



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

MINUTES
REGULAR MEETING

9:00 AM

July 5, 2022

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance to the Flag was led by Ursula Boson.

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. Susan Brown, Administrative Assistant, conducted the roll call.

Present: Directors Charles Caspary, Jay Lewitt, Lynda Lo-Hill (via teleconference), Len Polan, and Lee Renger (via teleconference)

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 (via teleconference)
Susan Brown, Administrative Assistant
Josie Guzman, Clerk of the Board
Christine Carson, Deputy District Counsel

2. APPROVAL OF AGENDA AND APPROVAL OF FINDINGS OF RESOLUTION NO. 2609 (AB 361)

Director Caspary moved to approve the agenda and approve the findings of Resolution No. 2609 (SB 361). Motion seconded by Director Polan. Motion carried unanimously by roll call vote.

3. PUBLIC COMMENTS

None.

4. CONSENT CALENDAR

A List of Demands: July 5, 2022: Receive and file

B Minutes Regular Meeting of June 21, 2022: Approve

C Continuation of Local State of Emergency Due to Water Shortage from Statewide Drought

Approve the continuation of a local emergency declaration due to water shortage from the statewide drought.

D Monthly Cash and Investment Report: May 2022

Receive and file the Monthly Cash and Investment Report for May 2022.

E Statement of Revenues, Expenses and Changes in Net Position: May 2022

Receive and file the Statement of Revenues, Expenses and Changes in Net Position for the period ending on May 31, 2022.

F Waiver of Fees and Rates for Residential Recycled Water Fill Station Program

Waive any applicable fees or rates to customers and authorize the use of wasteful water use penalty revenue to fund the Residential Recycled Water Fill Station Program.

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

5. ILLUSTRATIVE AND/OR VERBAL PRESENTATION AGENDA ITEMS

A Proclamation Recognizing Sherrie Heitkamp for 5-1/2 Years of Service

Board President Lewitt read and presented a proclamation recognizing Sherrie Heitkamp, Accounting Technician, upon her retirement following 5-1/2 Years of Service.

B Legislative and Regulatory Updates

Joe McDermott, Director of Engineering and External Affairs, noted that staff from Best Best & Krieger, LLP, the District's lobbyist, would present the State and Federal Legislative Update at the JPA Board Meeting.

Director Caspary stated that the Association of California Water Agencies (ACWA) State Legislative Committee would meet on July 6th to discuss SB 222 (Dodd), Water Rate Assistance Program. He noted that ACWA was changing its "watch" position to "oppose unless amended" due to several concerns.

C Drought and Water Supply Conditions Update

Joe McDermott, Director of Engineering and External Affairs, provided a presentation regarding the Daily Total Inlet Flow - Breakdown related to water consumption throughout the service area for the period of June 1 through 30, 2022. He noted that the chart reflected the water drawn from the Las Virgenes Reservoir 2 Pump Station, Twin Lakes Pump Station, Westlake Pump Station, and Conduit Pump Station. He also noted that the chart reflected a 25 to 50 percent reduction in water consumption district-wide.

General Manager David Pedersen responded to a question regarding seeking additional water allocation from the State Water Project by stating that Metropolitan Water District of Southern California (MWD) submitted a formal request to the State Department of Water Resources (DWR), and they were also in discussion with the California Department of Forestry and Fire Protection (CAL FIRE). He noted that he would meet with MWD representatives later in the week to discuss strategies to address the District's concerns.

John Zhao, Director of Facilities and Operations, responded to a question regarding water levels in Las Virgenes Reservoir by stating that the reservoir was 95 percent of capacity.

D WaterSmart Customer Engagement Portal: Update

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

Craig Jones, Management Analyst II, provided a PowerPoint presentation of the WaterSmart Customer Engagement Portal, including AMI meters installed versus WaterSmart registered accounts; number of registered accounts by completion date; top 20 consumers in April and May 2022; leak detection thresholds; customer leaks for all meter classes from January 2021 through May 2022; consumption history for single family residence meter class only; and portal weekly visitors (desktop versus mobile device). He responded to questions regarding increase in detecting leaks after installation of AMI meters and the use of mobile devices to view water consumption.

6. TREASURER

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

7. FINANCE AND ADMINISTRATION

A Emergency Drought Response: Proposed Revisions and Clarifications to Enforcement Measures for Water Use Restrictions

Pass, approve, and adopt proposed Resolution No. 2611, clarifying various sections of the Las Virgenes Municipal Water District Code as it relates to enforcement measures for water use restrictions.

RESOLUTION NO. 2611

A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT DESCRIBING THE METHOD OF PROVIDING CUSTOMERS WITH WARNINGS ABOUT EXCEEDANCES, CLARIFYING THAT IRRIGATION RESTRICTIONS ARE IN PLACE, AND PROVIDING THAT USE OF HYDRANT WITHOUT PERMISSION IS A VIOLATION

(Reference is hereby made to Resolution No. 2611 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, and noted a correction to Section 3-4.202(e) related to unauthorized use of a fire service or hydrant. He responded to a question regarding the upgrades to the District's phone system to address the increase in incoming calls related to the drought emergency.

