



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

**MINUTES**  
**REGULAR MEETING**

9:00 AM

April 20, 2021

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag was led by Glen Peterson.

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

Motion carried unanimously by roll call vote.

**3. PUBLIC COMMENTS**

Board President Lewitt read a proclamation recognizing Sherri Paniagua, Human Resources Manager, on her planned retirement following 11 years of service to the District. The Board acknowledged Ms. Paniagua for her service.

Ms. Paniagua thanked the Board for the opportunity to serve the District. She also introduced Martha Castillo, Interim Human Resources Manager.

Ms. Castillo stated that she was pleased to assist the District, and she was looking forward to working with the Board.

Tony Rodriguez, resident of Malibou Lake, noted that his three-bedroom home, which was built in 1971, was destroyed in the Woolsey Fire including the house, foundation, and all contents. He stated that his house was rebuilt, and his family would be ready to move back in a few weeks. He also stated that the rebuilt home was more than 105 percent of the existing footprint by square footage due to expanded living space, additional closet space, addition of a half bathroom, and the addition of a fire suppression system required per code. He noted that a 1-inch meter was required due to the addition of the fire suppression system. He also noted that he upgraded the septic system, and the home would use less water. He expressed concern with the additional \$10,750 fee for upsizing from a 3/4-inch water meter to a 1-inch water meter. He asked the Board to consider granting relief for upsizing the water meter. He responded to a question regarding the size of his rebuilt home stating that the footprint had increased by approximately 150 percent.

Director Renger stated that he would request a future agenda item for the Board to consider Mr. Rodriguez's request.

**4. CONSENT CALENDAR**

**A List of Demands: April 20, 2021: Receive and file**

**B Minutes Regular Meeting of April 6, 2021: Approve**

**C Directors' Per Diem – March 2021: Ratify**

**D Monthly Cash and Investment Report: February 2021**

**Receive and file the Monthly Cash and Investment Report for February 2021.**

Director Polan moved to approve the Consent Calendar. Motion seconded by Director Renger. Motion carried unanimously by roll call vote.

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

## **A MWD Representative Report**

Glen Peterson, MWD Representative, noted that former LVMWD Board Member and Board President Steve Gavin recently passed away, and he asked the Board to consider sending a letter of condolence to his family and adjourning the meeting in his honor. He stated that Mr. Gavin brought stability to the Board and innovation to the District. He reported that the MWD Board approved to pay up to \$44 million from the State Water Project Budget to facilitate water transfers with water districts north of the Sacramento-San Joaquin River Delta and to secure storage and conveyance agreements with the Department of Water Resources in anticipation of drought conditions. He also reported that the MWD Board approved an agreement, in the amount of \$1.7 million, to replace the Colorado River Aqueduct transformers; approved entering into six temporary skilled labor agreements with contractors; approved an agreement for \$1.1 million for the Fuel Management System Upgrade; and presented a commendatory resolution to Director Adán Ortega for representing the City of Fullerton. He noted that a petition was presented to the San Diego County Local Agency Formation Commission (LAFCO) to detach and annex two agencies from the San Diego County Water Authority to Eastern Municipal Water District. He noted that the MWD Board was neutral on the proposal because it would have no affect on MWD. He also reported that the MWD Special Executive Committee considered candidates for the MWD General Manager position, and the finalists would be presented to the full MWD Board. He also reported that the pumping plant in Burbank that was built by MWD and Calleguas Municipal Water District to deliver water to LVMWD was refurbished and would be used to bring water from the Colorado River. He responded to a question regarding SB 480 (Stern) for adoption of rules relating to inappropriate conduct by Board members, officers, and employees of MWD by stating that there was nothing in the bill that was not already covered under the MWD employee handbook and policies. He also responded to a question regarding the status of the Water Stewardship Rate and impacts to LVMWD by stating that this issue was being discussed at the General Managers' level. He noted that the City of Los Angeles does not want any additional fixed charges placed on water, and the San Diego County Water Authority was opposed to the charge. However, it was important for LVMWD that the Water Stewardship Charge be reinstated so that projects may move forward. He also responded to a question regarding the MWD Board not being notified in Closed Session regarding an MWD employee's suicide by stating that this matter could not be discussed in Closed Session under the advice of MWD's legal counsel.

