



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

**MINUTES**  
**REGULAR MEETING**

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5:00 PM

April 10, 2018

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance to the Flag was led by Jason Wilson.

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

The meeting was called to order at **5:00 p.m.** by Vice President Caspary in the Board Room at Las Virgenes Municipal Water District headquarters at 4232 Las Virgenes Road, Calabasas, CA 91302. Mary Capps, Acting Clerk of the Board, conducted the roll call.

Present: Directors Charles Caspary, Len Polan, and Lee Renger.  
Absent: Directors Jay Lewitt, Glen Peterson  
Staff Present: David Lippman, Director of Facilities and Operations  
Don Patterson, Director of Finance and Administration  
Dave Roberts, Resource Conservation Manager  
Mary Capps, Acting Clerk of the Board  
Keith Lemieux, District Counsel

**2. APPROVAL OF AGENDA**

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

AYES: Caspary, Polan, Renger  
NOES: None  
ABSTAIN: None  
ABSENT: Lewitt, Peterson

### **3. PUBLIC COMMENTS**

David Lippman, Director of Facilities and Operations, introduced the following new employees: Spencer Lee, Water Worker I; Justin Walden, Water Worker I; and Starr Hendricks, Water Worker I.

Don Patterson, Director of Finance and Administration, introduced the following new employees: Jason Wilson, Storekeeper, and Maria Orozco, Human Resources Analyst I.

### **4. CONSENT CALENDAR**

**A List of Demands: April 10, 2018: Ratify**

**B Minutes: Regular Meeting of March 13, 2018 and Special Meeting of March 20, 2018: Approve**

**C Directors' Per Diem – March 2018: Ratify**

**D Monthly Cash and Investment Report: February 2018**

**Receive and file the Monthly Cash and Investment Report for February 2018.**

**E Unleaded and Diesel Fuel Petroleum Products: Award**

**Accept the bid from Merrimac Energy Group and authorize the General Manager to issue a one-year purchase order, in the amount of \$103,150.39, with four one-year renewal options.**

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

AYES: Caspary, Polan, Renger

NOES: None

ABSTAIN: None

ABSENT: Lewitt, Peterson

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

**A Legislative and Regulatory Updates**

Dave Roberts, Resource Conservation Manager, provided the following updates:

AB 1876, Delta Stewardship Council, which seeks to abolish the Delta Stewardship Council and replace it with the Delta Protection Commission. The opposition to AB 1876 is an ACWA-led effort that has the support of many agencies, along with Las Virgenes Municipal Water District. The concern that ACWA and others have is that the Delta

Protection Commission is dominated by Delta agencies and interests, so there would be a perceived bias by making that change. There is also concern with abolishing the Delta Stewardship Council.

Director Polan inquired if there has been any conversations with the Assembly. Dave Roberts stated that there is plenty of opposition to AB 1876 as it stands, and he pointed out that the board packet contained a litany of agencies that have signed onto the opposition letter.

Director Caspary noted that he rarely sees a letter to a legislator that is as forthright as the one in the agenda packet, and he gave applause to the opposition.

Dave Roberts continued the legislative update:

SB 998 - Discontinuation of Residential Water Service: urban and community water systems. A copy of the letter in opposition from ACWA was included in the board packet. This piece of legislation seeks to place unreasonable burdens on water purveyors for service shut-offs, which could result in extended periods of times that accounts remain delinquent while continuing to receive water. This legislation could also require the involvement of the health department and State Attorney General in connection with shut-downs, and require that water purveyors collect sensitive information that otherwise would not be collected.

SB 1489 - An amendment brought forward by Senator Stern based upon the District's request. This bill would remove language prohibiting funding of indirect potable water projects from receiving potential funding from Proposition 68, in the event that it passes on the June ballot. The language has been modified to allow funding for indirect potable water projects based upon the District's request and Senator Stern's amendment to the legislation.

David Lippman, Director of Facilities and Operations commented that the District applied for a planning grant for the Pure Water Project from the State Water Resource Control Board and they denied the application based upon existing language in the legislature that prohibits using that funding for surface water augmentation projects. He noted that the amendment to AB 1489 would modify this language and the District appreciated Senator Stern for bringing it forward.

Director Caspary inquired as to when the amendment would be scheduled to go before the committee and the chances of its success. Dave Roberts responded that he was not aware when SB 1489 would be presented to the committee, and that in speaking with Joe McDermott, Director of Resource Conservation and Public Outreach, he seemed very optimistic about it and staff would have additional information to share soon.

## **B Water Supply Conditions Update**

Dave Roberts, Resource Conservation Manager, reported on current rain and snow conditions. He noted that despite it being a very disappointing rain year in Southern California, it is encouraging to see that the water supply conditions are very favorable.

