



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

**MINUTES**  
**REGULAR MEETING**

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5:00 PM

June 14, 2011

**PLEDGE OF ALLEGIANCE**

At the request of President Renger the Pledge of Allegiance to the Flag was given by Director Steinhardt.

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

**A** Call to order and roll call

The meeting was called to order at 5:00 p.m. by President Renger in the District offices. Assistant Deputy Secretary Conklin called the roll. Those answering present were Directors Bowman, Caspary, Peterson, Renger and Steinhardt.

**2. APPROVAL OF AGENDA**

**A** Approval of agenda

*On a motion by Director Joseph Bowman, seconded by Director Glen Peterson, the Board of Directors voted 5-0 to Approve the Regular Board Meeting of June 14, 2011, as presented.*

*AYES: Director(s) Bowman , Caspary , Peterson , Renger , Steinhardt*

**3. PUBLIC COMMENTS**

Five speaker cards were received from the public; (1) Geri Berger stated she opposes change to smart meters and wants customers to have the ability to opt-out of the program; (2) Steve Brecht stated he opposes smart meters, wants ability to opt-out, and feels smart meters are an invasion of privacy; (3) Manuela Saul stated she would like the ability to opt-out of smart meters, if using Las Virgenes needs to educate customers of radio frequencies, their accumulative effects and has privacy concerns; (4) Liat Samouhi representing Citizens Review Association spoke in regards to consumer rights, democracy, public education, continuous low exposure to radio frequencies can be harmful, halt further installations, opt-out

program, and stated a workshop for public education is needed; and (5) Art Guglielmi who commented on the water allocation program, thanked board members who kept their promise to refund surcharges and penalty monies if not used for Metropolitan, and stated facts should have been reviewed prior to people issuing anti-refund letters for publication in The Acorn.

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

##### **A Public Hearing: 2010 Urban Water Management Plan Adoption**

Approve Resolution No. 06-11-2414 adopting the 2010 Urban Water Management Plan (LVMWD #2479.00); and adopting method one (Baseline Reduction) for determining the District's Urban Water Management use targets as required by the Water Conservation Act of 2009.

##### **RESOLUTION NO. 06-11-2414**

##### **A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT ADOPTING THE 2010 URBAN WATER MANAGEMENT PLAN INCLUDING ADOPTING A METHODOLOGY TO ACHIEVE A 20% REDUCTION IN WATER CONSUMPTION BY 2020**

(Reference is hereby made to Resolution No. 06-11-2414 in the District's Resolution Book and by this reference the same are incorporated and made a part thereof.)

A public hearing was held during which Secretary Caspary described the process for public and local agency review, which included issuance of a press release and publication of notices in The Acorn. General Manager Mundy provided an overview of the plan.

No speaker cards were received from the public in regards to the Urban Water Management Plan and Methodology for determining use targets as required by the Water Conservation Act of 2009.

*On a motion by Director Charles Caspary, seconded by Director Joseph Bowman, the Board of Directors voted 5-0 to Approve the recommendations as presented.  
AYES: Director(s) Bowman , Caspary , Peterson , Renger , Steinhart*

##### **B Solar Cup Update**

Public Affairs Associate Low gave a presentation of the events held at Lake Skinner during the Solar Cup festivities; and Ty Kastendiek, teacher with the Los Angeles County Office of Education, currently assigned to Camp David Gonzales discussed the variety of benefits the program offered to their students and the public support they have received as a result of their participation.

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

Public Affairs & Communications Manager Reinhardt discussed the deadline for issuance of a letter of support for the Alternative Delta Plan and requested Director Peterson's input on the topic as a member of the Metropolitan and ACWA Boards. Director Peterson discussed the Delta Stewardship Council and Alternative Delta Plan. President Renger polled the Board as to their opinions on the matter, after which he directed staff to prepare a letter of support, for submission by the deadline on June 15, 2011.