## **B Legislative and Regulatory Updates**

Joe McDermott, Director of Engineering and External Affairs, provided an update regarding AB 1500 (Garcia), the Safe Drinking Water, Wildfire Prevention, Drought Protection, Flood Protection, Extreme Heat Mitigation, and Workforce Development Bond Act of 2022. He noted that the proposed bill was referred to the Senate Natural Resources and Water Committee. He stated that he would follow-up on the request that \$1.5 billion be dedicated to water recycling projects. He also provided an update regarding AB 818 (Bloom), Solid Waste: Pre-moistened Nonwoven Disposable Wipes, and noted that the bill was presented to the Environmental Safety and Toxic Materials Committee on the consent calendar. He also reported that several letters of support were sent for H.R. 1015,

the Water Recycling Investment and Improvement Act; H.R. 737, the Responsible, No Cost Extension of Western Water Infrastructure Improvements Act; S. 479, the Lifting Our Communities through Advanced Liquidity for Infrastructure Act of 2021; and H.R. 1881, Legislation to Modernize the National Pollutant Discharge Elimination System (NPDES) Permit Program. He provided an update regarding SB 323 (Caballero), Local Government Water or Sewer Service Legal Actions, related to the statute of limitations for water and sewer rates, and noted that the Senate Governance and Finance Committee approved moving this bill forward. He also provided an update regarding the stakeholder workshop that was held on April 8th by South Coast Air Quality Management District (AQMD) representatives regarding tentative changes to the regulations for emergency generator runtimes and Public Safety Power Shutoff (PSPS) events. He noted that the proposal for rule changes would be to allow emergency generators to run for three additional hours for PSPS events for warmup and cool down. He also noted that AQMD staff was continuing to work with the California Air Resources Board (CARB) regarding potential changes to regulations related to increasing emergency generator maintenance and testing runtime limits. He stated that any rule changes for the exceedance of 200 hours for running emergency generators for PSPS events would likely occur in November due to the need for a California Environmental Quality Act (CEQA) analysis and preparation of associated environmental documentation.

General Manager David Pedersen responded to a question regarding the slow pace in making a regulatory change by stating that he did not believe the process would move more rapidly through a legislative process. He suggested that it would be best to stay with the current course of action and keep the legislative process available as a backup plan. Mr. McDermott added that during a wildfire, the District would run the emergency generators as needed to protect life and property regardless of receiving fines by AQMD, and do whatever is necessary to be prepared for emergencies.

## **C Water Supply Conditions Update**

Joe McDermott, Director of Engineering and External Affairs, reported that there were critically dry conditions across the state, and there was much discussion statewide regarding concerns with another drought. He also reported that the California Department of Water Resources decreased the State Water Project allocation from ten percent to five percent. He noted that MWD needed a 30 to 35 percent allocation to add supplies to its reservoirs. He stated that MWD had 13 times the amount of water storage compared to 1990. He also stated that for the first time there would likely be a water shortage declaration by the end of the calendar year for the Colorado River Basin. He stated that this would occur should the water level in Lake Mead dip below 1,075 feet of elevation. He responded to a question regarding whether the water supply conditions report was released prior to the recent snowstorm in Denver, Colorado by stating that he believed most of the snow fell on the east side of the Rocky Mountains.

Board President Lewitt commented that the community should be aware of constant drought conditions, and the District should promote drought conditions ahead of the state making a drought declaration to assist with water conservation.

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 a comparison of current late payments with those prior to the COVID-19 pandemic by stating that she would include this information in future reports.

Director Renger lost connection to the teleconference at 10:08 a.m.

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

AYES: Caspary, Lewitt, Lo-Hill, Polan

NOES: None

ABSTAIN: None

ABSENT: Renger

**B California Municipal Treasurers Association Conference: Board Member Attendance**

**Authorize Board Member Attendance and per diem compensation for the California Municipal Treasurers Association Conference to be held virtually from April 28 through 30, 2021.**

General Manager David Pedersen presented the report.

