data security was expired and requested that staff obtain a current certificate.

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

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

**A MWD Representative Report**

Glen Peterson, MWD Representative, reported that the MWD Board inducted new Director Matt Peterson, representing the City of Los Angeles. He also reported that Chairwoman Gloria Gray was elected to serve a second term as the Chairwoman, effective January 1, 2021. He stated that he expected Judy Abdo would be elected to

serve a second term as the Board Secretary. He noted that Dr. Terry Fulp, Regional Director of the U.S. Bureau of Reclamation Lower Colorado Region, would be retiring and that he planned to attend Dr. Fulp's retirement celebration on October 21st via Zoom. He reported that at the MWD Board meeting held on October 13th, the Board awarded a contract for rehabilitation of the Diamond Valley Lake wave attenuator; awarded a contract for drainage and erosion control improvements at Garvey Reservoir; authorized an agreement with the U.S. Department of the Interior, Bureau of Land Management for the Colorado River Aqueduct Federal Reversionary Interest Release Program; authorized an amendment to the agreement for participation in the Sites Reservoir Project Phase 2 Workplan; and conducted employee performance evaluations for General Counsel, General Auditor, and Ethics Officer with no salary increases. He also reported that outreach efforts were continuing for the MWD General Manager recruitment. He responded to a question regarding the timing for completing the environmental impact report for the Sites Reservoir Project by stating that he believed the environmental review would be completed within two to three years. He also responded to a question regarding the background of public comments received from MWD employees by stating that these were related to an employee's Equal Employment Opportunity (EEO) complaint related to sexual harassment. He also provided an update regarding the MWD Engineering and Operations virtual tour and noted that the tour would be designed for the MWD Directors only. He stated that he was unable to obtain authorization to include the LVMWD Directors and others; however, videos would be produced as an option in place of live tours for member agencies.

## **B Legislative and Regulatory Updates**

Joe McDermott, Director of Engineering and External Affairs, noted that in response to AB 3030 (Kalra), California Land and Ocean Conservation Goals, being held in suspense, Governor Gavin Newsom introduced Executive Order N-82-80, which would look to conserving at least 30 percent of California's lands and coastal waters by 2030 and create the California Diversity Collaborative. He stated that the Governor's executive order removed some of the ambiguity regarding water and water rights. He also provided an update regarding negotiations with the South Coast Air Quality Management District (SCAQMD) on the proposal to change its rules dealing with exceeding emergency generator runtime limits during a Public Safety Power Shutoff (PSPS) event and testing and maintenance. He noted that SCAQMD was in contact with representatives from the California Mutual Utilities Association (CMUA) and Syrus Devers, the District's lobbyist from Best Best & Krieger. He stated that staff was awaiting a timeline from SCAQMD in order to determine whether to work on a possible legislative effort for next year. He also reported that no federal COVID-19 relief stimulus package was expected until after the election.

## **C Water Supply Conditions Update**

No additional update was provided.

## **D Tap-in 2020 Virtual Program**

Riki Clark, Public Affairs Associate II, provided an overview of the Tap-in 2020 Education Summit webinar with the theme “Sustainable Education – Balancing the New Norm.” She stated that the goal of the program would be to keep sustainability and water security at the forefront of public consciousness, while providing a holistic forum of resources for parents adjusting to their new heightened role in their children’s education. She also stated that the program’s audience would be parents, educators, and water agencies. She reviewed the agenda for the program, which would be held on November 5th and 12th at no cost to participants. She suggested that Director Lo-Hill provide the opening remarks due to her background as an educator and tutor. She responded to a question regarding whether the District had other educational materials that could be shared with parents by stating that the District uses technology to hold virtual tours of District and JPA-owned facilities. She noted that a self-guided, 360-degree virtual tour of the Tapia Water Reclamation Facility was available.

Director Caspary suggested that the District’s videos on water use efficiency and landscaping might be useful tools as well.