He also noted that most of the reservoirs are at or above where they would normally be at this time of year, more than likely a legacy of the good rainwater year from last year. However, in Southern California there is a range from moderate to severe drought conditions depending on locations. He noted that Northern California experienced a fairly large storm last week that threatened use of the Oroville Dam spillway for the first time this year. Fortunately it did not reach high levels. Snow pack conditions are not as good as the water supply conditions and they are approximately 50 percent statewide, which means that those reservoirs are likely going to be drawn down more rapidly than they would be because they are not being augmented by snow melt in the spring and summer.

Director Caspary asked if Lake Mead is still anticipating a shortage this calendar year. Dave Roberts responded that the snow pack conditions for the upper Colorado River are not terrible. While snow pack conditions are not up to the average level, it is close to average and not near as low as it has been over the last few years. Hopefully enough snow has been received in the Colorado River Basin so that Lake Mead may avoid any shortage this year.

**6. TREASURER**

Director Renger stated that the Treasurer's report was in order.

**7. BOARD OF DIRECTORS**

**A General District Election on November 6, 2018: Resolution No. 2533**

**Pass, approve, and adopt proposed Resolution No. 2533, pertaining to a General District Election to be held in the District on Tuesday, November 6, 2018; and authorize the Board Secretary to submit certified copies of said resolution, completed Roster of Officeholders for Local Jurisdictions, and District Boundary and Divisions Map to the Board of Supervisors and the Registrar-Recorder/County Clerk of the County of Los Angeles**

**RESOLUTION NO. 2533**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES TO PERMIT THE REGISTRAR-RECORDER/COUNTY CLERK TO RENDER ELECTION SERVICES FOR A GENERAL DISTRICT ELECTION TO BE HELD ON NOVEMBER 6, 2018.**

(Reference is hereby made to Resolution No. 2533 in the District's Resolution Book and by this reference the same is incorporated and made a part thereof.)

David Lippman, Director of Facilities and Operations, presented the report.

Director Polan inquired if the District would have to pay the election services fees if an incumbent runs unopposed. David Lippman responded that the fee may be reduced in

that case; however, the District would need to pay the majority of the fee for the work that the County conducts to prepare the ballots, count the ballots, etc. Keith Lemieux, District Counsel, added that if all incumbents run unopposed then the District would not need hold an election.

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

AYES: Caspary, Polan, Renger

NOES: None

ABSTAIN: None

ABSENT: Lewitt, Peterson

## 8. FACILITIES AND OPERATIONS

### **A Agoura Landmark Project at 29621 Agoura Road: Easement Modifications and Encroachments**

**Authorize the General Manager to execute the necessary easement documents and agreements to accept a new easement for an existing 24-inch water main, modify an existing easement for a 12-inch sanitary sewer main, and authorize surface encroachments that would not interfere with operation and maintenance of the facilities and subject to indemnification by the property owner for 29621 Agoura Road.**

John Zhao, Principal Engineer, presented the report.

Director Polan requested that the easement be modified to exclude all trees. A discussion took place and it was agreed that staff would work with the developer, and if it becomes necessary to include trees, staff would work to mitigate the potential negative impacts.

Director Polan moved to approve Item 8A. Motion seconded by Director Renger. Motion carried by the following vote:

AYES: Caspary, Polan, Renger

NOES: None

ABSTAIN: None

ABSENT: Lewitt, Peterson

### **B Barrymore Pressure Reducing Station Rehabilitation Project: Construction Award**

**Award a construction contract to Toro Enterprises, Inc., in the amount of \$167,550; and approve an additional appropriation, in the amount of \$64,305, for the Barrymore Pressure Reducing Station Rehabilitation Project.**

David Lippman, Director of Facilities and Operations presented the report.

Director Caspary pointed out that the contractor selected was the low bidder by over \$70,000. David Lippman stated that the difference is that Toro Enterprises is familiar with the area.

Director Caspary questioned whether or not this rehabilitation would facilitate energy regeneration capabilities. David Lippman stated that the District had a study performed several years ago and none of the District's pressure reducing facilities provided a cost savings in energy regeneration efforts due the limited capability to produce energy.

Director Renger moved to approve Item 8B. Motion seconded by Director Polan. Motion carried by the following vote:

AYES: Caspary, Polan, Renger  
NOES: None  
ABSTAIN: None  
ABSENT: Lewitt, Peterson

**C     **Infrastructure Investment Plan: Fiscal Years 2018-19 through 2022-23****

**Receive and file the Infrastructure Investment Plan for Fiscal Years 2018-19 through 2022-23**

David Lippman, Director of Facilities and Operations presented the report.

Director Renger inquired regarding the status of identifying a viable vendor for the AMI project. Dave Roberts responded that viable vendors would be identified during the planning process, which is currently pending.

Director Caspary requested clarification and details of the proposed valve turning truck. David Lippman explained that the current truck, which was outfitted for that purpose many years ago, has seen better days and explained in detail the capabilities of the new truck.