Director Caspary moved to approve Item 7B. Motion seconded by Director Polan.

Board President Lewitt asked that the motion be amended to allow only the Board Treasurer to attend this type of conference once per year to be mindful of costs associated with attendance for conferences.

Director Renger reconnected to the teleconference at 10:12 a.m.

Director Caspary amended the motion to approve Item 7B and only allow the Board Treasurer to attend this type of conference once per year. Amended motion seconded by Director Polan. Motion carried unanimously by roll call vote.

8. **ENGINEERING AND EXTERNAL AFFAIRS**

**A Automatic Meter Reading/Advanced Metering Infrastructure Project: Update**  
**Receive and file an update on the Automatic Meter Reading/Advanced Metering Infrastructure Project.**

Joe McDermott, Director of Engineering and External Affairs, provided introductory remarks.

Craig Jones, Management Analyst II, presented the report and PowerPoint presentation and reviewed the project timeline including the project kickoff, alpha and beta phases (Proof of Concept), full deployment, and project closeout. He also reviewed the project funding, opt-out process and the door hangers left at each residence detailing the work performed and information on accessing the WaterSmart Customer Connect Portal.

Andy Honeycutt, Program Administrator representing MeterSys, continued the PowerPoint presentation and reviewed program management, status of full deployment, and the WaterSmart Customer Engagement Portal.

Lauren Brown, Program Manager representing MeterSys, reviewed next steps, threshold testing, and staff training.

Mr. Jones continued the PowerPoint presentation and reviewed accessing data to optimize leak alerts, beta testing email alert notification, finalizing the leak notification process, tracking water savings, data collection, customer control groups, and onboarding/staff responsibilities.

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

Mr. Jones responded to questions regarding identifying potential causes for the approximately 100 installed meters that were not reporting to the network and logging onto the WaterSmart Customer Portal using a smartphone.

Board President Lewitt suggested that staff follow-up via email when the door hangers are left at each residence. He also suggested avoiding abbreviations on the WaterSmart Customer Portal.

Motion carried unanimously by roll call vote.

**9. INFORMATION ITEMS**

**A Draft 2020 Urban Water Management Plan: Notice of Availability**

Director Lo-Hill inquired regarding the availability of the report in printed format onsite. She noted that the link to the report was not available on the District' website. Joe McDermott, Director of Engineering and External Affairs, responded that he would follow-up.

## **10. NON-ACTION ITEMS**

### **A Organization Reports**

Director Caspary reported that he attended the Association of California Water Agencies (ACWA) Legislative Committee Meeting on April 9th where they reviewed several bill packets. He noted that ACWA staff indicated that it appeared the State Water Board was proposing new standards for water loss in municipal water systems and may require up to a 90 percent reduction in water loss. He stated that ACWA staff was working on ensuring that the State Water Board's actions would be reasonable and achievable. He also reported that he attended the Santa Monica Bay Restoration Commission Governing Board Meeting on April 15th where they adopted the Santa Monica Bay National Estuary Program Comprehensive Monitoring Program (CMP) for submittal to the U.S. Environmental Protection Agency (EPA). He noted that the CMP would establish an objective evaluation process for projects and would provide a uniform set of standards. He noted that the Technical Advisory Committee was instrumental in advising the Commission on the CMP. He also noted that the major emphasis on changes was required by the EPA, who would provide this year's \$700,000 funding for the National Estuary Program Work Plan for nutrient reduction, water reuse and conservation, marine litter reduction, and green infrastructure and resiliency.

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

Director Polan reported that he attended the Association of Water Agencies of Ventura County Virtual WaterWise Program on April 15th where a virtual tour was provided of the McGrath Family Farms. He noted that there was discussion regarding concern with the lack of rain and inquired whether the District had any plans to address the public in case of a drought declaration. General Manager David Pedersen responded that staff would bring back suggestions at the next Board meeting for messaging to District customers regarding a possible drought declaration.