#### **5. CONSENT CALENDAR**

*On a motion by Director Joseph Bowman, seconded by Director Glen Peterson, the*

*Board of Directors voted 5-0 to Approve Consent Calendar 5A-5D as presented in the recommendations.*

*AYES: Director(s) Bowman , Caspary , Peterson , Renger , Steinhardt*

**A Minutes: Regular Meeting of May 10, 2011. Approve**

**B List of Demands: June 14, 2011. Approve**

**C Directors' Per Diem: May 2011. Ratify**

**D Supplemental and Amended Application to Present Late Claim - Michael S. Josephson. Approve**

## **6. TREASURER**

Treasurer Steinhardt stated he had reviewed the checks and everything appears to be in order.

## **7. FACILITIES AND OPERATIONS**

**A Repair of Pressure Reducing Station at Rambla Pacifico Road & Scheuren Road- Award of Contract**

Authorize the General Manager to issue a purchase order in the amount of \$47,000.00 to New Turf Construction, Inc. for construction of the pressure reducing station at Rambla Pacifico Road and Scheuren Road.

*On a motion by Director Charles Caspary, seconded by Director Barry Steinhardt, the Board of Directors voted 5-0 to Approve the recommendation as presented, and to include a declaration stating due to this being a critical facility the repair is considered an emergency.*

*AYES: Director(s) Bowman , Caspary , Peterson , Renger , Steinhardt*

## **8. FINANCE AND ADMINISTRATION**

**A LVMWD Budget for Fiscal Year 2011-12 and Revised Financial Policies**

Adopt the Proposed Budget for Fiscal Year 2011-12 and approve the revised Financial Policies.

Director of Finance and Administration Hicks discussed cost savings related to a decrease in employees, a future workforce planning update, increases/decreases to benefit percentages, and stated the district is slightly over 80% funded in CalPERS.

Financial Analyst Hamilton discussed changes to the budget due to wholesale/recycled/sanitation rates, revised estimated costs to city of Los Angeles and an additional appropriation to a capital improvement project.

Director Bowman requested clarification on Financial Policy 1: Restricted Cash, and Director Peterson requested information on District Wide Reserves.

*On a motion by Director Lee Renger, seconded by Director Glen Peterson, the Board of Directors voted 5-0 to Approve the recommendation as presented.*

*AYES: Director(s) Bowman , Caspary , Peterson , Renger , Steinhardt*

## **9. RESOURCE CONSERVATION AND PUBLIC OUTREACH**

**A Ordinance No. 06-11-266: Amended Water Conservation Measures**

The full reading of the proposed Ordinance No. 06-11-266 amending Ordinance No. 11-86-161 (Las Virgenes Code) as it relates to Water Conservation Measures, be waived, and the Board order publication within 30-days of adoption using a summary of the Ordinance.

The Board by a roll call vote of Ayes: Noes: Abstain: Absent: that the proposed Ordinance No. 06-11-266 amending Ordinance No. 11-86-161 (Las Virgenes Code) as it relates to Water Conservation Measures, given second reading by title only, be passed, approved and adopted as presented.

## **ORDINANCE NO. 06-11-266**

### **AN ORDINANCE OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT AMENDING ORDINANCE NO. 11-86-161 (LAS VIRGENES CODE) AS IT RELATES TO WATER CONSERVATION MEASURES**

(Reference is hereby made to Ordinance 06-11-266 on file in the District's Ordinance Book and by this reference the same is incorporated herein and made a part of thereof.)

*On a motion by Director Glen Peterson, seconded by Director Charles Caspary, the Board of Directors voted 5-0 to Approve the recommendations as presented in paragraph one.*

*AYES: Director(s) Bowman , Caspary , Peterson , Renger , Steinhardt*

*On a motion by Director Charles Caspary, seconded by Director Glen Peterson, the Board of Directors voted 5-0 to Approve by a roll call vote conducted by Assistant Deputy Secretary Conklin, the recommendations as presented in paragraph two.*

*AYES: Director(s) Bowman , Caspary , Peterson , Renger , Steinhardt*

#### **B Resolution No. 06-11-2415 Repealing Resolution Nos. 05-10-2401, 05-10-2404 and 01-11-2413**

Approve Resolution No. 06-11-2415 repealing Resolutions Nos. 05-10-2401, 05-10-2404 and 01-11-2413.