**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 noted that staff would bring back a policy at the next Board meeting regarding installation of flow restrictors to address delinquent, high water use accounts for non-payment. She stated that staff would also bring back consideration of miscellaneous fees and other Las Virgenes Code changes. She provided an update on the concept of placing liens against properties for past due accounts, and stated that this option did not appear to be feasible because placing a lien would require legal action. The District would need to file a legal action, and staff would need to attend a court hearing. She also stated that the District would not be able to collect against the lien until the property was sold or refinanced by the owner. She noted that the District could pursue referring accounts that were 90 days past due to the District’s collection agency, which would affect customers’ credit reports and allow the collection agency to pursue collecting the balances due.

Wayne Lemieux, District Counsel, responded to a question regarding ways that the District might be able to collect on accounts that become delinquent by stating that the District could ask customers to agree to a lien as a condition of receiving water service. He noted that a lien could not be placed on a private property without due process.

General Manager David Pedersen stated that placement of a lien might be considered as an effective tool for very large unpaid balances and suggested the Board might consider this option further if warranted.

Joe McDermott, Director of Engineering and External Affairs, responded to a question regarding whether other water districts were installing flow restrictors during the COVID-19 pandemic by stating that flow restrictors were previously installed in Phoenix, Arizona prior to the pandemic. He noted that staff was working with legal counsel to address potential liability for properties with fire sprinkler systems and stated that the District would generally have immunity from liability.

Board President Lewitt expressed an interest in exploring whether other water districts were installing flow restrictors and any other options during the pandemic. He also asked staff to consider whether the staff report for the response to the COVID-19 pandemic could be presented once per month instead of at every Board meeting.

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

## **B Proposed 2021 Board Meeting Calendar**

**Review the proposed 2021 Board Meeting Calendar and make any scheduling adjustments.**

Josie Guzman, Executive Assistant/Clerk of the Board, presented the report.

The Board discussed cancelling the May 4, 2021 Regular Meeting due to a conflict with the ACWA Spring Conference; scheduling a Special Meeting on May 12, 2021; cancelling the May 18, 2021 Regular Meeting; keeping the July 6, 2021 Regular Meeting; cancelling the September 7 and 21, 2021 Regular Meetings; scheduling a Special Meeting on August 31, 2021; and scheduling a Special Meeting on September 15, 2021.

Director Caspary moved to approve the 2021 Board Meeting Calendar as amended. Motion seconded by Director Polan. Motion carried unanimously by roll call vote.

## **8. ENGINEERING AND EXTERNAL AFFAIRS**

### **A Saddle Peak and Cordillera Tank Rehabilitation Project: Construction Award**

**Award construction contracts to Advanced Industrial Services, Inc., in the amount of \$994,500, for the Saddle Peak Tank Rehabilitation Project, and Cal Sierra Construction, Inc., in the amount of \$772,100, for the Cordillera Tank Rehabilitation Project; and reject all remaining bids upon receipt of duly executed contract documents.**

Veronica Hurtado, Assistant Engineer, presented the report.

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

Ms. Hurtado responded to a question regarding the change in coating options by stating that additional coating manufacturers and comparable coating materials were included in the bid documents.

Eric Schlageter, Principal Engineer, stated that one of the observations noticed during the COVID-19 pandemic was a reduction in construction costs likely due to projects being deferred and reductions in funding from other agencies, which resulted in a more competitive bidding environment.

Motion carried unanimously by roll call vote.

**B Woolsey Fire Facility Repair Project No. 2, Westlake Filtration Plant: CEQA Determination and Call for Bids**

**Find that the work is exempt from provisions of California Environmental Quality Act, and authorize the issuance of a Call for Bids for the Woolsey Fire Facility Repair Project No. 2, Westlake Filtration Plant.**

General Manager David Pedersen provided introductory remarks and recognized staff on their efforts in prioritizing the restoration of facilities damaged during the Woolsey Fire.

Veronica Hurtado, Assistant Engineer, presented the report.