### **C General Manager Reports**

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

General Manager David Pedersen noted that the District would hold an Earth Day event on April 22nd at noon including a live virtual tour of the Pure Water Sustainability Garden. He stated that he would send the webinar link to the Board. He reported that the creek avoidance period for discharge to Malibu Creek would run from April 15th to November 15th. He also reported that MWD's West Valley Feeder No. 1 was currently shut down through May 7th for maintenance. He noted that the shutdown would interrupt water supply from the interconnection at LV-1; however, water would be temporarily supplied from interconnections with Los Angeles Department of Water and Power. He also reported that the Westlake Filtration Plant would begin to operate beginning the second week of May. He reminded the Board that a Special Board Meeting would be held on May 25th at 9:00 a.m. for a Strategic Planning Workshop, and staff was preparing to schedule the workshop as an in-person meeting. He responded to a question regarding whether the Board meetings in May would be held in-person by stating that staff was working on

plans to transition to hybrid meetings, which would be part in-person/part virtual. He noted that Board Members would have the option to attend in-person or virtually, and changes would be made to the Boardroom to install partitions between the seats at the dais and place a large television monitor facing the dais. He stated that staff hoped to have this in place for the May 4th Board Meeting.

(2) Follow-Up Items

None.

**D Directors' Comments**

Director Polan noted that during the AWAVC discussion regarding drought conditions, the owner of McGrath Farms noted that he was working on addressing how the drought would affect his farm. He also noted that there were issues with water runoff containing chemicals and minerals, and it would be difficult to clean the water for reuse due to astronomical costs.

Director Lo-Hill noted that there was a long discussion at the MWD Board meeting regarding Board Members' concern with learning about the MWD employee's suicide by reading it in the *Los Angeles Times*. She stated that she would request a future agenda item to learn what could be discussed in Closed Session.

Director Polan mentioned that he visited the sustainability garden and stated that he was pleased to see that drought-tolerant native plants were planted on the north slope.

Board President Lewitt acknowledged General Manager David Pedersen and John Zhao, Director of Facilities and Operations, for providing a tour of the Pure Water Demonstration Facility to Dr. Sion Roy. He noted that Dr. Roy was interested in learning about water and was planning on running for the State Assembly.

Director Polan shared a photograph of himself standing in front of a billboard during a tour of a water recycling facility in San Diego with the message, "Cheers to the Future. Safe, Reliable, Sustainable."

**11. FUTURE AGENDA ITEMS**

Director Lo-Hill moved to receive a review of procedures for items that are placed on the agenda for Closed Session and to discuss scenarios for which the Board may have questions. Motion seconded by Board President Lewitt.

District Counsel Keith Lemieux stated that he could provide a memorandum to the Board with an overview of topics that are suitable for Closed Session. Director Lo-Hill responded that she would request additional information, if necessary, after receiving the memorandum.

Director Renger moved to review a potential policy granting relief to upsize the water



meter for a customer's replacement dwelling that is more than five percent larger if the new dwelling is required to have fire sprinklers. Motion seconded by Director Polan.

**12. PUBLIC COMMENTS**

None.

**13. CLOSED SESSION**

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

**Conference with Security Consultant, Triad Consulting & System Design Group, LLC**

**B Conference with District Counsel – Existing Litigation (Government Code Section 54956.9(a)):**

**National Fire & Marine Insurance Company as Subrogee for Knight-Calabasas LLC v. Las Virgenes Municipal Water District**

The Board recessed to Closed Session at 11:33 a.m. and reconvened to Open Session at 12:29 p.m.

Keith Lemieux, District Counsel, announced that the Board received reports during Closed Session for Items 13A and 13B, and there were no reportable actions taken.

**14. OPEN SESSION AND ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at 12:30 p.m., in memory of former LVMWD Board Member and Board President Steve Gavin.



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

ATTEST:



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Lee Renger, Secretary  
Board of Directors  
Las Virgenes Municipal Water District

(SEAL)