## **RESOLUTION NO. 06-11-2415**

### **A RESOLUTION OF THE BOARD OF DIRECTORS OF LAS VIRGENES MUNICIPAL WATER DISTRICT REPEALING RESOLUTION NOS. 05-10-2401, 05-10-2404 AND 01-11-2413**

(Reference is hereby made to Resolution No. 06-11-2415 in the District's Resolution Book and by this reference the same are incorporated and made a part thereof.)

*On a motion by Director Glen Peterson, seconded by Director Charles Caspary, the Board of Directors voted 5-0 to Approve the recommendation as presented.*

*AYES: Director(s) Bowman , Caspary , Peterson , Renger , Steinhardt*

## **10. LEGAL SERVICES**

### **A Lemieux & O'Neill - Annual Retainer Review**

General Legal Counsel to discuss their monthly transactional retainer with the Board of Directors.

Legal Counsel Lemieux discussed the history of the Lemieux & O'Neill monthly transactional

retainer. General Manager Mundy provided a breakdown of monthly transactional services performed including hours spent on claims, public record act requests, ordinances, resolutions and consulting with staff on miscellaneous inquiries.

The Board concurred with Director Peterson's request to have General Manager Mundy continue tracking of the potential out of balance for legal services in comparison to the monthly transactional retainer, and to notify the Board if such a condition exists on a regular basis.

## **11. INFORMATION ITEMS**

### **A Claim from Alex Kaliakin**

## **12. NON-ACTION ITEMS**

### **A Organization Reports(1) MWDa. Representative Report/Agenda(s); (2)Other**

(1) MWD Representative Peterson discussed general business of Metropolitan including recognition of their staff who participated in Solar Cup; conservation rate structure; the first annual commemorative edition of Metropolitan's report regarding first water through the aqueduct is available (Director Peterson requested copies of this publication be purchased for the book program); and reported on bills by Senator Murkowski and Congressman Nunes.

(2) Director Caspary reported on the Santa Monica Bay Restoration Commission elections, which closed on June 14, 2011.

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

Director Steinhardt reported on his attendance at the Special District Institutes's Administrative Seminar he attended on June 9-10, 2011, which included the topics of building community support; and customer service.

### **C General Manager Reports**

General Manager Mundy provided an update regarding general business of the district including future calendar events; Energy Upgrade CA on June 11, 2011; stated the Environmental Water Science Workshop had been canceled due to a lack of response; and said Las Virgenes had received several calls from customers stating they can use the money and thanking the district for refunding surcharges.

### **D Director's Comments**

None.

## **13. FUTURE AGENDA ITEMS**

Director Bowman requested additional information on the District's Financial Policy related to the \$19 million district-wide replacement funds; and a Closed Session item on June 28, 2011 to discuss renegotiations of employee contracts related to new employees.

## **14. CLOSED SESSION**

The meeting adjourned to break at at 7:11 p.m.

The meeting reconvened into Closed Session at 7:22 p.m.

### **A Conference with District Counsel - Existing Litigation (Government Code Section**

**54956.9(a)):**

1. C.T. & F., Inc. v. Las Virgenes Municipal Water District
2. Weber v. Las Virgenes Municipal Water District
3. Bryant v. Las Virgenes Municipal Water District, et al.

**15. OPEN SESSION AND ADJOURNMENT**

The Chair declared the meeting adjourned at 7:35 p.m.

*Lee Renger*

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LEE RENGER, President  
Board of Directors  
Las Virgenes Municipal Water District

ATTEST:

*Charles Caspary*

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CHARLES CASPARY, Secretary  
Board of Directors  
Las Virgenes Municipal Water District

(SEAL)