Christine Carson, Deputy District Counsel, noted additional corrections to the proposed resolution, which she would provide to staff.

Director Polan moved to approve Item 9A.

Director Lo-Hill noted additional corrections to the proposed resolution, which she provided to staff.

Director Polan moved amend his motion to approve Item 9A and adopt Resolution No. 2611 as modified. Amended motion seconded by Director Lo-Hill.

A discussion ensued regarding the penalties for theft and unauthorized use of water from fire hydrants.

Mr. McDermott responded to a question regarding recent requests from the media for the names of customers who are not compliant with the current water use restrictions, and the California Government which allows the release of certain information for customers who use water in a manner inconsistent with applicable policies. He noted that language would be added to exceedance notices informing customers that their information could be disclosed as part of a public records request, and the District issued a news release that the Public Records Act requires the District to disclose the identities of wasteful water users.

Director Lo-Hill stated that she would request a future agenda item to discuss policy, allow additional time for customers to request an appeal, provide accurate evapotranspiration forecast, feedback from customers regarding water-based budgets, and penalty reset.

A discussion ensued regarding the current policy related to refilling swimming pools and asking homeowners associations to turn off water fountains to send the message regarding water use restrictions.

Director Renger lost the connection to the teleconference.

Motion carried by the following roll call vote:

AYES: Caspary, Lo-Hill, Lewitt, Polan

NOES: None

ABSTAIN: None

ABSENT: Renger

8. NON-ACTION ITEMS

A Organization Reports

None.

B Director's Reports on Outside Meetings

Director Polan reported that he attended the California Association of Sanitation Agencies (CASA) webinar related to carbon neutrality and promoting the use of electric vehicles.

C General Manager Reports

(1) General Business

General Manager David Pedersen noted that he would meet with representatives from MWD to discuss the methodology used to determine the volumetric amount available to the District. He reported that he and representatives from Calleguas Municipal Water District and the Los Angeles Department of Water and Power met with the MWD Executive Team on July 1st to discuss long-term strategies to improve the conveyance of water within MWD's system to the west side. He noted that discussions had begun regarding potential elements for MWD Board action at August 23rd MWD Board Meeting for a commitment to address concerns, not have the current condition reoccur where a subset of MWD member agencies would be subject to more strict allocation requirements, and a commitment to certain MWD projects in order to move water in its system. He noted that several customers had reached out to the District regarding drought-related issues, and he would meet with the owner from Colorful Garden Center later in the week. He also reported that he and Director Lo-Hill would meet with another District customer to discuss concerns related to enforcement activities. He responded to a question regarding seeking authorization from CAL FIRE regarding the use of water from swimming pools for fire suppression by stating that the District received a letter of support from the Los Angeles

County Fire Department, which was forwarded to the State. He noted that the Fire Department already had the tools necessary to draw water from swimming pools for fire suppression purposes. He also responded to a question regarding the timeline for MWD to bring water to the west side by stating that the timeline was likely three to five years.

(2) Follow-Up Items

None.

D Directors' Comments

None.

9. FUTURE AGENDA ITEMS

Director Lo-Hill moved to have a discussion regarding policies as they relate to enforcement of water use restrictions based on customers' feedback. Motion seconded by Director Caspary.

10. PUBLIC COMMENTS

None.

11. CLOSED SESSION

A Conference with Legal Counsel – Anticipated Litigation (Government Code Section 54956.9(b), Significant Exposure to Litigation): One case

B Conference with Labor Negotiators (Government Code Section 54957.6(b):

Agency Designated Representatives: Las Virgenes Municipal Water District Board of Directors

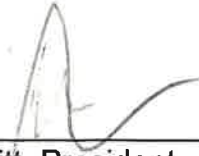
Unrepresented employee: General Manager

The Board recessed to Closed Session at **10:25 a.m.** and reconvened to Open Session at **12:12 p.m.**

Christine Carson, Deputy District Counsel, announced that the Board received reports in Closed Session, and there was no reportable action for Item 11A. She reported that for Item 11B, the Board moved to recommend an increase to the General Manager's base salary of five percent effective July 20, 2022; a one-time vacation cash out of 120 accrued vacation hours during Fiscal Year 2022-23; and vacation cash out in the same amount, timing, and basis as Department Directors for future fiscal years beginning with Fiscal Year 2023-24. She noted that the motion was moved by Director Caspary and seconded by Board President Lewitt, and the motion carried unanimously by roll call vote.

12. OPEN SESSION AND ADJOURNMENT

Seeing no further business to come before the Board, the meeting was duly adjourned in memory of Dave Roberts, Resource Conservation Manager, at 12:15 p.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)