



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

**MINUTES**  
**REGULAR MEETING**

9:00 AM

April 5, 2022

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag was led by Len Polan.

**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 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 (via teleconference), Jay Lewitt (via teleconference), 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 AND APPROVAL OF FINDINGS OF RESOLUTION NO. 2603 (AB 361)**

Director Polan moved to approve the agenda and approve the findings of Resolution No. 2603 (AB 361). Motion seconded by Director Renger. Motion carried unanimously by roll call vote.

**3. PUBLIC COMMENTS**

There were no public comments.

Don Patterson, Director of Finance and Administration, introduced new employee Jessica Cortez, Accounting Supervisor. The Board welcomed Ms. Cortez to the District.

**4. CONSENT CALENDAR**

Director Caspary pulled Item 4E for public comment.

**A List of Demands: April 5, 2022: Receive and file**

**B Minutes Regular Meeting of March 15, 2022: Approve**

**C Monthly Cash and Investment Report: February 2022**

**Receive and file the Monthly Cash and Investment Report for February 2022.**

**D Statement of Revenues, Expenses, and Changes in Net Position: February 2022**

**Receive and file the Statement of Revenues, Expenses, and Changes in Net Position for the period ending February 28, 2022.**

**F Annual Supply and Delivery of Unleaded and Diesel Fuel: Change Order**

**Authorize the General Manager to approve a change order with Merrimac Energy Group, in the amount of \$40,000, and increase the annual amount for the remaining renewal option to \$150,000 for the supply and delivery of unleaded and diesel fuel.**

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

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

**E Claim by Dr. Sanford and Joan Weitzbuch**

**Deny the claim by Dr. Sanford and Joan Weitzbuch.**

Dr. Sanford and Mrs. Joan Weitzbuch asked the Board to consider the claim they submitted for damage to their water heater following the failure of a nearby rusted fire hydrant. They shared a photograph showing water spraying from the failed fire hydrant.

They noted that they received a letter from their homeowners' association regarding a water main break from the rusted fire hydrant outside of the emergency gate to Park Entrada, and stated that they believed they were the only residents that were affected. Mrs. Weitzbuch responded to a question regarding the last time they drained their water heater and checked the mineralization by stating that their plumber checked the water heater in January; however, they would need to check their records for the last time the water heater was drained and checked for mineralization.

Director Caspary moved to table this item to the next Board meeting to allow the claimant to provide additional information for staff's review.

Keith Lemieux, District Counsel, noted that the claim would be denied by operation of law if the Board were to not take action that day. He clarified that the motion was for a proposal to extend the time to respond to the claim, and that it appeared the claimants were in support for staff to conduct additional investigation. The claimants agreed to the time extension for the District to respond to the claim.

Motion seconded by Director Renger.

Motion carried unanimously by roll call vote.

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

### **A Update on Delta Conveyance Project: Nina E. Hawk, MWD Bay Delta Initiatives Policy Manager**

Nina Hawk, MWD Bay Delta Initiatives Policy Manager, provided a PowerPoint presentation with an update on the Delta Conveyance Project, which included an overview of the Sacramento-San Joaquin Delta, delta risks, hydrological challenges of climate change, project objectives, key infrastructure and alignments, local stakeholder outreach, and project permitting timeline. She responded to questions regarding the construction timeline, benefits to the District by providing dual conveyance to move water through the Delta and through the tunnel, preliminary water supply calculations, capacity options for the tunnel, and consideration of the future Sites Reservoir for water storage.

### **B Drought and Water Supply Conditions Update**

General Manager David Pedersen presented the report. He noted that the state was experiencing a third year of drought conditions, and the California Department of Water Resources had recently decreased the State Water Project (SWP) allocation to five percent. He also stated that Governor Gavin Newsom issued an executive order on March 28th calling for increased water conservation measures. He reviewed the decreased precipitation levels shown on the Northern Sierra Precipitation 8-Station Index, decreased snow levels shown on the Statewide Snow Water Content report and the Northern Sierra snowpack chart, and decreased water levels shown in the SWP reservoir conditions report. He also reviewed slides from MWD's State Water Project Dependent Area Coordination Meeting indicating that there were insufficient supplies to meet normal

demands in the SWP dependent areas, the requirements to allow for water to be provided to meet Human Health & Safety (HH&S) needs, and MWD's water supply allocation plan. He stated that MWD was considering an action-based strategy where all affected member agencies would agree to implement a common set of requirements or measures to reduce demand in their service areas, such as establishing a one-day per week watering restriction and limiting the watering schedule. He reviewed a chart depicting the 2022 SWP Dependent Area Monthly Demands after drought actions with a five percent allocation under normal demands. He stated that the allocation from the SWP could be exhausted by the end of June, and the HH&S supply could likely be triggered in July. He also stated that water conservation efforts were needed to minimize impacts before the end of the year. He responded to questions regarding delivery of HH&S supplies and long-term strategies to access water from the Colorado River.

### **C Legislative and Regulatory Updates**

Joe McDermott, Director of Engineering and External Affairs, provided an update regarding AB 1994 (Lee) and AB 2499 (Rubio) related to proposed changes to open meeting laws. He stated that both bills propose to modernize the Brown Act to allow remote teleconferencing of public agency meetings without the need to declare a state of emergency. He noted that the Las Virgenes-Triunfo Joint Powers Authority expressed support, and the District would consider signing onto the Association of Water Agencies (ACWA) letter of support.

