



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

MINUTES
REGULAR MEETING

9:00 AM

June 1, 2021

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Andrew Spear.

1. CALL TO ORDER AND ROLL CALL

The meeting was called to order at **9:00 a.m.** by Board President Lewitt in-person and 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 in-person and 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 Jay Lewitt, Lynda Lo-Hill, Len Polan, and Lee Renger
Absent: Director Charles Caspary
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 (via teleconference)

2. APPROVAL OF AGENDA

Director Renger moved to approve the agenda. Motion seconded by Director Polan.
Motion carried by the following vote:

AYES: Lewitt, Lo-Hill, Polan, Renger
NOES: None
ABSTAIN: None
ABSENT: Caspary

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

A List of Demands: June 1, 2021: Receive and file

B Minutes Regular Meeting of May 4, 2021: Approve

C Directors' Per Diem - April 2021: Ratify

D Water Supply Conditions Update: Receive and file

E Response to Coronavirus (COVID-19) Pandemic: Continuation of Emergency

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

F Cloud Archive and Remote Disaster Recovery for JD Edwards

Accept the proposal from Denovo Ventures LLC, and authorize the General Manager to execute a three-year agreement, in the annual amount of \$94,800, plus a one-time initial fee of \$14,100, to provide cloud archive and remote disaster recovery services.

G Stationary Emergency Generators for Critical Pump Stations Project: Approval of Scope Change No. 3

Authorize the General Manager to approve Scope Change No. 3, in the amount of \$4,125, for Hamner and Jewell to provide additional property-related services for the Stationary Emergency Generators for Critical Pump Stations Project.

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

AYES: Lewitt, Lo-Hill, Polan, Renger
NOES: None
ABSTAIN: None
ABSENT: Caspary

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A MWD Representative Report

Glen Peterson, MWD Representative, reported that the MWD Executive Committee met in closed session to discuss the appointment of the MWD General Manager; however, disclosure of the proposed General Manager appointment was released in violation of the Brown Act. He stated that he would discuss his concerns regarding the disclosed information at the next MWD Board meeting during open session. He also reported that the MWD Board approved Appendix A for use in the issuance and remarketing of MWD's bonds; approved \$200,000 in change orders for the rehabilitation of the Greg Avenue Pump Station; authorized a Local Resources Program Agreement with the City of Santa Monica for the Santa Monica Sustainable Water Supply Project; approved the 2020 Urban Water Management Plan; and authorized an increase for legal services related to litigation with the Imperial Irrigation District. He noted that reasonable guidelines regarding the Colorado River would need to be developed regarding water shortage, water surplus, and other criteria. He responded to a question regarding a remedy to the Brown Act violation regarding disclosure of the proposed General Manager appointment by stating that it would be difficult to prove who might have disclosed the information; however, he would express his concern at the next MWD Board meeting.

B Legislative and Regulatory Updates

Joe McDermott, Director of Engineering and External Affairs, reported that all of the top priority bills that the District opposed were stalled, including AB 1434 (Friedman), Urban Water Use Objectives, Indoor Residential Water Use, which proposes to reduce the current standard for indoor residential water use. He also reported that the deadline to pass the state budget would be June 15, 2021. He noted that the Governor's and Senate's proposed budgets included \$1 billion for water and wastewater arrears debt. He also noted that the Senate's proposed budget included \$500 million for recycled water and resilient water infrastructure projects, while the Governor's proposed budget included \$436 million in these categories. He provided an update regarding discussions with representatives from the South Coast Air Quality Management District (AQMD) regarding tentative changes to the regulations for emergency generator runtimes and Public Safety Power Shutoff (PSPS) events. He noted that a workshop was held on May 27th regarding a new proposed Rule 118.1, Public Safety Provisions for Stationary Emergency Standby Engines, which would provide relief due to PSPS events, and an amendment to Rule 1470, Airborne Toxics Control Measure for Stationary Compression Ignition Engines, which would allow additional flexibility on runtime hours for testing and maintenance of emergency generators. He also reported that the District was taking the lead in preparing a coalition letter to AQMD and the California Air Resources Board in support of the proposed rule changes.

6. TREASURER

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

7. ENGINEERING AND EXTERNAL AFFAIRS

**A 2020 Urban Water Management Plan and Water Shortage Contingency Plan:
Public Hearing and Adoption**

Conduct a public hearing to accept comments on the 2020 Urban Water Management Plan and Water Shortage Contingency Plan; and pass, approve, and adopt proposed Resolution No. 2593, adopting the 2020 Urban Water Management Plan and Water Shortage Contingency Plan.

RESOLUTION NO. 2593

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT ADOPTING THE 2020 URBAN WATER MANAGEMENT PLAN AND WATER SHORTAGE CONTINGENCY PLAN

(Reference is hereby made to Resolution No. 2593 on file in the District's Resolution Book and by this reference the same is incorporated herein.)

Board President Lewitt provided introductory remarks.

Josie Guzman, Clerk of the Board, noted that an affidavit from Kathleen Sterling was on file indicating that notice of the public hearing was published in the *Las Virgenes/Calabasas Enterprise* on May 13 and 20, 2021, and that the Urban Water Management Plan and Water Shortage Contingency Plan was posted to the District's website for public review on April 12, 2021.

General Manager David Pedersen presented the report.