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

Eric Schlageter, Principal Engineer, responded to a question regarding whether the District's insurance carrier would provide reimbursement for this project by stating that the District would be reimbursed for the cost of the repairs and applications would be filed with the Federal Emergency Management Agency (FEMA) and the California Office of Emergency Services (CalOES) to provide reimbursement for any work not covered by insurance.

Motion carried unanimously by roll call vote

**9. NON-ACTION ITEMS**

**A Organization Reports**

Director Caspary noted that the Santa Monica Bay Restoration Commission Governing Board rescheduled its meeting to October 22nd to avoid a conflict with the Los Angeles Regional Water Quality Control Board's draft MS4 Permit public workshop, which was held on October 15th.

**B Director's Reports on Outside Meetings**

Director Polan reported that he viewed the recording from the WaterReuse Virtual Symposium and noted that a case study found that the population in Texas discovered they liked the taste of advanced treated wastewater more than the taste of tap water. He suggested that this could be used as a marketing tool for the Pure Water Project Las Virgenes-Triunfo.

Board President Lewitt expressed interest in having a taste test of bottled water compared to advanced treated water from the Pure Water Demonstration Facility. He reported that he attended the Association of Water Agencies of Ventura County's (AWAVC) Virtual WaterWise Program on October 15, where a presentation was provided by Casitas Municipal Water District. He noted that after former Governor Jerry Brown declared the drought was over that the water level in Casitas Lake remained at only 30 percent full and did not recover after the drought. He suggested that the District should continue the message that drought conditions remain regardless of the former Governor's declaration.

## **C General Manager Reports**

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

General Manager David Pedersen reported that staff continued to work on the five-year rate study effort, and inquired whether the Board would be available for a Special Meeting on November 10 at 9:00 a.m. to review the rate study. The Board agreed. He also reported that the California Public Utilities Commission requested that Southern California Edison and investor-owned electric utility providers establish Public Safety Power Shutoff (PSPS) advisory boards, and he noted that he was appointed to Southern California Edison's PSPS Advisory Board. He stated that the first meeting would be held later that day. He also reported that a water main break occurred in Hidden Hills on Jed Smith near Round Meadow. He stated that the main break was not related to the deteriorating AC pipe, and it was caused by a circumference split generally due to surface loading on the pipe. He also reported that a small brush fire occurred in Liberty Canyon on October 17th, which was quickly extinguished by the Fire Department. He noted that during the Woolsey Fire, the District received a Notice of Violation from the Occupational Safety and Health Administration (OSHA) related to trench shoring on Kanan Road. He stated that the District appealed the violation, and OSHA agreed to a settlement in the amount of \$4,900. He responded to a question regarding remediation efforts for future trench shoring by stating that adjustable shield boxes were purchased to shore trenches, and the District could contract with a trench shoring contractor when needed. John Zhao, Director of Facilities and Administration, added that the District purchased a portable excavation box for trench shoring. He also stated that a responsible person would need to make a determination on soil conditions prior to excavating to ensure that trenched walls were not susceptible to caving.

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

General Manager David Pedersen noted that the follow-up items included a report on repairs to cracks in the Las Virgenes Reservoir spillway, an update on the Weather-based Irrigation Controller Program, and consideration of a mascot for the Pure Water Project Las Virgenes-Triunfo.

**D Directors' Comments**

Board President Lewitt acknowledged staff for attaching their photographs when participating in the Board meetings via Zoom.

**10. FUTURE AGENDA ITEMS**

Director Lo-Hill moved to bring back Michael Hart's presentation regarding a memorial park for a natural or green burial site at the Rancho Las Virgenes Farm Sprayfields. Motion seconded by Director Polan.

**11. PUBLIC COMMENTS**

None.

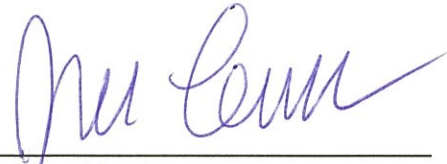
**12. CLOSED SESSION**

None.

**13. OPEN SESSION AND ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at **10:39 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)