



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

**MINUTES**  
**REGULAR MEETING**

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9:00 AM

March 15, 2022

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag was led by Darrell Johnson.

**1. CALL TO ORDER AND ROLL CALL**

The meeting was called to order at **9:00 a.m.** by Board President Lewitt 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 Assembly Bill 361, 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  
Brian Richie, Finance Manager  
John Zhao, Director of Facilities and Operations  
Josie Guzman, Clerk of the Board  
Martin Koczanowicz, District Counsel (via teleconference)

**2. APPROVAL OF AGENDA**

Director Caspary moved to approve the agenda and approve the findings of Resolution

No. 2603 (AB 361). Motion seconded by Director Polan. Motion carried unanimously.

**3. PUBLIC COMMENTS**

There were no public comments.

John Zhao, Director of Facilities and Operations, introduced new employee Ramiro Gomez, Compost Worker. The Board welcomed Mr. Gomez to the District.

**4. CONSENT CALENDAR**

Director Lo-Hill pulled Item 4A for discussion.

**A List of Demands: March 15, 2022: Receive and file**

**B Minutes Regular Meeting of March 1, 2022: Approve**

**C Directors' Per Diem – February 2022: Ratify**

Director Lo-Hill moved to approve Consent Calendar Items 4B and 4C. Motion seconded by Director Caspary.

Director Lo-Hill noted that Item 4A, List of Demands, included a payment to the City of Los Angeles for approximately \$250,000 for sewer connection fees dating back to 2019 for the Deerlake Ranch Development.

Director Lo-Hill moved to amend her motion to approve the Consent Calendar, Items 4A, 4B, and 4C. Amended motion seconded by Director Caspary. Motion carried unanimously.

Martin Koczanowicz, District Counsel, introduced himself, and noted that he joined the law firm of Olivarez Madruga Lemieux O'Neill two years ago. He stated that he was pleased to work with the Board.

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

**A MWD Representative Report**

Glen Peterson, MWD Representative, reported that 40 to 50 people spoke during the previous MWD Board meeting regarding a project labor agreement for construction contracts with a value of \$5 million or greater within MWD's Capital Investment Plan. He noted that the MWD Board utilized project labor agreements for past projects, and the MWD Board authorized the General Manager to negotiate a project labor agreement. He also reported that the MWD Board approved an agreement with HDR Engineering for \$2.8 million for preliminary design to improve erosion protection structures along the aqueduct; authorized a three-year agreement with GP Generate for \$10.5 million for media placement and advertising consulting services for water conservation; authorized

an agreement with Kennedy/Jenks Consultants for \$1.5 million for design of on-site utility systems to serve the Diamond Valley Lake East Marina; presented a 20-year service pin to Director David D. De Jesus representing Three Valleys Municipal Water District; and held a public hearing regarding proposed water rates and charges. He noted that the MWD Board would be considering an eight to nine percent increase to the rates and increasing staffing by 80 positions. He responded to a question regarding project labor agreements by stating that project labor agreements would be negotiated for construction contracts over \$5 million, and the MWD Board previously utilized project labor agreements for projects at Diamond Valley Lake and the Inland Feeder, and retrofit projects. He also responded to a question regarding impacts to the District as a result of MWD's rate increase by stating that the District's rate would increase approximately four percent. He noted that three percent of the proposed eight percent increase would be to catch up on the water stewardship fee.

Board President Lewitt asked Mr. Peterson to continue to advocate for water source redundancy for the District.

## **B Legislative and Regulatory Updates**

Joe McDermott, Director of Engineering and External Affairs, reported that staff was continuing to work with Best Best & Krieger LLP (BBK), the District's lobbyist, to schedule tours of the Pure Water Demonstration Facility for the JPA's congressional representatives and staff. He also reported that a \$10.1 million grant application for U.S. Bureau of Reclamation Water SMART Title XVI WIIN Act funding would be submitted that day. He noted that the grant would cover the cost expended for the mixing study for the reservoir, and design, permitting, and planning expenses related to the design portion of the design-build effort. He also noted that letters of support were received from Congresswoman Julia Brownley, Congressman Brad Sherman, Congressman Ted Lieu, and local Mayors for the JPA's cities. He also reported that he met with Syrus Devers, state lobbyist with BBK, to discuss tracking 29 bills that fall within the Board's adopted legislative policies and principles, and to discuss an oppose unless amended position on SB 1157 (Hertzberg) regarding indoor water use efficiency standards.