Autumn Glaeser, representing Stantec Consulting, Inc., provided a PowerPoint presentation summarizing the 2020 Urban Water Management Plan and Water Shortage Contingency Plan.

Oliver Slosser, Senior Engineer, responded to a question regarding projected growth in the area by stating that the local cities' projected growth figures were similar to the figures from 2015. He stated that having higher projections for future growth would benefit the District by providing a more conservative estimate from a water supply standpoint.

Board President Lewitt opened the public hearing at 9:32 a.m.

Ms. Guzman noted that there were no public comments.

Mr. Slosser noted that no written comments were received.

Board President Lewitt closed the Public Hearing at 9:32 a.m.

Director Renger moved to approve Item 7A. Motion seconded by Director Polan. Motion carried by the following vote:

AYES: Lewitt, Lo-Hill, Polan, Renger
NOES: None
ABSTAIN: None
ABSENT: Caspary

B Relief to Specified Customers to Support Rebuilding of Homes Destroyed in Woolsey Fire: Extension of Time

Pass, approve, and adopt proposed Resolution No. 2594, granting a one-year time extension for relief provided to specified customers to support rebuilding of homes destroyed by the Woolsey Fire.

RESOLUTION NO. 2594

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT GRANTING AN EXTENSION OF TIME TO PROVIDE RELIEF TO SPECIFIED CUSTOMERS TO SUPPORT REBUILDING OF HOMES DESTROYED BY THE WOOLSEY FIRE

(Reference is hereby made to Resolution No. 2594 on file in the District's Resolution Book and by this reference the same is incorporated herein.)

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

Director Lo-Hill moved to approve Item 7B. Motion seconded by Director Renger.

A discussion ensued regarding the possibility of extending the time to 2023 and revisiting the time extension if needed.

Motion carried by the following vote:

AYES: Lewitt, Lo-Hill, Polan, Renger
NOES: None
ABSTAIN: None
ABSENT: Caspary

C Calleguas-Las Virgenes Interconnection Project: Approval of Scope Change No. 1

Authorize the General Manager to approve Scope Change No. 1, in the amount of \$61,895, for Cannon Corp Engineering to provide additional construction management and inspection services for the Calleguas-Las Virgenes Interconnection Project.

Oliver Slosser, Senior Engineer, presented the report.

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

AYES: Lewitt, Lo-Hill, Polan, Renger
NOES: None
ABSTAIN: None
ABSENT: Caspary

8. NON-ACTION ITEMS

A Organization Reports

None.

B Director's Reports on Outside Meetings

Director Polan reported that he attended the WaterReuse Association Israel Water Reuse Virtual Tour held May 25 through 27, 2021. He noted that there was a presentation regarding the use of "microplants" installed on trailers as opposed to building a large facility. He stated that he was intrigued with the idea of building a microplant above an existing facility at the Tapia Water Reclamation Facility instead of building a new advanced water treatment plant. He also reported that he attended the Association of Water Agencies of Ventura County (AWAVC) WaterWise Virtual Program on May 20, 2021, where a presentation was provided regarding the Delta Conveyance Project. He inquired regarding the reason that the Army Corps of Engineers would be involved in the project. General Manager David Pedersen responded that due to the Federal Endangered Species Act, the Army Corps of Engineers was selected to serve as the lead federal agency and to assist with the permitting at the federal level.

Director Renger reported that he attended an Association of California Water Agencies (ACWA) webinar titled "Think Outside the Meter Box: How Combining Legacy AMI with the Internet of Things is Bringing Cost-effective, Holistic Solutions to Water Systems Management." He noted that it would be a challenge to interconnect all of the smart meters and transmit the data to the District due to the hilly service area.

Board President Lewitt reported that he, Director Caspary, JPA Director Janna Orkney, JPA Director Leon Shapiro, General Manager David Pedersen, and Public Affairs and Communications Manager Mike McNutt participated in the virtual Washington D.C. lobbying meetings on May 18 and 19, 2021. He noted that meetings were held with the U.S. Bureau of Reclamation, Office of Senator Alex Padilla, Office of Senator Dianne Feinstein, Office of Congresswoman Julia Brownley, Congressman Brad Sherman, and Congressman Ted Lieu. He also noted that he informed the federal congressional representatives that the District was among the only ones to import 100 percent of its potable water. He stated that the federal congressional representatives expressed support for the District and that they viewed the District as a forward-thinking agency. He also stated that invitations to visit the Pure Water Demonstration Facility were given to the federal congressional representatives.

C General Manager Reports

(1) General Business

General Manager David Pedersen noted that the Las Virgenes-Triunfo Joint Powers Authority meeting scheduled on June 7, 2021, would be held as a hybrid in-person/teleconference meeting. He reminded the Board that the Calleguas-Las Virgenes Public Financing Authority Meeting would be held on June 7, 2021, at 4:30 p.m.

(2) Follow-Up Items

General Manager David Pedersen noted that the follow-up items included a report on how new accessory dwelling units could impact the District's water system and an update on employees' vacation accruals.

D Directors' Comments

None.

9. FUTURE AGENDA ITEMS

None.

10. PUBLIC COMMENTS

None.

11. 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 **9:56 a.m.** and reconvened to Open Session at **10:49 a.m.**

Keith Lemieux, District Counsel, announced that the Board received a report in Closed Session, and there was no reportable action taken.

12. OPEN SESSION AND ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned at **10:49 a.m.**



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

ATTEST:



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

(SEAL)