Director Renger moved to approve Item 8C. Motion seconded by Director Polan. Motion carried by the following vote:

AYES: Caspary, Polan, Renger  
NOES: None  
ABSTAIN: None  
ABSENT: Lewitt, Peterson

**9.    FINANCE AND ADMINISTRATION**

**A     **Claim from Craig C. Konjoyan****

**Deny the claim from Craig G. Konjoyan.**

David Lippman, Director of Facilities and Operations presented the report.

Director Polan commented that he would like to see the information submitted by the claimant on the Water Budget Questionnaire. Dave Roberts responded that the claimant submitted the original questionnaire and it accurately reflected the irrigated area and residency reported by the claimant. He offered to review the questionnaire after the meeting if the Board desired. David Lippman also stated that staff offered a free water audit to the claimant; however, the claimant has not responded.

Director Caspary moved to deny the claim. Motion seconded by Director Polan. Motion carried by the following vote:

AYES: Caspary, Polan, Renger

NOES: None

ABSTAIN: None

ABSENT: Lewitt, Peterson

## 10. LEGAL SERVICES

### A Olivarez Madruga Lemieux O'Neill, LLP: Contract Amendment

**Approve an amendment to the professional services agreement with Olivarez Madruga Lemieux O'Neill, LLP, Attorneys at Law, to increase the fixed monthly fee for transactional services to \$7,350 per month, effective July 1, 2018.**

Keith Lemieux, District Counsel, presented the report.

David Lippman, Director of Facilities and Operations pointed out that since the two firms have merged, the District now has access to areas of expertise that it previously did not have, which has been an added benefit.

Director Renger moved to approve Item 10A. Motion seconded by Director Polan. Motion carried by the following vote:

AYES: Caspary, Polan, Renger

NOES: None

ABSTAIN: None

ABSENT: Lewitt, Peterson

## 11. NON-ACTION ITEMS

### A Organization Reports

- (1) MWD Representative Report/Agenda(s)

David Lippman, Director of Facilities and Operations, reported that MWD's agenda contained an item to either support the one tunnel, or the two tunnels, for the California WaterFix, or to take no action at all. He noted that Board President Peterson participated in the MWD Board meeting via telephone from Washington DC. He also noted that the

MWD Board voted to support the two tunnels for the California WaterFix. He stated that this vote authorizes MWD to finance its share of the California WaterFix as a state water project contractor and to fully fund the unsubscribed share of the project up to 64.6 percent of the total cost, which is estimated at \$10.8 billion. In addition, the MWD Board voted to appropriate some additional gap funding that is needed for pre-construction expenses, including study, review, planning, and engineering at a cost of \$86 million. The gap funding will be reimbursed with interest upon issuance of the first series of bonds, which is currently estimated to be funded within 12 months.

(2) Other

None.

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

Director Renger reported that he attended the WaterReuse Conference in Monterey. He noted that Monterey has encountered challenges due to some court decisions and would be running out of drinking water. He stated that Monterey devised a plan to use several uncommon sources of water. He also stated that some of the water would be advanced treated and put back into the aquifer to act as a saline barrier; however, it would also end up in the drinking water. He noted that there was a discussion on contaminants of emerging concern and synergy. He also noted that some of the takeaways from the conference were to anticipate issues before they occur, focus on technology and science, and stress nature's cycle because water is reused in nature.

Director Polan reported that he attended the WaterReuse Conference in Monterey as well. He noted that bioactivity of nanoparticles in bottled water was a topic of discussion. He also noted that he attended a session on building a demonstration plant and why it should be done. He pointed out that this is a vital process to demonstrate to the public.

Director Caspary reported that he attended the WaterReuse Conference in Monterey as well, and noted that they stressed that the public outreach component of a Pure Water Project as being vitally important.

**C General Manager Reports**

(1) General Business

David Lippman, Director of Facilities and Operations, reminded the Board that the Pure Water Demonstration Project Workshop would be held on Tuesday April 17, 2018, at 5:00 p.m. He noted that the creek avoidance period would begin its twenty-first year on April 15, 2018.

(2) Follow-Up Items

None.

**D Directors' Comments**



Director Polan commented that he feels strongly that the District needs to focus on outreach for the Pure Water Project.

**12. FUTURE AGENDA ITEMS**

None.

**13. PUBLIC COMMENTS**

None.

**14. CLOSED SESSION**

None.

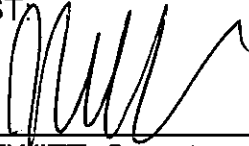
**15. OPEN SESSION AND ADJOURNMENT**

Seeing no further business to come before the Board, the meeting was duly adjourned in memory of Alice C. Stelle at **6:05 p.m.**



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GLEN PETERSON, President  
Board of Directors  
Las Virgenes Municipal Water District

ATTEST



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JAY LEWITT, Secretary  
Board of Directors  
Las Virgenes Municipal Water District

(SEAL)