## **6. TREASURER**

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

## **7. BOARD OF DIRECTORS**

### **A Attorney Retainer Agreement with Aleshire & Wynder: Approval**

**Execute an attorney retainer agreement with Aleshire & Wynder, LLP for legal services.**

Keith Lemieux, District Counsel, presented the report.

Director Caspary moved to approve Item 7A. Motion seconded by Director Renger. Motion carried unanimously by roll call vote.

## **8. FACILITIES AND OPERATIONS**

### **A Infrastructure Investment Plan: Fiscal Years 2022-23 through 2031-32**

**Receive and file the Infrastructure Investment Plan for Fiscal Years 2022-23 through 2031-21.**

Doug Anders, Administrative Services Coordinator, presented the report.

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

Director Polan requested that the table of contents include the page numbers for each section.

Joe McDermott, Director of Engineering and External Affairs, responded to questions regarding maintenance and replacement of old infrastructure, and scientific methods used to assess pipeline condition.

Motion carried unanimously by roll call vote.

9. **ENGINEERING AND EXTERNAL AFFAIRS**

**A Emergency Drought Response: Reduction of Outdoor Water Budgets by 50 Percent**

**Pass, approve, and adopt proposed Resolution No. 2606, adopting a drought factor of 0.5 for all outdoor water budgets, except for recycled water accounts, in response to the worsening drought and water supply conditions, and authorize the pass-through of any applicable drought-related surcharges enacted by the Metropolitan Water District of Southern California upon adequate customer notification.**

**RESOLUTION NO. 2606**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT ADOPTING A DROUGHT FACTOR OF 0.5 FOR ALL OUTDOOR WATER BUDGETS, EXCEPT FOR RECYCLED WATER ACCOUNTS, IN RESPONSE TO THE WORSENING DROUGHT AND WATER SUPPLY CONDITIONS**

(Reference is hereby made to Resolution No. 2606 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.

Board President Lewitt departed from the meeting from his teleconference location at **10:42 p.m.** Vice Chair Polan presided over the remainder of the meeting.

Mr. McDermott shared a screenshot of how water budgets are calculated using a drought factor.

Director Renger moved to approve Item 9A. Motion seconded by Director Lo-Hill.

Dave Roberts, Resource Conservation Manager, responded to questions regarding messaging options through the Rachio weather-based irrigation controller to inform customers to make adjustments to outdoor irrigation.

A discussion ensued regarding prioritizing installation of flow restriction devices to the highest wasteful water accounts, connecting the message of drought conditions to climate change, encouraging customers to enroll in the WaterSmart portal and have a Rachio weather-based irrigation controller installed, providing information regarding the 0.50 drought factor in the message box of the customers' billing statements, and having staff provide presentations at City Council meetings regarding the current drought conditions.

Motion carried by the following roll call vote:

AYES: Caspary, Lo-Hill, Polan, Renger

NOES: None

ABSTAIN: None

ABSENT: Lewitt

**B Emergency Drought Response: Assistance with Patrols to Prevent Water Wasting**

**Authorize the General Manager to execute an agreement with Dial Security, in the amount of \$100,000, for patrol services to identify and address wasteful water usage and/or water theft.**

Ursula Bosson, Customer Service Manager, presented the report. She responded to a question related to accessing gated communities by clarifying that the vendor would have access to all of the District's service area, including gated communities, for their patrols.

A discussion ensued regarding concerns that some communities would likely not be affected by monetary penalties, installation of flow restriction devices, consideration of evapotranspiration fluctuations, and orienting patrols toward wasteful water users.

Director Renger moved to approve Item 9B. Motion seconded by Director Polan. Motion carried by the following roll call vote:

AYES: Caspary, Lo-Hill, Polan, Renger

NOES: None

ABSTAIN: None

ABSENT: Lewitt

**10. NON-ACTION ITEMS**

**A Organization Reports**

Director Caspary noted that the Santa Monica Bay Restoration Commission Governing Board Meeting and Executive Committee Meeting would be held in the LVMWD Board Room, respectively, on April 21st and May 19th. He noted that a tour of the Pure Water Demonstration Facility would be provided following the meeting on May 19th.

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

None.

**C General Manager Reports**

(1) General Business

General Manager David Pedersen acknowledged the Board for their support of the District's emergency drought response. He stated that staff would do their best to communicate the emergency drought actions to customers. He noted that the Board would hold a special meeting on April 12th for the Strategic Planning Workshop in the City of Westlake Village's Community Meeting Room.

(2) Follow-Up Items

None.

**D Directors' Comments**

Director Lo-Hill stated that she was pleased with the District's public outreach regarding the efforts on water conservation measures, including implementation of water budgets, demonstration of drought-tolerant landscaping, preparation of easy to read water bills, installation of smart meters, and implementation of the online customer portal. She stated that it was time for the community to conserve water and to contact the District for assistance.

Director Polan expressed concern that there was misinformation in the social media network, Nextdoor regarding the District's water quality. Mike McNutt, Public Affairs and Communications Manager, responded that District staff was unable to respond to all Nextdoor neighborhoods; however, a link to the Districts' Water Quality Report was available on the District's website.

Director Lo-Hill reported that she attended a District event at Lupin Elementary School regarding growing succulents.

**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 **11:34 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)