## **C Water Supply Conditions Update: Receive and file**

Joe McDermott, Director of Engineering and External Affairs, provided a summary of the Board's activation of the Water Shortage Contingency Plan at Stages 1, 2, and 3. He noted that the Board modified the Las Virgenes Municipal Water District Code regarding wasteful water use penalties and exceedances during water shortage emergencies and authorized the installation of flow restricting devices for three or more exceedances to a customer's water budget during Stage 3 of the Water Shortage Contingency Plan. He also noted that in early January the California Department of Water Resources (DWR) announced a 15 percent allocation from the State Water Project; however, due to dry weather conditions in January and February, DWR was considering lowering the allocation to ten percent. He stated that although the District's water conservation levels in December were 40 percent, water conservation levels in January were only three percent. He also stated that 2,500 out of 21,000 water accounts exceeded 150 percent

of the water budget threshold in the first billing cycle since December 1st, and 600 water accounts exceeded the 150 percent threshold a second time. He noted that staff was preparing to install flow restriction devices and send letters to the 600 accounts providing the customers a warning and an opportunity to come into compliance. He also noted that flow restriction devices would not be installed until after the fourth occurrence. He stated that he did not anticipate that flow restriction devices would be installed on all accounts due to limited staff resources, and staff was hopeful that customers would receive the message through newspaper advertisements and social media regarding the District's plan to begin to install flow restriction devices beginning in early May.

A discussion ensued regarding adjusting water budgets based on the evapotranspiration rate, installing flow restriction devices to the top 500 water wasters who were using three times their water budget, considering hiring a security company to write notices of violation for allowing water to run off into the street, and encouraging customers to install a weather-based irrigation controller and enroll in the District's WaterSmart Customer Portal.

**6. TREASURER**

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

**7. BOARD OF DIRECTORS**

**A Local Agency Formation Commission: Election of Special District Representative and Alternate**

**Select candidates to serve as the Local Agency Formation Commission Special District Representative and Alternate, and authorize the General Manager to execute and return the official voting ballot no later than 5:00 p.m. on Friday, April 22, 2022.**

General Manager David Pedersen presented the report.

Director Polan moved to vote for E.G. "Jerry" Gladbach as the LAFCO Special District Representative and Melvin L. Matthews as the Alternate, and approve Item 7A. Motion seconded by Director Renger. Motion carried unanimously.

**B Re-divisioning of District Director Boundaries: Public Hearing**

**Conduct a public hearing in accordance with California Elections Code 22000 et seq., to receive public input and feedback on the proposed re-divisioning of the District Director boundaries; and pass, approve, and adopt proposed Resolution No. 2605, adjusting boundaries for the divisions represented by Members of the Board of Directors.**

**RESOLUTION NO. 2605**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT ADJUSTING BOUNDARIES FOR THE DIVISIONS REPRESENTED BY THE MEMBERS OF THE BOARD OF DIRECTORS**

(Reference is hereby made to Resolution No. 2605 on file in the District’s Resolution Book and by this reference the same is incorporated herein.)

Josie Guzman, Clerk of the Board, presented the report and noted that a notice of the public hearing was published in *The Las Virgenes – Calabasas Enterprise* on March 10, 2022, and the draft District Director Boundary Map was posted on the District’s website on February 10, 2022.

Board President Lewitt opened the public hearing at 9:51 a.m.

There were no public comments.

Ms. Guzman confirmed that the District did not receive any written or verbal comments.

Board President Lewitt closed the public hearing at 9:51 a.m.

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

**8. FINANCE AND ADMINISTRATION**

**A Claim by Charter Communications**

**Authorize the General Manager to execute a settlement agreement with Charter Communications, in the amount of \$14,511.46, for damages to their underground facilities near 30941 Agoura Road.**

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

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

Mr. Zhao responded to questions regarding other underground utilities that might have experienced damages and regarding corrosion to the pipe caused by overgrown tree roots.

Motion carried unanimously.

**9. ENGINEERING AND EXTERNAL AFFAIRS**

**A Kimberly Pressure Reducing Station No. 45 Rehabilitation Project: Award**

**Award a construction contract to California Civil Engineering, LLC, in the amount of \$142,370, and reject all remaining bids upon receipt of the duly executed contract**

**documents for the Kimberly Pressure Reducing Station No. 45 Rehabilitation Project.**

Mercedes Acevedo, Assistant Engineer, presented the report.

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

A discussion ensued regarding informing nearby residents of the project by mail, email, and through Everbridge, and considering installing signage at the project location to inform the public how the facility benefits the customers.

Motion carried unanimously.

**10. NON-ACTION ITEMS**

**A Organization Reports**

Director Caspary reported that he attended the Association of California Water Agencies (ACWA) State Legislative Committee Meeting on March 11th, where they considered 33 proposed bills. He noted that one bill proposed to change the definition of “public works” to include fuel removal projects by water agencies to protect from wildland fires. He also noted that ACWA staff currently had the ability to disclose ACWA’s position on bills, and the Committee would reexamine this practice at its next meeting. He also noted that three of the proposed bills were related to water rights. He stated that the California Coast Keeper Alliance expressed support for bills that would govern water policy going forward. He also noted that the Santa Monica Bay Restoration Commission Executive Committee would hold its final virtual meeting on March 17th because its ability to meet remotely would expire. He stated that he asked District staff regarding the feasibility of hosting the SMBRC Governing Board Meeting on April 21st in the Board Room and providing a tour of the Pure Water Demonstration Facility after the meeting. He noted that the SMBRC previously approved a \$1.8 million grant to build the demonstration facility. He also reported that the ACWA Joint Powers Insurance Authority (ACWA/JPIA) would meet on May 2nd in Sacramento, and that he would follow-up with Sophia Crocker, Human Resources Manager, on whether she might be available to attend the meeting.

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

Director Lo-Hill reported that she attended a recent ACWA Agriculture Committee meeting. She stated that she was interested in learning how agricultural growers were conserving water. Board President Lewitt noted that there were several local wine growers, and he suggested that Director Lo-Hill learn about water conservation as it relates to the wine industry.

Director Polan reported that he attended the California Association of Sanitation Agencies (CASA) Washington D.C. Policy Forum and the WateReuse Symposium in San Antonio, Texas. He noted that several people from the engineering community stated that they view the Board meeting videos online, and they were interested in the District’s work.

Board President Lewitt reported that he attended the WaterReuse Symposium. He stated that several of the vendors that attended might be interested in bidding on the Pure Water Project Las Virgenes-Triunfo, and noted that Jacobs Engineering would not be able to bid on the project as they were awarded the Owner's Advisor/Program Manager contract. He also noted that a presentation was provided by the Los Angeles Department of Water and Power (LADWP) regarding their Operation NEXT Program and water supply goal of recycling 100 percent of the available wastewater from the Hyperion Water Reclamation Plant by 2035. He stated that LADWP was currently sending 220 million gallons of water per day to the Santa Monica Bay, and they planned on recycling the water that could provide one-third of the potable water to Los Angeles after 2035. He suggested exploring whether the District could connect into and invest in the Hyperion Water Reclamation Plant as a possible secondary water source. He also noted that the District was one of the leaders nationwide in water reuse, and he acknowledged General Manager David Pedersen on his efforts. He also acknowledged Mr. Pedersen for serving as the moderator during the ACWA Legislative Symposium, where he interviewed Assemblymember Laura Friedman, Senator Robert Hertzberg, and Senator John Laird regarding indoor water use objectives. He noted that Senator Hertzberg would be running for the Los Angeles County Board of Supervisors and expressed an interest in discussing indoor water use objectives with the District.

## **C General Manager Reports**

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

General Manager David Pedersen reported that Darrell Johnson, Water Systems Manager, spoke at the WaterReuse Symposium during a panel discussion with Carollo Engineers entitled "*Think Big While Building Small – A Museum Quality Pure Water Demo,*" where they described the Pure Water Demonstration Facility as an award-winning, museum-quality project. He also reported that Yokogawa Electric Company received an award on its artificial intelligence and machine learning for water recycling and potable reuse. He noted that the District prepared a plaque on behalf of the Las Virgenes - Triunfo Joint Powers Authority, recognizing all of the participants in this effort, including IOSight; Carollo Engineers; Metropolitan Water District of Southern California; NWRI; Ministry of Economy, Trade, and Industry from Japan; Yokogawa Electric Company; and Jetro External Trade Organization. He also reported that staff was continuing negotiations with the Resource Conservation District of the Santa Monica Mountains regarding a potential lease of office space in Building No. 1. He also reported that staff was in the process of renewing the District's property and casualty insurance through CalMutuals JPRIMA. He noted that the Board previously authorized staff to renew the property and casualty insurance within certain parameters, and staff would bring back an update on a future agenda. He also noted that Matt Jacobs, Congressional candidate, would tour the Pure Water Demonstration Facility following the Board meeting.

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

General Manager David Pedersen noted that an update regarding the Delta Conveyance Project would be provided at the April 5th Board meeting.

**D Directors' Comments**

Director Caspary acknowledged staff on their efforts in the repairs following the recent water main break on Jed Smith Road.

**11. FUTURE AGENDA ITEMS**

None.

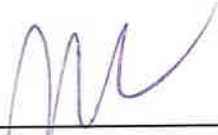
**12. PUBLIC COMMENTS**

None.


**13. ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned at **10:36 a.m.**



  
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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)